

Agenda

Benchers

Date: Friday, February 28, 2014

Time: **7:30 am** Continental breakfast

8:30 am Call to order

Location: Bencher Room, 9th Floor, Law Society Building

Recording: Benchers, staff and guests should be aware that a digital audio recording is made at each Benchers

meeting to ensure an accurate record of the proceedings.

CONSENT AGENDA:

The Consent Agenda matters are proposed to be dealt with by unanimous consent and without debate. Benchers may seek clarification or ask questions without removing a matter from the consent agenda. Any Bencher may request that a consent agenda item be moved to the regular agenda by notifying the President or the Manager, Executive Support (Bill McIntosh) prior to the meeting.

ITEM	TOPIC	TIME (min)	SPEAKER	MATERIALS	ACTION		
1	Consent AgendaMinutes of January 24, 2014Meeting	1	President	Tab 1.1	Approval		
	Minutes of January 24, 2014 Meeting (in camera session)			Tab 1.2	Approval		
	Approval of Territorial Mobility Agreement 2013			Tab 1.3	Approval		
DEDODTS							

REPORTS

2	Lawyers Insurance Fund: Program Report for 2013	20	Su Forbes, QC	Tab 2	Briefing
3	Briefing by the Law Society's Federation Council Member	5	Gavin Hume, QC		Briefing

DM464608



Agenda

ITEM	TOPIC	TIME (min)	SPEAKER	MATERIALS	Briefing	
4	President's Report	15	President	Oral report (update on key issues)		
5	CEO's Report	15	CEO	Tab 5	Briefing	
6	Report on 2013 Key Performance Measures	10	President/CEO	Tab 6	Briefing	
7	Report on Outstanding Hearing & Review Decisions	4	President	(To be circulated at the meeting)	Briefing	
DISCU	JSSION/DECISION					
8	2013 Bencher and Committee/Task Force Evaluations	10	Miriam Kresivo, QC	Tab 8	Discussion/ Decision	
9	Proposed TWU Faculty of Law • Process Update for Current and April 11 Meetings • Memorandum from Jan Lindsay, QC		President	Tab 9	Discussion	
FOR I	NFORMATION					
10	2013 Public Education Report			Tab 10	Information	
IN CA	MERA					
11	In cameraBencher ConcernsOther Business	20	President/ CEO		Discussion/ Decision	

DM464608



Minutes

Benchers

Date: Friday, January 24, 2014

Present: Jan Lindsay, QC, President

Ken Walker, QC, 1st Vice-President

David Crossin, QC, 2nd Vice-President

Haydn Acheson Joseph Arvay, QC Satwinder Bains Pinder Cheema, QC

David Corey
Jeevyn Dhaliwal
Lynal Doerksen
Thomas Fellhauer
Craig Ferris

Martin Finch, QC Miriam Kresivo, QC Dean Lawton

Peter Lloyd, FCA

Excused: Not Applicable

Jamie Maclaren

Sharon Matthews, QC

Ben Meisner Nancy Merrill

Maria Morellato, QC David Mossop, QC Lee Ongman

Greg Petrisor
Claude Richmond

Phil Riddell

Elizabeth Rowbotham Herman Van Ommen, QC

Cameron Ward Tony Wilson Barry Zacharias

Staff Present: Tim McGee, QC

Deborah Armour Robyn Crisanti Su Forbes, QC Andrea Hilland Jeffrey Hoskins, QC

Ryan Lee

Michael Lucas
Bill McIntosh
Jeanette McPhee
Doug Munro
Alan Treleaven
Adam Whitcombe

Guests: The Hon. Robert J. Bauman Chief Justice of British Columbia

Dom Bautista Executive Director, Law Courts Center

Mary Ann Bobinski

Kari Boyle

Executive Director, Mediate BC Society

Director, The Law Foundation of BC

Karima Budhwani Program Director, The Law Foundation of BC

Anne Chopra Equity Ombudsperson

Ron Friesen CEO, Continuing Legal Education Society of BC

Jeremy Hainsworth Reporter, Lawyers Weekly

Gavin Hume, OC Law Society Member of the Council of the Federation of

Law Societies of Canada

Drew Jackson Director of Client Services, Courthouse Libraries BC
Derek LaCroix, QC Executive Director, Lawyers Assistance Program
Sherry MacLennan Director of Public Legal Information and Application

Services, Legal Services Society

Caroline Nevin Executive Director, Canadian Bar Association, BC Branch

Priyan Samarakoone Program Manager, Access Pro Bono

Alex Shorten Vice President, Canadian Bar Association, BC Branch

Rose Singh BC Paralegal Association

Prof. Jeremy Webber Dean of Law, University of Victoria

Ryan Williams President, TWI Surveys Inc.

CONSENT AGENDA

1. Oaths of Office

The Honourable Robert J. Bauman, Chief Justice of British Columbia, administered oaths of office sworn or affirmed by President Jan Lindsay, QC, First Vice-President Ken Walker, QC, Second Vice-President David Crossin, QC and the 2014 Benchers (except Vancouver Bencher Sharon Matthews, whose oath of office was administered by Ms. Lindsay).

2. Minutes

a. Minutes

The minutes of the meeting held on December 6, 2013 were approved as circulated.

The *in camera* minutes of the meeting held on December 6, 2013 were approved as circulated.

b. Consent Resolutions

The following resolutions were passed unanimously and by consent.

• Rules 2-69.1 and 4-38: Publication of hearing decisions

BE IT RESOLVED to amend the Law Society Rules as follows:

- 1. In Rule 2-69.1, by rescinding subrules (1) to (3) and substituting the following:
 - (1) Subject to Rule 2-69.2, the Executive Director may publish and circulate to the profession a summary of the circumstances and of any final or interlocutory decision of a hearing panel or review board on an application under this Division and the reasons given for the decision.
 - (2) When a publication is allowed under subrule (1), the Executive Director may also publish generally
 - (a) a summary of the circumstances of the decision of the hearing panel and the reasons given for the decision, or
 - (b) all or part of the written reasons for the decision.; and

- 2. In Rule 4-38, by rescinding subrules (3) and (4) and substituting the following:
 - (3) When a publication is required under subrule (1) or permitted under subrule (2), the Executive Director may also publish generally
 - (a) a summary of the circumstances of the decision, reasons and action taken,
 - (b) all or part of the written reasons for the decision, or
 - (c) in the case of a conditional admission that is accepted under Rule 4-21, all or part of an agreed statement of facts.
- Rule 10-1: Service and delivery of documents

BE IT RESOLVED to amend Rule 10-1 as follows:

- 1. In subrule (1), by rescinding the preamble and substituting the following:
 - (1) A lawyer, former lawyer, articled student or applicant may be served with a notice or other document personally, by leaving it at his or her place of business or by sending it by
- 2. By rescinding subrule (3) and substituting the following:
 - (3) A document sent by ordinary mail is deemed to be served 7 days after it is sent.
 - (3.1) A document that is left at a place of business or sent by registered mail or courier is deemed to be served on the next business day after it is left or delivered.
 - (3.2) A document sent by electronic facsimile or electronic mail is deemed to be served on the next business day after it is sent.

REGULAR AGENDA – for Discussion and Decision

3. 2012 – 2014 Strategic Plan Annual Review

Mr. McGee presented a summary of the implementation status of the three goals and related initiatives set out in the current Strategic Plan. Those three goals are:

Goal 1: the Law Society will be a more innovative and effective professional regulatory body;

Goal 2: the public will have better access to legal services; and

Goal 3: the public has greater confidence in the administration of justice and the rule of law.

A copy of Mr. McGee's PowerPoint presentation is attached as Appendix 1 to these minutes.

4. Equity and Diversity Advisory Committee: Enhancing Diversity in the Judiciary

Ms. Morellato introduced this matter as Chair of the Equity and Diversity Advisory Committee. She reported that at the July 12, 2013 Bencher meeting the Honourable Lynn Smith, QC, and the Honourable Donna Martinson, QC, retired justices of the BC Supreme Court, presented on the importance of diversity in the composition of the judiciary. Following that presentation, President Vertlieb requested that the Equity and Diversity Advisory Committee develop recommendations to the Benchers to improve diversity on the bench.

To fulfill this request, a subcommittee of Equity and Diversity Advisory Committee was struck to develop recommendations. Appointed Bencher Satwinder Bains (Chair), Vancouver Bencher Thelma O'Grady, non-Bencher Linda Robertson and Staff Lawyer Andrea Hilland comprised the subcommittee. The subcommittee met over the course of October and November to develop draft recommendations. The Equity and Diversity Advisory Committee reviewed and amended those recommendations before approving them for presentation to the Benchers.

Ms. Bains referred to the Equity and Diversity Advisory Committee's memorandum at page 90 of the agenda package for the four recommendations (the Judicial Diversity Recommendations) being presented to the Benchers for approval:

The Equity and Diversity Advisory Committee recommends that the Law Society of British Columbia:

1. Be pro-active in selecting a more diverse list of lawyers as the Law Society's candidates for appointment to the Federal Judicial Advisory Committee;

- 2. Investigate and endeavour to address the systemic barriers impacting the retention and advancement of lawyers from equity seeking groups, through the development and implementation of effective programs and more informal ways of supporting lawyers from equity seeking groups;
- 3. On an annual basis, monitor and assess the effectiveness of Law Society of British Columbia initiatives relating to the retention and advancement of lawyers from equity-seeking groups, in light of the objective of improving diversity on the bench; and
- 4. Continue to collaborate with organizations representing lawyers from equity seeking groups in British Columbia to help disseminate information on the judicial appointments process, and to facilitate the career advancement of lawyers from equity seeking groups.

Ms. Bains confirmed that the focus of the recommendations is enhancement of judicial diversity in general, not just with respect to gender.

Mr. Meisner moved (seconded by Mr. Zacharias) that the Judicial Diversity Recommendations be approved by the Benchers for implementation by the Law Society.

In the ensuing discussion a question was raised regarding the relationship of the Judicial Diversity Recommendations to the work of the Justicia Project. Ms. Morellato confirmed that Justicia is presently focused on gender only, while the Judicial Diversity Recommendations go beyond gender diversity to include enhancing diversity for all equity-seeking groups. The intention is for the subcommittee to now move beyond the aspirational goals reflected in our 4 recommendations in order to foster diversity on the Bench for all equity-seeking groups, by implementing the recommendations in concrete ways.

The motion was carried unanimously.

Ms. Morellato confirmed that the 2014 Equity and Diversity Advisory Committee will form a new subcommittee to gather evidence, to develop strategies and initiatives, and to work with the Communications department on a public communications plan, all in aid of supporting implementation of the Judicial Diversity Recommendations. She advised that the Equity and Diversity Advisory Committee intends to report to the Executive Committee by June 2014 in that regard.

GUEST PRESENTATIONS

5. 2013 Employee Survey Results

Ryan Williams, President of TWI Surveys Inc., presented a summary of the results of the 2013 Law Society Employee Survey (a copy of Mr. Williams's PowerPoint presentation is attached as Appendix 2 to these minutes). Mr. Williams explained the purpose and value of annual employee surveys, noting that 2013 marked the eighth successive year that this voluntary survey has been conducted by the Law Society. Mr. Williams also noted that 86% of Law Society employees responded to the 2013 survey: the highest level of staff participation since the inception of the annual survey.

REPORTS

6. Federation of Law Societies of Canada (FLSC) Council Update

Gavin Hume, QC briefed the Benchers as the Law Society's member of the FLSC Council. He reported on matters covered in the December Council meeting in Ottawa, including:

- Receipt and review of committee reports regarding Trinity Western University's law school accreditation application
- Updates on the National Admission Standards Project and the National Discipline Standards Project
- Update on recent work and current projects of the Model Code Standing Committee
 - awaiting responses from the law societies regarding the Standing Committee's proposed changes to the current conflicts rules, and the rules regarding the handling of incriminating physical evidence

Mr. Hume confirmed that the next meeting of the FLSC Council is scheduled for April 2014 (in Regina), and the focus of that meeting will include a review of the Federation's governance structure and the final report on National Discipline Standards. The governance review will include recommendations for replacing the current process for selection of the Federation President, which is based on geographic rotation, with a process based on merit.

7. President's Report

Ms. Lindsay welcomed media representatives, regular Bencher meeting guests, and the 11 Benchers newly appointed or elected for the 2014-2015 term:

- Joseph Arvay, QC (Vancouver County – elected)

- Pinder Cheema, QC (Victoria County elected)
- David Corey, (Victoria County appointed)
- Jeevyn Dhaliwal (Vancouver County elected)
- Craig Ferris, (Vancouver County elected)
- Martin Finch, QC (Westminster County elected)
- Dean Lawton (Victoria County elected)
- Jamie Maclaren (Vancouver County elected)
- Sharon Matthews, QC (Vancouver County elected)
- Elizabeth Rowbotham (Vancouver County elected)
- Cameron Ward (Vancouver County elected)

Ms. Lindsay also welcomed First Vice-President Ken Walker, QC and Second Vice-President David Crossin, QC to their roles as Law Society officers for 2014.

Ms. Lindsay described the Law Society's three-year strategic plan as the foundation for the Benchers' work. She noted that development of the 2015-2017 Strategic Plan will be a key undertaking for the Law Society's Benchers and staff in 2014. Ms. Lindsay also noted that consideration of Trinity Western University's application for accreditation of a new law school will likely occupy a considerable portion of the Benchers' attention and time in 2014.

Ms. Lindsay commented on the importance of open, respectful discussion in Bencher meetings, describing consensus as the desired but not always attainable outcome of those discussions.

8. CEO's Report

Mr. McGee provided highlights of his monthly written report to the Benchers (attached as Appendix 3 to these minutes) including the following matters:

- Introduction
- Operational Priorities for 2014
- Implementation of Legal Service Providers Task Force Report Recommendations
- Law Society as Insurer and Regulator Working Group

- Implementation of Lawyer Support and Advice Project
- Support for Law Firm Regulation Review
- Review and Renewal of Staff Performance Management Process
- New Workplace Bullying and Harassment Policy
- Fall Justice Summit Report
- Continuing Professional Development (CPD) Program Update
- 2013 Employee Survey

9. Report on the Outstanding Hearing & Review Reports

The Benchers received and reviewed a report on outstanding hearing and review decisions.

FOR INFORMATION

10. Briefing on Process re: Trinity Western University (TWU) Faculty of Law Matter

Ms. Lindsay briefed the Benchers regarding the process and timeline proposed by the Executive Committee for the Benchers' pending review of TWU's application for accreditation of a faculty of law. Ms. Lindsay referred to Law Society Rule 2-27(4.1) as the foundation for that review:

For the purposes of this Rule, a common law faculty of law is approved if it has been approved by the Federation of Law Societies of Canada unless the Benchers adopt a resolution declaring that it is not or has ceased to be an approved faculty of law.

Ms. Lindsay noted that the Federation of Law Societies has granted preliminary approval of Trinity Western University's (TWU) application for approval of a faculty of law at TWU, and that BC's Minister of Advanced Education has subsequently authorized TWU to grant law degrees.

Ms. Lindsay also noted that the Law Society has retained Geoffrey Gomery, QC of Nathanson, Schechter & Thompson LLP in this matter. She referred to the memorandum (page 150 of the

agenda package) for Mr. Gomery's advice on the nature of and basis for the duty of administrative fairness owed by the Law Society:

... In my opinion, Rule 2-27(4.1) confers on TWU what the cases describe as a legitimate expectation that its undergraduate law degrees will constitute academic qualification. The Law Society is therefore subject to an obligation of administrative fairness in considering any proposal that TWU's faculty of law be disapproved by the Law Society. That obligation requires that TWU be given notice of the proposal and an opportunity to make submissions before a final decision is made.

The duty of administrative fairness thus imposed on the Law Society only arises in the context of a resolution that TWU's faculty of law is not an approved faculty. It would not arise in the absence of any action by the Law Society, or in the event of a Benchers' resolution not to disapprove the TWU faculty.

Ms. Lindsay referred to the Executive Committee's memorandum at page 147 of the agenda package for explanation of the Bencher process developed by the Committee:

... [T]he Executive Committee concluded that there be should be a background briefing at the upcoming January 24th Bencher meeting at which general information would be presented about the process to date, together with the Federation decisions and some other considerations.

In the interests of transparency and openness, following the January Bencher meeting the Executive Committee concluded we should also invite input in writing through a posting on our website and communication through our regular E-Brief communication to the members. These responses would be compiled and provided to the Benchers as part of the material for their consideration at the February 28th meeting. If questions occur to the Benchers following the January 24th meeting, they should feel free to send them to the President.

For the February 28th Bencher meeting, the Executive Committee expects that all the Benchers will have read and fully considered all of the relevant material, as well as had an opportunity to reflect on the January briefing. The agenda for that February meeting will provide for a full and open discussion of any issues that approval of a TWU faculty of law presents. At the conclusion of that discussion, in the absence of a motion from any of the Benchers, the President will remind the Benchers that an applicant for admission from TWU faculty of law will meet the requirements for academic qualification under our Rules (in effect, that TWU will be an approved faculty of law) unless the Benchers adopt a resolution otherwise. It is expected that the wording of such a resolution should reflect the advice from Mr. Gomery:

Pursuant to Rule 2-27(4.1), the Benchers declare that, notwithstanding the preliminary approval granted to Trinity Western University on 16 December 2013 by the Federation of Law Societies' Canadian Common Law Program Approval Committee, the proposed faculty of law of Trinity Western University is not an approved faculty of law.

If a resolution declaring that the proposed TWU faculty of law is not an approved faculty of law is moved, and seconded, the discussion of the motion would be adjourned to the April 11th Bencher meeting. TWU would be provided with a transcript of the Bencher discussion at the February 28th meeting and any input we have received. TWU would be given the opportunity to make written submissions for consideration by the Benchers on April 11th. We would also provide representatives of TWU with the opportunity to attend the April 11th Bencher meeting.

Ms. Lindsay noted that since the preparation of its memorandum, the Executive Committee has re-considered the matter of a deadline for submission of input from the profession and the public, and now recommends that such deadline to be set at March 3, 2014.

Ms. Lindsay confirmed that if a motion to adopt a resolution declaring that the Law Society does not approve TWU's proposed faculty of law is presented and seconded at the February 28th Bencher meeting, that motion will be tabled and TWU will be provided with:

- a transcript of the relevant February 28th Bencher meeting proceedings;
- copies of input received from the profession and the public by March 3;
- an invitation to provide written submissions for the Benchers' consideration
 - with an appropriate deadline to ensure that the Benchers will have reasonable opportunity to consider any such submissions in advance of their April 11th meeting; and
- an invitation to attend and be heard at the April 11th Bencher meeting.

Ms. Lindsay also confirmed that if it is apparent some or all of the Benchers are not ready to make their decision on this matter at the April 11th meeting, or for any other reason that it is premature to call for the Benchers' decision at their April 11th meeting, then the matter will be put over to another date.

The Law Society's member of the Federation Council, Gavin Hume, QC, provided the Benchers with an overview of the process followed by the Federation of Law Societies of Canada in reviewing and approving TWU's application.

Michael Lucas, Staff Lawyer and Manager of Policy & Legal Services, outlined issues arising from provisions of the National Mobility Agreement, the Agreement on Internal Trade and the *Labour Mobility Act (BC)*.

A discussion followed, during which the Benchers considered various issues in relation to their pending deliberations on this matter.

Ms. Lindsay confirmed that the Executive Committee will review Benchers' input provided in this discussion and then engage counsel to provide such additional legal opinions and briefings as seem warranted to the Committee, to be circulated to the Benchers for their consideration in advance of the April 11th meeting.

The Benchers discussed other matters in camera.

WKM 2014-02-03



STRATEGIC PLAN 2012 – 2014 IMPLEMENTATION UPDATE

January 24, 2014

TBD 2014:

- Law Firm Regulation -Task Force to be created in 2014
- Different qualifications for different service providers - 2014 **Legal Service Providers Task** Force (LSPTF)

Lawyer Education

Work on national admission standards ongoing FLSC/LSBC work underway

Governance Task Force

Full Law Society governance review complete

Equity & Diversity

Indentify ways to enhance Bencher diversity recommendations made

Staff

Work with CPD

providers to

develop programs

re: Code of

Conduct

complete

The Law Society will be a more innovative and effective professional

Goal 1:

regulatory body

Independence & Self Governance

Examine relationship between Law Society & LIF complete

Regulate just lawyers, or all legal service providers? complete

Practice Standards

Improve uptake of Lawyer Wellness **Programs** Report of working group pending

Executive

Develop independent evaluation model **TBD**

Equity & Diversity

Support and retain
Aboriginal and
women lawyers
complete – Justicia
and Indigenous
Lawyers Mentoring
programs

TBD 2014:

 Address changing demographics of the profession - awaiting analysis of REAL

Access to Legal Services

Consider ways to improve affordability of legal services: paralegals; articling students

2014 LSPTF

Develop ways to improve rural articling opportunities (REAL)

Program assessment pending

Goal 2:

The public will have better access to legal services

Staff

Work with other stakeholders to research economics of the profession TBD

Executive Committee

Build broader, strong relationships with stakeholders work and initiatives ongoing

Goal 3:

The public has greater confidence in the administration of justice and the rule of law

Staff

Identify methods of communicating about rule of law and role of Law Society through media some initiatives complete - new ideas pending at ROLIAC





The Law Society of British Columbia Employee Survey 2013

Summary of Results January 24, 2014 Benchers Meeting



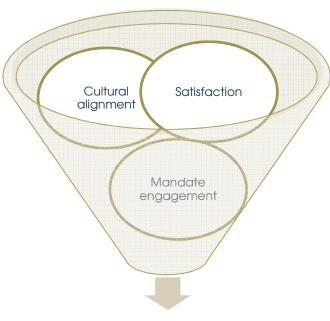
Agenda

- 1. Why do engagement surveys?
- 2. What the survey 'Says'
- 3. Questions/Discussion

Why employee surveys?

- 1. Results/performance
- 2. Using our strengths
- 3. Motivation
- 4. Tracking creates intention

The TWI mix



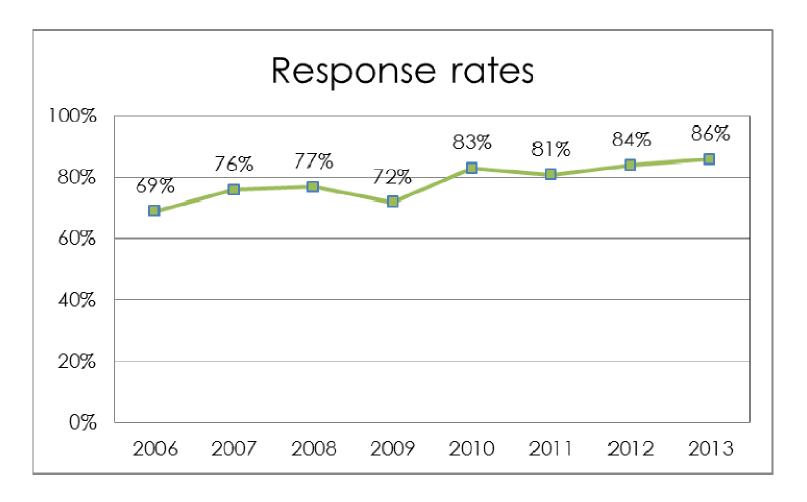
Sustainable leadership



The Law Society Survey process/ methodology

- The Law Society 2013 survey was conducted from Thursday, October 31, 2013 until Wednesday, November 13, 2013.
- This is the eight year that Law Society has conducted an employee survey.
- The survey consisted of 19 items using a 5-point Likert scale, and
 - Three demographic identifiers and
 - Four open-ended items.
- The survey generated **154 responses** for a response rate of 86%.
- This response yields data accurate to within +/- 2.96% at a 95% confidence level.





Highlights

- Continue to trend up
- 6 questions with increases greater than 5 % in agreement
- 1 question decreased (specific to resources to do the job)
- All 11 comparable questions are above the normative data
- Only one item below 3.5 (salary and benefits) this item is normally low in most organizations

Groups	Data Filter	Mean	Category Percentages					Strongly agree/
Cloups	Dalatillel		0 2	0 40	60	80	100	Agree
Overall Summary	All Data 2013	3.96	17.1	<mark>%</mark>	75.5%)		75.5%
	All Data 2012	3.91	19.1	<mark> %</mark>	72.79	/ 0		72.7%
	All Data 2011	3.89	19.	5%	71.89	%		71.8%



Understanding How it all fits together

Q1 the Law Society mandate 95% agreement

Q4 How my work contributes 93% agreement

Q4 How my department works 97% agreement

My work matters

Q2 Mandate inspires me 82% agreement

Q7 Uses my skills and knowledge 84% agreement



Q10 My work is meaningful 88% agreement

Support

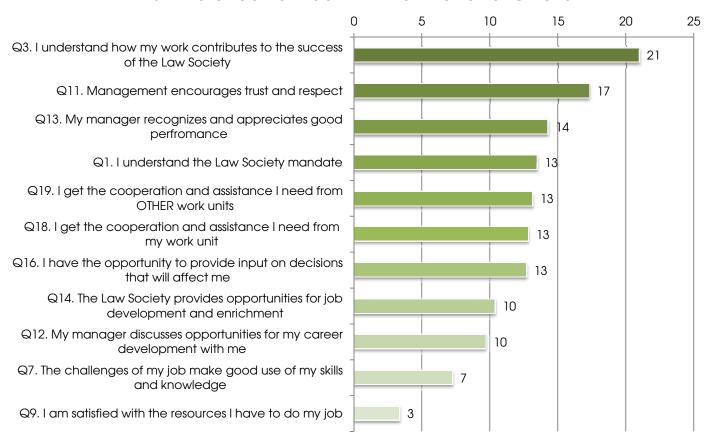
Q13 Manager recognizes performance 85% agreement



Q18 Assistance from my work unit 92% agreement

Normative Comparison

% Difference Between TWI Norm and LSBC 2013





Sustaining excellence

Survey Comments

The Range of Opinions



20. What is the best thing about working at the Law Society?

- The people
 - Professionalism
 - Friendly and accommodating
 - Smart people
- Public interest mandate
 - Helping lawyers solve their problems
 - Feel like we are making a difference
- Interesting and challenging work
- Management care about what they do
 - Treated well on personal and financial level
 - My ideas are welcomed
 - Set and maintain high standards
- Work-life balance



21. If you could improve/change one thing at the Law society what would it be?

- Build on the work to understand other departments
- Continue to work on collaboration
- Career movement
- Move forward with secondment process
- LEO was the improvement(Improved document management)
- Solidify significant changes
- Consult on issues that will affect employees
- Simplify
- Improve efficiency
- A paperless office
- Work on performance management
- Ability to provide feedback
- Improve technology skills
- Focus on access to justice issues
- Pay, benefits, flex days



Q22. What ideas do you have for wellness initiatives?

Spaces and times to be active

Q23. To provide more opportunities for job development and enrichment, would you be interested in any of the following?

- Secondment is a great career development opportunity
- I am happy with what I am doing now, don't want another job
- Shadowing and secondment would reduce efficiency

Discussion/Questions





CEO's Report to the Benchers

January 24, 2014

Prepared for: Benchers

Prepared by: Timothy E. McGee

Introduction

This is my first CEO's report to the Benchers for 2014 and I would like to wish you all the very best for the New Year. I would also like to extend a warm welcome on behalf of all the staff to our new President Jan Lindsay, QC and to both our new and returning Benchers. We look forward to working with all of you in the coming year.

Operational Priorities for 2014

In my first report each year I present management's top five operational priorities for the ensuing year. These priorities, which for 2014 are set out below, have been developed in consultation with the Leadership Council and have been discussed with President Lindsay.

I always emphasize that these priorities do not derogate from our day-to-day responsibility to perform all of our core regulatory functions to the highest standards. However, in each year there are certain items that require extra attention and focus to ensure success. The top five operational priorities (in no particular order) for management in 2014 are as follows:

Implementation of Legal Service Providers Task Force Report Recommendations

Following on the Benchers adoption in December of the three recommendations from the Legal Service Providers Task Force, steps have been taken to start work on the implementation of those recommendations.

In respect of the recommendation that the Law Society seek to merge regulatory operations with the Society of Notaries Public, I met earlier this month with Wayne Braid, CEO of the Society for a preliminary discussion of how merger discussions might be organized. We had a good discussion and Wayne expected to be meeting with his Board on January 17 to get direction on this issue.

The second recommendation directed that a program be created by which paralegals who have met specific, prescribed education and training standards could be held out as "certified paralegals". Staff will be working on developing a framework for certification of paralegals to be considered by the Benchers later this year.

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The third recommendation provided that the Law Society develop a regulatory framework by which other existing providers of legal services, or new stand-alone groups who are neither lawyers nor notaries, could provide credentialed and regulated legal services in the public interest. The Benchers will soon create a task force to do the review and workup and provide the Benchers with a proposed regulatory framework.

These recommendations touch on most if not all aspects of the operations of the Law Society. As a result, we will be very focused in 2014 to ensure that we formulate appropriate operational impact assessments to assist the Benchers in their deliberations and decision making with regard to this very important body of work.

Law Society as Insurer and Regulator Working Group

Following the September 2014 approval by the Benchers of the recommendations in the April 12, 2013 Report of the Rule of Law and Lawyer Independence Advisory Committee, President Lindsay has established a working group to undertake a detailed examination and analysis of the two solution options described in the Report for future consideration by the Benchers. The working group members are:

Ken Walker, QC - Chair

Herman Van Ommen, QC Vince Orchard, QC Miriam Kresivo, QC Hayden Acheson Don Yule, QC Su Forbes, QC Deborah Armour Jeanette McPhee Michael Lucas Tim McGee ex officio

This working group is comprised of Benchers and a non-Bencher member, as well as senior staff due to the breadth and significance of the policy and operational issues which will be considered. Our goal is to ensure that we provide the most thorough analysis and assessment of the options as possible from the operational perspective and to respond fully to the needs of the working group regarding additional information which may be required from third parties.

Implementation of Lawyer Support and Advice Project

The 2010 Core Process Review (CPR) revealed that over the prior five years the number of phone calls and email inquiries to the Practice Advice department alone was growing at a compound growth rate of 6.7%. The CPR report suggested ways to better handle calls through a triage system and to reduce calls by providing alternative means for obtaining information and assistance through web-based tools.

Lawyer support and advice is not limited to the Practice Advice group. Staff with the Lawyers Insurance Fund, Trust Regulation, Professional Conduct, Practice Standards and Member Services are also engaged in providing advice and support to lawyers. A survey of lawyers recently demonstrated very strong support for the Law Society providing practice advice and support.

Throughout 2013, a cross-departmental working group looked extensively at our current delivery of lawyer support services and concluded that our model needs to be broadened to provide more self-help assistance to meet lawyers' evolving expectations both in what is available and how it accessed. A series of recommendations from the working group was included in the budget planning process at the Finance Committee meetings this year. As a result of that review, specific resourcing support for the recommendations is now included in the 2014 budget approved by the Benchers earlier this year.

I look forward to sharing with the Benchers the roll out of the new lawyer support and assistance initiatives in 2014.

Support for Law Firm Regulation Review

In November 2013, the Executive Committee approved the establishment of a staff working group to compile information from other jurisdictions and develop possible models for law firm regulation in BC for the review and consideration of the Benchers. That direction from the Executive Committee followed on the amendment to the *Legal Profession Act* to include this additional jurisdiction (in addition to the regulation of individual lawyers), which was part of a package of amendments to the Act approved by the Benchers in 2010 and passed into law in 2012.

The staff working group will report its findings and ideas to a Bencher task force to be established in the new year. The Bencher task force will then direct and oversee additional work and refinement of the policy and operational issues with a view to reporting to the Executive Committee and ultimately to the Benchers on progress by the end of the year. Our goal is to ensure that the best possible review and due

diligence is undertaken at the staff level to assist the task force in its formulation of options for Bencher consideration.

Review and Renewal of Staff Performance Management Process

One of the aspects of our operations which we take great pride in is the extensive time and effort we take to ensure that every member of the Law Society's staff participates in an annual performance review and assessment. Today this involves an interactive process whereby managers and their reports share evaluation of individual performance in the year against personal and departmental goals and discuss achievements and areas for improvement. The current model for this has been in place for about seven years and much has changed both in the demographics of our staff and the way organizations go about performance management. We believe it is time to review and possibly improve how we do this important work.

With the introduction of the new employee rewards and recognition program last year known as RRex we completely overhauled the way we encourage and recognize the positive behaviours which we desire at all levels of the organization. By undergoing a review and assessment of our performance management process we will check to ensure that it aligns with RRex and also provides the best possible mechanism for staff to receive constructive, relevant and clear feedback on how they are doing.

We have struck a staff working group to be led by Donna Embree our Manager of Human Resources to review best practices, consult with staff and make recommendations as early as possible in the year.

New Workplace Bullying and Harassment Policy

Many of you may be aware from your own work environments that WorkSafeBC introduced new workplace bullying and harassment policies last November. The new policies set out the duties of employers, workers and supervisors to ensure or protect the health and safety of the workplace. We are now developing our own workplace bullying and harassment policy, based on the WorkSafeBC requirements, and are aiming for completion in February 2014.

This type of policy is not new for the Law Society as we have a respectful workplace policy today which is very similar in scope and intent to the new WorkSafeBC policy.

However, there are important aspects which are new in the WorkSafeBC rules which we want to ensure are properly covered here at the Law Society.

As mandated by WorkSafeBC, the new policy applies to all those working for the Law Society in any capacity including Benchers, management, professional staff, administrative staff, articling students, summer students, contract personnel, volunteers and committee members.

The policy further mandates that training be provided. Law Society managers received training on December 10 and we expect to complete the balance of staff training within the next few weeks.

We will need to ensure that Benchers have an opportunity to take this training to fulfill the Law Society's obligations. The training is not onerous and can be completed in a one hour session. We very much appreciate your cooperation and will communicate further once arrangements are in place.

Fall Justice Summit Report

The second Justice Summit was held at Allard Hall, at the UBC Faculty of Law on November 8 and 9. The summit brought together approximately 80 participants from stakeholders in the justice system including the Chief Justice of British Columbia Robert Bauman, Associate Chief Justice Austin Cullen, Chief Judge Thomas Crabtree, the Minister of Justice and Attorney General Suzanne Anton, QC and leaders from law enforcement, the Bar, social agencies and First Nations.

The summit was the follow up to the inaugural Justice Summit held in March and it built on the work from those sessions. The focus of the November summit was to expand and further articulate the goals and objectives for the criminal justice system in BC. In particular, the participants examined each of the stated goals of fairness, protection, sustainability, and public confidence highlighting the gaps between the current state of affairs and the desired vision. The report for the summit has now been prepared and is attached as Appendix A to this report.

As I have pointed out on prior occasions, the general sense among the participants was that while much remains to be done the emerging spirit of joint commitment and collaboration among the diverse stakeholders bodes well for the future.

Continuing Professional Development (CPD) Program – Update

Here is a brief update on the compliance statistics for our CPD program in 2013.

Of the 10,528 lawyers who had CPD requirements to report in 2013, 349 did not report year end completion (a modest decrease from 2012) and as at January 10, 2014, 233 had still not recorded completion and are overdue. Overall, 2013 continues a trend of increasing timely compliance by the members with the CPD requirements since inception.

2013 Employee Survey

Our eighth consecutive employee survey was conducted in November of 2013. We had a record high response rate of 86% for the survey and I think you will find the results both interesting and encouraging on several fronts. Ryan Williams, President of TWI Surveys Inc., the survey administrators, will be at the meeting to provide an overview of the results and to respond to any questions.

The results of our annual employee survey are used to help us measure how we are doing as an organization and to help management develop action plans to better engage employees in the work and life of the Law Society.

Timothy E. McGee Chief Executive Officer

Appendix A

British Columbia JUSTICE SUMMIT

SECOND JUSTICE SUMMIT NOVEMBER 8 – 9, 2013

REPORT OF PROCEEDINGS

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REPORT OF PROCEEDINGS

This Report of Proceedings was prepared for the Honourable Suzanne Anton, Attorney General and Minister of Justice; the Honourable Chief Justice Robert Bauman, Chief Justice of British Columbia; the Honourable Chief Justice Christopher Hinkson, Supreme Court of British Columbia; and the Honourable Chief Judge Thomas Crabtree, Provincial Court of British Columbia.

BRITISH COLUMBIA JUSTICE SUMMITS

Justice Summits are convened by the Attorney General and Minister of Justice of British Columbia, at least once a year, to facilitate innovation in, and collaboration across, the justice and public safety sector. As indicated in s. 9 of the *Justice Reform and Transparency Act*, a Summit may:

- a. review and consider initiatives and procedures undertaken in other jurisdictions in relation to the justice system in those jurisdictions;
- b. provide input to assist the Justice and Public Safety Council of British Columbia in creating a strategic vision for the justice and public safety sector;
- c. make recommendations relating to priorities, strategies, performance measures, procedures and new initiatives related to the justice and public safety sector;
- d. assess the progress being made in justice reform in British Columbia, and
- e. engage in any other deliberations that the Justice Summit considers appropriate.

On the conclusion of its deliberations, a Justice Summit must report to the Minister on the outcome of those deliberations. By agreement between the executive and judicial branches of government, the report of the Justice Summit is simultaneously submitted to the Chief Justice of British Columbia, to the Chief Justice of the Supreme Court of British Columbia, and the Chief Judge of the Provincial Court of British Columbia.



Grand Chief Edward John of the British Columbia First Nations Summit addresses the plenary.

BACKGROUND TO THE SECOND BC JUSTICE SUMMIT

The Justice Reform and Transparency Act (2013) provides for the Attorney General to convene a British Columbia Justice Summit by invitation at least annually. Currently held twice a year, Summits are intended to encourage innovation and facilitate collaboration across the sector, by providing a forum for frank discussion between sector leaders and participants about how the system is performing and how it may be improved. As the Act also establishes a Justice and Public Safety Council, appointed by the Minister, to develop a Vision and an annual plan for the sector across the province, the Summit represents a key source of input and recommendations into the Council's planning process, and is a forum to assess the plans and the progress made under them.

The inaugural Justice Summit, held in March 2013, was based on the theme of criminal justice. The agenda for the Summit focused primarily on consideration of the basic values of the criminal justice system as a foundational element of future discussions around planning and system performance. The first Summit also provided an initial opportunity for participants to identify and discuss criminal justice policy priorities. Finally, both during the first Summit and in subsequent dialogue with participants, Summit organizers were provided with important feedback concerning the makeup and content of future Summits. The first Summit's deliberations were summarized in a *Report of Proceedings* in June 2013.

Participants at the March Summit agreed to return to a second Summit dealing with criminal justice in the fall, at which time it was anticipated that work done by the Justice and Public Safety Council on a Vision and set of Values for the sector — informed by the work of the Summit — would be tabled for discussion. Participants at the March Summit also expressed a desire to see a more diverse and representative population at future Summits, including increased participation by aboriginal organizations.

GOVERNANCE AND PLANNING

The Justice Summit saw the establishment of a Steering Committee (see Appendix 3) with representation from the executive and judicial branches of government, as well as independent legal and policing organizations. The Steering Committee was supported by an internal Working Group (see Appendix 3).

The Steering Committee met between April and November 2013, its principal tasks being to consider the deliberations of the first Summit; develop an agenda in furtherance of the discussion in March and informed by the work of Justice and Public Safety Council; settle on a representative list of participants; and reach agreement on facilitation, location, and other planning matters. Consistent with the theme of the first Summit, criminal justice was reconfirmed by the Committee as the broad-based topic of the second Summit, and as an organizing principle to determine participation.

Attendance at the first Summit had been consciously restricted in numbers to allow candid and productive dialogue in a new and untried forum. Based on the success and collaborative nature of the first event, the Steering Committee worked to increase participation from less than 50 to nearly 70 attendees.

As was the case in March, the Committee agreed that, consistent with protocol in similar gatherings in other jurisdictions to encourage free expression, no comments made by participants during the Summit would be attributed to those individuals or to their organizations in the Summit report.

Prior to the Summit, a productive bilateral meeting was held between the Attorney General and Minister of Justice, the Chief Justice of the Court of Appeal, and the Chief Judge of the Provincial Court (at the time of the meeting the Chief Justice of the Supreme Court had not yet been appointed). In this meeting the judiciary expressed strong support for this multilateral Summit process. It was also agreed that a high priority would be placed on completion of a Memorandum of Understanding between the executive and the judiciary that will outline how continued bilateral meetings will take place between these two branches of government and their relationship to the Justice Summit process.

AGENDA DEVELOPMENT

While the first Summit had established an important precedent for dialogue at this level, the Steering Committee believed that the agenda for the second Summit should focus more on substantive questions of criminal justice reform. In developing the agenda, the Committee saw an opportunity for participants to achieve four objectives.

First, it was appropriate for the Summit to return to the topic of values, first raised in March, to assess progress. Since the first Summit's work on the values that characterize the criminal justice system, the Justice and Public Safety Council had developed draft Vision and Values statements for the BC justice and public safety sector, in consultation with Summit participants (Appendix 4). One key opportunity for the Summit in November, therefore, was to consider the progress made by the Council in developing a sector Vision and statement of Values as foundational documents for governance and reform of the system.

Second, on the assumption that the Vision identified by the Council was sufficiently

reflective of participants' goals for the criminal justice system, the Committee saw the Summit as an ideal opportunity for participants to identify any gaps between the Vision for the system and reality, in constructive but candid terms. In other words, participants would identify and discuss areas in which the criminal justice system was failing to meet commonly held aspirations. This would be achieved through sessions focusing on



The Honourable Suzanne Anton, Attorney General and Minister of Justice, addresses Summit participants on the first morning of the Summit.

each of the four goals comprising the Vision: fairness, protection of people, sustainability, and public confidence.

Third, based on this gap analysis the Summit was well placed to **recommend priority actions to close these gaps**: participants were therefore encouraged to specify steps which should be given priority by sector organizations in terms of resources and effort. These recommendations, issued as part of the Summit's report, would offer a meaningful contribution to public debate over reform of the system, and would represent important input into the development of the Justice and Public Safety Council's first annual strategic plan in March 2014.

Fourth, and finally, the Summit was seen by the Committee as an opportunity to **consider the challenges and opportunities of sector-level performance measures and targets**, required by statute as a component of the Council's planning process. While the development of performance measures for the sector is still in its early stages, the relevance of these measures for Summit participants led the Committee to save space on the agenda for an initial presentation on performance measurement in justice systems.

SUMMIT PROCEEDINGS

VISION AND VALUES DOCUMENTS

OVERVIEW OF DEVELOPMENT

In accordance with its statutory mandate, and further to dialogue at the first Summit, between April and August 2013 the Justice and Public Safety Council (Appendix 5) developed a draft statement of Values applicable to the justice and public safety sector in British Columbia, as well as a draft Vision for the sector, with accompanying goals.

Participants were provided by the Council's Vice-Chair with an overview of the development of these documents, the manner in which Summit participants' recommendations in March had been incorporated, and the subsequent consultation activities undertaken by the Council with Summit participants between August and October 2013. It was noted that during consultation, Summit participants had provided feedback both on the draft Vision and Values, but also on policy questions relevant to the development of the Council's strategic plan in March 2014. The Council had returned a revised Vision statement and listing of Values (Appendix 4) to the Summit for consideration. The revised Vision statement was offered as the basis for the Summit's two days of deliberations around the four goals identified in the Vision: fairness, protection of people, sustainability, and public confidence in the system.

It was also acknowledged that the documents required that other voices be heard – as they did not yet reflect the product of consultation with aboriginal peoples, nor had they been subjected to a complete analysis from the perspective of family or civil justice – and were, thus, being tabled at the Summit by the Council as living documents.

Following the overview, the Summit facilitator posed a question to the room:

Recognizing that there is still work to do, has the Council done enough to start a useful conversation around these four goals – fairness, protection of people, sustainability, and public confidence – to begin considering how far we are from the ideal, and what we might do to bridge the gap?

PLENARY DISCUSSION

In plenary discussion, participants offered the following observations as important consideration with respect to the Vision and Values:

- Commitment to implementing the Vision implies a similar commitment to measure progress. This includes baseline measurement of our current situation and performance, in order to be able to show progress.
- Further clarity is required to communicate that the Vision is intended by the Council to reflect the full system of justice and public safety – including civil, family and administrative justice – not simply the criminal justice system.
- The Council has incorporated feedback from stakeholders, but the meaning of the Values and Vision as applied will become clearer as a plan emerges. How concepts such as proportionality or fairness are applied depends on the perspective brought to the issue and on the details of implementation.
- In the documents there could still be greater emphasis on education and information of the public with respect to the system, particularly early in life.
- Although words such as transparency and accountability are present, the power and intent of dialogue over these themes at the first Summit does not yet come through in the Vision.
- The role and interests of the accused and of offenders in the system is not yet sufficiently reflected in these documents, both in terms of rights of the accused and also with respect to rehabilitation.
- As the Vision leads to sector-wide planning, continuing awareness is required
 with respect to ways in which decisions made at one level of government can
 have significant impact on other levels of government with respect to
 policing, but also regarding other services and system functions as well.
- Competence should be considered for inclusion within the Vision. The tools
 and training made available to personnel within the system need to match
 expectations created around the system's functioning and performance.

- With this Vision developed, it now needs to be shared with the public, people
 working in the system, and people experiencing the system. The Council and
 the Summit need to hear directly from the people who will be affected.
- As developed by the Council, these documents neither exclude nor assume the addition of new resources for the system. They are an exercise in prioritization towards most effective use of whatever resources are available.

Further to this discussion, with respect to the question put forward by the Summit facilitator, participants were satisfied that the documents were sufficiently developed to proceed with a comparison of the Vision and the current system. It was also agreed that should there be concerns arising during the Summit's remaining work, the Vision and Values documentation would be revisited at the conclusion of the Summit.

COMPARING THE VISION WITH REALITY

PUBLIC CONFIDENCE

The Summit heard a panel discussion on the question of public confidence in the system, followed by intensive work by all participants in small groups. Participants were asked to consider the goal of public confidence as defined in the Vision statement:

PUBLIC CONFIDENCE

Adaptive – We offer services and programs that are nimble; we solicit and respond to the needs of people and monitor the effectiveness of our programs.

Performance-focused – We assume collective and respective responsibility for system performance, engaging British Columbians in dialogue as users and observers of the system.

Empowering – People entering the system have sufficient opportunity to learn its rules and practices at their level of need; the public both understands and values the system.

Two questions were posed to the panelists and to participants as a whole in their small group discussion:

- 1. What are the most significant gaps between this Vision and our criminal justice system as it is?
- 2. To close these gaps, where could we apply major change efforts (e.g., innovation, resources)?

The following points emerged in the small group discussions and were reported in plenary on behalf of the group. Common themes are summarized in the sub-headings below; reporting of any particular point should not be taken as necessarily reflecting participant consensus.

More effective education, information and engagement is required

- It is important to engage proactively with the public, in a structured and appropriately designed manner, to identify issues or areas where confidence in the system is most important, and to monitor confidence in those areas.
 Questions of confidence should relate both to the specific internal workings of the system, but also to more general external perception.
- The system must be explained to British Columbians in simple, non-technical and accessible ways, accenting the human characteristics of the system and its processes.
- Efforts to inform and educate people about the system what they need to know – should occur early, as part of basic life education, and at appropriate opportunities later in life, reflecting the importance of the system for life in our province. Education strategies should be tailored to reflect differing needs across society.

Greater transparency is required in working with the media

 In working with media, true transparency means reporting both good and bad news stories, and a willingness to distinguish successes and failures. Similarly,

- as part of a more transparent regime, in the public interest there is a need to challenge inaccuracies and public misinformation.
- Information should be delivered proactively, with more public release of documentation. Media strategies should be channeled to providing meaningful information to target audiences; media lock-ups should be continued or expanded for important stories or events.
- Where this is possible given the independent roles of various elements of the sector, it is useful to deliver joint messages from system participants on the same issue, as opposed to segmented news releases.

Accountability and performance measures contribute to public confidence

- There will be an enduring lack of trust in system reporting unless performance is independently assessed. This includes complete reporting on the effectiveness of reforms, what is working and what has not worked.
- When there is a gap between our goals and our current effectiveness, measurement must also be aligned with incentives to improve.
- The appropriate methodologies for research and reporting on effectiveness exist and do not need to be created. Some have already been applied in other jurisdictions, from whom we can learn.
- Both qualitative and quantitative data are necessary to demonstrate progress, and appropriate investment is required (e.g., for survey methods and necessary information technology supports). In some areas of the system further work is required to capture progress.
- Research and reporting are necessary but not sufficient with respect to
 performance. We require a knowledge management strategy to translate our
 findings into policy and operations. This strategy needs to be effective at the
 community level, not just centrally.

Areas impacting directly on public confidence should be clearly identified and addressed

- There are several issues of significant concern which require public identification and attention. These include:
 - affordability of securing appropriate representation in justice processes;
 - the over-representation of aboriginal people in the criminal justice system.
- Wherever possible and appropriate, we need to demonstrate action, not simply engage in dialogue.

Broader engagement on justice reform is required

- The membership of the Justice and Public Safety Council should be expanded beyond the current Ministry of Justice executive.
- Documents developed within the reform process should be released proactively, with appropriate public consultation.

PROTECTION OF PEOPLE

The Summit heard a panel discussion on the question of the protection of people by the system, followed by intensive work by all participants in small groups. Participants were asked to consider the goal of protection of people as defined in the Vision statement:

PROTECTION OF PEOPLE

Preventative – We offer early, appropriate and effective interventions to reduce antisocial behaviour, assisting people in rebuilding healthy, productive lives.

Protective – We work together to reduce threats to public safety, protect complainants and victims of crime, and prevent revictimization of the vulnerable by the system.

Comprehensive – We work across all levels of government to understand and address root causes of crime, and support and participate in effective alternative interventions.

Two questions were posed to the panelists and to participants as a whole in their small group discussion:

- 1. What are the most significant gaps between this Vision and our criminal justice system as it is?
- 2. To close these gaps, where could we apply major change efforts (e.g., innovation, resources)?

The following points emerged in the small group discussions and were reported in plenary on behalf of the groups. Common themes are summarized in the sub-headings below; reporting of any particular point should not be taken as necessarily reflecting participant consensus.

A distinct strategy is required to protect vulnerable populations

- Vulnerable populations include those vulnerable as victims and those with a high probability of criminal involvement. These categories, in some situations, may overlap.
- Any broad approach to justice and public safety requires recognition of the specialized needs of aboriginal peoples. Other vulnerable populations requiring specialized attention include the elderly, the mentally ill, addicted persons, domestic and sexual violence victims, and the homeless.
- Prolific offending is often a manifestation of vulnerability – a specialized approach should be taken with respect to prolific offenders.
- There is often a lack of services to address victim needs, poor knowledge of services available, or regional disparity in service. There is



The Honourable Robert Bauman, Chief Justice of British Columbia, addresses the plenary at the close of the Summit.

- a need for more comprehensive and specialized services to support victims.
- Protection of vulnerable people needs to address alienation of individuals from the community. We must get communities more involved, not just professionals, to create communities of care. Through addressing environmental factors we have an opportunity to prevent people from becoming victims.
- We have exhibited a lack of creativity in addressing needs, including protective services. We need to develop and expand multi-disciplinary coordinated approaches. The criminal justice system is a last resort and an implicit recognition that other systems have failed an individual or a group; therefore, our system needs to connect better with other systems.

- Proactive operational responses, including policing, must be proportionate in nature, targeting the right people and the right resources.
- The system's clients need better-coordinated services and early intervention
- Information sharing is vital, and must overcome existing obstacles in the need to balance privacy considerations with the goals of protection and fairness.
 Similarly, processes which impede timely protective activity unduly should be examined (e.g., making protection orders accessible without court intervention).
- Triage of individuals into one system or another is critical to avoid criminalization being the only option available (e.g., mental health workers working as first responders with police).
- The Justice and Public Safety Council should include other sectors to facilitate
 an overall provincial framework and strategy for services, such as education,
 health and social development. Cross-sectoral leadership is needed to sustain
 support for promising multi-disciplinary approaches, and to identify how
 changes in one sector can cause pressures in another (e.g., mental health
 treatment referrals).
- Broader strategies must overcome the pressures of the budget cycle and the
 election cycle an inconvenient truth. Cross-sectoral preventative investments
 are required to realize future savings, but may require "double funding" in
 transition periods until effects are realized.
- We should show courage with innovation where this requires significant change (e.g., restorative justice, supervised injection site), piloting and considering local initiatives for broader application. Innovation may involve specialized courts, including consideration of the appropriate role of the judiciary and expanded use of discretion regarding appropriate responses.
- Training and investment in early assessment (of e.g. risk, lethality), education, prevention and care across sector service lines can address causes rather than symptoms. Arbitrary thresholds for service delivery (e.g. age) should be revisited.

SUSTAINABILITY

The Summit returned to plenary for a panel discussion on the question of the sustainability of the system, followed by intensive work by all participants in small groups. Participants were asked to consider the goal of sustainability as defined in the Vision statement:

SUSTAINABILITY

Effective – We measure and improve the return on investment of public resources, collectively and as institutions.

Managed – We allocate resources prudently across the system according to clear and demonstrated cause and effect; we treat the time of every participant as valuable.

Focused – Based on measurable demand, we take evidencebased decisions to resource the system's necessary functions, ensuring these services are delivered efficiently.

Two questions were posed to the panelists and to participants as a whole in their small group discussion:

- 1. What are the most significant gaps between this Vision and our criminal justice system as it is?
- 2. To close these gaps, where could we apply major change efforts (e.g., innovation, resources)?

The following points emerged in the small group discussions and were reported in plenary on behalf of the groups. Common themes are summarized in the sub-headings below; reporting of any particular point should not be taken as necessarily reflecting participant consensus.

The need for long-term integrated strategies

- Complex systems of governance, accountability and financing are barriers to integrated long-term strategies. Governance of the system and its reform should be clear and should reflect alignment of decision-making and funding authority wherever possible.
- A cross-sector (as opposed to program-specific) approach should be taken to
 resource discussions, reflecting a continuum of decision-making. Policy choices
 should reflect understanding of the impacts of each decision on the whole
 system. The cheapest solutions within one program area may not be best for
 the system as a whole.
- Real change requires recognition of downstream impacts; we should not let short-term goals trump the public's long-term needs. Holistic planning cannot be based on short-term political priorities, and the system's tendency to respond reactively to high profile incidents works against longer-term reform.

The need for a robust evidence base

- Datasets used for performance metrics should be comprehensive and carefully chosen. Lots of data does not always translate into useful information, and likewise overly simple data should not drive decisions.
- Rigorous analysis should be undertaken regarding the effectiveness of system programs, requiring agreement in advance on definitions of success. Data should be openly available to allow meaningful analysis by those from outside the system.
- An evidence-based approach should not be an undue impediment to creative solutions.
- New capacity created by reform projects needs to be identified in advance and protected for reinvestment.
- Return on investment can be characterized as justice outcomes rather than cost (i.e., in terms of quality versus efficiency outcomes).

- System agencies should take advantage of existing, well-established and empirically supported research and tools on risk assessment.
- Innovation and risk taking should be valued.
- A culture of continuous improvement requires that leadership rewards risktaking. A sustainable framework must support and encourage innovation.
- Resistance to change may be addressed through introducing appropriate incentives.
- Creative solutions to complex problems may include collaborative approaches (e.g., Victoria Integrated Court), while stand-alone services (e.g., traditional courthouses) may be a dated approach.

FAIRNESS

The Summit returned to plenary for a panel discussion on the question of the fairness of the system, followed by intensive work by all participants in small groups. Participants were asked to consider the goal of fairness as defined in the Vision statement:

FAIRNESS

Accessible – We offer services accessible to all regardless of means, provide meaningful redress, and ensure access to justice for vulnerable and marginalized people proactively.

Impartial – We model integrity, fairness and natural justice in our procedures and in delivering services, treating people equally.

Timely – We work together to reduce systemic delay as an impediment to justice; we seek early resolution of individual processes wherever possible.

Two questions were posed to the panelists and to participants as a whole in their small group discussion:

- 1. What are the most significant gaps between this Vision and our criminal justice system as it is?
- 2. To close these gaps, where could we apply major change efforts (e.g., innovation, resources)?

Remarks on aboriginal justice

As part of the panel session, participants heard a presentation by Grand Chief Edward John of the BC First Nations Summit and First Nations Leadership Council. Key points of this presentation included the following:

- Aboriginal peoples are significantly overrepresented in the Canadian prison system, but are underrepresented in positions of authority within the justice system as a whole.
- Understanding and application of the Gladue decision (requiring the courts to consider all reasonable alternatives to incarceration for aboriginal offenders) is lacking. The 'crisis' of overrepresentation at the time of Gladue has only worsened in terms of the numbers of incarcerated aboriginal people.
- The UN Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) report

 which identifies significant connections between historical injustice and
 discrimination towards indigenous people, their current social and economic
 circumstances, and access to justice is an instructive and useful document
 which may be of assistance to the Council in its planning activity.
- In British Columbia, the First Nations Leadership Council has concluded a
 protocol agreement with the Native Courtworker and Counselling Association
 of BC (NCCABC) for it to undertake a lead role in facilitating better justice
 outcomes for First Nations peoples and communities. An important step in
 that regard is the recent NCCABC report, Better Outcomes for Aboriginal
 People and the Justice System.

The following points emerged in the small group discussions and were reported in plenary on behalf of the groups. Common themes are summarized in the sub-headings below; reporting of any particular point should not be taken as necessarily reflecting participant consensus.

Action is required on specific fairness issues, particularly regarding aboriginal justice

- We require a strategy to address overrepresentation of aboriginal people in the court and correctional systems. This response needs to be based at the community level. We require a strategy to address overrepresentation of aboriginal people in the court and correctional systems. This response needs to be based at the community level.
- There are structural requirements to achieve fairness in the justice and public safety sector for the aboriginal community. We must address underrepresentation of aboriginal people in the justice professions and system leadership roles. More generally, we need to address barriers to justice which may lead to systemic discrimination on racial lines.
- Aboriginal justice issues warrant creation of a specific advisory board under the *Justice Reform and Transparency Act*.

Fairness is informed by the circumstances of the participants

- Fairness is both foundational and the measure by which we gauge our other efforts. Fairness can be enhanced by collaborative activities and by providing space to a range of perspectives.
- Fairness is, above all, a perception. Achieving or maintaining system fairness requires differing perceptions of fairness to be identified and addressed, such as those of accused persons, or those who are victims of crime.
- Within the Vision statement:
 - The wording around "impartial" should not suggest treating people the same regardless of other circumstances.

 Civility, empathy and respect are lacking in the overall wording of the goal of fairness.

Importance of accessibility as part of fairness

- Our adversarial system requires sufficient resourcing of both the accused and
 the state. However, improved access is not resolved through blanket resource
 increases to existing structures, but also entails effective targeting of resources,
 making use of key enablers such as e.g., outreach workers, and addressing
 imbalance between urban and rural accessibility. It also entails addressing how
 to ensure competent representation for the most vulnerable persons.
- Legal aid is inadequately funded, which represents a barrier to fairness.
 Changes to legal aid funding should clearly establish expected improvement in outcomes, as part of broader education regarding legal aid funding needs.
- Flexibility and specialization may increase access. We should explore the
 potential of specialized courts/court days in meeting specific needs; moving
 beyond "9 to 5" courtrooms and using weekends; and using technology to
 innovate where traditional access is ineffective.
- Balance in the resources allocated to represent the interests of accused persons with those representing state interests (police and crown) is critical to fairness. Adequate compensation to defence lawyers allows for the mentorship of young criminal lawyers which is essential to developing competent defence counsel to match competent, adequately-funded Crown counsel.
- In addition to the rights of the accused, access to justice should also address the needs of victims, and of offenders post-conviction.
- There is an enduring need to address the "culture of delay," which relates inherently to access, through increased judicial control over what is occurring in the courts.

 An independent advocacy office function with respect to the justice system should be considered.

Need for stamina, collaboration and strategic focus in provincial criminal justice policy

- Real policy change entails risk. Getting more resources and seeking real change in the system entails risk to careers and institutions, and requires political will, effective communications and sustained support for those who assume risk.
- System reform cannot be accomplished through individual programs and silos.
 We require leadership in overall direction, and common training and language in the field.
- We need to recognize and accommodate significant delay for positive outcomes associated to new programs. Clarity of objective and commitment to measurement are required to maintain focus on long term benefits and outcomes, as some of the key determinants of crime are social (e.g., poverty).
- We should acknowledge that the criminal justice system cannot address all social conditions: prevention is the key. Effective investment in prevention requires active and reciprocal collaboration with other parts of government. An effective criminal justice system would achieve justice outcomes through broader community engagement and support.
- We require dialogue with the federal government, through federal-provincialterritorial meetings or other venues, to address unnecessary limitations placed on discretion within the system (e.g., minimum sentences).

PERFORMANCE MEASUREMENT

In light of the Council's requirement to produce a strategic plan by March 2014, complete with performance measures and targets, participants were provided with a presentation by Professor Yvon Dandurand of the University of the Fraser Valley on the development of useful measures of performance in the justice and public safety sector. While the

presentation was not the subject of plenary discussion, the key points of the presentation were as follows:

- Clear measures and timely data: successful justice reforms require clear goals
 and objectives to be achieved collectively and by each agency; explicit and
 measureable performance targets and expected timeframes; collection and
 timely analysis of relevant data.
- Limited, clear, accepted and repeated measurement: success also depends on a limited number of measures (with established targets/benchmarks); which are not controversial and represent in clear terms what the system is intended to deliver; which offer sensible feedback to managers and policy makers; which make sense to the population; and which are measured consistently over time.
- Types of measures can include workload, activity/input, output/cost, and outcome indicators.
- Outcome indicators might include timeliness, access to justice, social equity, public confidence, public trust and respect, public safety, public order, fear of crime, crime reduction, responsiveness to change, offender accountability, and reintegration. Groups of indicators are preferable to individual proxies.
- **Types of data** can include administrative data (statistical indicators), perception data (from the public, experts or key actors) or survey data about experience with the justice system (e.g., victimization).
- Good examples include key indicators developed by the Kennedy School of Government, the American Bar Association, the United Nations and Scotland's Ministry of Justice.
- Pitfalls include measures that are poorly designed, creating perverse incentives, "gaming" of the system, adverse effects on morale (constrains professionalism) and poor performance; and measures which focus on outputs instead of outcomes.

- Obstacles encountered implementing performance indicators may include confusion, different types of indicators, lack of data, competing interests within the system, unrealistic expectations that the indicators will satisfy all and every need for data/feedback, the challenge of an incremental process which is slow and long and may lead to wavering commitment.
- Performance measures are challenging: they are hard to define and difficult to implement; they are instruments of power; they define accountability; and they affect the reward structure within institutions. They may negatively affect behaviour and operations. Done well, they can be sources of insight and pride, promoting good governance, accountability and transparency through inspiration rather than coercion. They must be the result of a process of consultation and discussion. There is a technical aspect to "measurement," but it should not entirely dictate the choice of indicators.

THE FORTHCOMING JUSTICE AND PUBLIC SAFETY PLAN

The Chair of the Justice and Public Safety Council provided participants with an overview of the process leading to the first Justice and Public Safety Plan by March 2014. Key points of the presentation included the following:

- The plan will be a strategic plan for the sector, covering the full range of justice and public safety. By statute it is the Council's plan, not the Summit's. Rather, the Summit provides the greatest single opportunity for input into the plan from leaders across the justice system not directly represented on the Council.
- The plan, released publicly and inviting public attention, will articulate goals for the sector, and identify ways in which progress towards these goals may be measured. As a Council document, it will not be binding on any one entity or agency. The different elements of the sector (such as the Ministry of Justice) will reflect elements of the plan which they are able to address in their own business planning.

- The Council is aware of the need not to conflate the ministry's perspective with that of the sector as a whole. As the Council membership evolves in the medium term to include individuals appointed by the Minister from outside the Ministry of Justice and/or the provincial government, this distinction will become clearer, and will make the Council itself and discussions at the Summits stronger. The Council has to speak to the entire sector. It should not, and will not, be a rebranded version of the interests of the executive branch.
- The plan will include the Vision that the Council has developed. The plan must contain positive actions, no matter how limited a first-year plan may be, and the Council will engage on the content of these actions. The sector has received abundant feedback and is in receipt of half a dozen or more major reviews and reports that point the way to needed reforms.
- The plan will include performance measures and targets. Initially, these will comprise a limited, manageable set of measures that relate directly to our goals.

2014 JUSTICE SUMMITS (SPRING AND FALL)

The Chair of the Summit Steering Committee provided participants with details around the planning of Justice Summits in the coming year (calendar 2014).

While the focus of the Summits will move from criminal justice in the short term, the work of participants is not yet finished. Based on the Vision for the sector, the input from participants at the March and November 2013 Summits, and other consultation, the Justice and Public Safety Council will finalize its strategic plan for the sector in the coming months. Participants will be provided with draft versions of the plan for review and comment as it moves from draft to publication.

The 2014 Summits will move in focus to other parts of the justice system to match progress achieved to date with respect to criminal justice, in particular, family justice and civil justice. This move reflects the need to attend to significant issues in these areas, and

capitalizes on the work of the National Action Committee on Access to Justice in Civil and Family Matters: A Roadmap for Change.

Once initial family and civil Summits – or Summits on other key areas of the sector – have been held, the focus will return to criminal justice, such that the leaders gathered here today can assess the progress made in planning and implementing reforms.

As the system achieves a "mature state" of Summits, the annual cycle will include two Summits: a proactive, aspirational, issue-focused summit in the Spring of each year, and Fall Summits in which the Council consults on its draft three-year strategic plans, plans which will include criminal, civil and family justice.



Professor Yvon Dandurand addresses the plenary.

APPRECIATION

The Steering Committee would like to express its thanks to the participants at the Second British Columbia Justice Summit, whose continuing commitment and goodwill contributed greatly to the event.

For assistance in the development and realization of the second Summit, special thanks are due to: the Court of Appeal for British Columbia, the Supreme Court of British Columbia, the Provincial Court of British Columbia; the Law Society of British Columbia; the British Columbia Association of Chiefs of Police; the Canadian Bar Association (BC Branch); the Legal Services Society; the Public Prosecution Service of Canada; the Native Courtworker and Counselling Association of BC; and the Union of British Columbia Indian Chiefs.

Thanks, too, are due to those invited participants who made time to prepare presentations for panel discussions, including: Ken Walker, Len Goerke, Dr. Sharon McIvor, Mark Benton, Dr. Ray Corrado, Jonny Morris, Brad Haugli, Chief Doug White, Richard Fowler, Murray Dinwoodie, Tracy Porteous, and Grand Chief Ed John.

The Steering Committee would also like to thank Dean Mary Anne Bobinski and staff of the University of British Columbia, Faculty of Law, as well as the Law Society of British Columbia and their Chief Executive Officer (and Summit Moderator) Tim McGee, for their generosity and flexibility in again creating an excellent setting for the Summit.

Finally, the Steering Committee would like to thank the Summit facilitator, George Thomson; Professor Yvon Dandurand; Darlene Shackelly; Michelle Burchill; and the many individual employees of justice and public safety organizations in British Columbia who made direct personal contributions to the success of the Justice Summit.

SUMMIT FEEDBACK

Comments on this *Report of Proceedings* and the Summit process are encouraged and may be emailed to justicereform@gov.bc.ca. Written communication may be sent to:

Ministry of Justice Province of British Columbia 1001 Douglas Street Victoria, BC V8W 3V3 Attention: Justice Summit

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APPENDIX 1: SUMMIT AGENDA

Second Justice Summit Allard Hall, Faculty of Law, UBC Friday, November 8 and Saturday, November 9, 2013

Friday, November 8

8:15	Registration and coffee	
8:45	Introduction	Tim McGee (Summit Moderator), Law Society of BC
	Greeting	Elder Debra Sparrow , Musqueam First Nation *
	Welcome from UBC	Emma Cunliffe, UBC Faculty of Law
	Welcome to participants	The Honourable Suzanne Anton , Attorney General and Minister of Justice
	Summit overview	George Thomson (Summit Facilitator)
9:20	Remarks: Draft Vision, Goals and Values: Summary of Progress to Date	Richard Fyfe, Deputy Attorney General and Vice-Chair, Justice and Public Safety Council
9:35	Plenary discussion on Vision and Values	George Thomson
10:00	Break	
10:15	Comparing our Vision to the sector today: Public Confidence	Panel participants Chief Doug White III, Snuneymuxw First Nation * Len Goerke, BC Association of Chiefs of Police Ken Walker, Law Society of BC
10:45	Small groups discuss, report	George Thomson

12:00	Lunch Remarks: Developing Useful Performance Measures in the Justice System	Yvon Dandurand, University of the Fraser Valley
1:00	Comparing our Vision to the sector today: Protection of People	Panel participants Jonathan Morris, Canadian Mental Health Association Sharon McIvor, Nicola Valley Institute of Technology * Brad Haugli, BC Association of Chiefs of Police
1:30	Small groups discuss, report	George Thomson
2:45	Break	
3:00	Comparing our Vision to the sector today: Sustainability	Panel participants Mark Benton, Legal Services Society Murray Dinwoodie, City of Surrey Ray Corrado, Simon Fraser University
3:30	Small groups discuss, report	George Thomson
4:45	Daily wrap/ housekeeping	Tim McGee
5:00 to 7:00	Reception (Allard Hall)	Sponsored by the Law Society of BC

^{*} Note: Due to unforeseen circumstances affecting travel, some participants were unable to attend as planned.

Saturday, November 9

Time	Event	Lead
8:30	Coffee	
9:00	Welcome	Tim McGee
	Mid-point overview	George Thomson
9:15	Comparing our Vision to the sector today: Fairness	Panel participants Tracy Porteous, End the Violence Association Grand Chief Edward John, First Nations Summit Richard Fowler, Fowler, Smith
9:45	Small groups discuss	George Thomson
10:30	Break	
10:45	Small groups report	George Thomson
11:15	Presentation: Towards a First Justice and Public Safety Plan	Lori Wanamaker, Deputy Minister of Justice and Chair, Justice and Public Safety Council
11:30	Plenary discussion on developing Plan	George Thomson
12:00	Lunch	
1:00	Recap of Summit recommendations Plenary discussion to check accuracy and amend	George Thomson
2:00	Preview of Spring 2014 Summit	Jay Chalke, Chair, Justice Summit Steering Committee

2:15	Closing remarks	The Honourable Robert Bauman , Chief Justice of British Columbia
2:30	Final remarks	Tim McGee
2:45	Summit concludes	

APPENDIX 2: SUMMIT PARTICIPANTS

Anton	Honourable Suzanne	Attorney General and Minister of Justice	Government of British Columbia
Bauman	Honourable Robert	Chief Justice	Court of Appeal for British Columbia
Benedet	Janine	Associate Professor	Faculty of Law, University of British Columbia
Benton	Mark	Executive Director	Legal Services Society
Blenkin	Johanne	Chief Executive Officer	BC Courthouse Library Society
Callens	Craig	Deputy Commissioner and Commanding Officer	"E" Division RCMP
Cavanaugh	Lynda	Assistant Deputy Minister	Community Safety and Crime Prevention Branch, Ministry of Justice
Chalke	Jay	Assistant Deputy Minister	Justice Services Branch, Ministry of Justice
Christensen	Tom	Chair	Legal Services Society Board
Corrado	Ray	Professor, Criminology Department	Simon Fraser University
Corrigan	Kathy	Opposition Critic for Public Safety and Solicitor General	British Columbia Legislative Assembly
Crabtree	Honourable Thomas	Chief Judge	Provincial Court of British Columbia
Craig	Rick	Executive Director	Justice Education Society
Crawford	Dean	President	Canadian Bar Association – B.C.
Cronin	Kasandra	Barrister	LaLiberté Cronin
Cullen	Honourable Austin	Associate Chief Justice	Supreme Court of British Columbia
Cunliffe	Emma	Associate Professor	Faculty of Law, University of British Columbia
Dandurand	Yvon	Professor and Associate Vice-President	Research and Graduate Studies, University of the Fraser Valley
DeWitt-Van Oosten	Joyce	Assistant Deputy Attorney General	Criminal Justice Branch, Ministry of Justice
Dicks	Bev	Assistant Deputy Minister	Provincial Office of Domestic Violence

			and Strategic Initiatives, Ministry of Children and Family Development	
Dinwoodie	Murray	Chief Administrative Officer	City of Surrey	
Eder	Birgit	LAAC Co-chair	Trial Lawyers Association of BC	
Faganello	Tara	Assistant Deputy Minister	Corporate Management Services Branch, Ministry of Justice	
FitzGerald	Amy	Policy and Program Analyst	Ending Violence Association	
Fowler	Richard	Barrister	Fowler and Smith	
Fyfe	Richard	Deputy Attorney General	Ministry of Justice	
German	Peter	Regional Deputy Commissioner	Correctional Service Canada	
Gill	Honourable Gurmail	Associate Chief Judge	Provincial Court of British Columbia	
Goerke	Len	Deputy Chief Constable	Abbotsford Police Department	
Gottardi	Eric	Barrister	Peck and Company	
Graham	Jamie	President	BC Association of Municipal Chiefs of Police	
Grant-John	Wendy	Chair	Minister's Advisory Council on Aboriginal Women	
Gutray	Bev	Chief Executive Officer	Canadian Mental Health Association, BC	
Haugli	Insp. Brad	President	BC Association of Chiefs of Police	
Jamieson	Gene	Legal Officer	Provincial Court of British Columbia	
Jardine	Kevin	Assistant Deputy Minister	Court Services Branch, Ministry of Justice	
John	Edward	Grand Chief	First Nations Summit	
Jones	Dave	Chief	New Westminster Police Department	
Juk	Peter	Director, Appeals and Special Prosecutions, Criminal Law Division	Criminal Justice Branch, Ministry of Justice	
Kraemer	Frank	Executive Director and Senior Counsel	Superior Courts Judiciary	
Krog	Leonard	Opposition Critic for Attorney General	British Columbia Legislative Assembly	

LeBlanc	Robert	Lawyer, Prosecution Office	City of Vancouver
LePard	Doug	Deputy Chief Constable	Vancouver Police Department
MacLeod	Sam	Superintendent of Motor Vehicles	Ministry of Justice
Mason	Heidi	Director, Legal Advice and Representation	Legal Services Society
McBride	Heidi	Legal Counsel	Supreme Court of British Columbia
McGee	Tim	Chief Executive Officer	Law Society of British Columbia
Merchant	Brent	Assistant Deputy Minister	Corrections Branch, Ministry of Justice
Morris	Jonathan	Director, Public Safety	Canadian Mental Health Association, B.C.
Morrison	Brenda	Director, Centre for Restorative Justice and Assistant Professor, School of Criminology	Simon Fraser University
Moyse	Geoff	A/Assistant Deputy Attorney General	Legal Services Branch, Ministry of Justice
Nevin	Caroline	Executive Director	Canadian Bar Association – B.C.
Outerbridge	Tim	Legal Counsel	Court of Appeal for British Columbia
Pearson	Paul	Barrister	Mulligan, Tam, Pearson
Pecknold	Clayton	Assistant Deputy Minister	Policing and Security Programs Branch, Ministry of Justice
Phillips	Honourable Nancy	Associate Chief Judge	Provincial Court of British Columbia
Plecas	Darryl	MLA and Parliamentary Secretary, Crime Reduction	Government of British Columbia
Porteous	Tracy	Executive Director	Ending Violence Association
Prior	Robert	Chief Federal Prosecutor	Public Prosecution Service of Canada (British Columbia)
Robertson	Wayne	Executive Director	Law Foundation
Ruebsaat	Gisela	Legal Analyst	Ending Violence Association
Shackelly	Darlene	Executive Director	Native Courtworker and Counselling Association of B.C.

Sieben	Mark	Deputy Minister	Ministry of Children and Family Development
Somers	Julian	Professor	Faculty of Health Sciences, Simon Fraser University
Vance	Ken	Senior Policy Advisor	Union of British Columbia Municipalities
Veresh	Tim	Executive Director	John Howard Society, Lower Mainland
Walker	Ken	Second Vice President	Law Society
Wanamaker	Lori	Deputy Solicitor General and Deputy Minister, Justice	Ministry of Justice
Wilkinson	Craig	Executive Director	Provincial Court of British Columbia

APPENDIX 3: STEERING COMMITTEE AND WORKING GROUP

Steering Committee

Members:

Mark Benton Executive Director, Legal Services Society

Jay Chalke (Chair) Assistant Deputy Minister, Justice Services Branch

Ministry of Justice

Joyce DeWitt-Van Oosten Assistant Deputy Attorney General, Criminal Justice Branch

Ministry of Justice

Mark Fisher Chief Constable, Oak Bay Police

BC Association of Chiefs of Police

Eric Gottardi Barrister, Peck and Company/Canadian Bar Association

BC Branch

Gene Jamieson Legal Officer, Provincial Court of British Columbia
Heidi McBride Legal Counsel, Supreme Court of British Columbia

Tim McGee Chief Executive Officer, Law Society of BC

(Summit Moderator)

Tim Outerbridge Legal Counsel, Court of Appeal for British Columbia

Robert Prior Chief Federal Prosecutor, Public Prosecution Service of

Canada

Facilitator:

George Thomson Director, National Judicial Institute

Ex-officio:

Allan Castle Executive Lead, Justice and Public Safety Secretariat

Ministry of Justice

Michael Lucas Manager, Policy and Legal Services, Law Society of British

Columbia

Nancy Pearson Manager, Stakeholder Relations, Justice Services Branch,

Ministry of Justice

Working Group

Members:

Allan Castle (Chair) Executive Lead, Justice and Public Safety Secretariat

Ministry of Justice

Richard de Boer Director, Policy and Legislation, Criminal Justice Branch

Ministry of Justice

James Deitch Executive Director, Criminal Justice and Legal Access Policy

Division, Justice Services Branch, Ministry of Justice

Shelley Eisler Director, Planning and Performance Reporting, Justice and

Public Safety Secretariat, Ministry of Justice

Michael Lucas Manager, Policy and Legal Services, Law Society of BC

Nancy Pearson Manager, Stakeholder Relations, Justice Services Branch

Ministry of Justice

Special assistance provided by:

Edna Philippides Executive Administrative Assistant, Justice Services Branch

Ministry of Justice

Tiny Vermaning Administrative Assistant, Justice Services Branch

Ministry of Justice

APPENDIX 4: DRAFT VISION AND VALUES FOR THE SECTOR

British Columbia Justice and Public Safety Council Vision (including Goals and Objectives) and Values

Draft – October 30 2013

Vision

British Columbia is committed to a system of justice and public safety founded on the rule of law. This system encompasses criminal, civil, family and administrative law. It is fair, protects people, is sustainable, and enjoys the public's confidence. This is achieved through the promotion of a peaceful and safe society and by being accessible, transparent, accountable, and focused on improving outcomes and services.

Goals and objectives

Our system is fair

- Accessible We offer services accessible to all regardless of means, provide meaningful redress, and ensure access to justice for vulnerable and marginalized people proactively.
- **Impartial** We model integrity, fairness and natural justice in our procedures and in delivering services, treating people equally.
- Timely We work together to reduce systemic delay as an impediment to justice; we seek early resolution of individual processes wherever possible.

Our system protects people

- Preventative We offer early, appropriate and effective interventions to reduce antisocial behaviour, assisting people in rebuilding healthy, productive lives.
- Protective We work together to reduce threats to public safety, protect complainants and victims of crime, and prevent re-victimization of the vulnerable by the system.

 Comprehensive – We work across all levels of government to understand and address root causes of crime, and support and participate in effective alternative interventions.

Our system is sustainable

- **Effective** We measure and improve the return on investment of public resources, collectively and as institutions.
- Managed We allocate resources prudently across the system according to clear and demonstrated cause and effect; we treat the time of every participant as valuable.
- Focused Based on measurable demand, we take evidence-based decisions to resource the system's necessary functions, ensuring these services are delivered efficiently.

Our system enjoys public confidence

- Adaptive We offer services and programs that are nimble; we solicit and respond to the needs of people and monitor the effectiveness of our programs.
- Performance-focused We assume collective and respective responsibility for system performance, engaging British Columbians in dialogue as users and observers of the system.
- Empowering People entering the system have sufficient opportunity to learn its rules and practices at their level of need; the public both understands and values the system.

Values

In a justice and public safety system within a free and democratic society, the rule of law and principles of fundamental justice must guide the behaviour of the sector. Based on this foundation, the following values apply to our work, such that our actions are:

- 1. **Fair and equitable**: acting without discrimination with regard to ethnicity, age, religion, gender, gender identification, sexual orientation, belief or socio-economic status.
- Open and responsive to change: thinking critically about existing practice, considering information that challenges orthodoxy, and responding actively to environmental changes.
- Outcome-focused: setting realistic objectives, assessing our work according to results, and working together to ensure our activities do not have unintended adverse consequences.
- 4. **Accountable**: engaging the public on the effectiveness of our work, and reporting regularly on meaningful aspects of our performance.
- 5. **Evidence-based**: managing operations and innovating through shared collection and analysis of data about what works, and by enabling rigorous research through partnership.
- 6. **Proportionate**: allocating resources in ways that are necessary and reasonable, according to agreed-upon risks, and taking action in consideration of the sector's goals as a whole.
- Transparent: making information broadly available about the sector's functions, enabling constructive democratic dialogue about goals, outcomes, services and performance.

APPENDIX 5: JUSTICE AND PUBLIC SAFETY COUNCIL

Under provisions of the *Justice Reform and Transparency Act*, Council members are appointed by the Attorney General and Minister of Justice.

Membership on the Council may include: an individual who is in a senior leadership role in the government and who has responsibility for matters relating to the administration of justice in British Columbia or matters relating to public safety, and includes any other individual the minister considers to be qualified to assist in improving the performance of the justice and public safety sector.

The Council is chaired by the Deputy Minister of Justice and, currently, includes Ministry of Justice executive members and a representative from the Ministry of Children and Family Development. The Council is supported by a Justice and Public Safety Secretariat within the Ministry of Justice. Further to Ministerial Order, the current membership is as follows:

Cavanaugh, Lynda Asst. Deputy Minister, Community Safety and

Crime Prevention, Ministry of Justice

Chalke, Jay Asst. Deputy Attorney General, Justice Services Branch

Ministry of Justice

DeWitt-Van Oosten, Joyce Asst. Deputy Attorney General, Criminal Justice Branch

Ministry of Justice

Faganello, Tara Asst. Deputy Minister, Corporate Management Services,

Ministry of Justice

Fyfe, Richard (Vice-Chair) Deputy Attorney General, Ministry of Justice

Jardine, Kevin Asst. Deputy Minister, Court Services Branch

Ministry of Justice

MacLeod, Sam Superintendent of Motor Vehicles, Ministry of Justice

Merchant, Brent Asst. Deputy Minister, Corrections Branch, Ministry of Justice

Moyse, Geoff A/Asst. Deputy Attorney General, Legal Services Branch,

Ministry of Justice

Pecknold, Clayton Asst. Deputy Minister, Policing and Security Programs

Ministry of Justice

Sadler, Bobbi Chief Information Officer, Ministry of Justice

Sieben, Mark Deputy Minister, Ministry of Children and

Family Development

Wanamaker, Lori (Chair) Deputy Minister and Deputy Solicitor General

Ministry of Justice

REDACTED MATERIALS

REDACTED MATERIALS



Memo

To: Benchers

From: Credentials Committee

Date: February 28, 2014

Subject: Territorial Mobility Agreement 2013

The Benchers are asked to approve amendments to the Territorial Mobility Agreement 2013 ("TMA 2013") and authorize the President or her designate to execute the TMA 2013 on behalf of the Law Society of British Columbia.

Discussion

In September 2013, on the recommendation of the Credentials Committee, the Benchers approved amendments to the National Mobility Agreement 2013 ("NMA 2013") and authorized the President or his or her delegate to execute the NMA 2013 on behalf of the Law Society.

The most significant change to the NMA 2013 was to approve full, permanent mobility between the Barreau du Quebec and the common law provinces by accepting a civil law degree as equivalent to the common law degree. The NMA 2013 was executed in October 2013.

To reflect the changes to mobility between the Barreau du Quebec and the common law jurisdictions contained in the NMA 2013, the Council of the Federation has approved amendments to the TMA.

The proposed amendments include changes to the specific paragraph references from the NMA 2013. The National Mobility Policy Committee has also proposed amendments to the introduction to the TMA 2013 to reflect the changes to the mobility regime that have taken place since the TMA was first entered into.

The Credentials Committee considered the amendments to the TMA 2013 at its meeting in January 2014 and resolved to recommend that the Benchers approve the amended TMA 2013 and authorize the President or her designate to execute the NMA 2013 on behalf of the Law Society of British Columbia.

Background

The TMA was originally signed in 2006. Under the TMA, the Yukon, Nunavut and Northwest Territories law societies agreed to join the common law provincial law societies in the National Mobility Agreement with respect to permanent mobility (the transfer of lawyers from one jurisdiction to another). The TMA was to remain in effect for five years (until the end of 2011), during which time the territorial law societies expected to evaluate their ability to become full participants in the National Mobility Agreement, including the temporary mobility provisions.

The TMA was to remain in effect for five years (until the end of 2011), during which time the territorial law societies expected to evaluate their ability to become full participants in the National Mobility Agreement, including the temporary mobility provisions. At the expiration of the five years, each territory was to have the option of signing on to full mobility (both permanent and temporary) or withdrawing from the Agreement. The Council of the Federation of Law Societies of Canada recently approved a request from the Presidents of the three territorial law societies that the TMA be extended on an indefinite basis. The issue was considered by this Committee at its December 2011 meeting and the Benchers adopted the Committee's recommendation that the Law Society of BC ("LSBC") approve and execute the indefinite renewal of the TMA. The Benchers also directed that the LSBC vote in favour of the current motion before Council of the Federation to revisit consideration of the factors impeding participation by the territorial law societies in the temporary mobility provisions of the National Mobility Agreement.

Attachments

1. Territorial Mobility Agreement – clean and redlined version

Federation of Law Societies of Canada



Fédération des ordres professionnels de juristes du Canada

TERRITORIAL MOBILITY AGREEMENT 2013

FEDERATION OF LAW SOCIETIES OF CANADA

April 2014

Introduction

The purpose of this Agreement is to extend the scope of the National Mobility Agreement 2013 ("NMA 2013") in facilitating permanent mobility of lawyers between Canadian jurisdictions.

While the signatories participate in this Agreement voluntarily, they intend that only lawyers who are members of signatories that have implemented reciprocal provisions in their jurisdictions will be able to take advantage of the provisions of this Agreement.

The signatories recognize that

- they have a duty to the Canadian public and to their members to regulate the
 inter-jurisdictional practice of law so as to ensure that their members practise law
 competently, ethically and with financial responsibility, including professional
 liability insurance and defalcation compensation coverage, in all jurisdictions of
 Canada,
- differences exist in the legislation, policies and programs pertaining to the signatories, including those differences between common law and civil law jurisdictions in Canada, and lawyers have a professional responsibility to ensure that they are competent with respect to any matter that they undertake, and
- it is desirable to facilitate a nationwide regulatory regime for the interjurisdictional practice of law to promote uniform standards and procedures, while recognizing the exclusive authority of each signatory within its own legislative jurisdiction.

Background

In August, 2002, the Federation of Law Societies of Canada (the "Federation") approved the report of the National Mobility Task Force ("the Task Force") for the implementation of full mobility rights for Canadian lawyers. This led to adoption of the National Mobility Agreement ("NMA") by all provincial law societies other than the Chambre des notaires du Québec ("Chambre").

The resolution adopted by the Federation in approving the report of the Task Force included an acknowledgement that "the unique circumstances of the law societies of Yukon, the Northwest Territories and Nunavut necessitate special considerations that could not be undertaken within the time frame prescribed in the Task Force's terms of reference, but should be undertaken in the future."

In 2006 all law societies other than the Chambre signed the Territorial Mobility Agreement ("TMA"). To recognize the unique circumstances of the territorial law societies, the agreement provided for reciprocal permanent mobility between the law societies of the provinces and the territories, without requiring the territorial law societies to participate in the temporary mobility provisions of the NMA. The original term of the TMA was five years. In 2011 the agreement was renewed without a termination date.

In March 2010, all Canadian law societies except the Chambre signed the Quebec Mobility Agreement ("QMA"), facilitating reciprocal mobility between Quebec and the common law jurisdictions. The mobility provisions set out in the QMA were extended to members of the Chambre in March 2012 with the signing by all law societies of the Addendum to the QMA.

The signatories to the NMA and the Chambre have now approved a revised agreement that extends the permanent mobility provisions of the NMA to mobility to and from the Barreau du Québec and incorporates the mobility provisions of the QMA and the Addendum to the QMA applicable to the Chambre. The "NMA 2013" was executed in October 2013.

This Agreement has been amended to ensure that references to the relevant clauses of the NMA 2013 are accurate.

The signatories to this Agreement who are not signatories to the NMA 2013 do not hereby subscribe to the provisions of the NMA 2013, except as expressly stated in this Agreement.

THE SIGNATORIES AGREE AS FOLLOWS:

Definitions

- **1.** In this Agreement, unless the context indicates otherwise:
 - "governing body" means the Law Society or Barristers' Society in a Canadian common law jurisdiction, and the Barreau;

- "home governing body" means any or all of the governing bodies of the legal profession in Canada of which a lawyer is a member, and "home jurisdiction" has a corresponding meaning;
- "Inter-Jurisdictional Practice Protocol" means the 1994 Inter-Jurisdictional Practice Protocol of the Federation of Law Societies of Canada, as amended from time to time;
- "lawyer" means a member of a signatory governing body;
- "liability insurance" means compulsory professional liability errors and omissions insurance required by a governing body;
- "National Mobility Agreement 2013" or "NMA 2013" means the National Mobility Agreement 2013 of the Federation of Law Societies of Canada, as amended from time to time;
- "permanent mobility provisions" means clauses 33 to 40, and 43 to 50 of the NMA 2013;
- "practice of law" has the meaning with respect to each jurisdiction that applies in that jurisdiction;
- "Registry" means the National Registry of Practising Lawyers established under clause 18 of the NMA 2013;

General

- 2. The signatory governing bodies will
 - (a) use their best efforts to obtain from the appropriate legislative or supervisory bodies amendments to their legislation or regulations necessary or advisable in order to implement the provisions of this Agreement;
 - (b) amend their own rules, by-laws, policies and programs to the extent they consider necessary or advisable in order to implement the provisions of this Agreement;
 - (c) comply with the spirit and intent of this Agreement to facilitate mobility of Canadian lawyers in the public interest and strive to resolve any differences among them in that spirit and in favour of that intent; and
 - (d) work cooperatively to resolve all current and future differences and ambiguities in legislation, policies and programs regarding interjurisdictional mobility.

- Signatory governing bodies will subscribe to this Agreement and be bound by it by means of the signature of an authorized person affixed to any copy of this Agreement.
- **4.** A signatory governing body will not, by reason of this Agreement alone,
 - (a) grant to a lawyer who is a member of another governing body greater rights to provide legal services than are permitted to the lawyer by his or her home governing body; or
 - (b) relieve a lawyer of restrictions or limits on the lawyer's right to practise, except under conditions that apply to all members of the signatory governing body.
- **5.** Amendments made under clause 2(b) will take effect immediately on adoption with respect to members of signatory governing bodies that have adopted reciprocal provisions.

Permanent Mobility

- **6.** The signatories that are signatories to the NMA 2013 agree to extend the application of the permanent mobility provisions of the NMA 2013 with respect to the territorial signatories to this Agreement.
- **7.** The territorial signatories agree to adopt and be bound by the permanent mobility provisions of the NMA 2013.
- **8.** A signatory that has adopted regulatory provisions giving effect to the permanent mobility requirements of the NMA 2013 is a reciprocating governing body for the purposes of permanent mobility under this Agreement, whether or not the signatory has adopted or given effect to any other provisions of the National Mobility Agreement.

Transition Provisions

- **9.** This Agreement is a multi-lateral agreement, effective respecting the governing bodies that are signatories, and it does not require unanimous agreement of Canadian governing bodies.
- **10.** Provisions governing permanent mobility in effect at the time that a governing body becomes a signatory to this Agreement will continue in effect until this agreement is implemented.

Dispute Resolution

11. Signatory governing bodies adopt and agree to apply provisions in the Inter-Jurisdictional Practice Protocol in respect of arbitration of disputes, specifically Clause 14 and Appendix 5 of the Protocol.

Withdrawal

- **12.** A signatory may cease to be bound by this Agreement by giving each other signatory written notice of at least one clear calendar year.
- **13.** A signatory that gives notice under clause 12 will immediately notify its members in writing of the effective date of withdrawal.

SIGNED on the day of	, 2014.
Law Society of British Columbia	Law Society of Alberta
Per:Authorized Signatory	Per:Authorized Signatory
Law Society of Saskatchewan	Law Society of Manitoba
Per:Authorized Signatory	Per:Authorized Signatory
Law Society of Upper Canada	Barreau du Québec
Per:Authorized Signatory	Per:Authorized Signatory
Chambre des notaires du Québec	Law Society of New Brunswick
Per: Authorized Signatory	Per: Authorized Signatory

Nova Scotia Barristers' Society	Law Society of Prince Edward Island
Per:	Per:
Authorized Signatory	Authorized Signatory
Law Society of Newfoundland and Labrador	Law Society of Yukon
Per:	Per:
Authorized Signatory	Authorized Signatory
Law Society of the Northwest Territories	Law Society of Nunavut
Per:	Per:
Authorized Signatory	Authorized Signatory

Federation of Law Societies of Canada



Fédération des ordres professionnels de juristes du Canada

TERRITORIAL MOBILITY AGREEMENT 2013

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FEDERATION OF LAW SOCIETIES OF CANADA

September 2013

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Introduction

The purpose of this Agreement is to extend the scope of the National Mobility Agreement 2013 ("NMA 2013") in facilitating permanent mobility of lawyers between Canadian jurisdictions.

While the signatories participate in this Agreement voluntarily, they intend that only lawyers who are members of signatories that have implemented reciprocal provisions in their jurisdictions will be able to take advantage of the provisions of this Agreement.

The signatories recognize that

- they have a duty to the Canadian public and to their members to regulate the
 inter-jurisdictional practice of law so as to ensure that their members practise law
 competently, ethically and with financial responsibility, including professional
 liability insurance and defalcation compensation coverage, in all jurisdictions of
 Canada,
- differences exist in the legislation, policies and programs pertaining to the signatories, <u>including those differences</u> between common law and civil law jurisdictions in Canada, and lawyers have a professional responsibility to ensure that they are competent with respect to any matter that they undertake, and
- it is desirable to facilitate a nationwide regulatory regime for the interjurisdictional practice of law to promote uniform standards and procedures, while recognizing the exclusive authority of each signatory within its own legislative jurisdiction.

Background

In August, 2002, the Federation of Law Societies of Canada (the "Federation") approved the report of the National Mobility Task Force ("the Task Force") for the implementation of full mobility rights for Canadian lawyers. This led to adoption of the National Mobility Agreement ("NMA") by all provincial law societies other than the Chambre des notaires du Québec ("Chambre").

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The resolution adopted by the Federation in approving the report of the Task Force included an acknowledgement that "the unique circumstances of the law societies of Yukon, the Northwest Territories and Nunavut necessitate special considerations that could not be undertaken within the time frame prescribed in the Task Force's terms of reference, but should be undertaken in the future."

In 2006 all law societies other than the Chambre signed the Territorial Mobility Agreement ("TMA"). To recognize the unique circumstances of the territorial law societies, the agreement provided for reciprocal permanent mobility between the law societies of the provinces and the territories, without requiring the territorial law societies to participate in the temporary mobility provisions of the NMA. The original term of the "TMA was five years. In 2011 the agreement was renewed without a termination date.

In March 2010, all Canadian law societies except the Chambre signed the Quebec Mobility Agreement ("QMA"), facilitating reciprocal mobility between Quebec and the common law jurisdictions. The mobility provisions set out in the QMA were extended to members of the Chambre in March 2012 with the signing by all law societies of the Addendum to the QMA.

The signatories to the NMA and the Chambre have now approved a revised agreement that extends the permanent mobility provisions of the NMA to mobility to and from the Barreau du Québec and incorporates the mobility provisions of the QMA and the Addendum to the QMA applicable to the Chambre. The "NMA 2013" will be executed in October 2013.

This Agreement has been amended to ensure that references to the relevant clauses of the NMA 2013 are accurate.

The signatories to this Agreement who are not signatories to the NMA 2013 do not hereby subscribe to the provisions of the NMA 2013, except as expressly stated in this Agreement.

THE SIGNATORIES AGREE AS FOLLOWS:

Definitions

1. In this Agreement, unless the context indicates otherwise:

"governing body" means the Law Society or Barristers' Society in a Canadian common law jurisdiction, and the Barreau;

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Territorial Mobility Agreement¶

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Deleted: The purpose of this Agreement is to allow the law societies of the territories to participate in national mobility for lawyers to the extent possible for them, given their unique circumstances. Specifically, the signatories agree that the territorial law societies will participate in national mobility as reciprocating governing bodies with respect to permanent mobility, or transfer of lawyers from one jurisdiction to another, without a requirement that they participate in temporary mobility provisions.

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- "home governing body" means any or all of the governing bodies of the legal profession in Canada of which a lawyer is a member, and "home jurisdiction" has a corresponding meaning;
- "Inter-Jurisdictional Practice Protocol" means the 1994 Inter-Jurisdictional Practice Protocol of the Federation of Law Societies of Canada, as amended from time to time;
- "lawyer" means a member of a signatory governing body;
- "liability insurance" means compulsory professional liability errors and omissions insurance required by a governing body;
- "National Mobility Agreement 2013" or "NMA 2013" means the National Mobility Agreement 2013 of the Federation of Law Societies of Canada, as amended from time to time;
- "permanent mobility provisions" means clauses 33 to 40, 43 and 50 of the NMA 2013;
- "practice of law" has the meaning with respect to each jurisdiction that applies in that jurisdiction;
- "Registry" means the National Registry of Practising Lawyers established under clause <u>18</u> of the <u>NMA 2013</u>;

General

- 2. The signatory governing bodies will
 - (a) use their best efforts to obtain from the appropriate legislative or supervisory bodies amendments to their legislation or regulations necessary or advisable in order to implement the provisions of this Agreement;
 - (b) amend their own rules, by-laws, policies and programs to the extent they consider necessary or advisable in order to implement the provisions of this Agreement;
 - (c) comply with the spirit and intent of this Agreement to facilitate mobility of Canadian lawyers in the public interest and strive to resolve any differences among them in that spirit and in favour of that intent; and
 - (d) work cooperatively to resolve all current and future differences and ambiguities in legislation, policies and programs regarding interjurisdictional mobility.

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- Signatory governing bodies will subscribe to this Agreement and be bound by it by means of the signature of an authorized person affixed to any copy of this Agreement.
- 4. A signatory governing body will not, by reason of this Agreement alone,
 - (a) grant to a lawyer who is a member of another governing body greater rights to provide legal services than are permitted to the lawyer by his or her home governing body; or
 - (b) relieve a lawyer of restrictions or limits on the lawyer's right to practise, except under conditions that apply to all members of the signatory governing body.
- **5.** Amendments made under clause 2(b) will take effect immediately on adoption with respect to members of signatory governing bodies that have adopted reciprocal provisions.

Permanent Mobility

- 6. The signatories that are signatories to the <u>NMA 2013</u> agree to extend the application of the permanent mobility provisions of the <u>NMA 2013</u> with respect to the territorial signatories to this Agreement.
- The territorial signatories agree to adopt and be bound by the permanent mobility provisions of the <u>NMA 2013</u>.
- 8. A signatory that has adopted regulatory provisions giving effect to the permanent mobility requirements of the <u>NMA 2013</u> is a reciprocating governing body for the purposes of permanent mobility under this Agreement, whether or not the signatory has adopted or given effect to any other provisions of the National Mobility Agreement.

Transition Provisions

- 9. This Agreement is a multi-lateral agreement, effective respecting the governing bodies that are signatories, and it does not require unanimous agreement of Canadian governing bodies.
- 10. Provisions governing permanent mobility in effect at the time that a governing body becomes a signatory to this Agreement will continue in effect, until this agreement is implemented.

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Dispute Resolution

11. Signatory governing bodies adopt and agree to apply provisions in the Inter-Jurisdictional Practice Protocol in respect of arbitration of disputes, specifically Clause 14 and Appendix 5 of the Protocol.

Withdrawal

- **12.** A signatory may cease to be bound by this Agreement by giving each other signatory written notice of at least one clear calendar year.
- **13.** A signatory that gives notice under clause 12 will immediately notify its members in writing of the effective date of withdrawal.

Territorial Mo		
SIGNED on the day of	, <u>2013.</u>	Deleted: 2011
Law Society of British Columbia	Law Society of Alberta	
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Law Society of Saskatchewan	Law Society of Manitoba	
Per:Authorized Signatory	Per:Authorized Signatory	
Law Society of Upper Canada	Barreau du Québec	
Per:Authorized Signatory	Per:Authorized Signatory	
Chambre des notaires du Québec	Law Society of New Brunswick	
Per:Authorized Signatory	Per:Authorized Signatory	
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Nova Scotia Barristers' Society	Law Society of Prince Edward Island
Per:Authorized Signatory	Per: Authorized Signatory
Law Society of Newfoundland and Labrador	Law Society of Yukon
Per:Authorized Signatory	Per:Authorized Signatory
Law Society of the Northwest Territories	Law Society of Nunavut
Per:Authorized Signatory	Per: Authorized Signatory



Lawyers Insurance Fund 2013 Year End Report

Lawyers Insurance Fund

awsociety.bc.ca

Program Report Roadmap



Drivers: Who we are and what we do

Places of Interest: Part A

Milestones: Part B

Signposts: Who we serve and what they think

Lawyers Insurance Fund

lawsociety.bc.e.

Who We Are



Su Forbes QC

























Maclaren

Edna Ritchie

Swall

Kate McLean

Leanne Wood

Surindar Nijjar

Marlon Song

Coran Cooper-Stephenson

Panton

Lawyers Insurance Fund lawsociety.bc.ca

What We Do

Claims Management

- · investigate liability and quantum
- defend and negotiate resolutions

Coverage Inquiries

Dealing with Excess Carriers and Reinsurers

CBELA, GAIC, CLLAS, Argo, Navigators, Pembroke, Chaucer

Defence Counsel Management

provide feedback and education

Risk Management

- · publications web and print
- presentations to CBA, CLE, TLABC, firms and PLTC

LSBC Directors & Officers Policy

negotiate terms; manage claims

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Program Report Roadmap



Drivers: Who we are and what we do

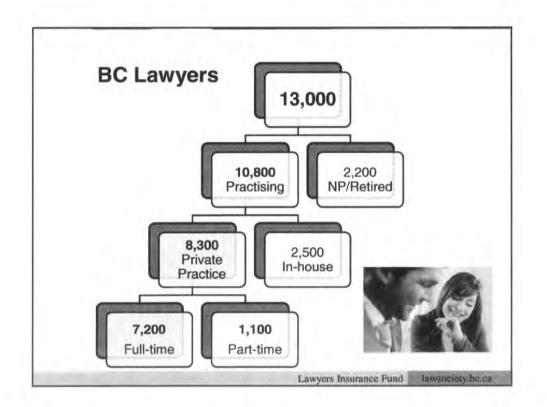
Places of Interest: Part A

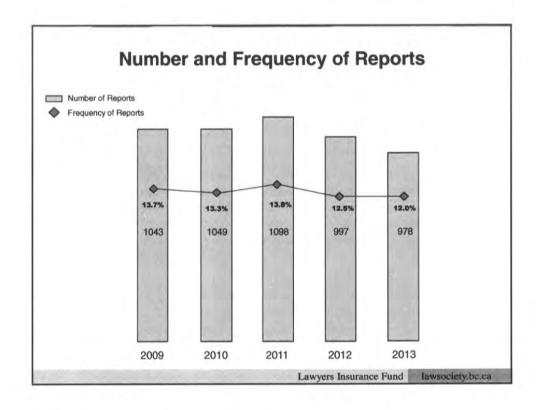
Milestones: Part B

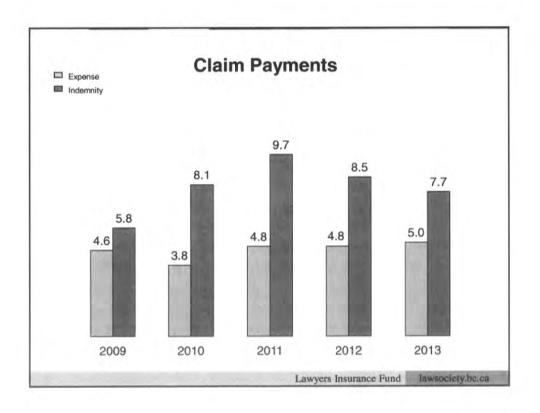
Signposts: Who we serve and what they think

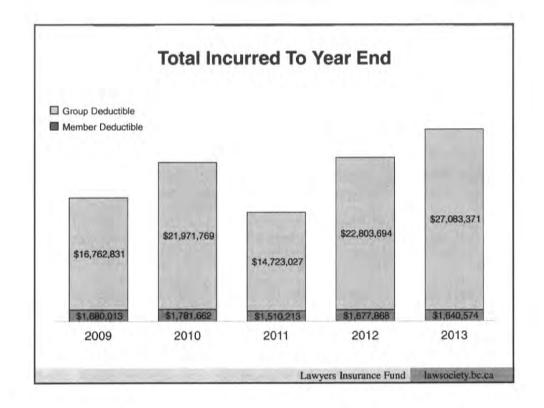
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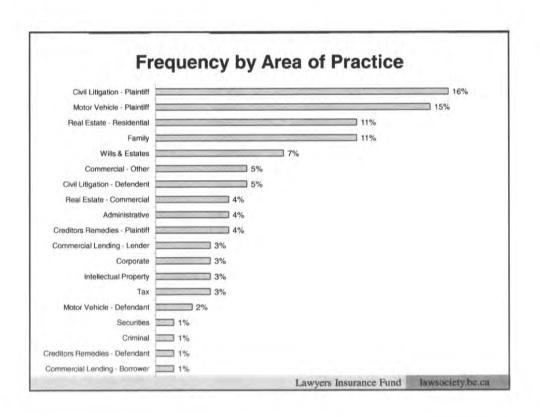
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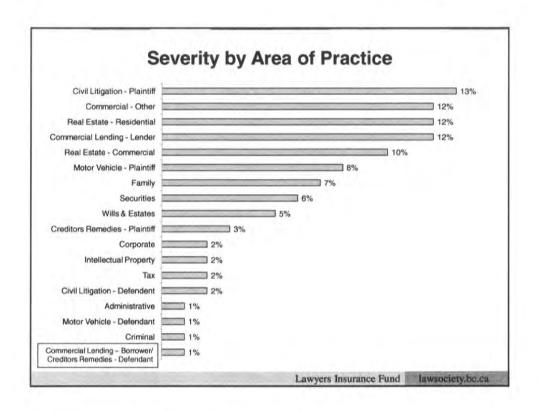


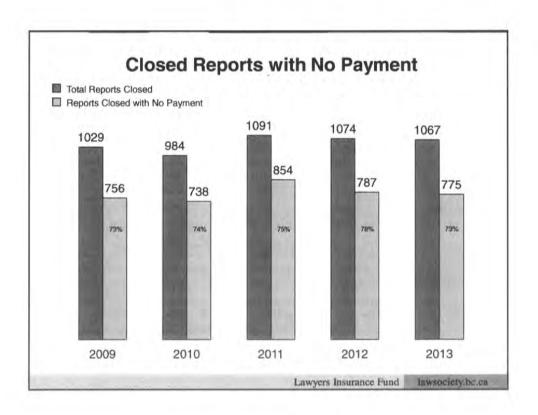


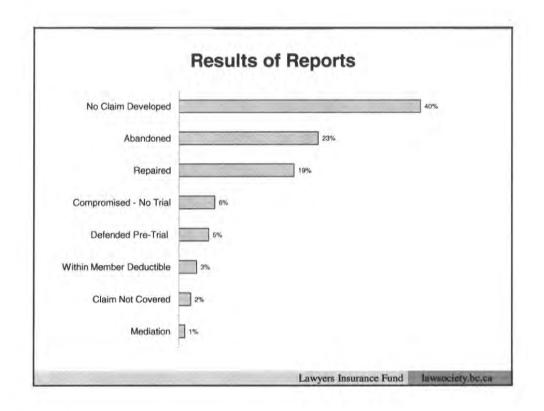


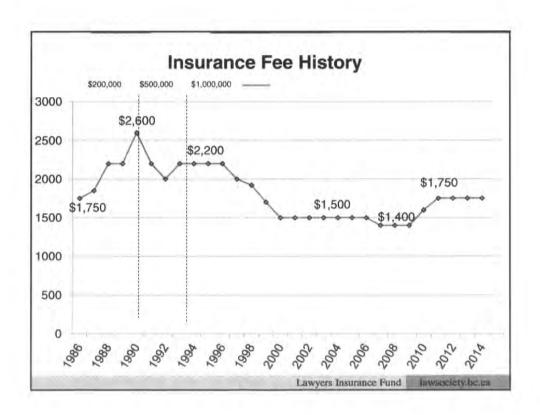


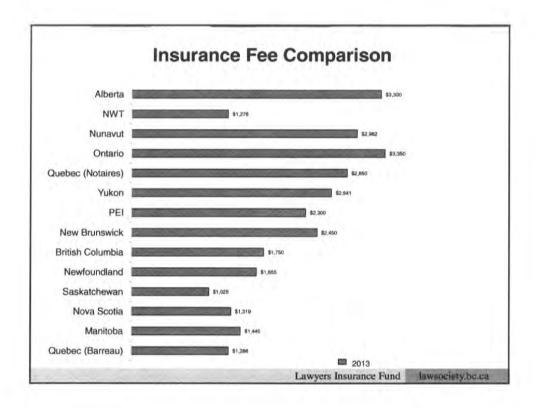












Program Report Roadmap

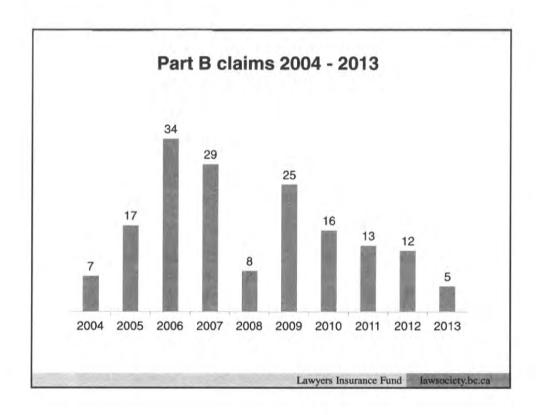


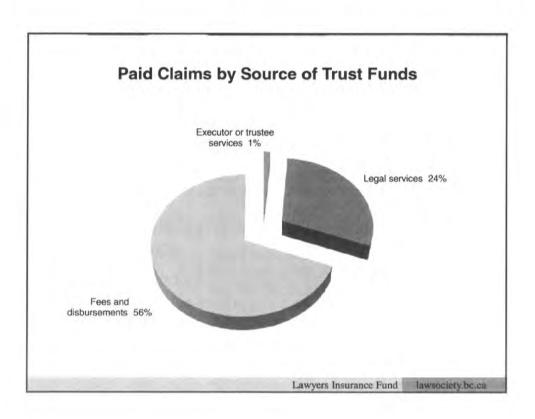
- Drivers: Who we are and what we do
- Places of Interest: Part A
- Milestones: Part B
- Signposts: Who we serve and what they think

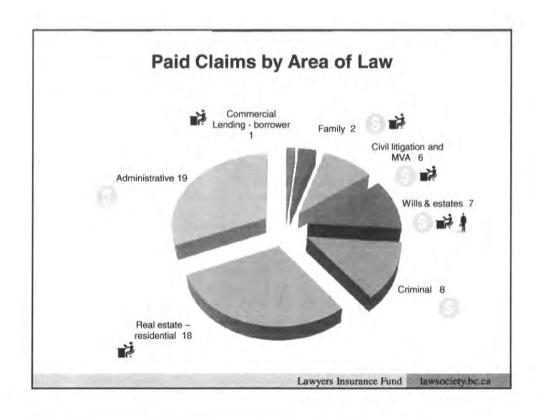
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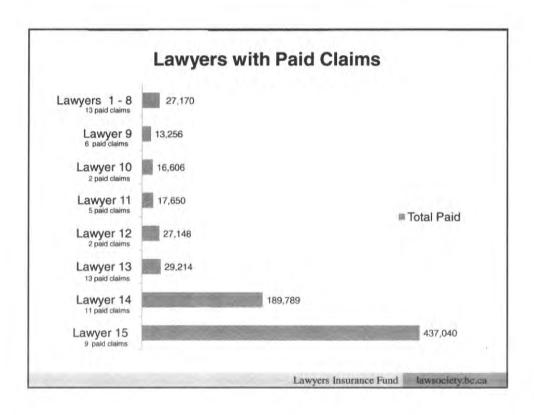
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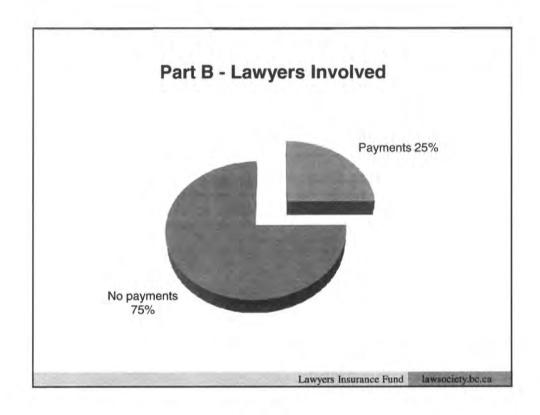
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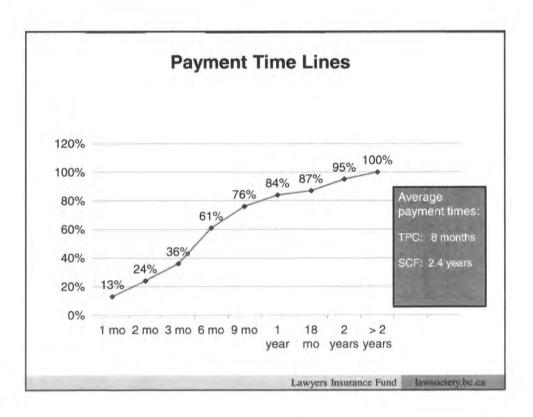












Program Report Roadmap



Drivers: Who we are and what we do

Places of Interest: Part A

Milestones: Part B

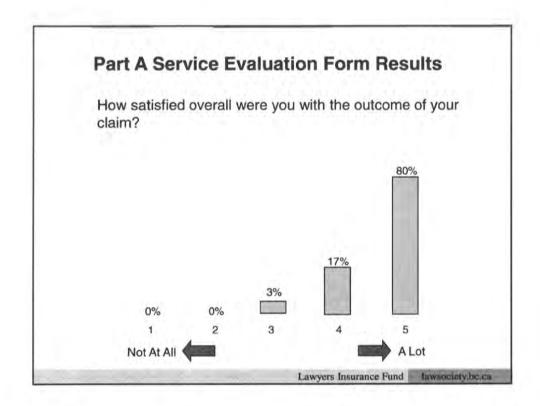
Signposts: Who we serve and what they think

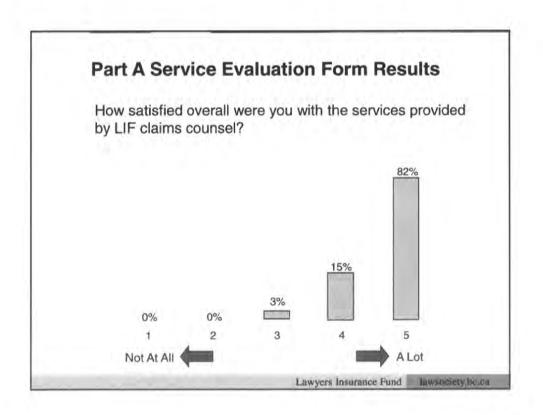
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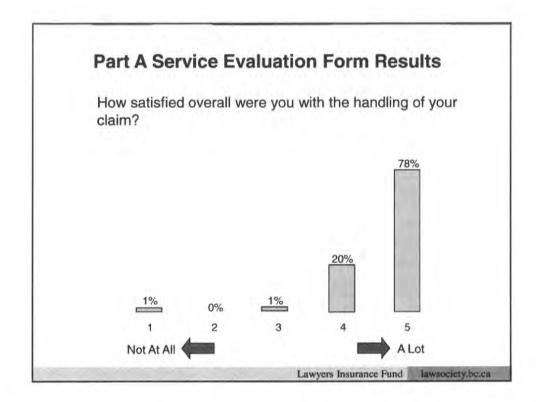
Service Evaluation Forms - Part A

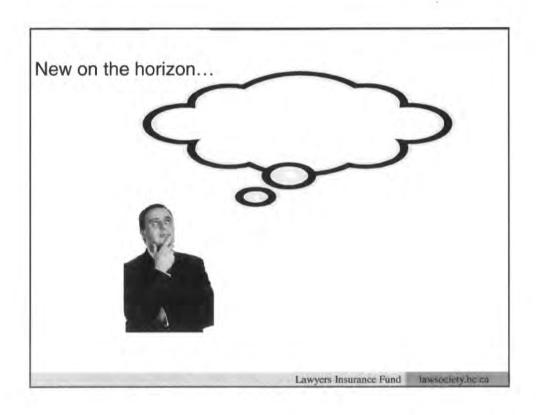
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- Grumbles (bad) 10

Lawyers Insurance Fund lawsociety, be, un













CEO's Report to the Benchers

February 28, 2014

Prepared for: Benchers

Prepared by: Timothy E. McGee

Introduction

The first months of 2014 have been quite different for me from those in past years due to the significant focus and commitment in working with the President and the Executive Committee in preparing for the Bencher meetings on the Trinity Western University (TWU) matter. As you know, this topic will be a priority item at the upcoming Bencher meeting and at the meeting in April. Notwithstanding this, you will be pleased to know that TWU is not the only matter which we have been working on and I have highlighted below some other items of interest. As always, I would be pleased to address any of these in further detail at the meeting.

Report on 2013 Key Performance Measures

The Law Society's report on 2013 Key Performance Measures (KPMs) has been distributed to the Benchers as part of the meeting agenda package. The report and results were reviewed by the Executive Committee at its last meeting.

Since this is the first time that many of the Benchers will have received an annual report on the KPMs I will take some time at the meeting to review the origins and purpose of the KPMs to help give some background and context to the discussion. What is most important to know is that the KPMs were adopted by the Benchers to serve as a dashboard to help monitor the desired high level outcomes of our regulatory processes. The KPMs are also one of the principal tools management uses to assess the efficacy of our methods of operations. I will highlight relevant trends and provide our analysis of current results. As always, I encourage the Benchers to review the KPMs and to ask any questions of me or my management team.

Federation of Law Societies of Canada 2014 Spring Semi-Annual Conference in Regina

The Federation's 2014 Spring Semi-Annual Conference is scheduled in Regina from April 2 – 5. The theme of the conference is "Proactive Regulation" and will consider topics such as why lawyers get into trouble, using regulation of firms to manage risk, as well as evaluating consistency, fairness and transparency of discipline processes through actual case studies. Our President Jan Lindsay, QC, Chief Legal Officer Deb Armour and I will be participating in different parts of the program. This is a topic which the Law Society Benchers have embraced through our Strategic Plan and we look forward to a productive conference.

DM480412

ASAE Symposium for Chief Staff and Elected Officers

President Lindsay and I attended the 2014 ASAE Symposium for Chief Staff and Chief Elected Officers in Arizona on February 10 and 11. The Symposium is the lead educational conference on best practices for ensuring a strong and productive working relationship between chief elected and chief staff officers from a wide variety of organizations. Of particular interest at this year's Symposium was the discussion on the importance of good strategic planning and techniques for ensuring the board is properly engaged in that process. On a personal level, Jan and I participated in a form of Myers Briggs evaluation to compare and contrast our individual leadership and working styles. We came away encouraged that we are well positioned to succeed as a team!

Bencher Retreat Planning

This year's Bencher Retreat will be held at the Harrison Hot Springs Hotel in Harrison, BC from May 8-10, 2014. In keeping with past practice, the theme for the conference program each year is suggested by the First Vice-President and the details fleshed out with the President and a small staff working group. This year the conference will be focused on reviewing our current initiatives to enhance access to legal services and, in particular, looking at what more can be done on personal and local levels to assist. More details will be provided as the topic and program is developed and further refined in the weeks ahead.

Financial Statements for Fiscal Year 2013

I would like to update the Benchers regarding the timing of the presentation of the audited 2013 Financial Statements for approval and adoption. The final audited 2013 Financial Statement will be considered by the Finance/Audit Committee in April. Under our new governance policies the formal approval and adoption of the audited financial statements rests with the Benchers (rather than the Finance/Audit Committee) and consequently this item will be on the Bencher agenda for the May 10 meeting. We have moved the item to the May meeting due to the unique nature and agenda for the April 11 Bencher meeting.

Timothy E. McGee Chief Executive Officer

DM480412



Report on 2013 Performance

Presented to the Bencher Meeting - February 28, 2014



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Trust Assurance	23
Credentials, Articling & PLTC	32
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Practice Standards	45
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Background

This is the seventh time that the organization has reported on the key performance measures.

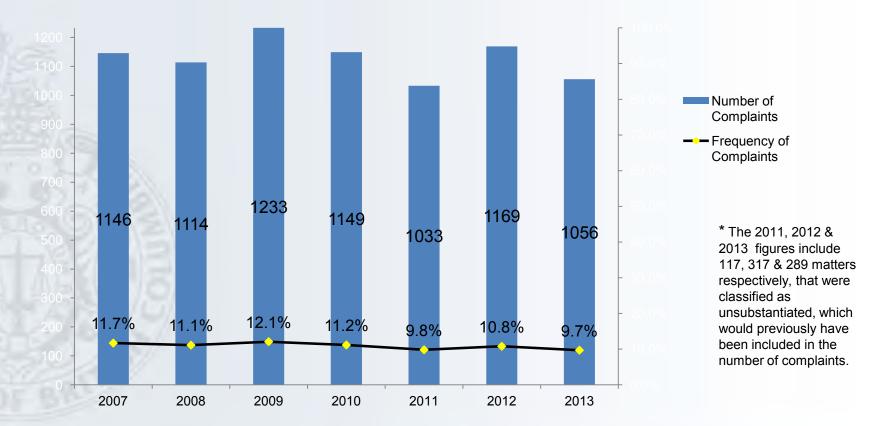
The key performance measures are intended to provide the Benchers and the public with evidence of the effectiveness of the Law Society in fulfilling its mandate to protect the public interest in the administration of justice by setting standards for its members, enforcing those standards and regulating the practice of law.



Bellwether Measures

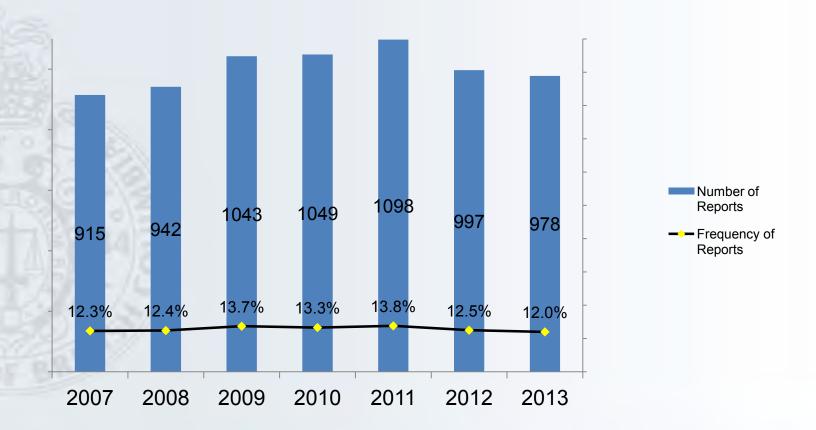
Frequency of Complaints

The number of complaints divided by the median number of practising lawyers



Frequency of Insurance Reports

The number of reports divided by the median number of insured lawyers



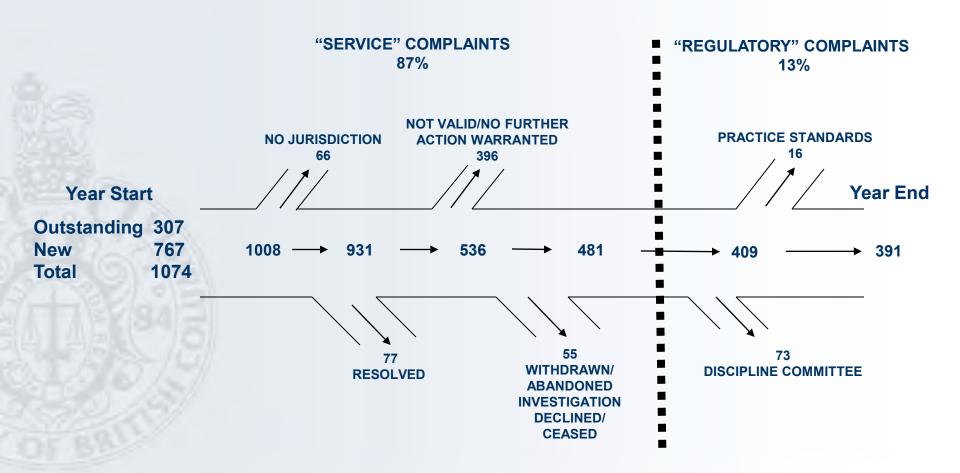


Professional Conduct and Discipline

Department Highlights

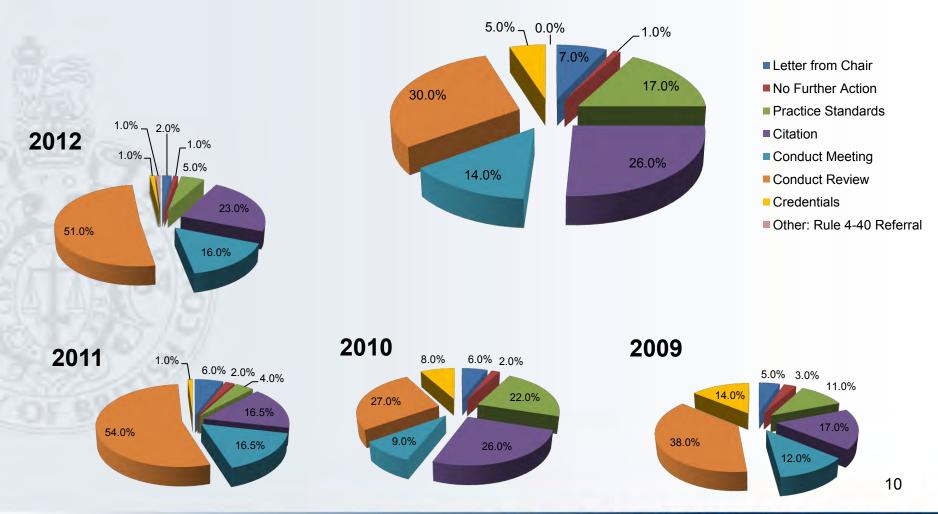
- In 2013, the Professional Conduct Department received 767 substantiated complaints (289 were closed as unsubstantiated). We closed 683 leaving 84 more open files at the end of the year than the beginning.
- Our 2013 results were an improvement over the previous year in all areas but timeliness. While we exceeded the target for courtesy and endorsement of the complaints process, we were below the targets for fairness and timeliness by 1% each and thoroughness by a more substantial margin (6%).
- The Department continues to make significant improvements on our timelines based on numerous statistics we keep. As an example, 98% of the files closed in 2013 were completed in less than one year, the highest percentage in the last 10 years. This surpasses the Federation of Law Societies of Canada National Discipline Standard of 80%.
- Both the CRC and the Ombudsperson continue to be satisfied with our complaints handling processes and procedures.

2013 Complaints Results



2013 Discipline Committee Dispositions

2013



Key Activities

Number of Member Complaints Opened and Closed Each Year



At least 75% of Complainants express satisfaction with timeliness

2013 74% 2012 77% 2011 81% 2010 76%



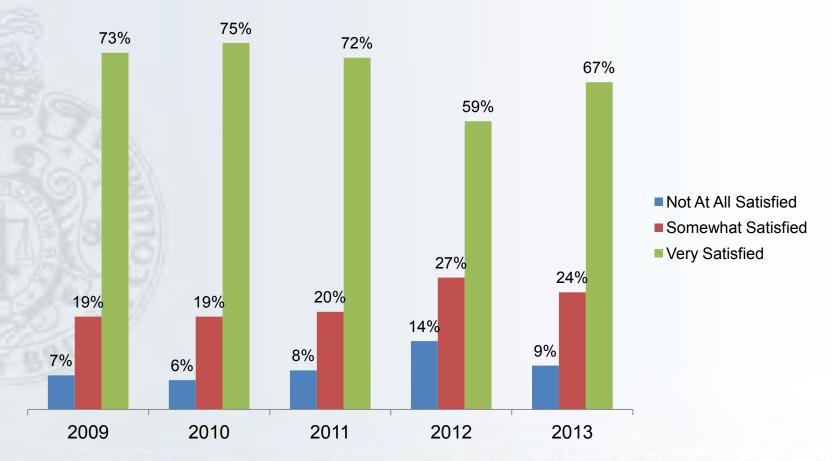
At least 65% of Complainants express satisfaction with fairness

2013 64%
2012 56%
2011 68%
2010 67%



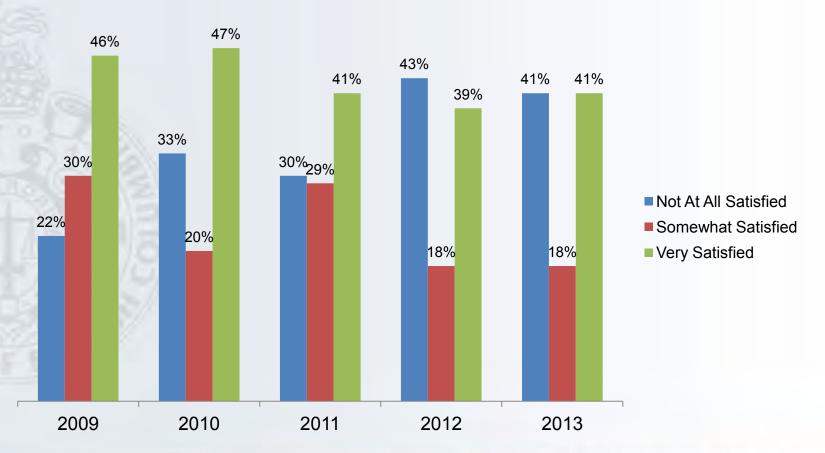
At least 90% of Complainants express satisfaction with courtesy

2013 91%2012 86%2011 92%2010 94%



At least 65% of Complainants express satisfaction with thoroughness

2013 59%2012 57%2011 70%2010 67%



At least 60% of Complainants would recommend the complaint process

If someone you knew had a concern about a lawyer, would you recommend that he or she make a complaint about that lawyer to the Law Society?



The Ombudsperson, the Courts and the CRC do not find our process and procedures lacking from the point of view of fairness and due process.

In 2013, 2 enquiries were received from the Ombudsperson concerning our complaint investigation process, compared with 7 enquiries received in 2012. Of those 2 files, 1 was closed, and 1 remained open at the Office of the Ombudsperson, at the end of 2013. The Ombudsperson has not taken issue with any of our processes.

In 2013, the Complainants' Review Committee considered 73 complaints as compared to 71 in 2012. The Committee resolved to take no further action on 71 of those on the basis that the staff assessments were appropriate in the circumstances. Two referrals were made by the CRC to the Discipline Committee. Of those 2 files, one resulted in a conduct meeting and 1 remained outstanding. The latter referral has since resulted in a conduct review.

The CRC closed the year with 16 files carried over into 2014 compared with 11 files the previous year.



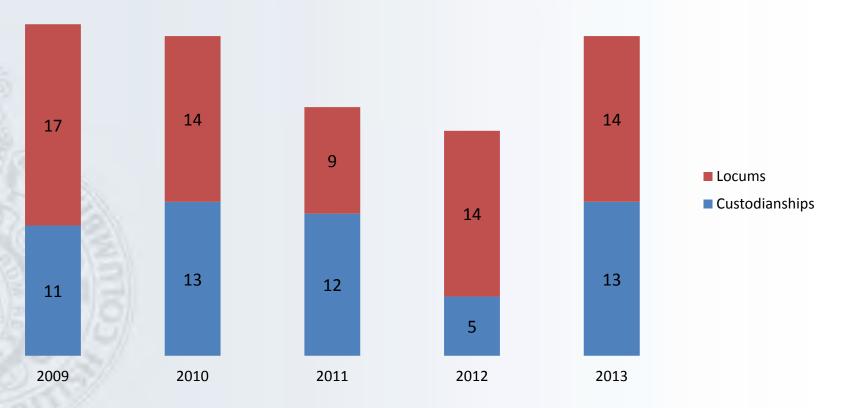
Custodianships

Department Highlights

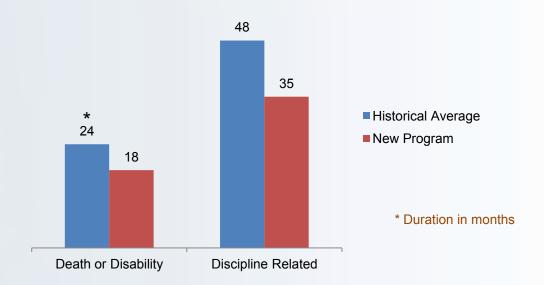
- In 2013, the Law Society was appointed as a custodian over 13 practices and staff coordinated 14 locum placements, eliminating the need for the appointment of the Law Society as a custodian in those cases.
- The total number of practices requiring the appointment of a custodian or placement of a locum increased over last year.
- Discharges were granted on 13 custodianships during the year. There were 25 custodianships under administration at year end for both 2012 and 2013.
- The average length of time under the current in house program to complete a custodianship is 75% what it was under the external custodianship program.
- In 2013, 83% of clients who responded to our survey were satisfied with the way in which we dealt with their matter.

Key Activities

New Custodianships and Locums By Year



The length of time required to complete a custodianship will decrease under the new program based on comparable historic averages*

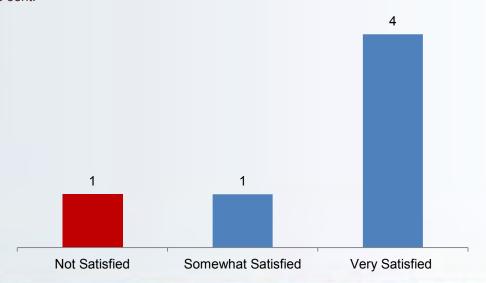


90% of clients surveyed are satisfied with the way in which the designated custodian dealt with their client matter.

Degree of satisfaction with the way in which the designated custodian dealt with your client matter*

2013 83% 87% 87% 98%

^{*} Based on responses from 6 clients out of 24 surveys sent.



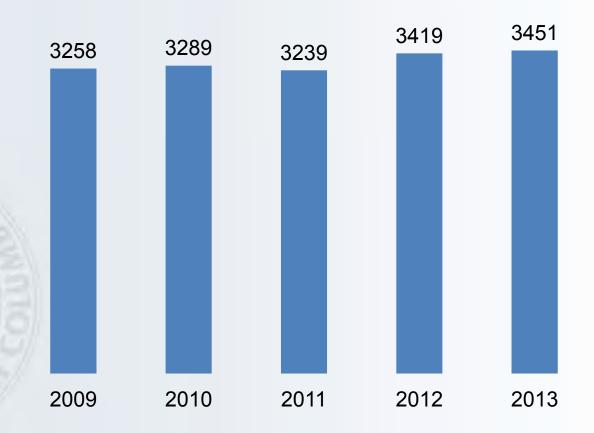


Trust Assurance

- In addition to conducting trust compliance audits and reviewing annual law firm trust reports, the Trust Assurance Department also performs file monitors when necessary, to ensure deficiencies noted during the audits are corrected.
- The department also conducts new firm site visits upon request and continues to provide guidance on trust related matters through direct correspondence with the membership, formal presentations to various groups, and through the development of information resources such as the Trust Accounting Handbook and Checklists, which are available on the Law Society website.
- Reviewed approximately 3,400 trust reports in 2013, similar to past years.
- Performed 513 compliance audits in 2013, have completed approximately 3,000 since the inception of the trust assurance program.

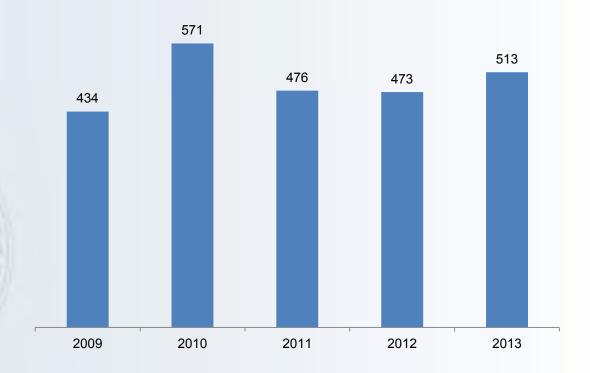
- Continued positive member survey results.
- Significant decrease in the number of financial suspensions in 2013.
- Slight increase in referrals in 2013 compared to 2012, but consistent results compared to recent years.
- Performance on key compliance questions improved in 2012 (the last complete year for trust reports) as measured by the percentage of self-reports allowed compared with those who were required to provide an accountant's report.

Number of Trust Reports



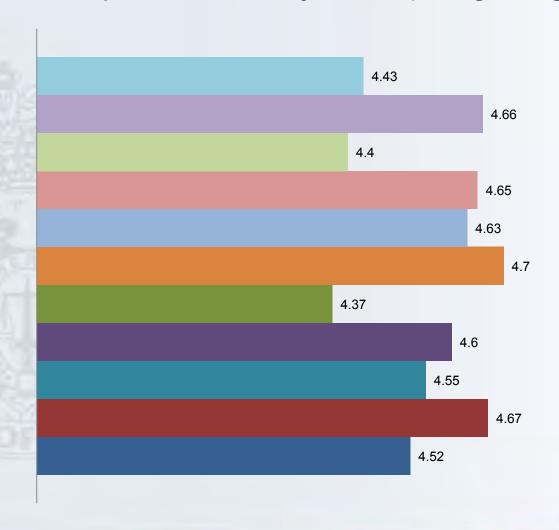
Compliance Audits

In 2013, we performed approximately 513 compliance audits



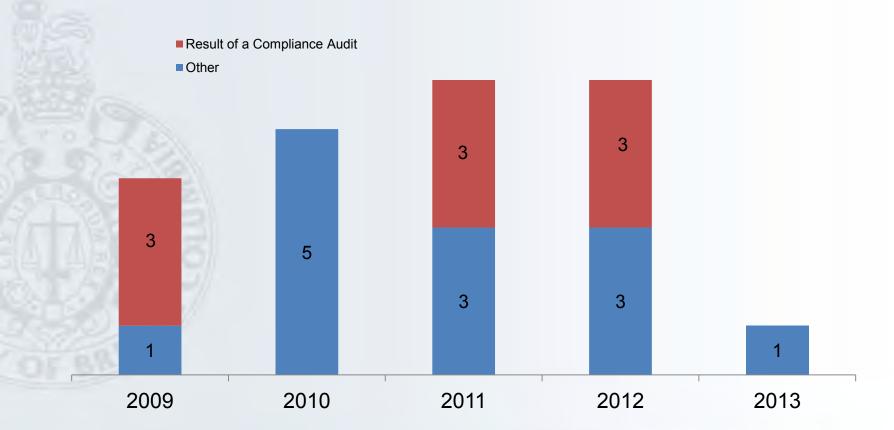
Key Activities

Compliance Audit Survey Results (Average rating based on 5 point scale)

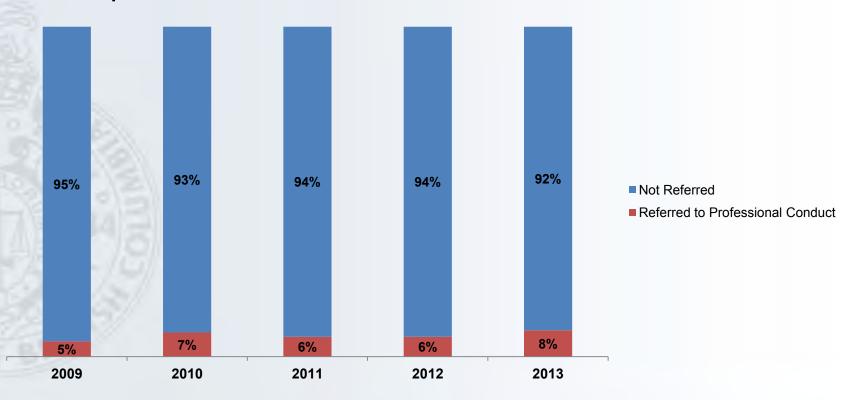


- The compliance audit has benefited the practice by increasing awareness of the Law Society of Division 7 Rules
- The recommendations provided in the audit report and by the auditor were constructive and useful
- The time span of the audit appeared reasonable
- A draft audit report was delivered and discussed upon completion of the audit
- The auditor provided clear answers and rule references (if applicable) to any questions posed
- The auditor displayed a professional, constructive and positive approach during the audit
- There were minimal disruptions to the practice during the audit
- The practice had an opportunity to ask questions and provide explanations for the deficiencies noted
- The audit was clear, logical and well organized
- The auditor discussed key results/findings after completing the compliance audit
- The objectives of the compliance audit were clearly stated and discussed by the auditor

Long term reduction in the number of financial suspensions issued by trust assurance program



Long term reduction in the percentage of referrals to Professional Conduct department as a result of a compliance audit.



Improved performance on key compliance questions from lawyer trust report filings





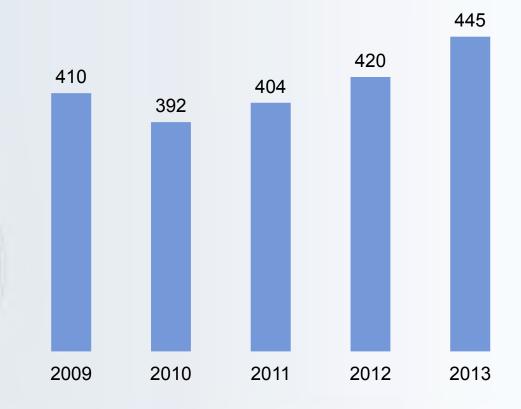
Credentials, Articling and PLTC

- PLTC, Canada's first skill-based bar admission training program, celebrated its 29th anniversary in 2013. Students numbers increased from 404 in 2011 to 420 in 2012 and 445 in 2013.
- Students and articling principals, continue to demonstrate support for PLTC and articling, as reflected in the KPMs, although articling principals' support for articling is stronger than for PLTC. Articling principals' evaluation of PLTC falls marginally below the KPM target.
- Articling placement availability, unlike in Ontario, is continuing to meet growth in student demand. The number of Canadians who choose to study law abroad and then seek articles in BC continues to grow. Thompson Rivers University graduates its first law school class in 2015. It will therefore be important to keep an eye on any trends in availability of articling positions.

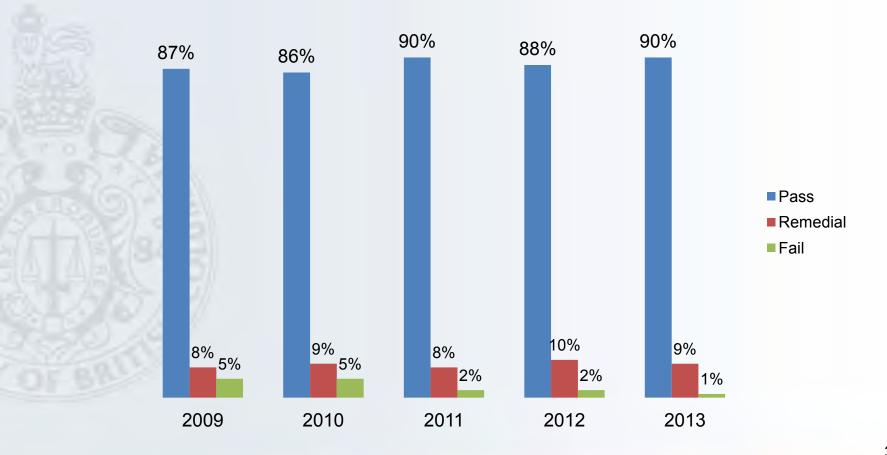
- The Credentials Department deals principally with
 - applications for membership, student membership, return to practice, reinstatement, practitioners of foreign law, and inter-jurisdictional practice,
 - administration of the articling program, including Bencher interviews, articling reports and preparation of the call to the bar ceremonies,
 - the Continuing Professional Development (CPD) program,
 - accreditation of family law mediators, arbitrators and parenting coordinators,
 - applications for law corporations, LLPs and multi-disciplinary practices,
 - management of the annual membership renewal process, including the annual fee, insurance and annual practice declaration,
 - disposition of unclaimed trust funds,
 - Juricert registrations and support.

Key Activities

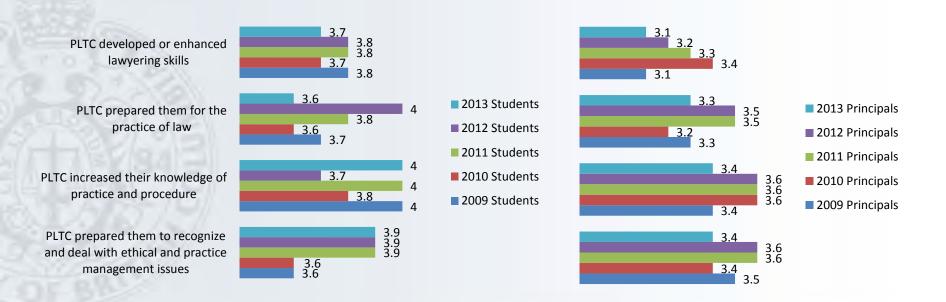
Number of Students



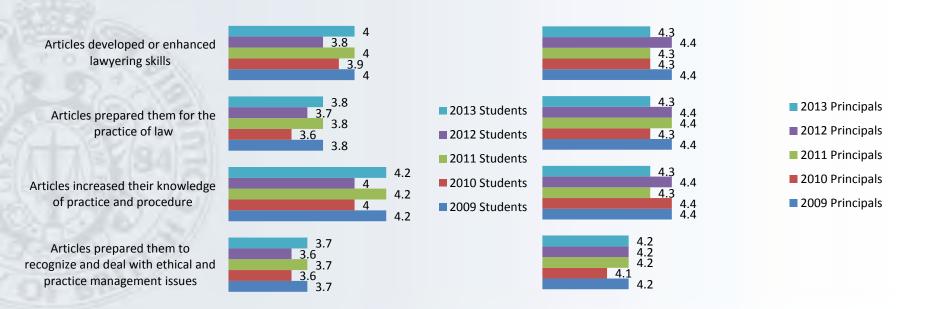
At least 85% of the students attending PLTC achieve a pass on the PLTC results



Students and Principals rate PLTC's value at an average of 3.5 or higher on a 5 point scale (1 = lowest and 5 = highest)



Students and Principals rate the value of articles at an average of 3.5 or higher on a 5 point scale (1 = lowest and 5 = highest)

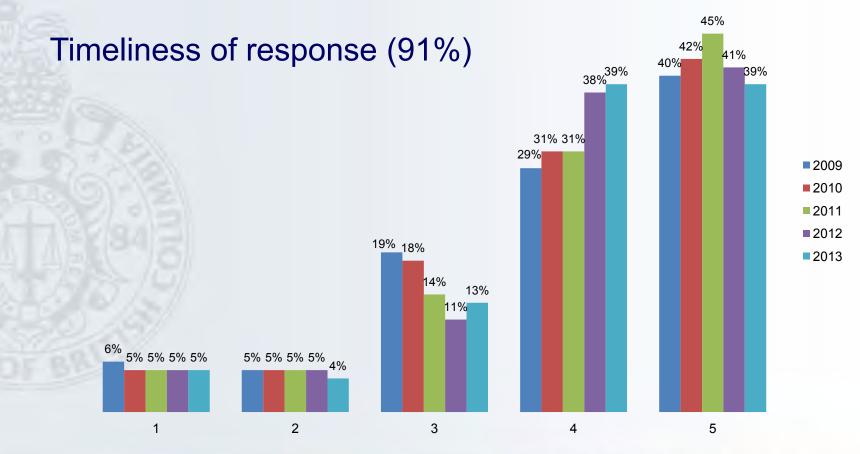




Practice Advice

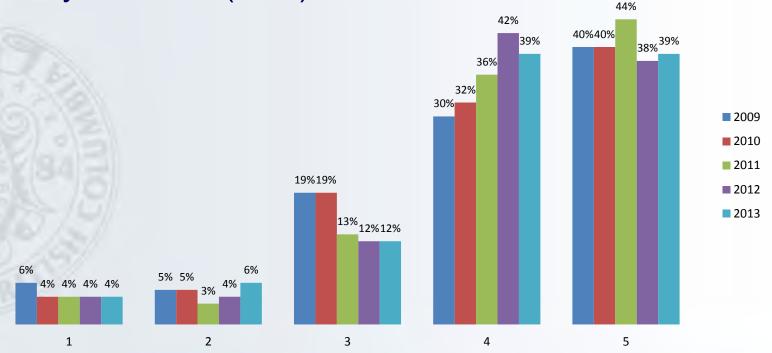
- The four Practice Advisors (two are half-time) handled a total of 7,419 telephone and email inquiries in 2013, an upward trend from 6,898 in 2012.
- 91% of the lawyers who responded to a survey rated timeliness of response at 3 or better.
- 90% of the lawyers who responded rated quality of advice at 3 or higher.
- In rating satisfaction with the resources to which they were referred, 91% of the lawyers provided ratings of 3 or higher.
- In rating their overall satisfaction, 90% of the lawyers provided ratings of 3 or higher.

At least 90% of the lawyers responding to a survey rate their satisfaction level at 3 or higher on a 5 point scale



At least 90% of the lawyers responding to a survey rate their satisfaction level at 3 or higher on a 5 point scale

Quality of advice (90%)

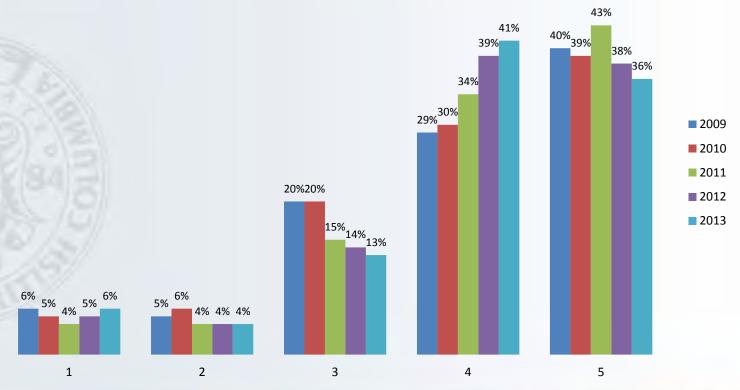


At least 90% of the lawyers responding to a survey rate their satisfaction level at 3 or higher on a 5 point scale

Quality of resources to which 39%39% you were referred (91%) 36% 31% 31% 28% 2009 21% **2010** 2011 **2012** 2013 5% 5% 5%

At least 90% of the lawyers responding to a survey rate their satisfaction level at 3 or higher on a 5 point scale

Overall satisfaction (90%)





Practice Standards

The Practice Standards program is a remedial program that assists lawyers who have difficulty in meeting core competencies and who exhibit practice concerns, which may include issues of client management, office management, personal matters, and substantive law. The Practice Standards Department conducts practice reviews of lawyers whose competence is in question, and recommends and monitors remedial programs.

The Department also supports lawyer effectiveness by overseeing the operation and enhancement of the following Bencher-approved online lawyer support programs. All exceed the KPM Target except for the Practice Locums Program, which historically continues to track positively but not as strongly as the other programs.

- Small Firm Practice Course
- Practice Refresher Course
- Practice Locums Program
- Bookkeeper Support Program
- Succession and Emergency Planning Program

At least two thirds of the lawyers who complete their referral demonstrate an improvement of at least 1 point on a 5 point scale in any one of the following categories:

- 1. Office management
- 2. Client relations and management
- 3. Knowledge of law and procedure
- Personal/other
- 93% of the lawyers for whom Practice Standards files were completed and closed improved by at least one point.

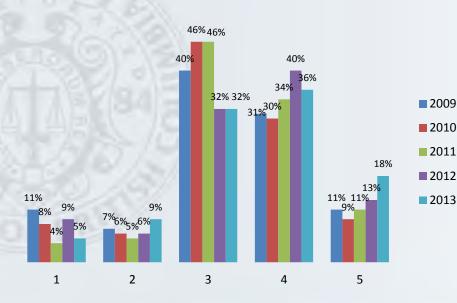
At least two thirds of the lawyers who complete their referral do so at an efficiency rating of 3 or higher on a 5 point scale in any one of the following categories:

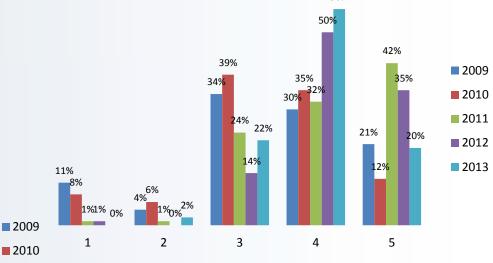
- 1. Office management
- 2. Client relations and management
- 3. Knowledge of law and procedure
- 4. Personal/other

100% of the 25 referrals were completed at an efficiency rating of 3 or higher.

At least 85% of the lawyers responding to a survey rate their satisfaction level at 3 or higher on a 5 point scale for these programs:

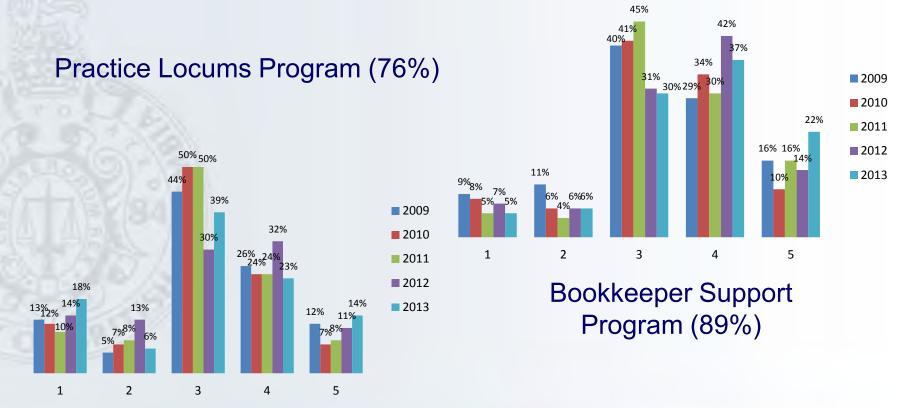
Succession and Emergency Planning Assistance (86%)



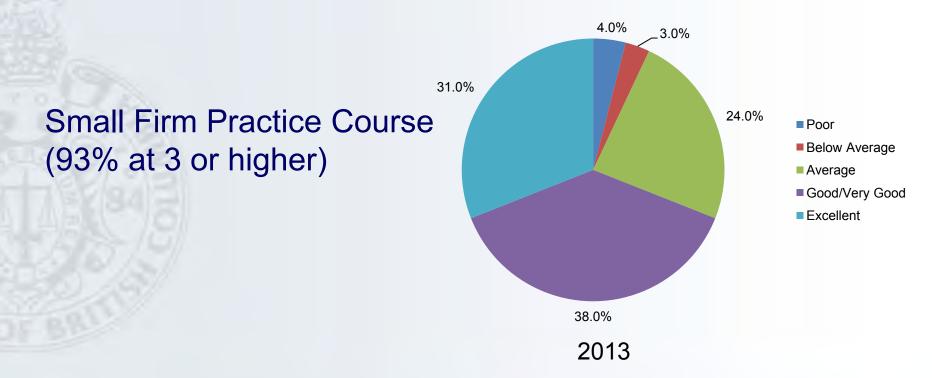


Practice Refresher Course (98%)

At least 85% of the lawyers responding to a survey rate their satisfaction level at 3 or higher on a 5 point scale for these programs:



At least 85% of the lawyers responding to a survey rate their satisfaction level at 3 or higher on a 5 point scale for these programs:





Lawyers Insurance Fund

LIF's Goal

Our goal is to maintain a professional liability insurance program for BC lawyers that provides reasonable limits of coverage for the protection of both lawyers and their clients and exceptional service, at a reasonable cost to lawyers. The Key Performance Measures indicate that we are achieving this goal.

Key Performance Measures

1. **Policy limits** for negligence and theft, the **member deductible**, and the **premium** are reasonably comparable with the 13 other Canadian jurisdictions.

Our coverage limits for negligence and theft, at \$1m and \$300,000, respectively, are comparable. Our Part B coverage contractually assures payment on transparent terms, and thus may be superior to others that are based on the exercise of discretion.

Our member deductible, at \$5,000 per claim, is also comparable.

At \$1,750, our premium compares very favourably, especially considering that ours alone includes the risk of theft claims. All others charge a separate additional fee for this.

Key Performance Measures cont.

2. Suits under the *Insurance Act* by claimants are fewer than 0.5% of files closed.

Claimants have an unfettered right to proceed to court for a decision on the merits of their claim. However, if they obtain a judgment against a lawyer for which the policy should respond but does not due to a policy breach by the lawyer, we are failing to reasonably protect them. If that occurred, the claimant would sue the Captive directly under the Insurance Act, for compensation. There were no suits by claimants against the Captive in 2013. All meritorious claims were settled with the consent of the claimant or paid after judgment.

3. Every five years, third party auditors provide a written report on whether LIF is meeting its goals:

Third party auditors declared "The goal of resolving claims in a cost effective manner balancing the interests of the insured lawyer, the claimant and the Law Society members is clearly being met – or exceeded – by this collegial and passionate group."

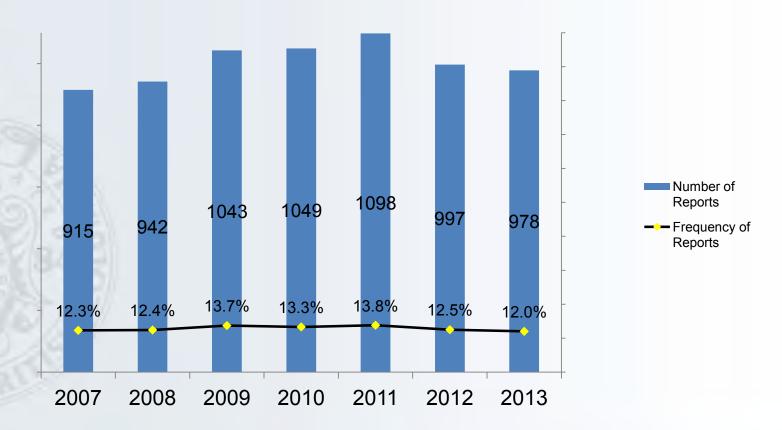
4. Insured lawyers demonstrate a high rate of satisfaction (90% choose 4 or 5 on a 5 point scale) in Service Evaluation Forms.

In 2013, 98% of insureds selected 4 or 5.

Frequency of Insurance Reports

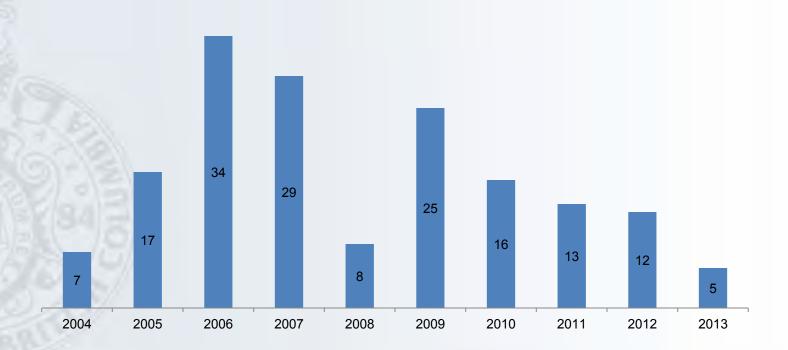
Part A - Number and Frequency of Reports

The number of reports divided by the median number of insured lawyers



Key Activities

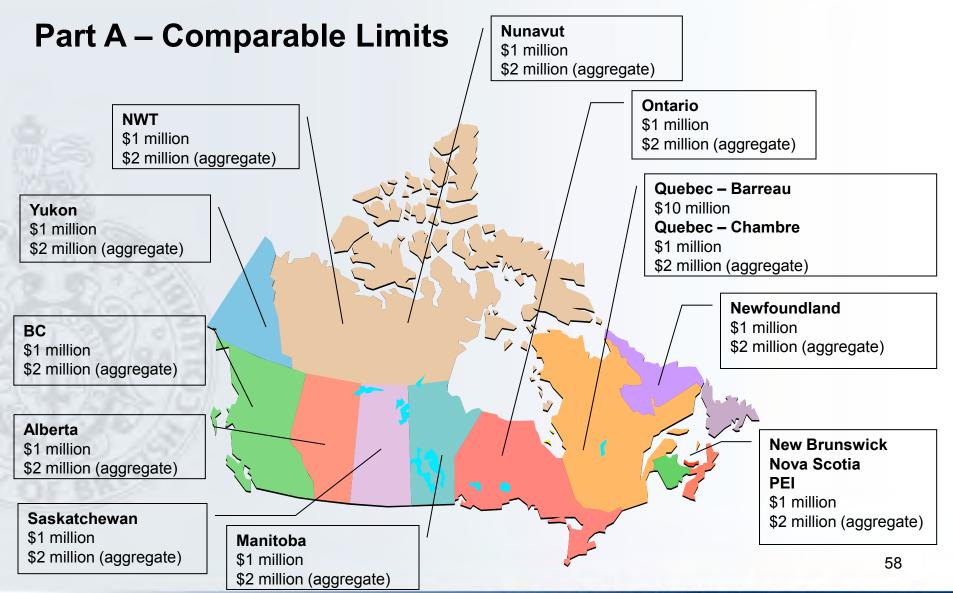
Part B - Number of Reports

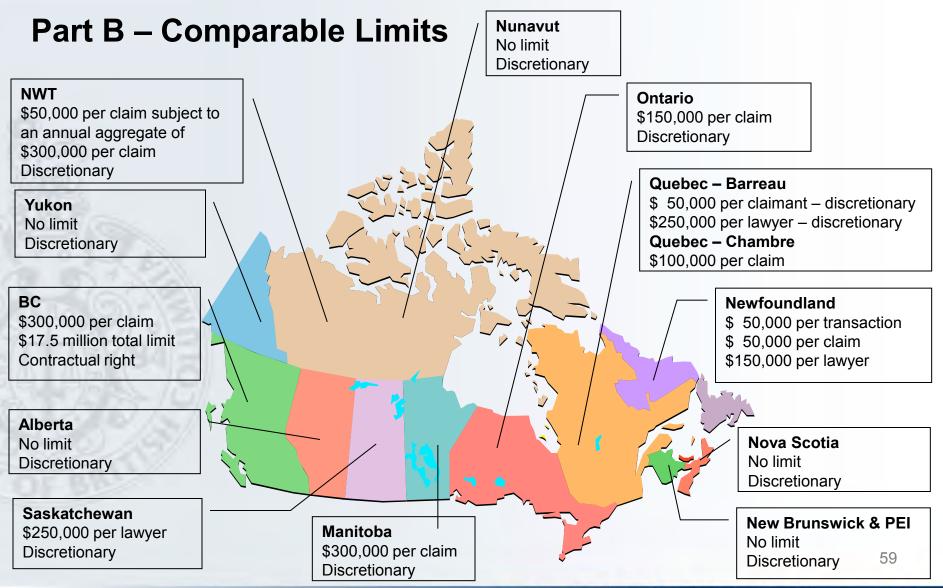


Key Activities

Causes of Reports







Comparable Member Deductible NWT - \$5,000 Nunavut - \$5,000 **Manitoba** – \$5,000 to \$20,000 **Yukon** - \$5,000 depending on claims history with graduated deductible for successive paid Ontario – \$5,000 standard claims in 5-year (variable NIL to \$25,000) period. Newfoundland -**BC** - \$5,000 first \$5,000 with graduated paid claim and surcharge after second \$10,000 each paid claim in 5 years subsequent paid claim within 3 vears New Brunswick -Alberta - Waived \$5,000 to \$10,000 replaced by surcharge Nova Scotia - Waived replaced by surcharge Saskatchewan - \$5,000, Quebec **PEI** - \$5,000 \$7,500 and \$10,000 Barreau – No deductible Notaires - \$0 / \$3.000 60

Comparable Current Insurance Premium



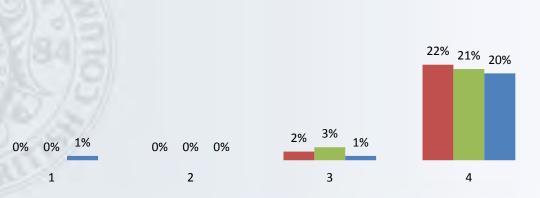
Outside claims audit every 5 years: obtain opinion

2011 C. Hampton and W. Bogaert Audit Findings

- "...we can say with certainty that the claims handling goals are institutionalized in the claims documents, procedures and files, and are almost routinely met in the day to day handling of claims."
- "...the materials we have reviewed strongly evidence the desire of Lawyers Insurance Fund management for continuous improvement and excellence, to provide even better service to its insureds and to be even more cost effective in its claims handling and resolution."
- "In summary, we found a very experienced, skilled, creative and motivated staff and management performing tremendously and at a high level of effectiveness. The goal of resolving claims in a cost effective manner balancing the interests of the insured lawyer, the claimant and the Law Society members is clearly being met or exceeded by this collegial and passionate group."

Results of Service Evaluation Forms: 90% choose 4 or 5 on a 5 point scale.

How satisfied overall were you with the handling of your claim?





2013

2012

2011







2013 Bencher and Committee Evaluation

Governance Committee

Miriam Kresivo, QC (Chair) Haydn Acheson (Vice-Chair) David Crossin, QC Dean P.J. Lawton Sharon Matthews, QC Elizabeth Rowbotham Herman Van Ommen, QC

February 21, 2014

Prepared for: Benchers

Prepared by: Adam Whitcombe

Purpose: Discussion

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Committee Process

- 1. In mid-December 2013, all of the Benchers and all the members of the 2013 committees and task forces were provided with links to online evaluation forms and asked to complete the forms by year-end. A copy of the Bencher evaluation form is attached as Appendix A and an example of the committee and task force evaluation form is attached as Appendix B.
- 2. By year end, 25 of 31 Benchers (81%) had completed their evaluation and 104 of 131 members (79%) of committees and task forces had completed their forms.
- 3. The following table shows the number of members for each committee and task force, along with the number of responses received from each.

Committee/Task Force	Members	Responses
Access to Legal Services Advisory Committee	8	6
Act and Rules Committee	5	3
Audit Committee	6	4
Complainants' Review Committee	6	6
Credentials Committee	12	10
Discipline Committee	10	8
Equity and Diversity Advisory Committee	8	7
Ethics Committee	10	9
Executive Committee	7	5
Family Law Task Force	6	4
Finance Committee	6	6
Governance Committee	7	6
Lawyer Education Advisory Committee	7	4
Legal Service Provider Task Force	7	6
Practice Standards Committee	10	8
Reduced Fee Feasibility Working Group	3	2

Rule of Law and Lawyer Independence Advisory Committee	8	5
Unauthorized Practice Committee	5	5
Total	131	104

- 4. The response rates for individual committees and task forces ranged from 57% to 100%.
- 5. The Committee met on January 24, 2014 and reviewed the responses to the 2013 evaluations, the result of which is this report to the Benchers.

Background

- 6. Strategy 1 2 of the Law Society's 2012 2014 Strategic Plan involved identifying and developing processes to ensure continued good governance. Initiative 1–2(a) under that strategy was to examine issues of governance of the Law Society generally including:
 - identifying ways to enhance Bencher diversity;
 - developing a model for independent evaluation of Law Society processes;
 - creating a mechanism for effective evaluation of Bencher performance and feedback.
- 7. In furtherance of the last point, the Governance Review Task Force (GRTF) recommended the Benchers ensure there is a process in place for an annual evaluation of the Benchers as a whole, the Oversight Committees and the three officers. The Committee considered this recommendation in 2013 and in its mid-year report to the Benchers recommended that evaluations of the Benchers, committees and task forces be conducted annually in December and that they should be delivered and completed online. The Committee also assumed responsibility for conducting and reporting to the Benchers on the results of the annual evaluation.
- 8. In recommending annual evaluations, the Committee thought that the purpose for any assessment was to evaluate effectiveness and make improvements where required. The Committee was also mindful that there is no one correct way of carrying out an effective assessment, and the process should be reviewed and modified over time to ensure that the evaluation process is and remains meaningful.
- 9. While no specific criteria or format for reviewing and reporting on the annual evaluation was adopted by the Benchers, the Committee has been mindful of the comment in the GRTF's interim report that, "the most important part of the process is the follow up (i.e., that the board sets aside time to reflect on the results and consider what improvements can be made to improve overall effectiveness)."
- 10. With that background in mind, the Committee reviewed the results of our first annual evaluations.

Analysis

Benchers

- 11. Looking at the Bencher evaluations, overall there was considerable agreement in the responses to the 39 statements included in the evaluation form. In aggregate, 77% of the responses agreed or strongly agreed with the statements, with a further 17% eliciting neutral assessments. Overall, there were 61 "disagree" responses and only 3 were "strongly disagree." Attached as Appendix C is a list of all 39 statements ranked in order from the highest level of agreement to the lowest.
- 12. Of the 39 Bencher evaluation statements, the top 20% showing the highest degree of agreement in descending order were:

The Benchers respect the role of the CEO in managing the organization.	100.0%
The Benchers spend sufficient time, at Bencher meetings and at other times, to get to know each other and build trust in one another.	100.0%
The Benchers work constructively as a team.	100.0%
Benchers come to meetings prepared.	92.0%
The Benchers are aware of what is expected of them.	91.7%
Pre-meeting materials provide appropriate context and background information to support informed decision-making.	88.0%
The Benchers seek and obtain sufficient input from management and staff to support effective decision-making.	88.0%
The relationship between the Benchers and the CEO is clearly defined.	88.0%
Pre-meeting materials are received in sufficient time to allow for adequate preparation.	87.5%

- 13. The top 3 responses elicited 100% agreement from the Benchers.
- 14. The 20% of the Bencher evaluation statements with the lowest level of aggregate agreement in ascending order were:

The Benchers have ensured there is an adequate CEO succession plan in place. 16.0%

The Benchers receive adequate briefings on the principal risks of the organization, and on its systems for identifying, managing and monitoring such risks.	40.9%
The Benchers have an effective role in setting the annual budget.	50.0%
As part of the discussion around every major decision, the Benchers analyze the potential risks arising from the decision.	56.5%
The Benchers are up to date with latest developments in the regulatory environment and the market for legal services.	60.0%
I have a full understanding of the financial and operational risks associated with the strategic plan.	64.0%
The Benchers take advantage of education/developmental opportunities to improve governance capabilities.	64.0%
The key performance indicators provide sufficient information about organizational performance to the Benchers.	65.2%

- 15. Only three statements elicited agreement from 50% or fewer of the Benchers.
- 16. The Committee noted that only 16% of the Benchers agreed with the statement "The Benchers have ensured there is an adequate CEO succession plan in place." Mr. McGee advised the Committee that at the April 2013 meeting of the Executive Committee he had presented a memorandum with a suggested approach for CEO succession planning. Mr. McGee observed that the memorandum suggested the Executive Committee review and discuss the memorandum, after which the Executive Committee could determine the next steps. However, other matters have taken priority for the Executive Committee and succession planning has not returned to the Executive Committee agenda.
- 17. The Committee concluded it should recommend to the Benchers that the Executive Committee be encouraged to follow up on Mr. McGee's memorandum and bring the matter of succession planning forward to the Benchers so that the Benchers can meet their obligation to ensure there is an adequate CEO succession plan in place.
- 18. There was a discussion about the low level of agreement with the statement "The Benchers receive adequate briefings on the principal risks of the organization, and on its systems for identifying, managing and monitoring such risks." It was noted that the responsibility for enterprise risk management resides with the Finance & Audit Committee and that a comprehensive review of our enterprise risks was undertaken by the then Audit Committee in 2011 and that the Benchers had received reports on the plan.

- 19. The Committee considered the Bencher evaluation of this question in light of the fact that the Finance & Audit Committee has responsibility for overseeing the enterprise risk management plan and has reported to the Benchers on the plan. The consensus was that more frequent reporting, perhaps as a standalone item on the Bencher agenda, might raise awareness of the risks and the enterprise risk management plan and thereby address the concern that seems to have been expressed in the evaluation.
- 20. The Committee also discussed the responses to statement "The Benchers have an effective role in setting the annual budget." The Committee considered our current process for setting the annual budget, which begins with the staff budget review and development beginning in April of each year. In July, the Finance and Audit Committee is asked to consider the key drivers for the following year's budget, leading to a review and discussion of the proposed budget for the coming year in early September. The Finance & Audit Committee then reports to the Benchers in late September on its recommendations for the annual fees and the supporting budget.
- 21. It was suggested that Benchers may not understand the Law Society budgeting process and that better information about the process might alleviate concern about an effective role for Benchers in setting the annual budget. There was also discussion about how much Benchers are aware of the oversight the Finance & Audit Committee brings to the process and how much oversight the Benchers themselves should have directly. There was a discussion that it might be helpful for Benchers to have briefing sessions on the budget separate from Bencher meetings and that budget and other issues should be presented to the Benchers by the Finance and Audit Committee, with the Chief Financial Officer providing support rather than the primary presentation. The Committee was advised that this has been the practice for a few years now. The Committee concluded that Benchers should be encouraged to attend the separate budget session and that the Chair of the Finance & Audit Committee should continue to present the budget and fees to the Benchers.

Committees and Task Forces

- 22. As noted above, in total there were 104 responses to the committee and task force evaluations. Attached as Appendix D are the responses from each of the committees and task forces and Appendix E shows the aggregate responses for all of the 2013 committees and task forces.
- 23. The Committee noted that, of the 1,231 responses to the individual committee/task force statements, there were only 10 instances (or less than 1%) where respondents disagreed with the statements and no instances where anyone strongly disagreed with any of the statements. In fact, a majority of the responses from committee and task force members were "strongly agree" as the following table shows.

Strongly Agree	678	55.1%
Agree	473	38.4%
Neutral	70	5.7%
Disagree	10	0.8%
Strongly Disagree	0	0.0%

24. The 10 instances where members disagreed were:

- a. *Ethics* one member of the nine who responded disagreed that "Members understand and act within the mandate of the committee" and that "Everyone comes to meetings prepared."
- b. *Credentials* one member of the ten who responded disagreed that "The right things are placed on the agenda." and that "The Chair ensures that meeting time is used effectively and efficiently."
- c. *Practice Standards* one member of the 8 who responded disagreed that "Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation." and "Members are aware of what is expected of them."
- d. *Audit* one member of the four who responded disagreed that "Members are aware of what is expected of them."
- e. Access to Legal Services Advisory Committee one member of the six who responded disagreed that "The right things are placed on the agenda."
- f. *Act and Rules Committee* one member of the three who responded disagreed that "Presentations are generally of the appropriate length and content."
- g. Family Law Task Force one member of the four who responded disagreed that "Everyone comes to meetings prepared."
- 25. The Committee noted that the evaluations related to the committee and task force members' experiences in 2013 and with new Chairs and new memberships, the evaluations might not be particularly relevant to this year's committees and task forces. In particular, the substantial level of agreement from committee and task force members regarding the statements in the committee and task force evaluations did not seem to demand any particular action or recommendations. Nevertheless, the Committee thought it would be useful for the chairs of this year's committees and task forces to see and consider the responses for their respective committees and task forces from 2013 as they might signal opportunities for improvement in 2014.

Recommendations

- 26. The Benchers should encourage the Executive Committee to follow up on Mr. McGee's memorandum and bring the matter of succession planning forward to the Benchers so that the Benchers can meet their obligation to ensure there is an adequate CEO succession plan in place.
- 27. The Benchers should consider more frequent reporting on the enterprise risk management plan, perhaps as a stand-alone item on the Bencher agenda.
- 28. The Benchers should be encouraged to attend separate budget sessions and the Chair of the Finance & Audit Committee should continue to present the budget and fees to the Benchers.
- 29. The Chairs of the 2014 committees and task forces should review the 2013 evaluation responses for their respective committee or task force to consider whether the responses might signal opportunities for improvement.

Page 1 ▼



2013 Benchers' Evaluation

All current Benchers are requested to complete and return the following online evaluation by December 31, 2013.

The information provided will be collected and reviewed by the Law Society Governance Committee, for the purpose of reporting to the Benchers early in 2014 on the governance of the Law Society of BC's Benchers, Committees, Task Forces and Working Groups in 2013, pursuant to the direction provided by the Benchers at their June 15, 2013 meeting. Responses will be anonymous and respondents' privacy will be protected. Please contact Bill McIntosh, Manager, Executive Support, Law Society of BC (bmcintosh@lsbc.org or 604.443.5706) with questions about this evaluation process and the use to be made of the information collected.

Please indicate your level of agreement with the following statements.

STRATEGIC PLANNING AND OVERSIGHT

The Benchers have an effective role in the strategic planning process.

Strongly Agree Agree Neutral Disagree Strongly Disagree

Strongly Agree Neutral Disagree Strongly Disagree

I have a full understanding of the financial and operational risks associated with the strategic plan.

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
The pro	ocess for develop ut.	ing strategic p	lan allows for	sufficient Bend	cher review
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	nchers are up to oment and the mar		•	ts in the regula	tory
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
•	of the discussion ential risks arising	•	•	n, the Bencher	rs analyze
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	○ Neutral	Disagree	Strongly Disagree
The Benchers receive adequate briefings on the principle risks of the organization, and on its systems for identifying, managing and monitoring such risks.					
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree

	Strongly				Strongly
	Agree	Agree	Neutral	Disagree	Disagree
	nchers regularly reg g progress on str		ation on organ	nizational perfor	mance
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
_	/ performance ind ational performan	•		formation abou	t
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
The Be	nchers receive su	ıfficient inform	ation on finan	cial performan	ce.
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
The Benchers have an effective role in setting the annual budget.					
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree

MEETINGS AND DECISION-MAKING

Pre-me	eting materials are	e received in s	sufficient time	to allow for ad	equate
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	eting materials proort informed decis		riate context a	nd background	information
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Presen	tations to the Ben	chers are gen	erally of appro	opriate length a	and content.
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Bencher meetings allow for candid, constructive discussion and critical questioning.					
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree

The right things are placed on the agenda.						
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
There is meeting	s adequate time fo	or discussion	of agenda iter	ms during Bend	cher	
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
Benche	rs come to meeti	ngs prepared.				
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
Benche	rs use the meetin	g time effectiv	vely and effici	ently.		
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
Benche	Bencher meetings allow sufficient time for interaction with management.					
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
	Strongly	Agree	Neutral	Disagree	Strongly	

	Agree				טוsagree
The Be	nchers have the r	necessary info	rmation to res	olve issues pro	omptly.
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
COMM	IUNICATION, CU	LTURE AND	PARTICIPA1	TION	
The Be	nchers are aware	of what is exp	pected of then	n.	
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Benche	er discussions are	open, meanir	ngful and resp	ectful.	
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Benchers are encouraged to participate fully in board discussions.					
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree

Benche	Benchers have no hesitation raising issues in Bencher meetings.					
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
The Be issues.	nchers are activel	y engaged wit	h each other	and with manag	gement on	
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
The Be	nchers work cons	tructively as a	team.			
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
The Benchers spend sufficient time, at Bencher meetings and at other times, to get to know each other and build trust in one another.						
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
The President effectively manages dissent and works constructively towards						

arriving at decisions and achieving consensus.

Strongly

	Strongly Agree	Agree	Neutral	Disagree	Disagree
	Strongly				Strongly
	Agree	Agree	Neutral	Disagree	Disagree
	esident facilitates ement, both inside				chers and
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Orienta	tion for new Benc	hers meets th	eir needs.		
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	nchers take advar e governance cap		ation/developr	mental opportu	nities to
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree

BENCHER / MANAGEMENT RELATIONSHIP

The relationship between the Benchers and the CEO is clearly defined.

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree				
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree				
The Be	The Benchers respect the role of the CEO in managing the organization.								
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree				
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree				
Evaluat	ion of the CEO's p	performance is	s appropriate	and well under	stood.				
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree				
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree				
The Be place.	nchers have ensu	red there is ar	n adequate Cl	EO succession	plan in				
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree				
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree				
The Be	nchers provide ac	lequate direct	ion and suppo	ort to the CEO.					
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree				
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree				

There is	There is good two-way communication between the CEO and the Benchers.							
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree			
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree			
The Be roles.	nchers and senior	management	t understand a	and respect ead	ch other's			
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree			
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree			
	nchers seek and o		nt input from r	nanagement a	nd staff to			
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree			
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree			
		Su	bmit					
		Form Builder power	ered by FluidSurvey s	5				

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Evaluation of the 2013 Governance Committee by its Members

All members of the 2013 Governance Committee are requested to complete and return the following online evaluation by December 31, 2013.

The information provided will be collected and reviewed by the Law Society Governance Committee, for the purpose of reporting to the Benchers early in 2014 on the governance of the Law Society of BC's Benchers, Committees, Task Forces and Working Groups in 2013, pursuant to the direction provided by the Benchers at their June 15, 2013 meeting. Responses will be anonymous and respondents' privacy will be protected. Please contact Bill McIntosh, Manager, Executive Support, Law Society of BC (bmcintosh@lsbc.org or 604.443.5706) with questions about this evaluation process and the use to be made of the information collected.

Please indicate your level of agreement with the following statements.

Members understand and act within the mandate of the committee.						
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
Membe	rs are aware of w	hat is expecte	d of them.			
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.								
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree			
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree			
	eting materials proort informed discu				information			
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree			
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree			
The rigi	ht things are place	ed on the ager	nda.					
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree			
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree			
Everyo	ne comes to mee	tings prepared	d.					
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree			
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree			
Presen	Presentations are generally of the appropriate length and content							

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Meeting	gs allow for candid	d, constructive	discussion a	nd critical ques	tioning.
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	○ Neutral	Disagree	Strongly Disagree
Discuss	sion is open, mea	ningful and re	spectful.		
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
The Ch	air ensures that a	ll agenda item	s are covered	I during the me	etings.
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
The Ch	air ensures that m	neeting time is	used effective	ely and efficier	ntly.
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree

The Chair effectively manages dissent and works constructively towards arriving at decisions and achieving consensus.							
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree		
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree		
			Submit				
		Online Survey Too	Is powered by FluidS	urveys			

Number	Statements	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
33	The Benchers respect the role of the CEO in managing	58.3%	41.7%	0.0%	0.0%	0.0%
	the organization.	38.370	41.770	0.070	0.070	0.070
28	The President effectively manages dissent and works					
	constructively towards arriving at decisions and	52.0%	32.0%	16.0%	0.0%	0.0%
23	achieving consensus. Benchers are encouraged to participate fully in board					
23	discussions.	50.0%	29.2%	16.7%	4.2%	0.0%
7	The Benchers regularly receive information on					
	organizational performance including progress on	44.0%	40.0%	16.0%	0.0%	0.0%
	strategic goals.					
22	Bencher discussions are open, meaningful and	44.0%	40.0%	16.0%	0.0%	0.0%
	respectful.	44.070	40.070	10.070	0.070	0.070
12	Pre-meeting materials provide appropriate context and	40.00/	40.00/	42.00/	0.00/	0.007
	background information to support informed decision-	40.0%	48.0%	12.0%	0.0%	0.0%
26	making. The Benchers work constructively as a team.	37.5%	62.5%	0.0%	0.0%	0.0%
21						
	The Benchers are aware of what is expected of them.	37.5%	54.2%	8.3%	0.0%	0.0%
11	Pre-meeting materials are received in sufficient time to	37.5%	50.0%	12.5%	0.0%	0.0%
	allow for adequate preparation.	37.3/0	30.0%	12.5%	0.0%	0.0%
32	The relationship between the Benchers and the CEO is	36.0%	52.0%	8.0%	4.0%	0.0%
20	clearly defined.			0.070		2.272
29	The President facilitates effective communication	26.09/	49.00/	12.00/	4.0%	0.09/
	between the Benchers and management, both inside and outside of Bencher meetings.	36.0%	48.0%	12.0%	4.0%	0.0%
27	The Benchers spend sufficient time, at Bencher					
	meetings and at other times, to get to know each other	33.3%	66.7%	0.0%	0.0%	0.0%
	and build trust in one another.					
14	Bencher meetings allow for candid, constructive	33.3%	50.0%	8.3%	8.3%	0.0%
	discussion and critical questioning.	33.370	30.070	0.570	0.570	0.070
38	The Benchers and senior management understand and	29.2%	54.2%	16.7%	0.0%	0.0%
16	respect each other's roles. There is adequate time for discussion of agenda items					
10	during Bencher meetings.	28.0%	56.0%	12.0%	0.0%	4.0%
25	The Benchers are actively engaged with each other and					
	with management on issues.	26.1%	52.2%	13.0%	8.7%	0.0%
30	Orientation for new Benchers meets their needs.	25.0%	45.8%	25.0%	4.2%	0.0%
39	The Benchers seek and obtain sufficient input from					
	management and staff to support effective decision-	24.0%	64.0%	12.0%	0.0%	0.0%
0	making.					
9	The Benchers receive sufficient information on financial performance.	24.0%	56.0%	16.0%	4.0%	0.0%
37	There is good two-way communication between the					
0,	CEO and the Benchers.	24.0%	52.0%	16.0%	8.0%	0.0%
24	Benchers have no hesitation raising issues in Bencher	21 70/	42 E0/	26 10/	0.70/	0.09/
	meetings.	21.7%	43.5%	26.1%	8.7%	0.0%
20	The Benchers have the necessary information to	20.8%	66.7%	4.2%	4.2%	4.2%
4.0	resolve issues promptly.			,.	,	,
13	Presentations to the Benchers are generally of	20.0%	60.0%	12.0%	8.0%	0.0%
6	appropriate length and content.					
J	The Benchers receive adequate briefings on the					0.0-1
	principle risks of the organization, and on its systems	18.2%	22.7%	36.4%	22.7%	0.0%
	for identifying, managing and monitoring such risks.					
8	The key performance indicators provide sufficient					
	information about organizational performance to the	17.4%	47.8%	17.4%	17.4%	0.0%
	Benchers.					

1	The Benchers have an effective role in the strategic planning process.	16.7%	58.3%	20.8%	4.2%	0.0%
15	The right things are placed on the agenda.	16.7%	54.2%	25.0%	4.2%	0.0%
18	Benchers use the meeting time effectively and efficiently.	16.0%	60.0%	16.0%	8.0%	0.0%
19	Bencher meetings allow sufficient time for interaction with management.	16.0%	56.0%	16.0%	8.0%	4.0%
5	As part of the discussion around every major decision, the Benchers analyze the potential risks arising from the decision.	13.0%	43.5%	17.4%	26.1%	0.0%
34	Evaluation of the CEO's performance is appropriate and well understood.	12.5%	62.5%	12.5%	12.5%	0.0%
17	Benchers come to meetings prepared.	12.0%	80.0%	8.0%	0.0%	0.0%
2	I have a full understanding of the financial and operational risks associated with the strategic plan.	12.0%	52.0%	32.0%	4.0%	0.0%
3	The process for developing strategic plan allows for sufficient Bencher review and input.	8.7%	65.2%	17.4%	8.7%	0.0%
36	The Benchers provide adequate direction and support to the CEO.	8.3%	79.2%	12.5%	0.0%	0.0%
10	The Benchers have an effective role in setting the annual budget.	8.3%	41.7%	37.5%	12.5%	0.0%
31	The Benchers take advantage of education/developmental opportunities to improve governance capabilities.	8.0%	56.0%	24.0%	12.0%	0.0%
4	The Benchers are up to date with latest developments in the regulatory environment and the market for legal services.	8.0%	52.0%	36.0%	4.0%	0.0%
35	The Benchers have ensured there is an adequate CEO succession plan in place.	4.0%	12.0%	40.0%	44.0%	0.0%

2013 Access to Legal Services Advisory Committee

(Completion rate: 100.0%)

Members understand and act within the mandate of the committee.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (50%)	2 (33%)	1 (17%)	0 (0%)	0 (0%)	6

Members are aware of what is expected of them.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (33%)	2 (33%)	2 (33%)	0 (0%)	0 (0%)	6

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (67%)	2 (33%)	0 (0%)	0 (0%)	0 (0%)	6

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (33%)	4 (67%)	0 (0%)	0 (0%)	0 (0%)	6

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (17%)	3 (50%)	1 (17%)	1 (17%)	0 (0%)	6

Everyone comes to meetings prepared.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (33%)	3 (50%)	1 (17%)	0 (0%)	0 (0%)	6

Presentations are generally of the appropriate length and content.

Strong	gly Agree Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (33%	4 (67%)	0 (0%)	0 (0%)	0 (0%)	6

Meetings allow for candid, constructive discussion and critical questioning.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (67%)	2 (33%)	0 (0%)	0 (0%)	0 (0%)	6

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (50%)	3 (50%)	0 (0%)	0 (0%)	0 (0%)	6

The Chair ensures that all agenda items are covered during the meetings.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (67%)	2 (33%)	0 (0%)	0 (0%)	0 (0%)	6

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (50%)	3 (50%)	0 (0%)	0 (0%)	0 (0%)	6

The Chair effectively manages dissent and works constructively towards arriving at decisions and achieving consensus.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (33%)	3 (50%)	1 (17%)	0 (0%)	0 (0%)	6

2013 Act and Rules Committee

(Completion rate: 100.0%)

Members understand and act within the mandate of the committee.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (67%)	1 (33%)	0 (0%)	0 (0%)	0 (0%)	3

Members are aware of what is expected of them.

Strongly Agre	e Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (67%)	1 (33%)	0 (0%)	0 (0%)	0 (0%)	3

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (33%)	2 (67%)	0 (0%)	0 (0%)	0 (0%)	3

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (33%)	2 (67%)	0 (0%)	0 (0%)	0 (0%)	3

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (33%)	1 (33%)	1 (33%)	0 (0%)	0 (0%)	3

Everyone comes to meetings prepared.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (33%)	2 (67%)	0 (0%)	0 (0%)	0 (0%)	3

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (33%)	1 (33%)	0 (0%)	1 (33%)	0 (0%)	3

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (67%)	1 (33%)	0 (0%)	0 (0%)	0 (0%)	3

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (67%)	1 (33%)	0 (0%)	0 (0%)	0 (0%)	3

The Chair ensures that all agenda items are covered during the meetings.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (33%)	1 (33%)	1 (33%)	0 (0%)	0 (0%)	3

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (33%)	1 (33%)	1 (33%)	0 (0%)	0 (0%)	3

\$ Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (33%)	2 (67%)	0 (0%)	0 (0%)	0 (0%)	3

2013 Alternative Dispute Resolution Task Force

(Completion rate: 100.0%)

Members understand and act within the mandate of the task force.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1

Members are aware of what is expected of them.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1

Everyone comes to meetings prepared.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
0 (0%)	0 (0%)	1 (100%)	0 (0%)	0 (0%)	1

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1

The Chair ensures that all agenda items are covered during the meetings.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1

2013 Audit Committee

(Completion rate: 100.0%)

Members understand and act within the mandate of the committee.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (50%)	1 (25%)	1 (25%)	0 (0%)	0 (0%)	4

Members are aware of what is expected of them.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (50%)	1 (25%)	0 (0%)	1 (25%)	0 (0%)	4

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (50%)	2 (50%)	0 (0%)	0 (0%)	0 (0%)	4

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
0 (0%)	3 (75%)	1 (25%)	0 (0%)	0 (0%)	4

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (50%)	1 (25%)	1 (25%)	0 (0%)	0 (0%)	4

Everyone comes to meetings prepared.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
0 (0%)	3 (75%)	1 (25%)	0 (0%)	0 (0%)	4

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (25%)	3 (75%)	0 (0%)	0 (0%)	0 (0%)	4

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
0 (0%)	4 (100%)	0 (0%)	0 (0%)	0 (0%)	4

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (25%)	3 (75%)	0 (0%)	0 (0%)	0 (0%)	4

The Chair ensures that all agenda items are covered during the meetings.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (50%)	2 (50%)	0 (0%)	0 (0%)	0 (0%)	4

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (50%)	2 (50%)	0 (0%)	0 (0%)	0 (0%)	4

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (25%)	2 (50%)	1 (25%)	0 (0%)	0 (0%)	4

2013 Complainants' Review Committee

(Completion rate: 100.0%)

Members understand and act within the mandate of the committee.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (50%)	3 (50%)	0 (0%)	0 (0%)	0 (0%)	6

Members are aware of what is expected of them.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (33%)	3 (50%)	1 (17%)	0 (0%)	0 (0%)	6

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

St	rongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 ((83%)	1 (17%)	0 (0%)	0 (0%)	0 (0%)	6

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (67%)	2 (33%)	0 (0%)	0 (0%)	0 (0%)	6

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (60%)	1 (20%)	1 (20%)	0 (0%)	0 (0%)	5

Everyone comes to meetings prepared.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (17%)	5 (83%)	0 (0%)	0 (0%)	0 (0%)	6

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (33%)	3 (50%)	1 (17%)	0 (0%)	0 (0%)	6

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (67%)	1 (17%)	1 (17%)	0 (0%)	0 (0%)	6

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (67%)	2 (33%)	0 (0%)	0 (0%)	0 (0%)	6

The Chair ensures that all agenda items are covered during the meetings.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (67%)	2 (33%)	0 (0%)	0 (0%)	0 (0%)	6

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (60%)	2 (40%)	0 (0%)	0 (0%)	0 (0%)	5

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (50%)	2 (33%)	1 (17%)	0 (0%)	0 (0%)	6

2013 Credentials Committee

(Completion rate: 100.0%)

Members understand and act within the mandate of the committee.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
6 (60%)	4 (40%)	0 (0%)	0 (0%)	0 (0%)	10

Members are aware of what is expected of them.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
7 (70%)	3 (30%)	0 (0%)	0 (0%)	0 (0%)	10

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (40%)	5 (50%)	1 (10%)	0 (0%)	0 (0%)	10

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
7 (70%)	3 (30%)	0 (0%)	0 (0%)	0 (0%)	10

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (30%)	5 (50%)	1 (10%)	1 (10%)	0 (0%)	10

Everyone comes to meetings prepared.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (44%)	5 (56%)	0 (0%)	0 (0%)	0 (0%)	9

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (56%)	3 (33%)	1 (11%)	0 (0%)	0 (0%)	9

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
8 (80%)	2 (20%)	0 (0%)	0 (0%)	0 (0%)	10

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
8 (80%)	2 (20%)	0 (0%)	0 (0%)	0 (0%)	10

The Chair ensures that all agenda items are covered during the meetings.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
7 (70%)	3 (30%)	0 (0%)	0 (0%)	0 (0%)	10

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (56%)	3 (33%)	0 (0%)	1 (11%)	0 (0%)	9

Stro	ongly Agree A	Agree	Neutral	· ·	Strongly Disagree	Total Responses
6 (6	57%) 3	3 (33%)	0 (0%)	0 (0%)	0 (0%)	9

REDACTED MATERIALS

2013 Discipline Committee

(Completion rate: 100.0%)

Members understand and act within the mandate of the committee.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
6 (75%)	1 (12%)	1 (12%)	0 (0%)	0 (0%)	8

Members are aware of what is expected of them.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
6 (75%)	1 (12%)	1 (12%)	0 (0%)	0 (0%)	8

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

Str	ongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (62%)	3 (38%)	0 (0%)	0 (0%)	0 (0%)	8

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (62%)	3 (38%)	0 (0%)	0 (0%)	0 (0%)	8

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (62%)	3 (38%)	0 (0%)	0 (0%)	0 (0%)	8

Everyone comes to meetings prepared.

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
Ī	4 (50%)	3 (38%)	1 (12%)	0 (0%)	0 (0%)	8

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
6 (75%)	1 (12%)	1 (12%)	0 (0%)	0 (0%)	8

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
7 (88%)	1 (12%)	0 (0%)	0 (0%)	0 (0%)	8

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (62%)	3 (38%)	0 (0%)	0 (0%)	0 (0%)	8

The Chair ensures that all agenda items are covered during the meetings.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
8 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	8

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
6 (75%)	2 (25%)	0 (0%)	0 (0%)	0 (0%)	8

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (38%)	4 (50%)	1 (12%)	0 (0%)	0 (0%)	8

2013 Equity and Diversity Advisory Committee

(Completion rate: 100.0%)

Members understand and act within the mandate of the committee.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (71%)	2 (29%)	0 (0%)	0 (0%)	0 (0%)	7

Members are aware of what is expected of them.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (57%)	2 (29%)	1 (14%)	0 (0%)	0 (0%)	7

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (71%)	2 (29%)	0 (0%)	0 (0%)	0 (0%)	7

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (57%)	2 (29%)	1 (14%)	0 (0%)	0 (0%)	7

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (50%)	3 (50%)	0 (0%)	0 (0%)	0 (0%)	6

Everyone comes to meetings prepared.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (57%)	2 (29%)	1 (14%)	0 (0%)	0 (0%)	7

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (57%)	3 (43%)	0 (0%)	0 (0%)	0 (0%)	7

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
6 (86%)	0 (0%)	1 (14%)	0 (0%)	0 (0%)	7

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (80%)	1 (20%)	0 (0%)	0 (0%)	0 (0%)	5

The Chair ensures that all agenda items are covered during the meetings.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
7 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	7

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
7 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	7

Stro	ongly Agree Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (7	2 (29%)	0 (0%)	0 (0%)	0 (0%)	7

2013 Ethics Committee

(Completion rate: 100.0%)

Members understand and act within the mandate of the committee.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (62%)	2 (25%)	0 (0%)	1 (12%)	0 (0%)	8

Members are aware of what is expected of them.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (50%)	3 (38%)	1 (12%)	0 (0%)	0 (0%)	8

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
7 (88%)	0 (0%)	1 (12%)	0 (0%)	0 (0%)	8

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
7 (88%)	1 (12%)	0 (0%)	0 (0%)	0 (0%)	8

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
6 (75%)	2 (25%)	0 (0%)	0 (0%)	0 (0%)	8

Everyone comes to meetings prepared.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (38%)	4 (50%)	0 (0%)	1 (12%)	0 (0%)	8

S	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4	1 (50%)	4 (50%)	0 (0%)	0 (0%)	0 (0%)	8

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
6 (75%)	1 (12%)	1 (12%)	0 (0%)	0 (0%)	8

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
7 (88%)	1 (12%)	0 (0%)	0 (0%)	0 (0%)	8

The Chair ensures that all agenda items are covered during the meetings.

Strongly Ag	ree Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (62%)	2 (25%)	1 (12%)	0 (0%)	0 (0%)	8

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
6 (75%)	1 (12%)	1 (12%)	0 (0%)	0 (0%)	8

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
7 (88%)	1 (12%)	0 (0%)	0 (0%)	0 (0%)	8

2013 Executive Committee

(Completion rate: 100.0%)

Members understand and act within the mandate of the committee.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (60%)	2 (40%)	0 (0%)	0 (0%)	0 (0%)	5

Members are aware of what is expected of them.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (40%)	3 (60%)	0 (0%)	0 (0%)	0 (0%)	5

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (40%)	2 (40%)	1 (20%)	0 (0%)	0 (0%)	5

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (40%)	2 (40%)	1 (20%)	0 (0%)	0 (0%)	5

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
0 (0%)	3 (60%)	2 (40%)	0 (0%)	0 (0%)	5

Everyone comes to meetings prepared.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (40%)	3 (60%)	0 (0%)	0 (0%)	0 (0%)	5

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (60%)	2 (40%)	0 (0%)	0 (0%)	0 (0%)	5

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (60%)	2 (40%)	0 (0%)	0 (0%)	0 (0%)	5

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (60%)	2 (40%)	0 (0%)	0 (0%)	0 (0%)	5

The Chair ensures that all agenda items are covered during the meetings.

Strong	gly Agree Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (40%	⁽⁶⁾ 2 (40%)	1 (20%)	0 (0%)	0 (0%)	5

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (40%)	2 (40%)	1 (20%)	0 (0%)	0 (0%)	5

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (40%)	3 (60%)	0 (0%)	0 (0%)	0 (0%)	5

2013 Family Law Task Force

(Completion rate: 100.0%)

Members understand and act within the mandate of the task force.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (25%)	3 (75%)	0 (0%)	0 (0%)	0 (0%)	4

Members are aware of what is expected of them.

Strongly A	Agree Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (25%)	3 (75%)	0 (0%)	0 (0%)	0 (0%)	4

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (75%)	1 (25%)	0 (0%)	0 (0%)	0 (0%)	4

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (50%)	1 (25%)	1 (25%)	0 (0%)	0 (0%)	4

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (50%)	1 (25%)	1 (25%)	0 (0%)	0 (0%)	4

Everyone comes to meetings prepared.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (50%)	1 (25%)	0 (0%)	1 (25%)	0 (0%)	4

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (50%)	2 (50%)	0 (0%)	0 (0%)	0 (0%)	4

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	4

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	4

The Chair ensures that all agenda items are covered during the meetings.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (50%)	2 (50%)	0 (0%)	0 (0%)	0 (0%)	4

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (25%)	3 (75%)	0 (0%)	0 (0%)	0 (0%)	4

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (25%)	3 (75%)	0 (0%)	0 (0%)	0 (0%)	4

2013 Finance Committee

(Completion rate: 100.0%)

Members understand and act within the mandate of the committee.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (33%)	4 (67%)	0 (0%)	0 (0%)	0 (0%)	6

Members are aware of what is expected of them.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (33%)	4 (67%)	0 (0%)	0 (0%)	0 (0%)	6

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (33%)	4 (67%)	0 (0%)	0 (0%)	0 (0%)	6

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (33%)	2 (33%)	2 (33%)	0 (0%)	0 (0%)	6

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (17%)	5 (83%)	0 (0%)	0 (0%)	0 (0%)	6

Everyone comes to meetings prepared.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (20%)	4 (80%)	0 (0%)	0 (0%)	0 (0%)	5

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (50%)	3 (50%)	0 (0%)	0 (0%)	0 (0%)	6

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (17%)	3 (50%)	2 (33%)	0 (0%)	0 (0%)	6

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (50%)	3 (50%)	0 (0%)	0 (0%)	0 (0%)	6

The Chair ensures that all agenda items are covered during the meetings.

:	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
:	3 (50%)	2 (33%)	1 (17%)	0 (0%)	0 (0%)	6

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (40%)	3 (60%)	0 (0%)	0 (0%)	0 (0%)	5

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (17%)	4 (67%)	1 (17%)	0 (0%)	0 (0%)	6

2013 Governance Committee

(Completion rate: 100.0%)

Members understand and act within the mandate of the committee.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (83%)	1 (17%)	0 (0%)	0 (0%)	0 (0%)	6

Members are aware of what is expected of them.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (67%)	2 (33%)	0 (0%)	0 (0%)	0 (0%)	6

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (83%)	1 (17%)	0 (0%)	0 (0%)	0 (0%)	6

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (83%)	1 (17%)	0 (0%)	0 (0%)	0 (0%)	6

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (50%)	3 (50%)	0 (0%)	0 (0%)	0 (0%)	6

Everyone comes to meetings prepared.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (50%)	2 (33%)	1 (17%)	0 (0%)	0 (0%)	6

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (50%)	3 (50%)	0 (0%)	0 (0%)	0 (0%)	6

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (83%)	1 (17%)	0 (0%)	0 (0%)	0 (0%)	6

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (80%)	1 (20%)	0 (0%)	0 (0%)	0 (0%)	5

The Chair ensures that all agenda items are covered during the meetings.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (83%)	1 (17%)	0 (0%)	0 (0%)	0 (0%)	6

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (83%)	1 (17%)	0 (0%)	0 (0%)	0 (0%)	6

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (83%)	1 (17%)	0 (0%)	0 (0%)	0 (0%)	6

2013 Lawyer Education Advisory Committee

Members understand and act within the mandate of the committee.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (25%)	3 (75%)	0 (0%)	0 (0%)	0 (0%)	4

Members are aware of what is expected of them.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (25%)	3 (75%)	0 (0%)	0 (0%)	0 (0%)	4

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

S	trongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1	(25%)	3 (75%)	0 (0%)	0 (0%)	0 (0%)	4

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (25%)	3 (75%)	0 (0%)	0 (0%)	0 (0%)	4

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (25%)	3 (75%)	0 (0%)	0 (0%)	0 (0%)	4

Everyone comes to meetings prepared.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
0 (0%)	4 (100%)	0 (0%)	0 (0%)	0 (0%)	4

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
0 (0%)	3 (75%)	1 (25%)	0 (0%)	0 (0%)	4

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (25%)	3 (75%)	0 (0%)	0 (0%)	0 (0%)	4

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (25%)	2 (50%)	1 (25%)	0 (0%)	0 (0%)	4

The Chair ensures that all agenda items are covered during the meetings.

Strongly	y Agree Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (25%)	3 (75%)	0 (0%)	0 (0%)	0 (0%)	4

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (25%)	2 (50%)	1 (25%)	0 (0%)	0 (0%)	4

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (25%)	2 (50%)	1 (25%)	0 (0%)	0 (0%)	4

2013 Legal Service Providers Task Force

(Completion rate: 100.0%)

Members understand and act within the mandate of the task force.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (67%)	2 (33%)	0 (0%)	0 (0%)	0 (0%)	6

Members are aware of what is expected of them.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (67%)	2 (33%)	0 (0%)	0 (0%)	0 (0%)	6

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (67%)	2 (33%)	0 (0%)	0 (0%)	0 (0%)	6

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	5

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (25%)	3 (75%)	0 (0%)	0 (0%)	0 (0%)	4

Everyone comes to meetings prepared.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (67%)	2 (33%)	0 (0%)	0 (0%)	0 (0%)	6

Strongly .	Agree Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (67%)	2 (33%)	0 (0%)	0 (0%)	0 (0%)	6

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (67%)	2 (33%)	0 (0%)	0 (0%)	0 (0%)	6

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (83%)	1 (17%)	0 (0%)	0 (0%)	0 (0%)	6

The Chair ensures that all agenda items are covered during the meetings.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (83%)	1 (17%)	0 (0%)	0 (0%)	0 (0%)	6

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (67%)	2 (33%)	0 (0%)	0 (0%)	0 (0%)	6

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (67%)	2 (33%)	0 (0%)	0 (0%)	0 (0%)	6

2013 Practice Standards Committee

(Completion rate: 100.0%)

Members understand and act within the mandate of the committee.

Si	trongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3	(38%)	4 (50%)	1 (12%)	0 (0%)	0 (0%)	8

Members are aware of what is expected of them.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (25%)	5 (62%)	0 (0%)	1 (12%)	0 (0%)	8

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (62%)	2 (25%)	0 (0%)	1 (12%)	0 (0%)	8

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
6 (75%)	2 (25%)	0 (0%)	0 (0%)	0 (0%)	8

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (62%)	3 (38%)	0 (0%)	0 (0%)	0 (0%)	8

Everyone comes to meetings prepared.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (38%)	4 (50%)	1 (12%)	0 (0%)	0 (0%)	8

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (50%)	4 (50%)	0 (0%)	0 (0%)	0 (0%)	8

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (50%)	3 (38%)	1 (12%)	0 (0%)	0 (0%)	8

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (50%)	3 (38%)	1 (12%)	0 (0%)	0 (0%)	8

The Chair ensures that all agenda items are covered during the meetings.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
5 (62%)	3 (38%)	0 (0%)	0 (0%)	0 (0%)	8

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (50%)	3 (38%)	1 (12%)	0 (0%)	0 (0%)	8

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
6 (75%)	1 (12%)	1 (12%)	0 (0%)	0 (0%)	8

2013 Reduced Fee Feasibility Working Group

(Completion rate: 100.0%)

Members understand and act within the mandate of the working group.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (50%)	1 (50%)	0 (0%)	0 (0%)	0 (0%)	2

Members are aware of what is expected of them.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (50%)	1 (50%)	0 (0%)	0 (0%)	0 (0%)	2

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (50%)	1 (50%)	0 (0%)	0 (0%)	0 (0%)	2

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (50%)	1 (50%)	0 (0%)	0 (0%)	0 (0%)	2

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (50%)	1 (50%)	0 (0%)	0 (0%)	0 (0%)	2

Everyone comes to meetings prepared.

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
Ī	1 (50%)	1 (50%)	0 (0%)	0 (0%)	0 (0%)	2

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (50%)	1 (50%)	0 (0%)	0 (0%)	0 (0%)	2

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (50%)	1 (50%)	0 (0%)	0 (0%)	0 (0%)	2

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (50%)	1 (50%)	0 (0%)	0 (0%)	0 (0%)	2

The Chair ensures that all agenda items are covered during the meetings.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (50%)	1 (50%)	0 (0%)	0 (0%)	0 (0%)	2

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (50%)	1 (50%)	0 (0%)	0 (0%)	0 (0%)	2

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (50%)	1 (50%)	0 (0%)	0 (0%)	0 (0%)	2

2013 Rule of Law Advisory Committee

(Completion rate: 100.0%)

Members understand and act within the mandate of the committee.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (75%)	1 (25%)	0 (0%)	0 (0%)	0 (0%)	4

Members are aware of what is expected of them.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (20%)	4 (80%)	0 (0%)	0 (0%)	0 (0%)	5

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (20%)	4 (80%)	0 (0%)	0 (0%)	0 (0%)	5

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (60%)	2 (40%)	0 (0%)	0 (0%)	0 (0%)	5

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (40%)	3 (60%)	0 (0%)	0 (0%)	0 (0%)	5

Everyone comes to meetings prepared.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (40%)	2 (40%)	1 (20%)	0 (0%)	0 (0%)	5

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (40%)	2 (40%)	1 (20%)	0 (0%)	0 (0%)	5

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (80%)	1 (20%)	0 (0%)	0 (0%)	0 (0%)	5

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (80%)	1 (20%)	0 (0%)	0 (0%)	0 (0%)	5

The Chair ensures that all agenda items are covered during the meetings.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (40%)	1 (20%)	2 (40%)	0 (0%)	0 (0%)	5

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
0 (0%)	2 (50%)	2 (50%)	0 (0%)	0 (0%)	4

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (40%)	1 (20%)	2 (40%)	0 (0%)	0 (0%)	5

2013 Unauthorized Practice Committee

(Completion rate: 100.0%)

Members understand and act within the mandate of the committee.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (60%)	2 (40%)	0 (0%)	0 (0%)	0 (0%)	5

Members are aware of what is expected of them.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (60%)	2 (40%)	0 (0%)	0 (0%)	0 (0%)	5

Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (40%)	2 (40%)	1 (20%)	0 (0%)	0 (0%)	5

Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (60%)	2 (40%)	0 (0%)	0 (0%)	0 (0%)	5

The right things are placed on the agenda.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
2 (40%)	3 (60%)	0 (0%)	0 (0%)	0 (0%)	5

Everyone comes to meetings prepared.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (20%)	4 (80%)	0 (0%)	0 (0%)	0 (0%)	5

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
1 (20%)	4 (80%)	0 (0%)	0 (0%)	0 (0%)	5

Meetings allow for candid, constructive discussion and critical questioning.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (80%)	1 (20%)	0 (0%)	0 (0%)	0 (0%)	5

Discussion is open, meaningful and respectful.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
4 (80%)	1 (20%)	0 (0%)	0 (0%)	0 (0%)	5

The Chair ensures that all agenda items are covered during the meetings.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (60%)	2 (40%)	0 (0%)	0 (0%)	0 (0%)	5

The Chair ensures that meeting time is used effectively and efficiently.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (60%)	2 (40%)	0 (0%)	0 (0%)	0 (0%)	5

The Chair effectively manages dissent and works constructively towards arriving at decisions and achieving consensus.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Total Responses
3 (60%)	2 (40%)	0 (0%)	0 (0%)	0 (0%)	5

Members understand and act within the mandate of the committee.	Strongly Agree 57%	Agree 38%	Neutral 4%	Disagree 1%	Strongly Disagree 0%
Members are aware of what is expected of them.	49%	43%	6%	2%	0%
Meeting agendas and supporting materials are received in sufficient time to allow for adequate preparation.	58%	38%	4%	1%	0%
Pre-meeting materials provide appropriate context and background information to support informed discussion and decision-making.	59%	35%	6%	0%	0%
The right things are placed on the	43%	47%	8%	2%	0%
agenda. Everyone comes to meetings prepared.	37%	54%	7%	2%	0%
Presentations are generally of the	48%	47%	5%	1%	0%
appropriate length and content. Meetings allow for candid, constructive discussion and critical questioning.	66%	28%	6%	0%	0%
Discussion is open, meaningful and respectful.	67%	31%	2%	0%	0%
The Chair ensures that all agenda items are covered during the meetings.	65%	29%	6%	0%	0%
The Chair ensures that meeting time is used effectively and efficiently.	57%	35%	7%	1%	0%
The Chair effectively manages dissent and works constructively towards arriving at decisions and achieving consensus.	53%	38%	9%	0%	0%



Memo

To: Benchers

From: Jan Lindsay, QC

President

Date: February 20, 2014

Subject: Bencher Consideration of Trinity Western University Faculty of Law

Introduction

At the January 24th Bencher meeting, I outlined a process under Rule 2-27(4.1) for Bencher consideration of a faculty of law at Trinity Western University (TWU). As noted in the memorandum distributed at that meeting, the advice we have received is that, if the Benchers are to adopt a resolution under Rule2-27(4.1), that decision is an administrative one and will require a degree of procedural fairness.

What I set out here is intended to ensure, as much as possible, that the Benchers' continuing consideration of a faculty of law at TWU meets the requirements of procedural fairness and is consistent with our own statements about conducting an open, transparent and fair process.

Developments

Since our January 24 Bencher meeting, there have been several developments that I want to highlight for you.

Shortly after that meeting, we invited input from lawyers and the general public regarding the proposed new law school at TWU. To date we have received over 130 submissions. The deadline for submissions is March 3 and, as we've previously indicated, all the submissions will be provided to the Benchers and will be made available to TWU and may be made publicly available.

As you will have likely read, some other Canadian law societies have indicated that they will be engaged in discussions and decisions about the law school at TWU. On February 13, the Nova Scotia Barristers' Society heard submissions from more than two dozen people on whether it should recognize law degrees from TWU. They have since posted all of the submissions and a transcript of the proceedings on their website. The Law Society of Upper Canada is expected to consider the TWU law school on April 11 and again on April 24. Both of those meetings will likely be webcast. Other law societies, such as Alberta and Saskatchewan, have stated they will

go along with the recommendation of the national Federation of Law Societies to approve law degrees from the school.

At the time of writing, the National Council of the Canadian Bar Association will not have held its mid-winter meeting. At that meeting, it is proposed that delegates consider a resolution put forward by several CBA constituent organizations entitled "Non-Discrimination in Legal Education." If the resolution passes, the CBA has indicated that it will urge the Federation and all provincial and territorial law societies to require legal education programs recognized by the law societies for admission to the bar to provide equal opportunity without discrimination on the basis of, amongst other things, religion and sexual orientation or conduct that is integral to and inseparable from identity, for all persons involved in legal education.

Conflicts and Apprehension of Bias

I would like to encourage the Benchers to avoid debating an anticipated resolution until submissions are concluded. Similarly, Benchers should avoid making statements that could be taken by a reasonable observer as manifesting bias. this standard of conduct could be violated, for example, by vigorous statements or advocacy in support of or opposed to the motion referred to further on in this memorandum before submissions are concluded. In the end, I would like to ensure that all Benchers who wish to participate in the discussion and vote regarding whether law degrees from TWU should be accepted for the purpose of academic qualification under Rule 2-27(4.1) are able to do so. It would be unfortunate if anyone who wished to participate had to recuse her or himself in order to preserve the integrity of the process.

Legal Opinions and Briefs

At the January 24 Bencher meeting there were a number of questions and issues raised in the course of the Bencher discussion, some of which called for legal advice and assistance. We have therefore retained counsel on several matters to assist the Benchers.

To assist the Benchers with the relevant considerations that could be taken into account in reaching any decision regarding a resolution under Rule 2-27(4.1), the Honourable Lance Finch has agreed to provide a brief that will review the background to the issues before the Benchers and set out his advice regarding the relevant considerations.

Mr. Gomery has been asked to provide advice about the legal relationship between the Law Society as a public institution to which the Charter applies and TWU as a private institution to which the Charter does not arguably apply, relative to the Law Society decision-making authority over TWU.

To assist the Benchers in their consideration of the implications of the Agreement on Internal Trade, the Labour Mobility Act and the National Mobility Agreement, we have asked Patrick Foy, QC and Jeffrey Thomas to provide analysis and advice.

We expect all of the advice sought will be available well before the April 11 meeting.

Notice of Motion

The Executive Committee memorandum to the Benchers presented at the January 24 meeting suggested that, at the February 28 meeting, I would remind the Benchers that an applicant for admission from TWU faculty of law will meet the requirements for academic qualification under our Rules unless the Benchers adopt a resolution otherwise. The memorandum went on to note that, if a resolution was moved and seconded declaring that the proposed TWU faculty of law is not an approved faculty of law, the discussion of the motion would be adjourned to the April 11th Bencher meeting.

On reflection, the Executive Committee was concerned that the process set out in that memorandum was sufficiently uncertain that something more definitive ought to be adopted. The advice received was that, at the conclusion of the TWU agenda item on February 28, a written notice of the motion to be moved at the April meeting be presented by the intended mover and seconder. The Executive Committee thought that the first and second vice-presidents should be the mover and seconder. The notice of motion would be distributed to the Benchers at that point, not earlier, and recorded in the minutes of the meeting. From that point forward, the Benchers would be seized of the specific issue to be decided and would owe a duty of procedural fairness, including that the affected parties be notified and have the opportunity to be heard.

In order to address any concern that a motion made on behalf of the Executive Committee by the first and second vice-presidents might be misunderstood as a statement of support for the position by the Executive Committee, which it is not, it was recommended that the recitals make it clear that the sole intention in moving the resolution is to provide the Benchers with the opportunity to consider thoroughly, carefully and in a manner that is fair, whether to exercise their discretion under Rule 2-27(4.1), in the public interest.

As advised, a notice of motion to be considered on April 11 will be distributed at the conclusion of the TWU matter on February 28.

April 11 Bencher Meeting

The April 11 meeting will be unlike most Bencher meetings.

The notice of motion to be presented at the February 28 meeting will be provided after the meeting to interested parties and posted on the Law Society website. All of the submissions and material that will be before the Benchers at the April meeting will be provided to TWU with an invitation to make submissions in writing to the Benchers in advance of that meeting.

The decision the Benchers will be called upon to make is not one the Benchers have had occasion to consider before. While we make every effort to reach a consensus on matters that generally come before the Benchers for decision, a resolution under Rule 2-27(4.1) in respect of a law school at TWU may well not be amenable to a consensus. When it comes time to make a decision, I expect that a vote should and will be required in order to determine the will of the Benchers on this matter

In order to respect the numerous calls for an open and transparent process, the Executive Committee concluded that we should provide for webcasting of the proceedings at that meeting. This will enable those who wish to see and hear the meeting to do so without having to be physically present and will permit a much larger number of people to watch and listen than we could reasonably accommodate in our physical premises. What this will mean is that there will be cameras, microphones, cables and technicians present during the meeting.

As noted at the January Bencher meeting, I intend to allow TWU to be present during the April 11 meeting.

February 28 Meeting

At the February 28 meeting, the Benchers should feel free to clarify any of the matters covered in this memorandum. You should also feel free to raise any issues or questions that you believe should be considered at the April 11 meeting and any advice in respect of those issues or questions that should be made available to the Benchers before that meeting. You may also want to request the production of evidence or facts that will be germane to consideration of a resolution under Rule 2-27(4.1). You should, however, refrain from expressing your view on the ultimate decision and avoid advocating a particular outcome.

I am mindful that consideration of a law school at TWU has pre-empted consideration of other matters and will certainly do so until after the April 11 meeting. It is, however, an important decision affecting TWU and many others and one which deserves our fair, thoughtful and serious consideration.



2013 Public Education Report

This report provides a summary of external communications efforts in 2013 to meet Strategy 3-2 and Initiative 3-2(a) of the 2011-2014 Strategic Plan.

Strategy 3-2

Educate the public about the importance of the rule of law, the role of the Law Society and the role of lawyers.

Initiative 3-2(a)

Identify methods to communicate through media about the role of the Law Society, including its role in protecting the rule of law.

Media relations

The Law Society's media relations program continues to be the primary means by which the Society communicates with the public. In general, the goal of the program is to position the Law Society as an efficient, effective and transparent regulator of the legal profession. This goal is pursued by:

- providing accurate and timely information, with as much disclosure as possible given Law Society policies and rules
- working to establish respectful, high quality relationships with reporters to help build the organization's credibility and influence the way the Law Society is portrayed in the news
- developing and maintaining a library of key messages and background information
- proactively issuing and distributing news releases that include key messages
- fostering an issues-management culture throughout the organization so issues of possible media interest are identified and managed as early as possible
- using social media strategically to increase coverage and complement positioning

Quantity of 2013 media coverage

	2012	2013	% change
Total unique stories (not including reprints)	120	167	39%
Total media inquiries (telephone and email)	163	175	7%
Interviews, statements or information provided	104	132	27%
Unique published or broadcast stories from inquiries	49	59	20%
Unique published or broadcast stories without inquiries	71	108	52%
Total number of news releases posted to website	28	31	11%
News releases that resulted in news coverage	14	13	-7%
Unique news stories/media mentions generated by releases	33	54	64%

In 2013, at least 167 unique news reports were published in which the Law Society was at least mentioned, an increase of 39% over 2012. This does not include reprints that appeared in more than one media publication (such as Canadian Press articles that are often picked up by more than one publication).

The Law Society managed 175 inquiries from reporters, researchers and producers – about three to four inquiries per week – resulting in 59 unique stores or 20% more than in 2012. Another 108 unique stories were published without any contact with the Law Society, up by 52% over 2012.

The Law Society issued 31 news releases which generated news coverage more effectively than in 2012. Thirteen news releases generated 54 news stories – about 64% more coverage than in the previous year.

The year-over-year increases are likely attributable to several factors:

- Implementation of new rules for paralegals, the work of the Legal Service Providers Task
 Force and the new unauthorized practice database, all of which were heavily pitched to
 media
- High-profile discipline matters including two disbarments and a complaint related to the Senate scandal
- Frequent quoting of a statistic related to Freeman on the Land which was attributed (incorrectly) to the Law Society

Forty-three media inquiries, or approximately 25%, were about matters not directly related to the Law Society. This was down from last year, when 36% of all inquiries were not related to Law Society work. The decline may be attributable to greater clarity in the media about the role of the Law Society.

Quality of media coverage

Only articles where a request for information or interview has been received are evaluated for tone and inclusion of key messages. Others are not evaluated because there has been no opportunity to influence the story.

Of the 54 stories that ran as a result of press releases, using the Law Society's coverage rating scheme¹ the average score for tone was 4.08 of a possible 5, where 1 means the story has negative overall subject matter and all comments about the Law Society are negative, and 5 means the story is positive and Law Society is recognized or praised for its good work. Evaluating the same 54 stories for inclusion of key messages, the average score was 4.09 out of five, meaning most key messages are included with no more than one factual misrepresentation.

The average score for tone in stories resulting from media inquiries, but not press releases, was slightly lower at 3.71 than the stories that resulted from press releases. This rating means the story had a more negative overall subject matter, but the Law Society was presented in a somewhat favourable way. Evaluating the same stories for key messages resulted in an average score of 4.03 out of five, meaning on average most key messages are included and there was no more than one factual misrepresentation.

It must be noted that the high scores achieved for Law Society key messages are in part due to the ability of media relations staff to rely on the quality of the Law Society's discipline process and hearing decisions. Over time, the Law Society has been able to build its brand of "efficient, effective" regulator because of such factors as the thoroughness of its processes, the transparency of information, and hearing decisions that specifically reference protection of the public. The integrity of the Law Society's operations makes the spokesperson's job much easier.

Social media

The Law Society continued to expand its presence on social media. There were about 1,800 Twitter followers by the end of 2013, about double the number at the end of 2012. Twitter has proven to be an exceptional means of distributing information and has been directly responsible for generating many news stories as well as information-sharing within the legal community.

Videos posted to the Law Society's YouTube channel were well-viewed in 2013. The workshop conducted by the president and policy staff on the new rules for paralegals has been viewed over 260 times. The Law Society is currently developing a series of educational videos and expects to have two completed in February with more to come over the course of 2014. The videos will provide basic information about the Law Society, how to file complaints, the rule of law and more, and will be available on the Law Society website as well as on its YouTube channel.

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¹ Attached as Appendix A

The Law Society's Linkedin presence was also created in late 2013 and already has about 300 followers. Using Hootsuite social media manager, all tweets are also posted to Linkedin. Future plans are to expand the resources available to lawyers and other interested parties through Linkedin.

Media and law Workshop

The annual Media and Law Workshop was held at the Law Society and was fully subscribed with about 50 reporters, producers or editors in attendance. The workshop was called "Major crimes and mega trials: reporting on police, criminals and the courts in the 21st century" and examined a fictional scenario involving an alleged gang leader and underling charged with murder. From the first press release announcing the arrests to the trial of the accused, the workshop instructed journalists on how to navigate a complex, developing story both inside and outside the courtroom. The seminar explored the legal pitfalls of newsgathering and reporting, including how best to deal with confidential information, anonymous sources and publication bans.

The workshop was also posted to the Law Society YouTube channel and has been viewed over 220 times to date.

Other initiatives

News stories certainly contribute to the public's understanding of the role of the Law Society. In addition, several other means were used in 2013 to advance our key messages.

Speakers Bureau

In 2013, the Law Society Speakers Bureau was launched with a news release and a link posted to the Law Society home-page, Public page, Access, equity and rule of law page and Contact us page. However, to date only a few requests have been received and virtually all have been from law firms.

A series of public speaking engagements were arranged in 2013 at the request of the president, however these were later cancelled due to the president's limited availability.

Law Week

In conjunction with Law Week, a news release was issued (<u>Law Society ramps up public</u> <u>education for 2013 Law Week</u>) offering interviews with several Benchers and senior staff on the following topics:

- Access to justice in a changing legal marketplace
- Unauthorized practice of law

- Professional regulation
- Becoming a lawyer in BC

Seven interviews and six stories were generated as a result of this news release and media pitching. In addition, a letter to the editor of the Vancouver Sun from the president was published.

Clicklaw

In 2013, the Law Society became a contributor to <u>Clicklaw</u>, a website that provides legal information, education and help to British Columbians. Clicklaw is sponsored by a network of organizations in BC that provide or support public legal education and information. It is operated by the Courthouse Libraries BC and was developed with a project grant from the Law Foundation of BC.

Law Society resources related to how to work with a lawyer, how to file complaints, lawyers' fees and more are now available on Clicklaw.

In addition, the Clicklaw search widget was added to the Law Society "<u>Legal Information and Resources</u>" page, allowing users to search Clicklaw directly from the Law Society website.

Publication subscriptions

Law Society publications, including Benchers' Bulletin, E-Brief and Members' Manual amendments, are available electronically to non-lawyers at no charge. To date, 242 non-lawyers subscribe to at least one Law Society publication.

Access, equity and rule of law web page

The Law Society maintains a web page providing information on access to justice initiatives, diversity and equity in the profession and the rule of law. In 2013, 917 unique visitors viewed this page for a total of 1,089 views.

Summary

The Law Society enjoys excellent relations with the media. Media coverage was more frequent and of higher quality in 2013 than in 2012, and there were no reports critical of Law Society processes.

Despite best efforts, however, there seems to be only modest interest on the part of the public or media in learning more about the work of the Law Society or the rule of law. Nonetheless, efforts will continue to provide opportunities to build awareness of and learn about the Law Society.

Appendix A: Media coverage rating scheme

Rating	Tone	Key messages
1	Story has negative overall subject matter; all comments about the Law Society are negative	Law Society portrayed as not acting in the public interest; no positive comments or hint of Law Society perspective
2	Story has negative overall subject matter; negative comments about the Law Society are balanced with positive comments	Some inclusion of factual information about the Law Society but minimal inclusion of key messages; missing or mistaken facts are evident
3	Story has somewhat negative overall subject matter; Law Society is portrayed in a somewhat favourable way	At least two key messages are included and no more than two factual misrepresentations
4	Story is generally positive; Law Society is favourably portrayed	Most key messages are included; no more than one factual misrepresentation
5	Story is positive; Law Society is recognized or praised for its good work	All key messages included in story; messages are accurate; readers left to conclude the Law Society is an efficient, effective regulator