Law Society of British Columbia

Bencher Meeting: Minutes

To: Benchers

Purpose: Approval (Consent Agenda)

Date: Friday, September 25, 2026

Present:

Thomas L. Spraggs, KC, President
Katrina Harry, KC, 1st Vice-President
Cheryl D'Sa, KC, 2nd Vice-President
Simran Bains
Tanya Chamberlain, KC
Christina J. Cook, KC
Tim Delaney, KC
John Greschner
Ravi R. Hira, KC
Sara K. Hopkins
Derek LaCroix, KC
James A. S. Legh
Benjamin D. Levine
Jaspreet Singh Malik
Marcia McNeil
Arun Mohan
David A. Perry
Georges Rivard, KC
Michèle Ross
Gurminder Sandhu, KC
Nicole E. Smith
Karen K.L. Tse, KC
Kevin B. Westell
Ruth Wittenberg
Michael Zimmerman

Absent:

Nazanin Aram
Aleem Bharmal, KC
Tanya Heuchert
Jay Michi
Jessica N. Saris
Natasha Tony

Senior and Meeting Support Staff

Gigi Chen-Kuo, Chief Executive Officer/Executive Director (CEO/ED)
Tara McPhail, Chief Legal Officer
Jeanette McPhee, Chief Financial Officer & Senior Director, Trust Reg.
Su Forbes, KC, Chief Operating Officer, Lawyers Indemnity Fund
Lesley Small, Senior Director, Credentials, Prof. Dev. & Practice Supp.

Barbara Lu, Director, Policy & Strategic Initiatives
Michael Lucas, KC, General Counsel
Christine Tam, Director, Communications
Adam Whitcombe, KC, Senior Advisor
Avalon Bourne, Manager, Governance & Board Relations
Rebecca Neal, Senior Administrator, Governance & Board Relations
Volodymyr Burlachenko, Administrator, Governance & Board Relations
Deborah Mah, Administrator, Governance & Board Relations

Staff present:

Sylvester Aniogbe
Barbara Buchanan, KC
Nick d'Artois
Jackie Drozdowski
Sandra Haywood-Farmer
Jeffrey Hoskins, KC
Jessica Jones
Joyce Johner
Jane Ladesma
Nicolette Lang-Andersen
Michael Mulhern
Doug Munro
Rashmi Nair
Mandana Namazi
Michelle Robertson
Carrie Robinson
Nadia Rowe
Saheli Sodhi
Arrie Sturdivant
Maddie Taylor
Eva Theiss
Andrea Wardrop
Patrick Wruck
Charlene Yan
Vinnie Yuen

Guests:

Connor Bildfell	President, Canadian Bar Association, BC Branch
Brenna Brown	2026 Indigenous Scholarship Co-Recipient
Ian Burns	Digital Reporter, The Lawyer's Daily
Hardeep Chahal	Guest
Chidimma Ike	2026 Scholarship for Graduate Legal Studies Co-Recipient
Claire Marchant	Executive Director, Lawyers Assistance Program of BC
Cary Morin	2026 Indigenous Scholarship Co-Recipient
Caroline Nevin	CEO, Courthouse Libraries BC
Linda Russell	CEO, Continuing Legal Education Society of BC
Kerry Simmons, KC	Executive Director, Canadian Bar Association, BC Branch
Astitwa Thapa	2026 Scholarship for Graduate Legal Studies Co-Recipient

Oath Of Office

1. Administer Oaths of Office

President Thomas L. Spraggs, KC administered an oath of office (in the form set out in Rule 1-3) to newly elected Bencher Derek LaCroix, KC and to First Vice-President Katrina Harry, KC and Second Vice-President Cheryl D'Sa, KC.

Recognition

2. Presentation of the 2026 Law Society Scholarship for Graduate Legal Studies

Mr. Spraggs introduced the co-recipients of the 2026 Law Society Scholarship for Graduate Legal Studies, Astitwa Thapa and Chidimma Ike.

3. Presentation of the 2026 Law Society Indigenous Scholarship

Mr. Spraggs introduced the co-recipients of the 2026 Law Society Indigenous Scholarship Brenna Brown and Cary Morin.

Consent Agenda

4. Minutes of July 3, 2026, meeting (regular session)

The minutes of the meeting held on July 3, 2026 were approved unanimously and by consent as circulated.

5. Minutes of July 3, 2026 meeting (*in camera* session)

The minutes of the *in camera* meeting held on July 3, 2026 were approved unanimously and by consent as circulated.

6. External Appointment: Legal Aid BC

The following resolution was passed unanimously and by consent:

> **BE IT RESOLVED** that Benchers reappoint Sarf Ahmed to the LABC Board of Directors for a second three-year term commencing September 25, 2026.

7. Terms of Reference: Federation of Law Societies of Canada Council

This item was removed from the Consent Agenda for discussion.

Benchers discussed the proposed Terms of Reference for the Federation of Law Societies of Canada Council appointment and agreed to approve the proposed Terms of Reference, subject to paragraph 9 being revised as follows:

If the Council member is or becomes a Life Bencher, or is defeated in a Bencher election or not reappointed at the conclusion of their term, the Council member will complete the current balance of their term, but will not be eligible for a further term unless re-elected or reappointed.

8. Terms of Reference: Tribunal Chair Appointment Process

The following resolution was passed unanimously and by consent:

> **BE IT RESOLVED** the Executive Committee recommends to Benchers the approval of the proposed Terms of Reference attached as Appendix A to guide the Tribunal Chair appointment process.

9. KC Nomination Advisory Committee Appointment

The following resolution was passed unanimously and by consent:

> **BE IT RESOLVED** the Benchers appoint First Vice-President Katrina Harry, KC as the Law Society's second representative to be consulted pursuant to section 2(2)(c) of the *King's Counsel Act*.

Reports

10. President's Report

Mr. Spraggs began his report by speaking about the upcoming National Day of Truth and Reconciliation on September 30, and its importance as an opportunity to acknowledge and reflect upon the history, legacy, and impact of residential schools. He indicated that the Law Society's offices would be closed to commemorate this important day.

Mr. Spraggs then provided an update on his recent activities since the last Bencher meeting, including chairing the Law Society's annual general meeting, attending a Rule of Law conference organized by the Barreau du Québec, attending call ceremonies, attending a New Westminster Bar Association event, and attending the Law Society's Journey of Practice seminar. He also provided an update regarding the ongoing work of the Law Society Advisory Committees and Task Forces.

Mr. Spraggs announced that the Westminster County Bencher By-election nomination period was currently open and would close on October 15. He also provided an update regarding the process to determine the Benchers' nominee for 2027 Second Vice-President.

Mr. Spraggs concluded his report by providing an update on the Single Legal Regulator initiative and the Law Society's appeal of the Supreme Court of BC's decision. He indicated that the BC Court of Appeal had released reasons on intervener status, and that the appeal was scheduled to be heard on November 16 and 17, 2026.

11. CEO's Report

Gigi Chen-Kuo, Chief Executive Officer & Executive Director began her report by speaking about the one-time practice fee rebate pilot program, which was previously approved by Benchers to support lawyers experiencing financial hardship. She informed Benchers that the pilot had been launched in July and applications would be accepted until mid-September.

She then updated Benchers on the increase in the number of complaints being received relating to Artificial Intelligence ("AI") and as such, the complaints process section on the Law Society website had been updated to include an AI information sheet for complainants.

Ms. Chen-Kuo provided an update regarding the recent International Institute of Law Association Chief Executives Conference. She spoke about the conference program, which included discussions around threats to the rule of law, evolving relationships with governments, the impact of AI, developments in legal education, and cultural change within the profession.

Ms. Chen-Kuo concluded her report by speaking about the National Day of Truth and Reconciliation and the Law Society's commitment to truth and reconciliation.

Discussion & Decision

12. 2027 Initiatives, Fees & Budgets

Katrina Harry, KC, First Vice-President and Chair of the Finance and Audit Committee introduced the item and spoke about the work of the Finance and Audit Committee regarding the proposed 2027 budget. She indicated that the Committee was of the view that the Law Society should aim to have a balanced budget for 2027, and that a practice fee increase would be necessary to do so. Ms. Harry noted that this would be just the second increase in seven years, and the Lawyers Indemnity Fund fee would remain the same as it has been since 2018. She then reviewed the recommendation from the Committee that the Benchers approve a special assessment for 2026 and 2027 to cover the transition costs imposed upon the Law Society by the *Legal Professions Act* ("the New Act").

Ms. Chen-Kuo spoke about the work undertaken to develop the proposed budget and provided an overview of areas requiring additional funding, as well as opportunities for efficiencies and cost reductions. She indicated that the special assessment would cover the Law Society's share of costs associated with the transition to the New Act.

Jeanette McPhee, Chief Financial Officer and Senior Director of Trust Regulation presented on the proposed 2027 fees and budget, highlighting the proposed budget's alignment with the Law Society's current strategic plan. She then provided an overview of the general fund, indicating that while operating revenues were projected to increase by 2%, the projected increase would not be sufficient to fund operating costs. Ms. McPhee indicated that due to the increased volume and complexity of the Law Society's workload, the significant draws on net asset reserves, and a number of one-time projects, an increase to the practice fee is necessary to sustain ongoing operations and advance strategic and operational goals. Ms. McPhee then provided an overview of the rationale to levy a special assessment, in accordance with Rule 2-106(1). She indicated that as reserves have been drawn down due to transition costs, in order to replenish the reserves and to ensure a minimum of three months of expenses, the Finance & Audit Committee recommends a special assessment for the 2027 and 2028 practising years.

Su Forbes, KC, Chief Operating Officer of the Lawyers Indemnity Fund ("LIF") provided an overview of LIF's proposed budget and fees. She indicated that the recommendation was to have the LIF fee remain at $1,800 (for full-time lawyers) and $900 (for part-time lawyers) for 2026.

Benchers discussed the proposed 2027 budget and special assessment with focus on the timing of levying the special assessment, the importance of demonstrating fiscal responsibility to the public, and the fact that the practice fee has not increased year over year.

The following resolution was passed unanimously:

BE IT RESOLVED that:

Effective January 1, 2027, the practice fee be set at $2,707, pursuant to section 23(1)(a) of the *Legal Profession Act*, which is projected to result in a deficit budget of $42,377.

The following resolution was passed unanimously:

BE IT RESOLVED that:

Effective January 1, 2027

- **The indemnity fee pursuant to section 30(3) of the *Legal Profession Act* be set at $1,800;**
- **the part-time indemnity fee pursuant to Rule 3-40(2) be set at $900; and the indemnity surcharge pursuant to Rule 3-44(2) be set at $2,000.**

The Benchers further discussed the timing of levying the special assessment. Ms. Chen-Kuo advised that without a special assessment a further increase to the practice fee would need to be implemented, which would mean that the practice fee would remain at an increased amount, whereas a special assessment would be a one-time cost. She indicated that the practice fee rebate program was in place to support lawyers who are suffering financial hardship.

Benchers discussed the impact of the single legal regulator transition on the reserves and making it clear to lawyers that this impact is why a special assessment is needed. Benchers also discussed the communication plan and timing, as well as what information to provide to lawyers regarding this matter.

Following discussion, the following resolution was passed by the majority of Benchers, with one abstention:

BE IT RESOLVED that:

For the purposes of recovering the costs incurred by the Law Society relating to transition matters required under the *Legal Professions Act* SBC 2024 c. 26, the Benchers approve the following Special Assessments pursuant to Rule 2-106, for each lawyer who holds a practising membership during the 2027 or 2028 calendar year:

a) **For the 2027 calendar year, a Special Assessment of $210 payable on or before November 30, 2026.**

b) **For the 2028 calendar year, a Special Assessment of $135 payable on or before November 30, 2027.**

13. Rule Amendments: Accounting, Client Verification, and Related Rules

Michael Lucas, KC, General Counsel/Senior Policy Counsel introduced this item and provided some background regarding the proposed amendments to the accounting, client verification, and related Rules. He summarized the previous discussions regarding this item, which took place at the July 3, 2026 Bencher meeting, and provided an overview of additional proposed amendments to the Rules following the July Bencher meeting. Mr. Lucas indicated that a January 1, 2027 implementation date had been contemplated initially, but that a July 1, 2027 implementation date was now being proposed, so as to provide adequate time for preparation.

Following some discussion regarding the additional proposed amendments to the Rules, the Benchers unanimously agreed to pass the resolution attached to the meeting materials at Appendix "D", subject to revising the implementation date to July 1, 2027.

REQUIRES 2/3 MAJORITY OF BENCHERS PRESENT

14. 2025 AGM Resolutions

Ms. Chen-Kuo provided some background regarding the status of the resolutions passed at the 2025 and 2026 annual general meetings ("AGM").

Benchers discussed the 2025 AGM member resolution *to Amend the Law Society Rule 3-36(1) to exempt certain former members of the judiciary from meeting the requirement of completing a course under s. 3-36(1)(c),* and the decision made by the Credentials Committee not to change the training requirements for family law arbitrators. The Benchers were in agreement that it would be helpful to have a report prepared to provide an overview of the Credentials Committee's decision to provide greater clarity.

Benchers also discussed the 2025 AGM resolution regarding *the mandatory minimum wage for articling students,* in particular the position paper that Canadian Bar Association had written regarding this matter, which may be helpful for further consideration.

Benchers discussed the 2026 AGM resolution regarding *Transparency of Government-Regulator Communications Concerning Regulatory Policy*. Benchers were in agreement that it would be helpful to provide further information on the Law Society webpage regarding the single legal regulator.

15. 2026 AGM Resolutions

This item was discussed as part of Item 14.

For Information

16. Timeline for 2026 By-Election in the County of Westminster

There was no discussion on this item.

17. External Appointment: Continuing Legal Education Society of BC

There was no discussion on this item.

The Benchers then commenced the *in camera* portion of the meeting.

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2026-10-08