



Bencher Meeting: Minutes

To: Benchers

Purpose: Approval (Consent Agenda)

Date: Friday, April 17, 2026

Present:

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

Absent: Nicole E. Smith

Senior and Meeting Support Staff

Gigi Chen-Kuo, Chief Executive Officer/Executive Director
Kerryn Holt, Chief Operation Officer
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.

Michael Lucas, KC, General Counsel/Senior Policy Counsel
Sherry Small, Director, Indigenous Initiatives
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:

Tiger Bellerose	Janet Nacario
Kim de Bruijn	Sara Pavan
Barbara Buchanan, KC	Michelle Robertson
Michaela David	Carrie Robinson
Jeffrey Hoskins, KC	Nadia Rowe
Helen Huzzey	Arrie Sturdivant
Joyce Johner	Madison Taylor
Nicolette Lang-Andersen	Teo Wong
Marina Mala	Charlene Yan
Gagan Mann	Vinnie Yuen
Doug Munro	

Guests:

Christa Akey, Representative, Aboriginal Lawyers Forum, Canadian Bar Association, BC Branch
Rita C. Andreone, KC, Life Bencher
Dom Bautista, ED, Courts Center & ED, Amici Curiae Friendship Society
Conor Bildfell, First Vice-President, Canadian Bar Association, BC Branch
Patricia D. Blair, President, Canadian Bar Association, BC Branch
Joost Blom, KC, Life Bencher
Ian Burns, Digital Reporter, The Lawyer's Daily
Peter Buxton, Guest
Karen Campbell, Executive Director, BC Law Institute
Jennifer Chow, KC, Life Bencher
Ronald Coke, Guest
Jeevyn Dhaliwal, KC, Life Bencher
Joanne Di Domenico, Guest
Ian Donaldson, KC, Life Bencher

Craig Ferris, KC, Life Bencher
Chang Han, Guest
Brandon Hastings, Guest
Benjamin Israel, Guest
Sarah Janssens, Guest
Robert T.C. Johnston, KC, Life Bencher
Christopher Lalande, Guest
Dean Lawton, KC, Life Bencher
Peter Leask, KC, Life Bencher
Jason Levine, Guest
Jamie Maclaren, KC, Life Bencher
Desmond MacMillan, Assistant Dean of Law, Thompson Rivers University
Claire Marchant, ED, Lawyers Assistance Program of BC
Nancy G. Merrill, KC, Life Bencher
Caroline Nevin, CEO, Courthouse Libraries BC
Karen F. Nordlinger, KC, Life Bencher
Thelma J. O'Grady, Life Bencher
Tina Parbhakar, Guest
Ngai Pindell, Dean of Law, Peter A. Allard School of Law
Elizabeth Rowbotham, KC, Life Bencher
Linda Russell, CEO, Continuing Legal Education Society of BC
Tiffany Scarlett, Guest
Jane Shackell, KC, Life Bencher
Kerry Simmons, KC, ED, Canadian Bar Association, BC Branch
Barbara Stanley, KC, Life Bencher
Aaren Terrett, Guest
Kenneth M. Walker, KC, Life Bencher
Carmen Zabarauckas, Guest

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 new Benchers Ruth Wittenberg and Michael Zimmerman.

Consent Agenda

2. Minutes of February 6, 2026 meeting (regular session)

This item was deferred to the next Bencher meeting.

3. Minutes of February 6, 2026 meeting (*in camera* session)

This item was deferred to the next Bencher meeting.

4. 2026 Annual General Meeting: Advance Voting

The following resolution was passed unanimously and by consent:

BE IT RESOLVED the Benchers authorize the Executive Director to permit members of the Society in good standing to vote by electronic means on general meeting resolutions in advance of the 2026 AGM, in accordance with Rule 1-13.1.

5. Proposed Terms of Reference: Discipline Processes Task Force

The following resolution was passed unanimously and by consent:

BE IT RESOLVED the Benchers approve the proposed Terms of Reference for the Discipline Processes Task Force, attached as Appendix A.

6. Proposed Updated Terms of Reference: Ethics and Lawyer Independence Advisory Committee

The following resolution was passed unanimously and by consent:

BE IT RESOLVED the Benchers approve the proposed updated Terms of Reference for the Ethics and Lawyer Independence Advisory Committee, attached as Appendix B.

7. Proposal to Amend Commentary [4] of BC Code Rule 3.3-3 (Future Harm/Public Safety Exception to Confidentiality)

The following resolution was passed unanimously and by consent:

BE IT RESOLVED to amend rule 3.3-3 of the Code of Professional Conduct for British Columbia, as follows:

By striking out Commentary [4] and replacing it with the following:

“[4] How and when disclosure should be made under this Code rule will depend upon the circumstances. While in all cases disclosure will arise only in rare and exceptional cases, in some cases it will be clear that disclosure is warranted. If, however, a lawyer is uncertain whether disclosure may be warranted, the lawyer should, if practicable, seek ethical advice from the Society or from a practising senior lawyer in British Columbia. When practicable and permitted, a judicial order may be sought for disclosure.”

Reports

8. President's Report

Mr. Spraggs began his report by acknowledging the recent judicial appointment of Justice Brook Greenberg. He spoke about Justice Greenberg's many contributions to the Law Society.

Mr. Spraggs spoke about the recent passing of former appointed Bencher and long-time committee member Mark Rushton. He extended his condolences to Mr. Rushton's family, on behalf of the Law Society.

Mr. Spraggs then spoke about the single legal regulator initiative and invited the provincial government to work with the Law Society to explore a path forward that genuinely serves the public interest, that respects the independence of the legal profession, and that draws on the deep competencies of the legal profession to help guide the regulation of legal services in BC.

Mr. Spraggs provided an overview of his recent activities and events, including attending a number of judicial welcome ceremonies, attending the Federation of Law Societies of Canada (“Federation”) meetings, attending the New Westminster Bar Association event, attending the Kootenay Bar Association annual event, attending the Indigenous Law Students' Association Annual Gala, and attending the West Coast LEAF Equality Breakfast, among other meetings and events.

Mr. Spraggs indicated that nominations for the Benchers' Nominee for 2027 Second Vice President will be opening the following week, and a communication will be sent to Benchers with further information regarding the process and timelines.

Mr. Spraggs informed Benchers that the work regarding the new Judicial Liaison Committee would be paused for the time being, pending the outcome of the single legal regulator litigation.

Mr. Spraggs concluded his report with a reminder to Benchers about the upcoming Board Retreat. He indicated that further information would be circulated to Benchers shortly.

9. CEO's Report

Gigi Chen-Kuo, Chief Executive Officer & Executive Director began her report by welcoming new Benchers, Ruth Wittenberg and Michael Zimmerman.

Ms. Chen-Kuo provided an update on the national Rule of Law public awareness campaign that will be unfolding over the next few months. She encouraged all in attendance to help spread the message regarding the campaign.

Ms. Chen-Kuo then updated Benchers on the recent Federation meetings, including the second round of consultation regarding the proposed amendments to the Model Code, ongoing work to modernize the National Committee on Accreditation assessment process, a new online Indigenous Peoples and Laws course developed by the Canadian Centre for Professional Legal Education (“CPLED”), and the conclusion of the Financial Action Task Force’s valuation of Canada's anti-money laundering regime. She indicated that a report was expected sometime this summer.

Ms. Chen Kuo updated Benchers on operational matters, including the development of a free online training course for principals of articling students; the creation of an internal Journey of Practice Working Group to ensure Indigenous-informed approaches are embedded into the Law Society's regulatory processes, organizational practices, and decision-making; and preparations that are being made in regard to the upcoming FIFA World Cup.

Ms. Chen Kuo concluded her report by announcing by introducing the Law Society’s new Director of Policy and Strategic Initiatives, Barbara Lu.

Presentation

10. AI Project Update

Mr. Spraggs welcomed Lawrence Alexander and Allan P. Seckel, KC to the meeting.

Mr. Alexander and Mr. Seckel then presented on the work they had undertaken to assess the opportunities and challenges that artificial intelligence (“AI”) creates, including understanding how AI will affect the legal system, so as to help the Law Society advance its strategic objectives and adopt responsive regulatory processes, training, and education.

Mr. Alexander and Mr. Seckel presented on their findings, as well as their methodology and approach, and their analysis of how the use of AI will affect the legal system, including current use, risks, and potential regulatory principles, and provided an overview of their recommendations, including: encouraging safe use and making sure the profession and the public are aware of the risks; reviewing and updating practice advice specific to the use of AI tools; requiring a certain level of competency in the use of AI tools; and encouraging more BC-based

specialty tools by implementing a non-prosecution policy from an unauthorized practice law perspective.

Bencher engaged in discussions with Mr. Alexander and Mr. Seckel regarding their presentation and findings with focus on the importance of safe and appropriate usage of AI tools, increased access to online research as a result of AI, the risks to be aware of for the profession and public, and the Law Society's plans for internal use of AI tools.

Updates

11. National Discipline Standards Report: Implementation and Update

Tara McPhail, Chief Legal Officer, provided background information regarding the National Discipline Standards and then presented the findings of the 2025 report. She indicated that in 2025, 8 additional standards were added regarding anti-money laundering, so there were now 32 standards that Law Societies have their performance measured against. Ms. McPhail reported that the Law Society met 30 of the 32, and as in previous years, the two standards not met were 9 and 10. She advised that as standard 9 is consistently not met by a number of law societies, the Federation has formed a sub-committee to review the timelines. For standard 10, Ms. McPhail advised that the Law Society had improved significantly from prior years, even with a substantial increase in the number of complaints being received.

12. Bar Admission Training Program Transition Update

Bencher engaged in discussions with Lesley Small, Senior Director, Credentials, Professional Development, and Practice Support regarding the transition process and the level of flexibility for students asking for accommodations and the role of the Law Society in these decisions. Ms. Small advised that any students who would have been enrolled in the September session of Professional Legal Training Course ("PLTC") would have a spot in the Practice Readiness Education Program ("PREP"). She further advised that any requests for special accommodations would be dealt with by the Canadian Centre for Professional Legal Education ("CPLED").

Discussion & Decision

13. Financial Matters

Second Vice-President Michael F Welsh, KC introduced the item and thanked committee members and staff for all their efforts, which led to a clean audit.

Jeanette McPhee, Chief Financial Officer & Senior Director of Trust Regulation provided an overview of the audited financial statements and results for 2025. She noted that the general fund operations resulted in a \$3.85 million deficit, compared to a \$4.6 million deficit projected when setting the 2026 budget, and that at the end of 2025, the working capital reserves were \$16.6 million, representing approximately 5.1 months of operating expenses, which is within the reserve policy limits.

Ms. McPhee spoke about the number of projects and initiatives that were funded from reserves, including litigation costs, CanLII AI updates, and the potential transition to the single legal regulator. She then reviewed revenue figures, which was just slightly under budget. Ms. McPhee reviewed expenses, which were 2% over budget. She then reviewed TAF-related revenue, which was lower than anticipated due to market fluctuations. Ms. McPhee then reviewed the Lawyers Indemnity Fund, which was at budget. She also reviewed claims provision over the course of 2025, which was significantly below the 2024 claim provision, as well as net assets and the Lawyers Indemnity Fund investment portfolio.

Ms. McPhee provided an overview of the financial results and highlights to the end of February 2026. She reviewed the general fund forecast for 2026, which is forecasted to be in deficit, mainly due to the lower number of practising lawyers, the planned use of reserves, and one-time project costs.

The following resolution was passed unanimously:

BE IT RESOLVED to approve the Law Society's 2025 Financial Statements for the General Fund, and the 2025 Consolidated Financial Statements for the Lawyers Indemnity Fund.

Benchers discussed the deficit budget and the impact of the single legal regulator potential transition and litigation, and what could be considered in order to balance the budget. Benchers also discussed communication strategies regarding the increase of fees. Mr. Spraggs advised that these matters would be considered at the Finance and Audit Committee with more information to come.

14. Governance Proposals

Mr. Spraggs introduced the item and provided some background information regarding the governance proposals, which included a proposal to amend the Annual Bencher Conflicts Disclosure Form to provide for greater clarity, and a proposal to include a Bencher Resolution

authorizing the Benchers to amend the Rules to provide a process for the removal of a Bencher on the agenda of the 2026 annual general meeting. He spoke about the importance of accountability and governance best practices.

The following resolution was passed unanimously:

BE IT RESOLVED the Benchers approve the proposed amendment to the Annual Bencher Conflicts Disclosure Form, as outlined in Appendix C.

Benchers discussed the proposal regarding amending the Law Society Rules to provide for the removal of a Bencher, in accordance with section 12(1)(c) of the *Legal Profession Act*.

A motion was moved and seconded to adjourn the matter to a future meeting.

Some Benchers were in agreement that the removal process should be further considered prior to Benchers making a decision on this matter, while other Benchers were of the view that initiating the development of a process by having a Bencher resolution on the agenda of the 2026 annual general meeting would not preclude further consideration by Benchers.

Kerryn Holt, Chief Operating Officer provided some further background information, as this particular Rule would require the approval of the profession voting in an annual general meeting or a referendum in order for Benchers to amend it. She indicated that it would be helpful first to confirm putting forward such a proposal with Benchers, and then obtain membership approval, following which a comprehensive report for Benchers would be prepared to consider the specifics of the removal process.

The motion to adjourn the matter to a future meeting was defeated by a majority of Benchers, with two abstentions recorded.

Benchers then discussed the proposed Bencher resolution to include on the agenda of the 2026 annual general meeting. Ms. Chen-Kuo advised that staff would prepare commentary to accompany the resolution, and this would be provided to Benchers for consideration and approval at the May Bencher meeting.

Avalon Bourne, Manager, Governance and Board Relations provided some background regarding the usual language used for Bencher resolutions, as well as the process once membership approval was obtained.

The majority of Benchers agreed to include the following Bencher resolution on the agenda for the upcoming 2026 annual general meeting scheduled to take place on July 8, 2026:

BE IT RESOLVED to authorize the Benchers to amend the Rules to provide for the removal of a Bencher, so as to be in compliance with section 12(1)(c) of the *Legal Profession Act*.

For Information

15. Rule of Law Public Awareness Campaign – Update and Next Steps

There was no discussion on this item.

16. Outside Directorship Liability Insurance

There was no discussion on this item.

17. External Appointments: Law Foundation of BC

There was no discussion on this item.

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

RN
2026-05-20