Law Society of British Columbia

Bencher Meeting: Minutes

To: Benchers

Purpose: Approval (Consent Agenda)

Date: Saturday, May 30, 2026

Present:

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

Absent: James Struthers

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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. Barbara Lu, Director, Policy & Strategic Initiatives Michael Lucas, KC, General Counsel/Senior Policy Counsel Sherry Small, Director, Indigenous Initiatives Christine Tam, Director, Communications Adam Whitcombe, KC, Senior Advisor Jeffrey Hoskins, KC, Legislative Counsel Avalon Bourne, Manager, Governance & Board Relations Rebecca Neal, Senior Administrator, Governance & Board Relations Volodymyr Burlachenko, Administrator, Governance & Board Relations Nicolette Lang-Andersen, Deborah Mah, Administrator, Governance & Board Relations
Staff present:	Barbara Buchanan, KC Joyce Johner Doug Munro

Guests:		
	Anita Bal	Representative, Mediate BC Society
	Louis-Martin Beaumont	President, Federation of Law Societies of Canada
	Connor Bildfell	First Vice-President, Canadian Bar Association, BC Branch
	Tim Brown, KC	Chief Executive Officer, Law Society of Saskatchewan
	James Fyfe, KC	President, Law Society of Saskatchewan
	Jonathan G. Herman	Chief Executive Officer, Federation of Law Societies of Canada
	Leah Kosokowsky	Chief Executive Officer, Law Society of Manitoba
	Derek LaCroix, KC	Former Executive Director, Lawyers Assistance Program of BC
	Jim Lutz, KC	President-elect, Law Society of Alberta
	Desmond MacMillan	Assistant Dean of Law, Thompson Rivers University
	Ken Mandzuik, KC	President, Law Society of Manitoba
	Bud Melnyk, KC	President, Law Society of Alberta
	Joven Narwal, KC	Guest
	Elizabeth Osler, KC	Chief Executive Officer, Law Society of Alberta
	Kerry L. Simmons, KC	Executive Director, Canadian Bar Association, BC Branch

Consent Agenda

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

The minutes of the meeting held on February 6, 2026 were approved unanimously and by consent as circulated.

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

The minutes of the *in camera* meeting held on February 6, 2026 were approved unanimously and by consent as circulated.

3. Minutes of April 17, 2026 meeting (regular session)

The minutes of the meeting held on April 17, 2026 were approved unanimously and by consent as circulated.

4. Minutes of April 17, 2026 meeting (*in camera* session)

The minutes of the *in camera* meeting held on April 17, 2026 were approved unanimously and by consent as circulated.

5. Minutes of May 1, 2026 special meeting (*in camera* session)

The minutes of the *in camera* special meeting held on May 1, 2026 were approved unanimously and by consent as circulated.

6. Terms of Reference: Bullying Harassment and Discrimination Task Force

The following resolution was passed unanimously and by consent:

> **BE IT RESOLVED** the Benchers approve the proposed Terms of Reference for the Bullying, Harassment, and Discrimination Task Force, attached to the meeting materials as Appendix A.

7. Amendments to *BC Code* Commentary

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 *by striking the words "*in all cases*" from the second sentence in Commentary [4].*

Reports

8. President's Report

President Thomas L. Spraggs, KC began his report by providing an overview of his recent activities and events, including attending the Prince George Bench and Bar Dinner and visiting the First Nations Justice Council Diversion Centre, attending the Vancouver Bench and Bar Dinner, attending the New Westminster Judges' Dinner, attending Gold Medal Award presentation ceremonies, attending welcome ceremonies, and speaking at various events a Access 2 Justice BC and Federation of Asian Canadian Lawyers of BC event.

Mr. Spraggs announced the results of the election for the Benchers' nominee for the 2027 Second Vice President. He congratulated Cheryl D'Sa KC, and thanked all those who put forward their names for consideration.

Mr. Spraggs concluded his report by informing Benchers about the establishment of an Executive Committee sub-committee, which would be focused on governance matters.

9. CEO's Report

Gigi Chen-Kuo, Chief Executive Officer & Executive Director began her report by speaking about the Prince George Bench and Bar Dinner and other events.

Ms. Chen-Kuo then spoke about the Supreme Court of British Columbia's dismissal of the Law Society's challenge to the constitutionality of the new *Legal Professions Act*. She indicated that this is the first time that a court in Canada has affirmed the independence of the bar as an unwritten constitutional principle. Ms. Chen-Kuo then then spoke about the Law Society's decision to appeal.

Ms. Chen-Kuo updated the Benchers about next steps regarding the Law Society's consideration of artificial intelligence and its impact on the regulation of the profession. She indicated that staff were in the process of reviewing the recommendations submitted by Lawrence Alexander and Allan Seckel, KC, and that staff will be providing updates at upcoming Bencher meetings.

Ms. Chen-Kuo indicated that the first-year update of the Law Society's Strategic Plan for 2026-2028 would be presented to Benchers at the July Bencher meeting, following which the intention would be to provide semi-annual updates.

Ms. Chen-Kuo concluded her report by speaking about Mental Health week and the Law Society's initiatives to recognize this week.

Guest Presentation

10. Updates from the Federation of Law Societies of Canada and Western Law Societies

Mr. Spraggs welcomed and introduced Louis-Martin Beaumont, President of the Federation of Law Societies of Canada, Ken Mandzuik, KC, President of the Law Society of Manitoba, Bud Melnyk, KC, President of the Law Society of Alberta, and James Fyfe, KC, President of the Law Society of Saskatchewan.

Mr. Beaumont, Mr. Fyfe, Mr. Mandzuik, and Mr. Melnyk provided updates regarding the work and priorities of the Federation of Law Societies of Canada, the Law Society of Saskatchewan, the Law Society of Manitoba, and the Law Society of Alberta, respectively.

Update

11. Articled Student Education Update

Lesley Small, Senior Director, Credentials, Professional Development, and Practice Support provided an update on the in-person educational and community-building initiatives being planned for articled students in 2026 and 2027.

Discussion & Decision

12. Commentary for Bencher Resolution regarding Statutory Compliance

Mr. Spraggs introduced the item and provided some background regarding the draft commentary that was before Benchers for consideration. He indicated that the commentary would accompany the Bencher resolution regarding statutory compliance that would be included on the agenda of the 2026 annual general meeting (AGM).

Benchers discussed the proposed commentary to accompany the Bencher resolution. Some Benchers raised concerns regarding the procedure contemplated by the resolution and the commentary, including whether or not the full wording of the rule being contemplated by the resolution would require membership approval. Some Benchers were also of the view that further information was needed before Benchers could make a decision.

Mr. Spraggs clarified that the item for decision was the commentary to accompany the Bencher resolution, and the resolution itself had already received Bencher approval at the April Bencher meeting, and would be included on the agenda for the AGM.

Michael Lucas, KC, General Counsel/Senior Policy Counsel advised the Benchers that the practice for Bencher resolutions for Rule amendments falling within s. 12 has been to request the membership to authorize the Benchers to amend the Rules, in principle, leaving the actual wording of any Rule amendment for the Benchers to approve. Mr. Lucas stated that this approach permits the membership to approve the amendment in principle, leaving the Benchers the requirement to operationalize the decision made by the membership, and further avoids the risk and challenge of the entire meeting trying to determine or draft the specific language of the Rules.

Benchers discussed next steps in the process, including whether the statutory requirement requires the actual wording of the Rule to be determined by the membership at a meeting, although no decision was reached on that point. Benchers also discussed the importance of demonstrating commitment to governance reform and providing sufficient information and explanation to the membership about the purpose of the resolution.

Following these discussions, the majority of Benchers approved the inclusion of the below note and commentary to accompany the Bencher resolution on the agenda for the 2026 AGM:

> *Note:*
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> *Section 12 of the Legal Profession Act requires the approval of two-thirds of members voting in a general meeting or referendum to permit the Benchers to make rule changes with respect to the removal of a bencher.*
>
> *Commentary:*
>
> *Section 12(1) of the Legal Profession Act states that the Benchers "must make rules respecting the following … (c) the removal of the president, first vice-president, second vice-president or a bencher." While a process for the removal of a President or Vice-President is provided for in Rule 1-6, and Rule 1-7 provides a process for the resignation of a Bencher, currently there is no rule that provides a process for the removal of a Bencher, should one be needed. This Bencher Resolution would provide Benchers with the authority to set out a process for the removal of a Bencher, consistent with the Act and in alignment with the best practices of other law societies and regulatory bodies.*

13. Revisions to Bencher Expense Reimbursement Policy & Bencher Professional Development

Ms. Chen-Kuo introduced the item and provided some background information regarding the proposed revisions to the Bencher Expense Reimbursement Policy. She indicated that the proposed revisions would provide for greater clarity and alignment with current practices, and she noted that a further amendment was proposed for section 5.03 of policy to provide for the reimbursement of meal and beverage expenses in special circumstances, in the event that the Law Society is already providing a meal, should a Bencher have dietary or religious restrictions. Ms. Chen-Kuo also reviewed the provision in the Policy that would allow for Benchers to claim up to $1000 per year for pre-approved professional development opportunities related to governance, which had already been approved in principle by the Executive Committee.

Benchers discussed the proposed revisions, including the overall scope of the Policy and what constitutes “Law Society business”, airfare and the permissible class depending on the flight length, and the allowance for professional development opportunities. Some Benchers were of the view that the definition for Law Society business was too narrow, and that further flexibility and discretion should be provided for in the Policy.

Ms. Chen-Kuo advised that the intention of the revisions to the Policy was to promote consistency and clarity and to provide additional guidance to Benchers. She suggested that further time be taken for staff to consider the comments raised by Benchers, and that this item could be brought back at later date for further consideration.

A motion to adjourn this item to a future Bencher meeting was approved.

14. Rule Amendments: Admission Program Transition Rules

Ms. Small introduced the item and provided some background information regarding the proposed amendments to the admission program transition Rules. Mr. Lucas provided further information regarding the drafting of the proposed Rule amendments, and he indicated that the first paragraph in the resolution in the materials should be updated as follows: “admission program” means the program that existed prior to June 1, 2026 administered by the Society for articled students, as opposed to “admission program” means the program administered by the Society for articled students that existed prior to June 1, 2026. Mr. Lucas further indicated that additional amendments would need to be made to some of the Rules, but he recommended that Benchers proceed with approving the resolution provided in the materials, subject to the afore-mentioned revision, and that further amendments would be brought forward at the July Bencher meeting.

The majority of Benchers agreed to proceed as Mr. Lucas recommended, with one abstention.

For Information

15. External Appointment: Federation of Law Societies of Canada Council

There was no discussion on this item.

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

RN
2026-06-18