



Bencher Meeting: Minutes

To: Benchers

Purpose: Approval (Consent Agenda)

Date: Friday, October 24, 2025

Present: Brook Greenberg, KC, President
Thomas L. Spraggs, KC 1st Vice-President
Michael Welsh, KC, 2nd Vice-President
Simran Bains
Paul Barnett
Aleem Bharmal, KC
Tanya Chamberlain
Nikki Charlton, KC
Jennifer Chow, KC
Christina J. Cook, KC
Tim Delaney
Cheryl S. D'Sa, KC
Katrina Harry, KC
Ravi R. Hira, KC
Sasha Hobbs
James A.S. Legh
Benjamin D. Levine
Dr. Jan Lindsay
Jaspreet Singh Malik
Marcia McNeil
Jay Michi
Georges Rivard, KC
Michèle Ross
Gurminder Sandhu, KC
Nicole E. Smith
Barbara Stanley, KC
James Struthers
Natasha Tony
Kevin B. Westell
Gaynor C. Yeung, KC
Jonathan Yuen

Staff present:	Gurleen Aujla	Michael Lucas, KC
	Avalon Bourne	Alison Luke
	Kim de Bruijn	Tara McPhail
	Barbara Buchanan, KC	Cary Ann Moore
	Genevieve Chang	Doug Munro
	Gigi Chen-Kuo	Sara Pavan
	Michaela David	Aster Peng
	Jackie Drozdowski	Andrea Rayment
	Su Forbes, KC	Michelle Robertson
	Kerryn Holt	Lesley Small
	Jeffrey Hoskins, KC	Sherry Small
	Jessica Jones	Arrie Sturdivant
	Hoon Kim	Christine Tam
	Jane Ladesma	Adam Whitcombe, KC
	Nicolette Lang-Andersen	Vinnie Yuen

Guests:	Anita Bal	Representative, Mediate BC Society
	Kimberley Barbosa	Project Coordinator, Canadian Centre for Professional Legal Education
	Dom Bautista	Executive Director, Amici Curiae Friendship Society & ED of Law Courts Center
	Patricia D. Blair	President, Canadian Bar Association, BC Branch
	Ian Burns	Dean of Law, University of Victoria
	Annabelle Donovan	Consultant
	Eric Funk	Articling Student
	Sarah Khan, KC	General Counsel, Law Foundation of BC
	Derek LaCroix, KC	Co-Executive Director, Lawyers Assistance Program of BC
	Kristin Lathrop	Representative, Canadian Centre for Professional Legal Education
	Desmond MacMillan	Assistant Dean of Law, Thompson Rivers University
	Claire Marchant	Co-Executive Director, Lawyers Assistance Program of BC
	Caroline Nevin	Chief Executive Officer, Courthouse Libraries BC
	Nick Peterson	Second Vice-President, Trial Lawyers Association of BC
	Linda W. Russell	Chief Executive Officer, Continuing Legal Education Society of BC
Hannah Wells	Consultant	

Consent Agenda

1. Minutes of September 19, 2025, meeting (regular session)

The minutes of the meeting held on September 19, 2025 were approved unanimously and by consent as circulated.

2. Minutes of September 19, 2025, meeting (*in camera* session)

This item was removed from the Consent Agenda and discussed *in camera*.

3. 2026 Fee Schedules

The following resolution was passed unanimously and by consent:

BE IT RESOLVED to amend the Law Society Rules, effective January 1, 2026, as follows:

- 1. By striking the year “2025” in each of the headings for Schedules 1, 2 and substituting the year “2026”;*
- 2. In Schedule 1, by striking “\$2,321.00” at the end of item A 1 and substituting \$2,536.00”;*
- 3. In Schedule 1, by striking “\$1000.00” at the end of item A 3 and substituting “\$2,000.00”;*
- 4. By striking the table in Schedule 2 and replacing it with the following:*

	Practice fee		Indemnity fee assessment	
	Payable	Payable	Payable	Payable
	prior to call	by May 31	prior to call	by May 31
Full-time indemnification				
January	1,268.00	1,268.00	900.00	900.00
February	1,056.67	1,268.00	750.00	900.00
March	845.33	1,268.00	600.00	900.00
April	634.00	1,268.00	450.00	900.00
May	422.67	1,268.00	300.00	900.00
June	211.33	1,268.00	150.00	900.00
July	1,268.00	0.00	900.00	0.00

August	1,056.67	0.00	750.00	0.00
September	845.33	0.00	600.00	0.00
October	634.00	0.00	450.00	0.00
November	422.67	0.00	300.00	0.00
December	211.33	0.00	150.00	0.00
Part-time indemnification				
January	1,268.00	1,268.00	450.00	450.00
February	1,056.67	1,268.00	375.00	450.00
March	845.33	1,268.00	300.00	450.00
April	634.00	1,268.00	225.00	450.00
May	422.67	1,268.00	150.00	450.00
June	211.33	1,268.00	100.00	450.00
July	1,268.00	0.00	450.00	0.00
August	1,056.67	0.00	375.00	0.00
September	845.33	0.00	300.00	0.00
October	634.00	0.00	225.00	0.00
November	422.67	0.00	150.00	0.00
December	211.33	0.00	100.00	0.00

REQUIRES 2/3 MAJORITY OF BENCHERS PRESENT

4. Reappointment of Tribunal Chair

The following resolution was passed unanimously and by consent:

BE IT RESOLVED that the Benchers reappoint Herman Van Ommen, KC as Tribunal Chair for a one-year term, commencing January 1, 2026, and concluding on December 31, 2026.

Reports

5. President's Report

Christina J. Cook, KC declared a conflict in regard to the single legal regulator litigation.

President Brook Greenberg, KC began his report by speaking about attending the opening of the Supreme Court of Canada and the celebration of the Court's 150th anniversary.

He then provided an overview of the recent meetings and events he had attended, including welcome ceremonies; the Law Society's Bullying, Harassment, and Discrimination Symposium, the Federation's annual conference in Winnipeg, the opening of an Indigenous wing at the University of Victoria, and the International Conference of Legal Regulators in Hong Kong.

Sherry Small, Director, Indigenous Initiatives, also spoke about the opening of the Indigenous wing at the University of Victoria.

Mr. Greenberg thanked Natasha Tony for her work in organizing the Bullying, Harassment, and Discrimination Symposium, and he also thanked First Vice-President Thomas L. Spraggs, KC for attending the CBABC annual conference on his behalf.

6. CEO's Report

Gigi Chen-Kuo, Chief Executive Officer and Executive Director, began her report with an update regarding the Law Society's constitutional challenge to the *Legal Professions Act*. She indicated that the hearing started on October 14, and was scheduled for 15 days.

Ms. Chen-Kuo then provided an update on the recent meeting of the transitional board and the transitional Indigenous Council, which took place on October 22. She indicated that the BC Paralegals Association had received funding from the Law Foundation to obtain a legal advisor to provide assistance throughout the potential amalgamation process.

Ms. Chen-Kuo spoke about the recent Kootenay Bar Association meeting, which she had attended.

Ms. Chen-Kuo concluded her report with some operational updates, including an overview of the results of the recent staff engagement survey and some hiring updates.

7. Briefing by the Law Society's Member of the Federation Council

Mr. Greenberg provided a brief overview of the recent Federation conference and Council meetings held in Winnipeg.

8. Bar Admission Training Program

Ms. Chen-Kuo introduced the item and provided some background on the Benchers' decision to enter into a participation agreement with the Centre for Professional Legal Education ("CPLLED") to implement the Practice Readiness Education Program ("PREP") as the new bar admission program in BC.

Lesley Small, Senior Director, Credentials, Professional Development and Practice Support then provided further background information and context in relation to the Benchers' decision, an overview of PREP, including potential learning and engagement opportunities for students, as well as next steps regarding the transition from the Law Society's current Professional Legal Training Course ("PLTC") to PREP. She thanked PLTC staff for all of their efforts in successfully delivering PLTC over the past many years.

Benchers discussed the transition and the importance of adapting the Law Society’s bar admission training program to the needs of those coming into profession, while also recognizing what had worked well and improving upon it.

Ms. Chen-Kuo recognized the efforts of staff in implementing this change,

Discussion & Decision

10. Strategic Plan 2026-2028

Annabelle Donovan, a consultant assisting with the Law Society’s strategic planning process, joined the meeting for this item.

Ms. Chen-Kuo introduced the item and provided some background regarding the development of the Law Society’s Strategic Plan for 2026-2028.

Ms. Donovan then provided an overview of the drafting process, as well as changes between drafts of the Plan considered by Benchers and the final version now before the Benchers for approval. Mr. Greenberg added that this matter was on the agenda for decision, but if more time was needed for Benchers to review, it could be brought back to the December Bencher meeting.

Benchers discussed the latest version of the Strategic Plan. Some Benchers were of the view that it would be helpful to have further discussion regarding specifics of the Plan prior to it being on the agenda for approval at the December Bencher meeting.

Mr. Greenberg indicated that discussion on this matter would be adjourned, and a final planning session would be held with Benchers regarding the Plan, prior to the December Bencher meeting, at which the Plan would be on the agenda for approval. He invited all Benchers to provide any additional comments to Ms. Donovan, so that these could be discussed at the final planning session.

9. Proposed Amendment to Rule 2-110 (Trust Administration Fee)

Mr. Greenberg introduced the item and provided some background regarding the proposed amendment to Rule 1-110, which reflects the Benchers’ approval of a policy change to the implementation of the Trust Administration Fee (“Fee”), so that it will apply to each client matter undertaken by the lawyer in connection with which the lawyer received in trust \$10,000 or more in total.

Benchers reviewed the proposed Rule amendment and raised questions regarding the transition between the current Rule and the proposed new Rule, and how the timeframes between the current and new Rules would be managed to ensure that anything collected up to the end of 2025 would not be subject to the new Rule. Benchers discussed whether or not an additional

amendment to Rule 1-110 was needed to provide clarity regarding the timeframes, or if a communication to the profession on this matter would be sufficient. Following these discussions, Benchers were in general agreement that the Rule amendment should be approved, and that a communication should be drafted by staff to provide clarity that the new Rule would be applicable to new matters starting on January 1, 2026.

The following resolution was passed by the majority of Benchers:

BE IT RESOLVED effective January 1, 2026, to amend Rule 2-110 of the Law Society Rules by deleting subrule (1) and replacing it with:

“(1) A lawyer must pay to the Society the trust administration fee specified in Schedule 1 for each client matter undertaken by the lawyer in connection with which the lawyer receives in trust funds in an aggregate amount greater than \$10,000.”

REQUIRES 2/3 MAJORITY OF BENCHERS PRESENT

11. Whistleblower Policy

This item was discussed in the regular portion of the meeting.

Ms. Chen-Kuo introduced the item and provided some background regarding the development of the draft Whistleblower Policy, which would apply to both Benchers and to staff. She indicated that the draft Policy had been reviewed by the Executive Committee, at its October meeting, and that this matter was on the agenda for discussion, and then a final draft would be brought to the December Bencher meeting for approval.

Michael Lucas, KC, General Counsel and Senior Policy Counsel, provided an overview of changes that had been made to the draft Policy following the October Executive Committee meeting. Mr. Greenberg added that implementing a Whistleblower Policy was in line with good governance practices.

Benchers discussed the draft Policy, and some Benchers raised concerns about having a mechanism for anonymous reporting within the Policy, while other Benchers were of the view that anonymous reporting was in line with best practices for these types of policies, as complainants would not necessarily have a role in the issue being reported, and that it would be important to ensure a safe avenue for matters to be raised. Benchers also discussed the process by which a complaint against a Bencher would be managed.

Mr. Greenberg indicated that this matter would be on the agenda for the December Bencher meeting for decision.

CEO/ED Evaluation Process

This item was discussed in the regular portion of the meeting.

Hannah Wells, a consultant with White & Gayle, joined the meeting for this item.

Mr. Greenberg introduced the item and provided some background regarding the CEO/ED evaluation process, how it had managed in prior years, and the plan for the current and future years.

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

AB
2025-11-26