

Bencher Resolution 1

Title: Appointment of Law Society Auditors for 2025

Movers: Bencher Resolution

Resolution:

BE IT RESOLVED that PricewaterhouseCoopers be appointed as the Law Society auditors for the year ending December 31, 2025.

Member Resolution 2

Title: 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).

Movers: Rose-Mary Basham, KC and Leena Yousefi

Resolution:

BE IT RESOLVED THAT the membership seeks the Law Society to amend Law Society Rule 3- 36(1) such that any former member of the judiciary who has acted as a judge in British Columbia for a period of time that extends over 3 years shall be exempt from the requirement under Rule 3- 36(1)(c).

Statement in Support*:

On August 11, 2025, we became aware of an email circulating within the family law community concerning Ms. Anne MacKenzie, K.C. ("Ms. MacKenzie") This email, authored by one of our senior colleagues, invited members of the bar to write to the Law Society about the decision to require Ms. MacKenzie to complete a course before qualifying as a family law arbitrator.

In response, we bring forward this resolution in line with the Law Society's mandates, to address an issue that is, above all else, a matter of common sense and consistent with the public's interest.

The Case of Ms. MacKenzie:

For over 46 years, Ms. MacKenzie has served the legal community, first as Crown Counsel, then as a judge at every level of court in British Columbia, including as Associate Chief Justice of the Supreme Court of BC. She has also contributed extensively to legal education through the National Judicial Institute and the Continuing Legal Education Society of BC.

Currently, she mediates family law disputes and seeks to expand her practice into arbitration. British Columbia faces a significant shortage of family law arbitrators, compounded by court overcrowding and ongoing access-to-justice challenges. Booking an experienced arbitrator often means waiting months or even more than a year, which delays resolution for families in crisis. Adding an arbitrator of Ms. MacKenzie's calibre would both alleviate this backlog and honour the legal community.

Her judicial career has given her unparalleled expertise in resolving complex family disputes. She not only possesses the skills taught in a family law arbitration course, she could credibly teach such a course herself.

Rule 3-36(1) Requirements:

Under Law Society Rule 3-36(1), a lawyer may qualify as a family law arbitrator by:

1. Possessing sufficient knowledge, skills, and experience for arbitration.
2. Having practised law for at least 10 years.
3. Being in compliance with CPD requirements for family law neutrals.
4. Completing an approved course of study in family law arbitration.

Ms. MacKenzie meets the first three requirements without question. The only unmet requirement is the course itself. The purpose of this course is to ensure arbitrators apply best practices, remain neutral, and conduct proceedings effectively. Ms. MacKenzie's distinguished judicial career more than satisfies this purpose.

Many clients, particularly women who have experienced family violence or power imbalances, value having a female arbitrator, as it fosters safety and trust in the process. Ms. MacKenzie's prompt accreditation would directly benefit these clients and the broader public.

Expanding the Exemption to Other Former Judges

Ms. MacKenzie's case illustrates why the proposed resolution is both practical and aligned with the Law Society's mandates, and should be expanded to other former judges.

Law Society mandates include:

- Establishing rules for admission, education, and articling.
- Protecting the public interest.
- Promoting access to justice, including supporting initiatives that make legal services more accessible.

The resolution would:

- Protect the public interest by enabling faster resolution of family law matters through experienced former judges who have already demonstrated the ability to make binding decisions in the public system.
- Promote access to justice by removing unnecessary barriers and increasing the availability of arbitration services.

We respectfully suggest that this exemption apply to any former member of the judiciary who has served as a judge in BC for at least three years.

We ask that the committee give this matter urgent consideration and advise us of your decision at the earliest opportunity as we have many clients who would welcome an opportunity to arbitrate with Ms. MacKenzie or others of her calibre.

This Statement is supported by the following members:

1. Angela Thiele
2. Rose-Mary Basham, K.C.
3. Nikki Charlton, K.C.
4. Ravi Hira, K.C.
5. Stephanie Fabbro, K.C.
6. Scott Booth, K.C.
7. Paul Albi, K.C.
8. Diane Bell, K.C.
9. Maureen Lundell, K.C.
10. Chantal Cattermole
11. Lauren Dattilo
12. Trudy Hopman
13. Lisa Newby
14. Shanaz Jamal
15. Cassandra Drake
16. Catherine Collver
17. Franda Wu
18. Nyusha Samaei
19. Danica Vance Grimard
20. Emily Ptak
21. Trevor Fowler
22. Nicole Garton
23. Derek Zhang
24. Kristen Okimaw
25. Ben Ingram
26. Ari Wormeli
27. Abib Ngom
28. Jasmeet Mangat
29. Ramanjot Dahia
30. Brian Grootendorst
31. Susan Kim
32. Mandy Lai
33. Kiran Kang
34. Michelle Yau
35. Susan Justice
36. Stuart Koop
37. Karen Tiwana
38. Kathryn Panton
39. Justin Murphy

- 40. Harri Saini
- 41. Alex Wang
- 42. Afsana Allidina
- 43. Ashley Ahluwalia
- 44. Leah Vidovich
- 45. Raumina Rezai
- 46. Oliver Spinks
- 47. Omid Raoufian

Thank you for your time and attention.

Resolution 2

Executive Director Statement (*Amended September 8, 2025*)

For the purposes of assisting those persons entitled to vote on the AGM resolutions, I am providing the following background information relevant to the member resolution.

The Law Society has a statutory public interest mandate, and has been delegated under the *Family Law Act* regulations to ensure that all lawyers who are family law mediators, arbitrators, or parenting coordinators have the necessary qualifications. In many cases, former judges who are seeking to be accredited as a family law arbitrator may have already completed courses or training during their time as a judge that would qualify and meet the requirement set out in Rule 3-36(1)(c), and as a result, are not required to take any further training in order to be accredited. This is the situation with former justice Anne MacKenzie, KC, who has now been accredited as a family law arbitrator without the need to take further courses or training.

The underlying policy issue relating to exemptions from the training required in order to be accredited as a family law arbitrator falls within the mandate of the Credentials Committee. The Committee is accountable to the Benchers, and has been delegated the authority to approve the requirements for study in family law arbitration.

The Credentials Committee considered the policy issues raised by this resolution at its meeting on September 3, 2025, and decided not to automatically waive the requirements for anyone seeking to be accredited who has previously sat as a judge. The Credentials Committee noted that, while many judges will likely have taken training during their time as a judge that would qualify and meet the requirements set out in Rule 3-36(1)(c), some may not, and that a blanket exemption may have unintended consequences that are not in the public interest. The Committee, therefore, decided not to change the training requirements for family law arbitrators and does not intend to recommend to the Benchers any changes to Rule 3-36 at this time.

The Law Society will take steps to advise the judiciary of the requirements to be accredited as a family law arbitrator, so that those who intend to take on this role will know whether further training is required in order to be accredited.

Member Resolution 3

Title: Mandatory Minimum Wage for Articling Students

Movers: Timothy J. Lack and Jerry Shi

Resolution:

WHEREAS articling is a mandatory component of the licensing process for lawyers in British Columbia;

AND WHEREAS there is currently no requirement that all articling students be paid at least the provincial minimum wage, or be compensated at all;

AND WHEREAS articling students are expected to work full-time and perform substantive legal tasks;

AND WHEREAS unpaid or underpaid articling positions create significant barriers to entry to the legal profession, particularly for students from equity-seeking groups, those with limited financial resources, and those without existing professional connections;

AND WHEREAS requiring that all articling students receive no lower than the provincial minimum wage will help to promote fairness, equity, and accessibility in the legal profession, while recognizing the significant value of the work performed by articling students;

BE IT RESOLVED the membership seeks the Law Society of British Columbia to amend the Law Society Rules or adopt such other measures as may be necessary to require that all principals pay articling students not less than the applicable provincial minimum wage for the hours worked during their articling term;

BE IT FURTHER RESOLVED the membership seeks the Law Society of British Columbia to provide appropriate oversight and enforcement mechanisms to ensure compliance with this requirement.

Statement in Support:

There is currently no requirement that all articling students in British Columbia be paid at least the provincial minimum wage or be compensated at all. Articling is mandatory for entry into the legal profession in British Columbia, as it is a core component of the Law Society Admission Program. Articling students work full-time hours and carry out substantive legal tasks, including researching, drafting, client communication, and court appearances. Yet, some articling positions remain unpaid or provide compensation well below the provincial minimum wage or are otherwise considered as low compensation.

This practice imposes significant financial hardship on articling students-many of whom are already burdened with substantial debt from years of undergraduate and legal education. Unlike most other professions, articling students must pay thousands of dollars in fees to participate in

the Law Society Admission Program, even while facing the possibility of earning less than the provincial minimum wage or nothing at all. This dynamic creates barriers to entry for those without independent financial means or professional connections, undermining equity, diversity and accessibility within the profession. The result is a legal community that is less representative of the public that it serves.

By requiring all articling students be paid at least the provincial minimum wage, the Law Society would ensure fairness and recognize the value of articling students' contributions; reduce financial barriers that disproportionately impact marginalized and underrepresented groups; and align the profession with the minimum employment standards that apply across all other sectors and industries in British Columbia.

This resolution does not dictate compensation above minimum wage or interfere with principals who already provide higher pay. It simply establishes a reasonable baseline consistent with the values of fairness, professionalism, and the public interest-values that the Law Society seeks to both uphold and protect and does not currently mandate.

Resolution 3

Executive Director Statement

For the purposes of assisting those persons entitled to vote on the AGM resolutions, I am providing the following background information relevant to the member resolution.

The issue of minimum standards for remuneration for articulated students was the subject of a member resolution at the 2020 Annual General Meeting that sought to address concerns regarding articulated students' working conditions. Since that time, the Lawyer Development Task Force ("Task Force") gathered information on matters relevant to articulated student's working conditions and recommended that the Benchers support taking some action to address the issue of unpaid and underpaid articles. However, the Task Force recognized that taking steps in this regard may reduce the availability of articling positions, thereby creating further barriers to licensure for some students. The Task Force therefore recommended that any new standards for financial compensation should not be implemented until at least one additional pathway to licensure is in place. Benchers adopted the [Task Force's recommendations](#). The Task Force also identified other potential unintended consequences of regulating articulated student compensation, such as the availability of purely learning opportunities, which also ought to be addressed in any regulatory initiative, as well as complications related to enforcement and the definition of work.

A key element of moving forward with this work has been the development of the [Western Canada Competency Profile](#) (the "WCCP"), which is a set of common competencies to be demonstrated at entry to legal practice in the four Western Canadian provinces. This work will form the roadmap for the development of new pathways to licensing, in addition to articling, that will satisfy the pre-call experiential training requirement. It will also lay the foundation for other policy decisions and reforms to the programs and processes that support lawyer formation, such as the introduction of minimum levels of financial compensation during articles. This work is ongoing and an update will be provided to the profession in the fall of 2025 about the implementation of the WCCP.

The Law Society continues to monitor the remuneration of articulated students. The recent [Articling Program Assessment survey](#) conducted from May to June 2024 gathered information about the type of compensation and amount received by students and new lawyers, with 95% reporting that they received a salary as compensation. Most students were paid between \$40,000 and \$80,000. These survey results, along with the implementation of the WCCP and other relevant factors, will continue to be taken into account as part of the Law Society's ongoing consideration of improving lawyer training overall.

Member Resolution 4

Title: Return to Offering In-Person Professional Legal Training Course ("PLTC")

Movers: Joseph R. Scafe and Lynda M. Stokes

Resolution:

WHEREAS pursuant to Rule 2-52(1)(b), the Credentials Committee is authorized to implement, administer and evaluate a training course and examinations, assignments and assessments for all articulated students;

AND WHEREAS in response and subsequent to the 2020 COVID-19 pandemic the professional legal training course (PLTC), assessments and examinations have been conducted fully remotely using virtual classrooms and learning software;

AND WHEREAS in-person classes offer a more interactive learning environment, foster stronger connections with instructors and peers and provide opportunities for networking and collaboration that are not possible through remote learning;

BE IT RESOLVED the membership seeks the Credentials Committee to return to offering in-person training courses, examinations, assignments and assessments for articling students.

Statement in Support:

We are concerned about the loss of connection and learning outcomes that in-person PLTC classes provide.

In-person classes provide an environment that fosters better learning outcomes and collaborative preparation for the exams. The Credentials Committee's commitment to making the examination more rigorous should be supported by a return to in-person classes.

In addition, legal practice can be isolating and in-person classes are an opportunity for articling students from various law schools to connect, develop professional relationships and support networks with peers in a non-adversarial setting, outside of their articling position. Many lawyers value the connections made as a result of in-person PLTC classes years into their practice. The serendipity of these connections is not possible through remote learning.

Please support our motion to bring back in-person PLTC classes.

Resolution 4

Executive Director Statement (*Amended September 18, 2025*)

For the purposes of assisting those persons entitled to vote on the AGM resolutions, I am providing the following background information relevant to the member resolution.

The Professional Legal Training Course (“PLTC”) was introduced in 1984 as a mandatory requirement for call to the bar and was offered as an in-person training course up until 2020, when the COVID-19 pandemic necessitated its transition to a virtual classroom.

Important work relating to lawyer licensing in British Columbia has been underway since 2022 with the intention of informing a much larger set of changes, including potential reforms to the bar admission training program and its method of delivery.

One of the key developments was the creation and adoption by the Benchers in April 2024 of the [Western Canada Competency Profile](#) (“the WCCP”), which is a set of common competencies to be demonstrated at entry to legal practice.

The WCCP serves as a foundational document that will inform future lawyer training and education, including bar admission training program development and experiential learning opportunities in the coming years. Work is currently underway to determine where, and how, those competencies are best acquired, and the appropriate method of assessment. It is anticipated that recommendations will be considered by the Benchers before the end of 2025.

In addition, given the mandatory nature of PLTC, attention must also be given to the needs and expectations of all students. For many, remote learning has yielded benefits from a mental health and accessibility perspective. For example, for students who live far away from urban centres, the cost of travel and temporary accommodations necessitated by in-person learning can result in a barrier to entry into the profession. Additionally, remote learning can better accommodate students with anxiety or disabilities.

The Law Society is looking at ways to balance the various considerations related to future lawyer training and education, which is the intended purpose of the recommendations coming to the Benchers before the end of 2025.

In order to administer the AGM process, Law Society staff communicate with proponents of member resolutions about the process and timelines as set out in the Law Society Rules. These communications are procedural in nature, are sent to all proponents of member resolutions, and are not intended to encourage or advocate in support for or against any resolutions.

Member Resolution 5

Title: Resolution on Self Regulation

Movers: Cameron E. Johnson and Jason F. Ralph

Resolution:

Whereas:

- the members of the Profession passed a resolution at the 2022 annual general meeting of the Profession directing the Benchers to oppose the single regulator legislation being contemplated by the Government of the Province of British Columbia. That motion passed with 1475 members supporting the motion (with 69.48% in favour of the motion to oppose the single regulator);
- AND Whereas the Benchers of the Law Society of British Columbia have effectively implemented that resolution in 2024, by commencing an action seeking a declaration that the new *Legal Professions Act* is unconstitutional;
- AND Whereas the Trial Lawyers Association of BC (TLABC) and the CBA have intervened in that action, also seeking that the legislation be found unconstitutional by infringing on the independence and the right to self-govern;
- AND Whereas the Benchers ought to consult with the profession about important changes to the legislation as a self-regulating profession;

BE IT RESOLVED the membership directs the Benchers to call for a Referendum on any proposed change to the *Legal Professions Act* on any substantive change(s) relating to independence and self-regulation.

Resolution 5

Executive Director Statement

For the purposes of assisting those persons entitled to vote on the AGM resolutions, I am providing the following background information relevant to the member resolution.

The *Legal Professions Act* (“the New Act”) was passed in May 2024 and would create a single regulator for lawyers, notaries and paralegals. The Law Society has challenged the constitutional validity of the New Act by filing a [Notice of Civil Claim](#) on May 17, 2024. The basis for the challenge is that the New Act fails to adequately ensure the independence of the Bar – a fundamental democratic principle.

A hearing of the Law Society’s challenge is scheduled to commence on October 14, 2025 for 14 days.

The Law Society seeks declarations that the New Act, save and except for certain sections (sections 311-314) is *ultra vires* the province’s authority to legislate under s. 92(13) and (14) of the *Constitution Act, 1867*, and that those sections that are *ultra vires* the province’s authority are of no force and effect. Additional information about the Law Society’s challenge and the relief sought is set out in the Law Society’s [Notice of Application](#) and [written submissions](#).

If the Law Society is fully successful in its challenge, the New Act would have no force and effect and would be struck down in its entirety. There is the possibility of partial success, which would mean not striking down the entirety of the New Act, but rather, only certain provisions.

Given that the province has passed the New Act in its current form, and the Law Society has challenged the constitutional validity of the New Act, any further consultation (by way of referendum or otherwise) should be postponed until the outcome of the Law Society’s legal challenge has been determined.

Member Resolution 6

Title: Resolution to Require Benchers to Table and Consider 2025 AGM Resolutions

Movers: Kevin Walker and Kristjan Karoli Thorsteinson

Resolution:

Whereas:

- The *Legal Profession Act* ("LPA") requires the Benchers to have an Annual General Meeting of the profession each year (s.12 LPA); and whereas
- The membership has the right to pass resolutions for consideration of the Benchers at an Annual General Meeting (s.13 LPA); and whereas
- The Benchers have the right to implement or not implement the resolution(s) within one year of the Annual General Meeting (s.13 LPA);

Be it resolved that the Membership directs the Benchers to consider, at a Bencher meeting, all resolutions passed at the 2025 Annual General Meeting within six months of this Annual General Meeting.

Statement in Support:

Lawyers are self-regulated. The Legal Profession Act democratically allows members to raise issues and pass them by a resolution at an Annual General Meeting. However, in recent years the Benchers have not consistently, in meeting, discussed those resolutions. Given the intention of the Legal Profession Act is to provide independence to the bar and self-regulate, it is appropriate for the Benchers to consider and table resolutions passed at the AGM.

Resolution 6

Executive Director Statement

For the purposes of assisting those persons entitled to vote on the AGM resolutions, I am providing the following background information relevant to the member resolution.

Section 13 of the *Legal Profession Act* provides a process for non-binding member resolutions to be passed at an AGM. Section 13 further allows a member resolution to be brought back for consideration by way of referendum, if it has not been substantially implemented by the benchers within 12 months following the AGM.

This member resolution seeks to reduce the statutorily set timeframe in the *Legal Profession Act* from 12 months to 6 months for Benchers to be able to consider and implement a member resolution, where they consider it appropriate in the public interest. The resolution also seeks to introduce a requirement that the Benchers consider all member resolutions at a Bencher meeting within the six-month time limit.

Many member resolutions passed at the AGM are complex and take time to consider. In addition, some matters contemplated in member resolutions are clearly outside the scope of the Law Society's statutory mandate, or are not in the public interest.

Bencher agendas are set with guidance from the Executive Committee. Moreover, most policy matters are considered by specialized committees prior to being brought to the full Bencher table. The decision of whether and when any particular matters are to be discussed or decided by the Benchers is made with careful consideration of how best to serve the public interest.

The Law Society's current approach is to consider all member resolutions which are passed at the AGM in accordance with the processes described above, in order to best utilize the Law Society's resources and to comply with the Law Society's statutory public interest mandate.

Member Resolution 7

Title: Resolution Regarding Benchers Serving on Single Regulator Transition Board

Movers: Gregory A. Petrisor, KC and Jon M. Duncan

Resolution:

WHEREAS an independent and self regulating bar is foundational and necessary for Canada's constitutional democracy, the rule of law, the proper administration of justice, and the individual rights and freedoms all Canadians and all British Columbians enjoy, expect, and are entitled to;

AND WHEREAS the Government of British Columbia has enacted the Legal Professions Act, S.B.C. 2024, c. 26 ("Bill 21") which, if implemented, will eliminate the independence and self regulation of the bar in British Columbia, contrary to the public interest;

AND WHEREAS the members of the Law Society of British Columbia, through the Benchers of the Law Society, have commenced proceedings to prevent the implementation of Bill 21, in order to attempt to protect Canada's constitutional democracy, the rule of law, the proper administration of justice, and the individual rights and freedoms of all British Columbians, and to attempt to ensure the independence, integrity, honour, and competence of lawyers, in the public interest;

AND WHEREAS any sitting Bencher, by virtue of his or her office, has the duty to uphold and protect the public interest by, *inter alia*:

- a. preserving and protecting the rights and freedoms of all persons;
- b. ensuring the independence, integrity, honour, and competence of lawyers; and,
- c. regulating the practice of law;

AND WHEREAS any sitting Bencher who facilitates, promotes, advises on, or participates in the implementation of Bill 21, or accepts a position in any body which facilitates, promotes, advises on, or participates in the implementation of Bill 21, is acting in a clear conflict of interest, contrary to the Law Society's prosecution of proceedings to attempt to prevent the implementation of Bill 21, contrary to the objects of the Law Society, and contrary to the public interest;

BE IT RESOLVED THAT the Benchers of the Law Society of British Columbia shall:

1. not appoint any Bencher to a position on any body which facilitates, promotes, advises on, or participates in the implementation of Bill 21; and,
2. forthwith request the resignation of any sitting Bencher who facilitates, promotes, advises on, or participates in the implementation of Bill 21, or accepts a position on any body which facilitates, promotes, advises on, or participates in the implementation of Bill 21.

Resolution 7

Executive Director Statement

For the purposes of assisting those persons entitled to vote on the AGM resolutions, I am providing the following background information relevant to the member resolution.

The *Legal Professions Act* (“the New Act”) was passed in May 2024 and would create a single regulator for lawyers, notaries and paralegals.

The Law Society has challenged the constitutional validity of the New Act by filing a [Notice of Civil Claim](#) on May 17, 2024. The basis for the challenge is that the New Act fails to adequately ensure the independence of the Bar – a fundamental democratic principle.

In June 2024, the Law Society sought injunctive relief to suspend the operation of the transitional provisions and prevent the implementation of the substantive provisions of the New Act until such time as the Notice of Civil Claim could be heard. This relief was not granted, and the transitional provisions of the New Act are currently in force, including the establishment of a transitional board.

One of the provisions currently in force, section 223(1)(a), provides for the appointment of 4 members of the transitional board by the current Benchers of the Law Society, at least one of whom must be an Indigenous person. If members of the transitional board are not appointed by the Benchers of the Law Society within 2 months of the relevant sections of the New Act coming into force, the Attorney General has the authority to appoint members in place of the Law Society.

The Benchers have appointed current and past Benchers to the transitional board established by s. 223 of the *Legal Professions Act* based on their proven experience in regulatory governance, strong and diverse legal expertise, and depth of knowledge of professional regulation, including the constitutional requirement that regulation of lawyers ensure sufficient independence.

The provisions of the proposed resolution may inhibit the Law Society’s ability to contribute to the transition mandated by the New Act in a manner that includes a consideration of the Law Society’s regulatory expertise and position in respect of ensuring sufficient independence.

The Law Society maintains a Bencher Code of Conduct, which provides the framework and guidance by which individual Benchers are expected to serve their public interest mandate, including with respect to potential conflicts of interest.

The Law Society continues its efforts to challenge the constitutionality of the *Legal Professions Act*. The hearing is scheduled to commence on October 14, 2025.