

THE LAW SOCIETY OF ALBERTA

## 2010 Annual Accountability Report

SERVING  
*the* PUBLIC  
INTEREST







Fort McMurray

PRESIDENT'S MESSAGE

## Strategic Plan is a Map to Determine Law Society's Course

*By Rod Jerke, 2010-2011 President, Law Society of Alberta*

In 2010, the Law Society of Alberta approved several key regulatory projects which moved the Law Society closer to its vision of being a model regulator.

In 2010, the Law Society of Alberta approved several key regulatory projects which moved the Law Society closer to its vision of being a model regulator.

Edmonton

These included the 2010-2013 Strategic Plan, new Rules for the Law Society's Trust Safety Program, and adoption of a national model as the Alberta Code of Conduct.

As well, the Law Society undertook an Ipsos Reid general consumer survey and a survey of the legal profession. The poll of consumers showed that most Albertans are satisfied with the services provided by a lawyer. The results show that the public recognizes that lawyers play an important role in providing high quality legal services. The poll findings show that the public is generally satisfied with the services and value they receive.

This 2010 Annual Accountability Report highlights the work of the Benchers and the Law Society, and the key regulatory projects undertaken in the 2010-2011 year. I would like to take an opportunity to detail some of its key achievements as follows. (Further details are within the pages of this Annual Accountability Report.)

### 2010-2013 Strategic Plan Approved

What is the purpose of a strategic plan? To my mind, a strategic plan is a road map that helps an organization determine its future course. In order to determine where it is going, an

organization needs to know where it stands and then determine where it wants to go and how to get there. Accordingly, a strategic plan must be a fluid document capable of amendment in response to or in reasonable anticipation of changing conditions.

The work by the Benchers on the strategic plan has been ongoing for over a half decade. The adoption by the Benchers of this plan ensures that the energy and resources of the Law Society are focused on those strategic initiatives most important to achieving our vision, mission, and goals.

### New Alberta Code of Conduct Approved

The Benchers have identified that a national model code is an important initiative in our strategic goal of being a model regulator, and flows from the necessity of developing national standards for the regulation of the legal profession. This is not a situation where all law societies adopt one code, but rather, a situation where 15 codes will exist – the National Code, and a code for each province and territory (consisting of the National Model Code with amendments specific to each province or territory and two for Quebec). Thus each regulator will have an opportunity to amend the National Model Code to suit its particular needs. That's why we asked the Professional Responsibility Committee to review the provisions of the Model Code and make recommendations as to adoption and any amendments that are required for the local environment.

Lethbridge

*continued on page 2...*

**Strategic Plan is a Map to Determine Law Society's Course**  
... from page 1

The Benchers, while approving the Model Code as the Code of Conduct, have requested the Professional Responsibility Committee develop an implementation plan, including a future effective date and communications and educational plans, to introduce the Alberta Code of Conduct.

**Trust Safety Program Rules Approved**

The Benchers and staff have been working to create new Rules and processes to support its Trust Safety Program.

At its November 2010 meeting, the Benchers approved the new Rules to Part 5, Division 2 of the Law Society of Alberta Rules. These are now in effect, as of January 1, 2011.

It is the combination of requiring a responsible lawyer, education of about an hour to supervise trust accounting, e-filing and e-audits which puts this Trust Safety program far ahead of those similar programs in other law societies across Canada.

All law societies have programs to administer trust accounting requirements of lawyers, which include reporting trust account activities through the submission of forms.

The Law Society is committed to supporting lawyers in maintaining efficient and effective accounting systems to ensure

trust funds held by Alberta lawyers remain safe from fraudulent schemes and losses.

**The Special General Meeting and Legal Aid Funding**

Legal Aid is a serious concern for the Law Society and our work flows from two of our strategic goals: Public Confidence and Access to Justice.

At the September Bencher meeting, we heard from representatives of the Criminal Trial Lawyers' Association, Legal Aid Board and the Edmonton Criminal Law Bar. While each speaker presented the legal aid funding issue from a different perspective, they share a common concern about the negative consequences of the funding reductions on already disadvantaged Albertans, and that an increase in funding is desperately needed.

The Benchers adopted four important Strategy Statements at its September meeting. We have been working on those. These strategies are aimed at an even broader objective, namely an increase in access to legal services for disadvantaged Albertans. No one doubts that to accomplish that there needs to be an increase in resources provided to Legal Aid Alberta.

The Law Society has worked hard to foster and maintain a good working relationship with government, and understands that a collaborative approach is necessary for success when working with government.



**New Public Representative Welcomed**

Amal Umar was appointed public representative in Spring 2010.

Amal has earned a B.A. (Social Science) from Macalester College in St. Paul, Minnesota and a M.A. (Political Science) from American University of Beirut.

She brings expertise in the areas of equity/ human rights and social justice issues, community development and facilitation, and organizational development and governance.

Amal Umar is involved in such organizations as: the Calgary Foundation; Immigrant Access Fund - Micro Loans for Internationally Trained Immigrants; Coalition for Meaningful

Employment of Internationally Trained Immigrants; Calgary Task Force on Cultural and Racial Diversity; United Way of Calgary; Coalition for Equal Access to Education; Alberta Advisory Council on Women's Issues; and the Dignity Foundation among others.

Amal Umar has been awarded: the YWCA Women of Distinction Award for Community Service; the Haider Dhanani Achievement Award from the Government of Alberta for outstanding service in developing programs that serve newcomers and their communities; the Canada 125 Anniversary Award from the Government of Canada for Community Work; and the Deputy Minister's Award from the Department of Canadian Heritage.



Fort McMurray

## EXECUTIVE DIRECTOR'S REPORT

# Four Strategic Goals Drive Law Society's Programs

By Don Thompson, QC, Executive Director, Law Society of Alberta

The aspirations of the Law Society of Alberta are mapped out in a new 2010-2013 Strategic Plan which is intended to steer the Law Society in its journey towards achieving its vision.

The Strategic Plan was developed during the January and April 2010 Benchers meetings, and the priorities from the plan were incorporated into a three-year plan which was presented to the Benchers in June 2010. These priorities were incorporated into the business plan and budget for 2010-2011 and considered by the Benchers in September and October 2010.

The key results accomplished in 2010 are tied into the four goals of the Strategic Plan. Some of our significant accomplishments are as follows:

### Goal 1: Model Regulator

Be a model regulator by promoting and ensuring high ethical standards and competence on the part of all those seeking admission to and practising law in Alberta.

#### Key Results:

- On a national level, the Law Society continues to work closely with the Federation of Law Societies of Canada on a uniform national standard for a Canadian law degree as the basis for entry to law society bar admission programs or licensing processes.
- The Law Society provides the services of Practice Advisors who are available to lawyers for consultation on issues of practice concern. The Office of the Equity Ombudsperson provides confidential assistance with the development of workplace policies and the resolution of harassment and discrimination concerns.

- The Law Society regularly updates lawyers on risks associated with practice including frauds operating in the area through articles in its Advisory publication, on its website and in electronic EBulletins.
- It continues to support programs and opportunities for lawyers to fulfill their Continuing Professional Development program obligations.

### Goal 2: Public Confidence

Build public confidence in the profession and the Law Society as a regulator by being effective, fair, timely, transparent and responsive.

#### Key Results:

- The Benchers have adopted a complaints and discipline (conduct) strategy statement which will guide the Law Society in reviewing, improving and enhancing its complaints and discipline (conduct) process.
- The Law Society's complaints and discipline process are entirely public: we provide public notice in advance once citations are determined; we have public participation through public representation on hearing committees, hearings are held in public; and we publish notices and hearing reports in a timely manner.
- The Benchers have approved amendments to the Rules of the Law Society to prohibit the use of trust accounts if no legal services are provided. These Rules were effective April 2010. The Benchers also approved a new regulatory

*continued on page 4...*

Lethbridge

### Four Strategic Goals Drive Law Society's Programs continued... from page 3

structure for the safety and control of trust funds and a new audit system. The new Trust Safety program reflects a commitment of the Law Society as a regulator to better equip lawyers to keep trust money safe.

#### Goal 3: Principles of Justice

Uphold and preserve the principles of justice fundamental to a free democratic society, particularly client-lawyer privilege, the rule of law, and the independence of courts and lawyers.

##### Key Results:

- Lawyers and the courts remain independent.
- Solicitor-client privilege is preserved.

#### Goal 4: Access to Justice.

Promote access to high quality legal services.

##### Key Results:

- In February 2010, the Benchers adopted an Access to Justice Strategy Statement which is intended to guide and re-position some existing and upcoming initiatives.
- We are already doing a significant amount of access to justice work. Our support for Pro Bono Law Alberta and our policy inquiry concerning the provision of legal services by non-lawyers are the two most visible examples.

- The Access to Justice Committee has continued to look at the role of the Law Society in enhancing access to justice. From its report and recommendations, the Benchers-adopted strategy statement directs the Law Society to work towards increasing the availability and diversity of legal services to the Alberta public.

In addition, **Goal 5 focuses on Organizational Capacity:** Ensure the Law Society has the required organizational infrastructure and business supports in place to achieve the Law Society's mission and strategic goals.

##### Key Results in Governance/Leadership

- Effective Benchers succession planning policies and practices are currently being developed.
- The Law Society's strategic, business and budget planning processes are being clearly articulated, communicated and effectively aligned.
- The Law Society is taking steps to operate with a clearly established governance model consistent with governance best practices and which recognize the unique role of the Law Society and the Benchers.

The privilege of self-regulation as some call it, is more accurately called the duty of independent regulation. As our duty, it is one we are called to fulfill with excellence. We believe our Strategic Plan enables the Law Society to regulate lawyers with excellence and in the public interest.

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## Quebec Mobility Agreement: A Milestone Towards Practising Law Across Canada



Canada's law societies took another major step in the implementation of national mobility for lawyers with the formal signing of the landmark Quebec Mobility Agreement. Law Society of Alberta President Rod Jerke, QC, was one of the 14 signatories to the landmark agreement. The agreement was signed in March 2010.

## Four Outstanding Lawyers Celebrated with 2010 Distinguished Service Awards

The 2010 Distinguished Service Awards celebrated four outstanding lawyers who have made an important impact on the legal profession in Alberta. The following lawyers were honoured at the 2010 Alberta Law Conference on January 29, 2010.



The 2010 Distinguished Service Awards Recipients and Presenters on January 29, 2010 (top row, left to right): Professor Gerald Gall, OC; Gillian Marriott, QC, 2009 CBA Alberta President; Peter Michalyshyn, QC, 2009 Law Society of Alberta President; and Solomon J. Rolinger, QC. (Bottom row, left to right): Virginia M. May, QC and Margaret Weir Andreassen, niece accepting on behalf of the late John A. Weir, QC.

### Gerald Gall, OC Distinguished Service in Legal Scholarship

The commitment made by Professor Gerald Gall to legal scholarship and to human rights organizations is unsurpassed. Professor Gall has served, since 2001, as the President and Chair of the John Humphrey Centre for Peace and Human Rights. For 24 years, he has played a prominent role with the Canadian Human Rights Foundation. As a legal scholar, he is co-editor of a newly published casebook on Constitutional Law, and is author of the treatise, *The Canadian Legal System*. He received his BA (1969) from Queen's University and his LL.B. (1972) from U. of Windsor. In 2001, he was appointed an Officer to the Order of Canada.

### Virginia M. May, QC Distinguished Service to the Profession

After three decades of trailblazing and career challenges, Virginia May is regarded by many lawyers as an inspirational role model. She graduated with her law degree (1980) from the U. of Calgary. In 1995, she founded May Jensen Shawa Solomon LLP and is now senior partner. Her service to the profession began in the 1990s with four consecutive elections to the Benchers of the Law Society of Alberta. As a Bencher, she chaired five major Law Society committees and served on more than a dozen others. Virginia May is known as one of Alberta's leading litigators, as a mentor and guide for many junior lawyers, and is held in high esteem as a role model and inspiration.

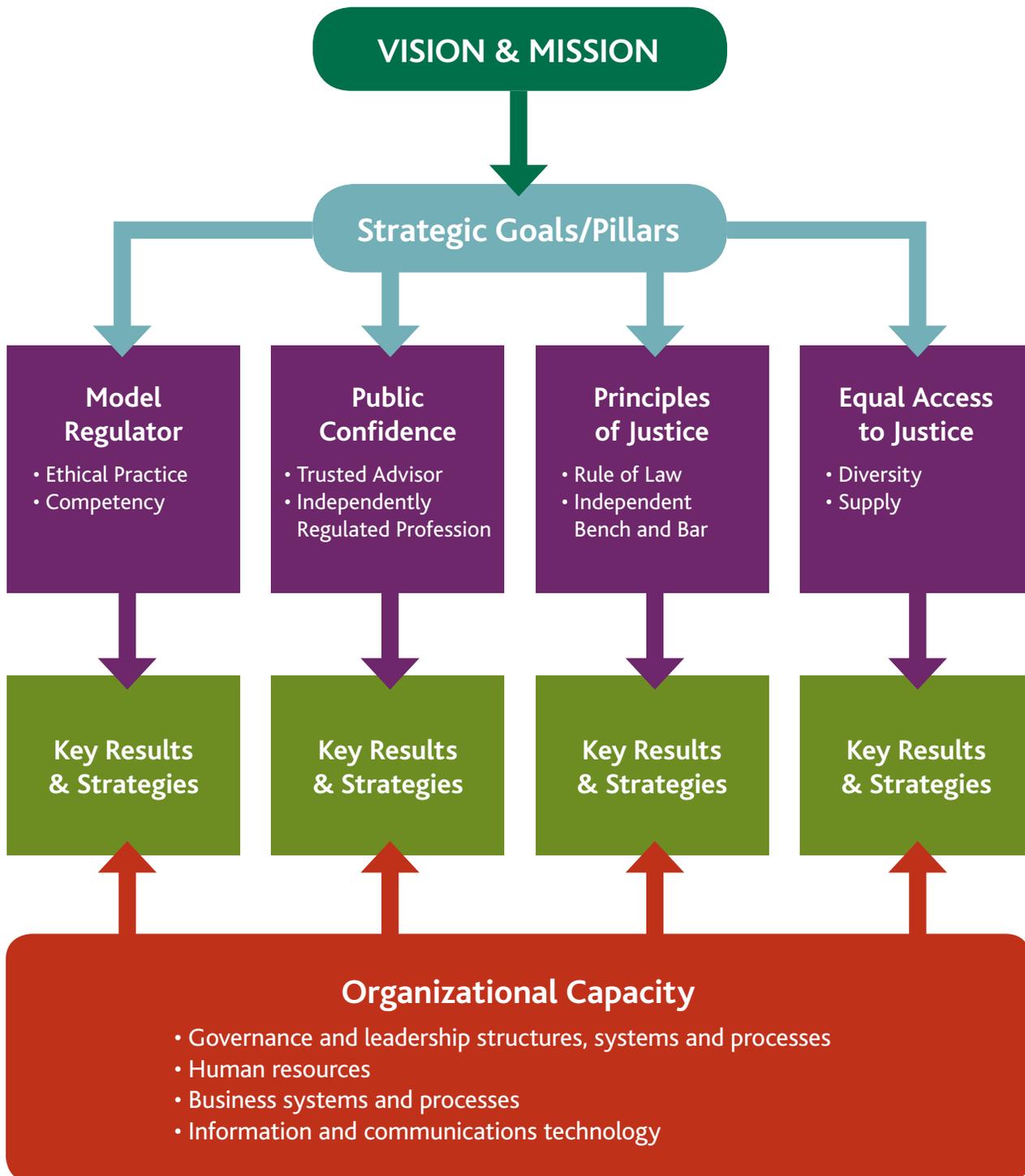
### Solomon J. Rolinger, QC Distinguished Service to the Community

As an inspired community builder dedicated to improving cultural relations, Solomon J. Rolinger's service makes a difference in the quality of life in Edmonton. His visionary work brought together Edmonton's Islamic, Jewish and Christian leaders to help diffuse growing tensions in the aftermath of the 9/11 terrorist attacks. He initiated and continues to chair his law firm's successful Laurel Awards lunch which recognizes volunteer contributions in non-profit organizations. He serves the U. of Alberta as a university governor, senate member and with four faculties. He graduated as a petroleum engineer (1965) from the Colorado School of Mines, and then earned his Juris Doctoris (1968).

### Late John A. Weir, QC Distinguished Service in Pro Bono Legal Service

For more than five decades, the late John Weir expressed his commitment to pro bono service by taking on hundreds of pro bono cases, virtually all of them on a client-by-client basis. John Weir's decades of selfless dedication to pro bono work ensured access to justice for many Albertans who may otherwise not have received it. John Weir earned his arts degree (1956) and law degree (1956) from the University of Alberta. In the late 1980s, he was appointed by Canada's Solicitor General to conduct the Gringras Inquiry.

## 2010-2013 Strategic Planning Framework





## How Albertans Access Legal Services

By Doug Mah, QC, President-Elect and Chair, Alternate Delivery of Legal Services Committee

In 2010, the Alternate Delivery of Legal Services Committee oversaw a general population survey on legal services usage and attitudes as well as the survey of the legal profession.

The Committee was formed the previous year to lead an inquiry into how non-lawyer legal service providers can address issues related to access to justice. The three phases of the Committee's work are as follows:

1. In its first phase last year, the Committee conducted a high-level overview to identify issues.

2. In the second phase, a comprehensive research requirement of the project was undertaken. The Committee undertook two surveys: the first, an Ipsos Reid general population survey which identified legal consumer trends, and the second, a survey of the legal profession itself.

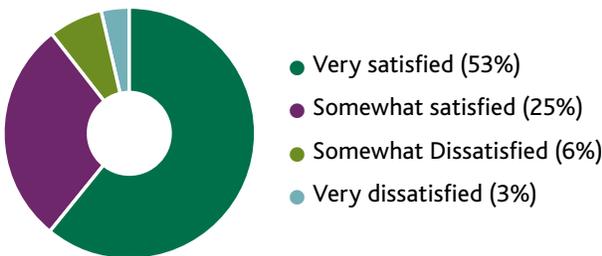
3. The third phase, which will be undertaken in 2011, will see the Committee considering the research findings and making recommendations.

Citizen protection, the unclear definition of the practice of law and the lack of information on the delivery of legal services were among the issues

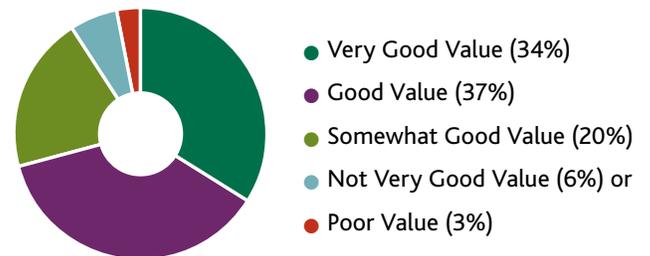
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## Legal Consumer Survey results

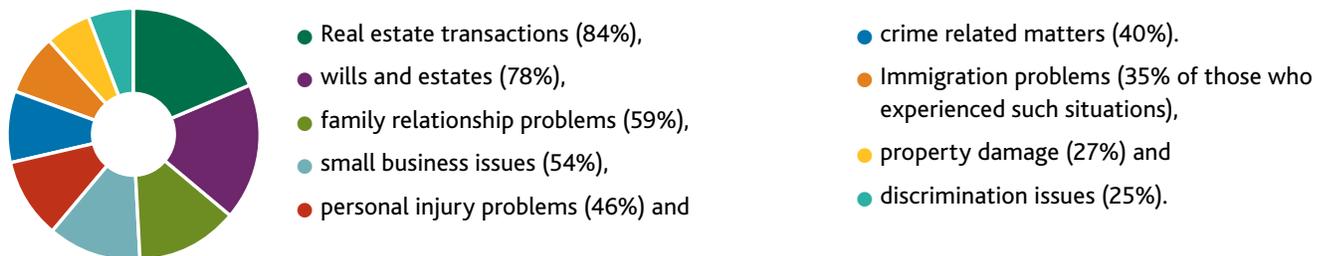
### Albertans' satisfaction with their lawyers:



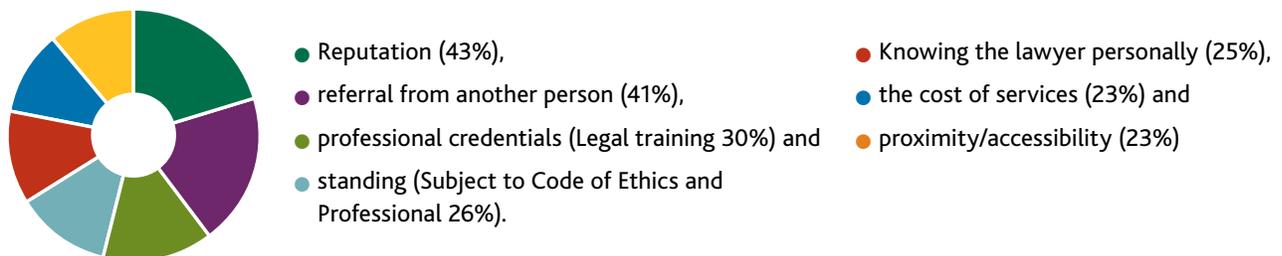
### Albertans' assessment of value received for fees paid:



### Albertans report using the services of lawyers for a wide range of matters during the past three years:



### Factors most often considered by Albertans in selecting a lawyer:



## Profile of Sole Practitioners and Small Firms Emerge from Survey

Legal Profession Consultation undertaken by the Law Society of Alberta

### Albertans' choice of law firms:

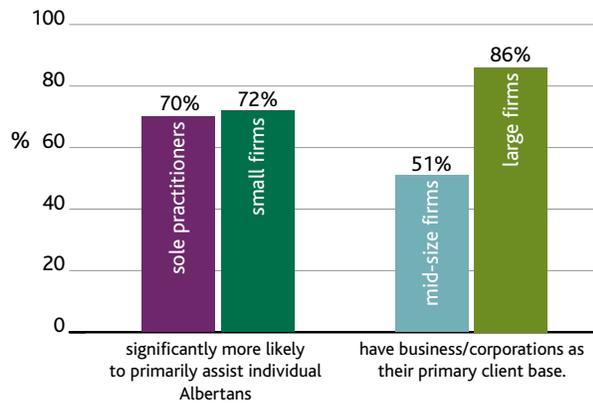


### Composition of law firms:

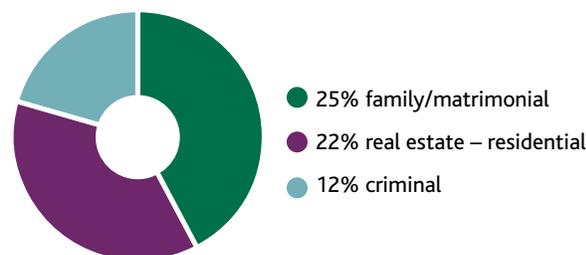


Over half (52%) of lawyers surveyed expect to continue practising for 10-14 years (18%) or 15 or more years (33%). Survey results indicate that lawyers who have been practising for 20 or more years are significantly more likely to work as a sole practitioner (59%) or small law firm (47%) than their counterparts. On the other hand, lawyers who have been practising for 4 or less years are significantly more likely to work in a mid (28%) or large sized (25%) firm.

### Types of Clients being Served:



### Areas of Law Practised by Lawyers outside Edmonton and Calgary:



Lawyers outside Edmonton and Calgary are more likely to practice nearly every area of law. This is true for lawyers working as a sole practitioner or in a small firm.

### Legal Service Delivery Examined in Context of Increasing Access for all Albertans continued... from page 7

identified in this phase. In this second phase, which oversees the comprehensive research requirement of the project, the Committee learned that individual Albertans overwhelmingly rely on small firms to resolve their everyday legal issues. The Ipsos Reid general population survey revealed that some 72 per cent of individual Albertans who used lawyers in the last three years sought assistance from a practitioner in a firm with one to nine lawyers. The personal legal services typically provided related to residential real estate transactions, wills and estate matters and family law issues.

Those surveyed indicated a high level of satisfaction (78 per cent) with the services provided by their lawyer and 91 per cent felt they received good value. The mean cost of resolving a matter was \$2,564. Clients also said the most important factor in choosing a lawyer was "good reputation" (43 per cent) and referral by another person (41 per cent).

Although there is a perception that the cost of a lawyer is prohibitive, the middle income group appears to have accessed

a lawyer's services within their price range, with good outcomes, for the legal problems they experienced. As well, the survey showed that 71 per cent of self-represented litigants indicated they preferred to self-represent and would not have chosen to be represented by a lawyer. There is good evidence in the survey data to show that those in a lower income group earning \$50,000 or less tend to experience a greater number and variety of legal issues, as well as face greater barriers to accessing the services of a lawyer. The data indicates that lower income Albertans were less likely to use a lawyer as their primary resource for legal services and more likely to rely on secondary resources such as government, not-for-profit or other legal information services.

For Albertans involved in court proceedings or a hearing, 69 per cent were satisfied with their experience with only 14 per cent saying they were dissatisfied.

The results from the two surveys will be used to inform the third phase of the Committee's project, that of considering the research findings and formulating recommendations.



ENHANCING THE PUBLIC'S ACCESS TO LEGAL SERVICES

## Law Society Programs Examined to Enhance Public's Access to Legal Services

*By Scott Watson, QC, Bencher and 2010 Chair of Access to Justice Committee*

To enhance the public's access to legal services in Alberta, the Access to Justice Committee examined the Law Society's existing programs, and also further studied the options for legal service delivery and education.

The existing Lawyer Referral Service was reviewed in depth, including its history, existing challenges, and its present and potential value to the public. The goals of the program were examined and consideration was given to whether there were better ways to accomplish the intended goals. Ways to encourage meaningful participation by lawyers in the program were considered as well as the role of the regulator in the process. Work began on a draft policy statement, against which, goals and potential changes to the program may be tested.

The Committee assisted then President-Elect, Doug Mah, QC, in examining a variety of topics for the Law Society's Plenary set to coincide with the Canadian Bar Association's Alberta Law Conference held in Edmonton in January 2011. The Committee created a list of topics, a roster of speakers and developed the session around the subject of "Alternate Business Structures". The program focused on making lawyers aware of a variety of business models in use in Canada which serve to enhance the public's access to legal services.

During the course of its work on alternate business structures and based on the experience in other jurisdictions, the Committee began work on examining existing regulatory barriers which prevent or impede such progress in Alberta.



## The Three "R's": Rural, Regional and Remote

*By Sarah King-D'Souza, QC, Bencher and Chair, Retention and Re-Engagement Task Force*

The Retention and Re-Engagement Task Force has commenced its work to develop a strategy to retain and re-engage lawyers in the private practice of law.

We have not yet, as a legal profession, fully considered the importance of recruitment and retention of lawyers in rural areas, and the impact of lack of rural lawyers upon access to justice for persons living outside the major centres.

Of the legal profession in Alberta, current demographic information revealed that:

- 4346 are located in Calgary,
- 2724 in Edmonton, and
- 1013 in other parts of the province.
- 216 students-at-law are working in Calgary,
- 133 students-at-law in Edmonton and,
- 38 elsewhere in Alberta.

In 2009, approximately 58 per cent of Law Society of Alberta lawyers were between the ages of 41-70; 25 per cent were aged 31-40; and less than 10 per cent were under age 30.

One of the Law Society's strategic goals is to promote access to justice. Limited access to lawyers in regions means that some Albertans may not receive legal advice on matters affecting their legal rights. We need to examine the extent of the problem affecting recruitment and retention of lawyers in rural, regional and remote areas of Alberta, identify the potential factors contributing to the problem and consider strategies, commencing at the point of law school entry, and continuing thereafter.

The Task Force is tasked with considering what might retain and re-engage lawyers in active private practice and with developing strategies the Law Society could adopt in this regard.



## Legal Aid: Law Society's Regulatory Role Includes Active Participation in Justice System

*By Rod Jerke, QC, 2010-2011 President, Law Society of Alberta*

Legal Aid is a serious concern for the Law Society, and our work in this area flows from two of our four strategic goals: Public Confidence and Equal Access to Justice.

### Why the Law Society is involved in Legal Aid?

The Law Society involvement in the Legal Aid issue began in Spring, 2010 when we were petitioned to discuss (1) the funding provided to the Legal Aid Society, and (2) changes to the legal aid program which were approved by the Legal Aid Board.

Our involvement stems from the fact that we have and continue to advocate for proper resourcing of a properly functioning legal aid system. As well, we require that lawyers are independent so they can provide proper legal services to their clients. The Law Society has no direct control over, or participation in funding the legal aid program.

As a result of the petition, a Special General Meeting was held on June 23, 2010 to discuss these two aspects.

After discussion among lawyers attending via video- and tele-conference in Edmonton, Calgary, Lethbridge, Red Deer and Hinton, two motions were passed by a majority of lawyers present (see motions on the next page).

As I reflected on the debate and the motions passed at the Special General Meeting with others, I concluded that benefit would be obtained by seeking the input of other stakeholders interested in this debate. An Advisory Group of leaders from across the justice system was formed in Summer, 2010. (The group was later expanded and another meeting was held in mid-January 2011.)

The Benchers then considered the motions at its September meeting. We heard from representatives of the Criminal Trial Lawyer's Association, Legal Aid Board and the Edmonton Criminal Law Bar. While each speaker presented the legal aid funding issue from a different perspective, they shared a common concern about the negative consequence of the funding reductions on already disadvantaged Albertans. We heard that an increase in funding is desperately needed.

### Strategy Statements Aimed at Increasing Access to Legal Services

The Benchers adopted four important Strategy Statements at this meeting. We began working on those in Winter 2010. It is worth keeping in mind that the strategies are aimed at an even broader objective, namely an increase in access to legal services for disadvantaged Albertans. No one doubts that to accomplish that there needs to be an increase in resources provided to Legal Aid Alberta.

The Law Society works hard to foster and maintain a good working relationship with government, and understands that a collaborative approach is necessary for success when working with government.

We recognize there are limits and constraints on what the regulator of the legal profession acting in the public interest can do with respect to a Legal Aid program or any program. At the end of 2010, the Law Society was continuing its advocacy strategies on the funding issues facing Legal Aid Alberta.

### Understanding How Legal Aid is Funded

The rule of law is paramount to the role of the Law Society, but the rule of law cannot be sustained without lawyers. Legal Aid provides access to independent lawyers for disadvantaged Albertans. This is a vital aspect of access to justice for those Albertans.

The issue of that independence and the issue of funding are inextricably entwined.

Those lawyers, and Legal Aid itself are funded from several sources, including Alberta Justice, the Federal Government, and the Alberta Law Foundation.

Legal Aid Alberta's Corporate Business Plan, 2010 – 2013, forecasts that funding from the Province will remain at 2009/10 levels for the next three years, but notes an overall revenue decrease due to decreased Alberta Law Foundation Funding. The amount provided by the Alberta Law Foundation (which is independent from the Law Society) varies from year to year,

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## Lawyers Honoured with Long Service Awards: 50, 60 & 70 Years of Service Celebrated



The Law Society commemorated 50, 60 and 70 years of service with a luncheon on November 25, 2010. The recipients are as follows:

Top row, left to right: Robert G. Roddie, QC, 50 years; Stanley Schumacher, QC, 50 years; Law Society President Rod Jerke, QC; Hon Judge R.A. Jacobson, 50 years; and Donald T.D. Hatch, QC, 50 years.

Bottom row, left to right: Gerald M. Burden, QC, 60 years; Maclean Jones, QC, 70 years; Arthur M. Davis, QC, 50 years; and Raymond F. Kutz, 50 years.

Missing: Theodore L. Babie, 50 years.

### **Legal Aid: Law Society's Regulatory Role Includes Active Participation in Justice System continued... from page 10**

because it is set by a statutory formula as 25 per cent of the amount remitted to the Foundation by financial institutions as interest on lawyers' trust accounts.

The amount provided by the Province is set by Alberta Justice, which has recently considered the results of an extensive review of Legal Aid. That review includes certain recommended changes. The then Minister of Justice Redford said in a recent letter that she believes these changes "will help ensure that the provision of legal aid continues to be sustainable." The Minister also pointed out that her government is providing "a grant of \$53.8 million; a substantial amount which has been maintained in place since 2008/2009."

(Note that this was for the 2010 budget year. Since then, the 2011 Alberta government budget included a 10 per cent increase in funding to Legal Aid at a time when the Department of Justice budget was reduced by 0.5 per cent.)

### **How Independence Fosters Access to Justice**

In a free society, based on the rule of law, the courts determine the balance between the rights of the state and the rights of individuals within that state. This requires that the judiciary be independent, but also that lawyers be independent to properly serve their clients and the courts. As those lawyers are funded by Legal Aid, Legal Aid must also be independent.

If the judges, lawyers and Legal Aid are not thus independent, the individual client has not had true access to justice, and the rule of law has not been upheld.

## Two Motions Carried at Special General Meeting

Two motions were passed pursuant to the Rules of the Law Society:

1. That the Law Society publicly advocate in the public interest for an adequately publicly funded Legal Aid system with a statutory foundation that is independent of the government.
2. That the Law Society request that the Legal Aid Society immediately rescind the recent changes including the changes to the financial eligibility guidelines and the choice of counsel provisions.

The Law Society's over-riding duty is to guard the independence of regulation and governance of legal services and to do so in the public interest. This does, on occasion, lead to steps to guard independence of individual lawyers, but only in the context of that duty.

The Law Society is, however, only one of several participants in the justice system, and cannot rectify deficiencies in the justice system by itself. It does take its responsibilities very seriously, but in the end, appropriate funding, access to justice, and independence are all the responsibility of all Albertans.



## CPLED Delivers Learning Modules Online

*By Leona Dvorak, Ph.D., Regional Coordinator, CPLED*

CPLED, the Canadian Centre for Professional Legal Education, successfully delivered its yearly Bar Admission Program to 463 students from Alberta, Saskatchewan and Manitoba.

For the first time, CPLED also delivered three online modules to 75 students of the Nova Scotia Barrister's Society's Bar Admission Program. Our new online platform has proven to be robust and stable over the year.

This year, CPLED updated its Negotiations videos on DVD platform to an interest-based approach to negotiations. We produced six videos with over 75 minutes of instructional content as follows:

- Negotiating for Mutual Gain – An Interest-Based Approach to Negotiations
- Before Dad Finds Out – Preparing Your Client for Negotiations
- Renovation Blues – Set the Tone and Outline Issues
- Turn It Sideways – Explore Interests and Gather Information
- It's All About The Kids – Problem Solve and Reach Agreement
- Making it Work – Demonstrating an Interest-Based Approach to Negotiations

We continue to review and improve our Program content as well as our instructional methodology. Our intention is to provide an exemplary Program with positive results for participants.

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## Lawyers at Risk Roundtable: Programs Identified to Address Gaps in Services

*By Carsten Jensen, QC, Bencher and Chair, Lawyers at Risk Task Force, Law Society of Alberta*

A roundtable discussion addressed ways to help lawyers and articling students dealing with personal and professional issues including mental health and addiction.

Held on May 7, 2010, the Law Society of Alberta's Lawyers at Risk Task Force Roundtable reviewed the existing programs and policies available in Alberta to assist lawyers and articling students experiencing these kinds of personal problems. It also compared those programs and policies with best practices. The discussion also benefited from a review of the work done by other regulators, lawyer assistance programs and legal communities.

One of the discussion goals was to articulate the gaps and deficiencies which exist in Alberta. Another goal was to identify possible policy and program initiatives to address those gaps and deficiencies, all the while keeping in mind that the Law Society regulates the profession in the public interest.

The Task Force was established by the Benchers to look at "lawyers at risk". Specifically, many of the lawyers in the Law Society's disciplinary process appear to have, as a root cause of their

difficulty, some serious personal problems which may include mental or physical illness, addiction, bereavement, or other problems.

The participants included Law Society President Rod Jerke, QC, Law Society President-Elect Douglas Mah, QC, and Taskforce chair Carsten Jensen, QC, together with several other Benchers and Law Society staff. Invited guests included the Executive Director of the Florida Lawyers Assistance Program, the Executive Director of the Oregon Attorney Assistance Program, and the Deputy Registrar of the College of Physicians and Surgeons of British Columbia. As well, two Alberta lawyers who had first-hand experiences dealing with mental health and addiction issues, and resulting Law Society disciplinary matters participated in the roundtable.

The contributions from all participants were exceptional. The discussion will no doubt help to inform and shape the future work of the Law Society in dealing with lawyers and articling students living with mental health issues, addiction problems and other personal issues that impact their professional lives.



TRUST SAFETY COMMITTEE

## New Rules Set Framework for Leading Edge Trust Safety Program

*By Steve Raby, QC, Bencher and Chair, 2010 Trust Funds Implementation Task Force and Janet Dixon, QC, Senior Counsel, Law Society of Alberta*

The Trust Safety Committee had a busy year in 2009 culminating in the enactment of a number of Rules amending the audit processes and accounting requirements of members.

By a Rule Amendment made effective April 1, 2010, it was made clear that lawyer trust accounts are only to be used in conjunction with the provision of legal services.

It was originally intended that the balance of the new Rules would be enacted in the spring of 2010; however, technology matters prevented the implementation within that time frame. This did allow the institution of a pilot program to test the new systems, which proved beneficial.

Ultimately, the balance of the Rule Amendments was passed by the Benchers in December of 2010 with an effective date of January 1, 2011.

While the Rule Amendments reflect a number of accounting matters which arose from the Western Harmonization Project which was a joint audit department program of the Law Societies of Manitoba, Saskatchewan and Alberta, the highlights of the Rule Amendments relating to trust safety can be summarized as follows:

**1. Designating a responsible lawyer:** A law firm is required to identify a lawyer who will be accountable to the Law Society for compliance with the new Rules and for

implementing controls to keep trust monies safe. A responsible lawyer has an obligation to complete certain educational requirements being offered through LESA.

**2. Conditions to maintain a trust account:**

In addition to identifying a responsible lawyer, a firm must have Law Society approval to operate a trust account. If concerns exist regarding the adequacy of such controls, a firm may have conditions imposed on its entitlement to maintain a trust account.

**3. New audit regime:** New reporting requirements incorporate efficiencies made possible by automating data collection and new computerized audit techniques. If audit information is electronically transmitted to the Law Society using an approved accounting software, and if there are no concerns arising from such data, then a firm will be relieved of its obligation to have prepared and filed a Form T.

**4. New enforcement regime:** The enforcement regime reflects the commitment of the Law Society as regulator to closely monitor compliance with the Rules and to hold members accountable for Rule violations. However, the focus of such monitoring will be on remediation to ensure that law firms understand how to become fully compliant with the new Rules.



## Alberta Law Conference Plenary: Does the Law Society Act "in the Public Interest"?

The Law Society of Alberta declares at every turn that it acts "in the Public Interest." What do we mean when we say that? And what is the Law Society doing to give effect to that bold commitment?

A panel analyzed specific Law Society initiatives – the Safety of Trust Property and Alternate Delivery of Legal Services — from this 'Public Interest' perspective at the 2010 Alberta Law Conference.

Panellists during the January 28th event were: Professor Alice Woolley, Faculty of Law, University of Calgary; Yvonne Stanford, a former public representative to the Law Society Benchers (in photo left); and Gordon Turriff, QC, outgoing President of the Law Society of B.C. The panel discussion was moderated by co-chairs, Peter Michalyshyn, QC, then President and Rod Jerke, QC, then President-Elect.



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**SERVING**  
*the* **PUBLIC**  
**INTEREST**

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**The Law Society of Alberta**

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CONTINUING PROFESSIONAL DEVELOPMENT COMMITTEE

## High Rate of Compliance Among Lawyers for CPD Program

*By Jim Glass, QC, Bencher and 2010 Chair, Continuing Professional Development (CPD) Committee*

The year 2010 marked the third full year of the Continuing Professional Development program.

The program is premised on lawyers being responsible to plan and implement an education plan that will ensure their ongoing competence. The Law Society requires lawyers to declare between January 1 and March 15 of each year that they have made a plan.

From all reports, the program is meeting with great acceptance from members of the profession. All evidence suggests that we have a very high rate of compliance from lawyers for the past two years.

The CPD Alberta website for online declarations has been improved to make online declarations easier. In addition, the contact information and internal processes of the Law Society have been streamlined so that inquiries from lawyers are dealt with effectively and quickly.

The Communications Strategy continues to remind lawyers to make their declaration between January 1 and March 15, 2011. This is being well received by lawyers and will continue to ensure a high level of compliance.

**1. CPD Declarations** – Over this past year, the Committee clarified the interpretation of the Rule and spent considerable effort on the communication strategy to advise lawyers of the same. As indicated above, we have a high level of compliance with the program.

**2. Educational Resources** – This continues to be primarily in the hands of the Legal Education Society of Alberta. They continue to offer excellent educational material and regularly update their CPD website to notify members who have their CPD plan online regarding courses of interest. The Committee hopes to be able to work over the coming year on developing additional resources and providing some examples or templates of what a CPD plan should look like.

**3. Regulatory Program** – The Committee issued clear interpretations of the Rule and what is expected of lawyers. The committee expects to discuss how to further enhance and develop the program for lawyers over the coming year, including the enforcement of the mandatory aspect of the Program.

**4. Communications** – The communications strategy is fully on track and is effective in reminding lawyers about the program and their obligations under the Rules. Communications will continue to enhance the Program's profile in the minds of the lawyers and the public.

## Aboriginal Law Student Program Fosters Work Experience and Relationships

*By Jocelyn Frazer, Equity Ombudsperson, Law Society of Alberta*

Two law students were placed in summer student employment positions in Summer of 2010 as a result of their participation in the Aboriginal Law Student Summer Program facilitated by the Law Society of Alberta.

At the time of placement, Jody Peterson, had finished her second year of law school at the University of Alberta. She holds a B.Sc. in nursing and has worked previously as a staff nurse and educator in that field. She has extensive volunteer experience, including work with Student Legal Services in Edmonton. She was hired to work in the summer of 2010 for Alberta Justice in Edmonton in their Aboriginal law division.

Bryan Hunter is also a Métis student at the University of Alberta where he completed his final year of law school. This was Bryan's second summer employment position through the program, having also earned a position during the summer of 2009. He is a two-time recipient of the Belcourt Brousseau Métis award, and a member of the Indigenous Bar Association.

The Aboriginal Law Student Summer Program began as a pilot project in 2006, and since that time has facilitated the placement

of 20 aboriginal law students into summer employment programs. The program was created to: (1) allow law firms and the legal profession to gain greater insight into aboriginal culture and issues; (2) promote opportunities for aboriginal law students early in their legal career to obtain work experience in a law firm; and (3) foster opportunities for ongoing relationships to develop between aboriginal students and practising lawyers.



*Jocelyn Frazer, Equity Ombudsperson (right) with student Bryan Hunter.*



CONDUCT COMMITTEE AND CONDUCT PROCESS TASK FORCE

## Review of Discipline Processes Guided by Principles of Fairness and Public Transparency

*By Carsten Jensen, QC, Bencher and 2010 Chair, Conduct Committee; and Doug Mah, QC, and James Eamon, QC, Co-Chairs, Conduct Process Task Force*

A strategy statement was approved by the Benchers in February 2010 to strategically guide the Law Society in reviewing, improving and enhancing its conduct processes.

The principles of public transparency and fairness serve to guide the Law Society, and these principles directed the work of the Conduct Committee this year.

### The Work of the Conduct Committee

In 2010, the Conduct Committee discussed three possible initiatives within the existing rules which might improve or streamline the present conduct process. As well, the Committee approved the Appeals from Complaint Dismissal Guideline which was adopted by the Benchers in August 2010.

In addition, the Committee adopted a six-month pilot project to permit a delegate of the Executive Director (in practice, the Deputy or Director of Lawyers Conduct) to attend Conduct Panel meetings for limited purposes. As well, the Committee adopted an audit costs recovery policy.

The Conduct Committee continued to work on initiatives designed to improve and streamline the disciplinary process, within the existing rules, while enhancing consistency in outcomes. This work is intended to improve the existing process while a Conduct Process Task Force does its substantive reform work.

### The Work of the Conduct Process Task Force

In March 2010, a Conduct Process Task Force was formed with a mandate to re-envision the conduct process in light of evolving methods for dispute resolution, conflict management and regulatory disciplinary processes.

In September 2010, the Task Force convened four focus groups who were asked the general question of what principles and goals a conduct process should strive for.

The Task Force recognizes that its work is just beginning. The general agreement among the focus groups and the opportunity for legislative changes of the 20-year old Legal Profession Act means the Law Society can move forward quickly with a legislative strategy. Such a strategy could include amendments which permit the Benchers to authorize, by new or changed rules, changes to the conduct process.

The Task Force commissioned Bottom Line Research to complete a "Review of Complaints and Conduct/Discipline Processes for Lawyers". Law Society policy staff met with Alberta Justice to discuss the steps required for legislative amendments to pass in the Fall 2011 legislative session. The Task Force is considering an outline of a new conduct process, and in doing so, is considering detailed issues such as pre-citation and citation processes, early resolutions by agreement, hearings, the composition of adjudicators, the costs structure, and the concepts of appeals.

### Conduct Hearings Ordered Since Jan 1, 2002

Year	Hearings Ordered
2002	23
2003	31
2004	34
2005	31
2006	47
2007	39
2008	42
2009	51
2010	21

### Open Complaints as at Dec 31, 2010

	Formal Complaints	Informal Complaints
<b>Total</b>	824	400

### Complaints Closed as at October 1, 2010

	Formal Complaints	Informal Complaints
<b>Total</b>	57	547

### Hearing Outcomes

Hearing Outcomes	2008	2009	2010
Disbarred	16	6	8
Resignations	52	39	65
Suspended	5	2	10



THE LAW SOCIETY'S REGULATORY RECORD

## Regulatory Processes are Entirely Public

*By Howard Kushner, Deputy Executive Director – Regulation, Law Society of Alberta*

The Law Society has a history of successfully investigating and prosecuting misconduct by lawyers. We take all allegations of misconduct seriously; where there is evidence of misconduct we conduct full reviews, and where appropriate investigations.

This includes complaints on mortgage fraud which we take very seriously.

Where a Hearing Committee finds a lawyer has been involved in fraud, the lawyer is disbarred. In every case where the Hearing Committee has reasonable grounds to believe a criminal offence has been committed the matter is referred to the Attorney General. Our enforcement record shows:

- In 2008, the Law Society disbarred 16 people. Of those, eight disbarments included admissions or findings of misappropriation or fraud related conduct. All eight resulted in referrals to the Attorney General.

- In 2009, the Law Society disbarred six lawyers. Three of those disbarments included admissions or findings of misappropriation or fraud, or conduct related to obstructing investigations related to similar conduct. Only one matter was referred to the Attorney General.
- In 2010, the Law Society has disbarred eight people. One of these disbarments included findings of misappropriation, and this matter was referred to the Attorney General

Our processes are entirely public – we provide public notice in advance once citations are determined; we have public participation through public representatives on hearing committees; hearings are held in public, and we publish notices and hearing reports in a timely manner. Summaries of disciplinary matters are published by the Law Society in its regular Advisory publication.

## Professionalism and Competence

### Practice Review – Opened Practice Review Files

Year	Formal	Reinstatement
2001	6	6
2002	15	1
2003	6	2
2004	9	3
2005	13	3
2006	7	3
2007	8	4
2008	10	3
2009	37	4
2010	11	2

### Law Society of Alberta Membership

Year	Active	Inactive	Insured
2005	7711	1703	-
2006	7967	1707	5533
2007	8152	1784	5620
2008	8336	1800	5729
2009	8457	1963	5800
2010	8624	1888	5865

### Students-at-Law

Status	2008	2009	2010
Called	334	321	305

### Transfers to date

Status	2008	2009	2010
Applied	105	76	112



FINANCE COMMITTEE

## General Fund Levy Increases Related to Trust Safety Initiative

*By Steve Raby, QC, Bencher and 2010 Chair, Finance Committee*

The following matters were dealt with by the Finance Committee in 2010:

1. The Statement of Investment Policies and Goals was updated to deal with a few anomalies. The changes were recommended by our investment advisers and were confirmed by our consultant.
2. The Committee received a report from the Legal Education Society of Alberta regarding tuition fees for the CPLED program and made a recommendation to the Benchers which was ultimately approved.
3. The Finance Committee was significantly involved in the review and approval of the 2010/2011 budget. Once again, the General Fund levy was increased, but in 2010 the Assurance Fund levy remained static. The major reasons for the increase to the General Fund levy relate to premises costs in both Calgary

and Edmonton and the introduction of certain components of the e-Business project which were necessary to allow for the implementation of the new Trust Safety program, but will ultimately benefit the whole of the organization. As a result of the approved budget, it is hoped that both our General Fund balance and Assurance Fund balance will be at more acceptable levels than in the previous year.

4. The Finance Committee reviewed and commented on the financial statements for the fiscal year ended October 31, 2010.

There were no significant policy initiatives undertaken by the Finance Committee during 2010 as most of the audit group at the Law Society was focused on initiating the new Trust Safety Program.

## Annual Fees at Work



### PUBLIC PROTECTION (ASSURANCE FUND)

Count of Files for Assurance Fund

Year	Claim Amount	Reserve Amount	Paid Amount	Claims
2001	\$52,000	\$17,000	\$17,000	5
2002	\$743,000	\$496,000	\$496,000	18
2003	\$3,105,000	\$167,000	\$167,000	21
2004	\$2,606,000	\$1,460,000	\$1,402,000	43
2005	\$3,568,000	\$1,114,000	\$864,000	67
2006	\$15,126,000	\$1,862,000	\$754,000	71
2007	\$4,249,000	\$830,000	\$96,000	78
2008	\$1,189,000	\$163,000	\$14,000	28
2009	\$19,304,000	\$190,000	\$29,000	60
2010	\$8,644,000	\$1,291,000	\$11,000	39

*Paid amounts are reported on claims opened in the specific year even if have been paid in future years.*

## Summarized Financial Statements

October 31, 2010

## Auditors' Report

February 4, 2011  
To the Members of  
The Law Society of Alberta

The accompanying summarized balance sheet and statement of revenue, expenses and fund balances are derived from the complete financial statements of The Law Society of Alberta as at October 31, 2010 and for the year then ended on which we expressed an opinion without reservation in our report dated February 4, 2011. The fair summarization of the complete financial statements is the responsibility of management. Our responsibility, in accordance with Assurance Guideline 25 of The Canadian Institute of Chartered Accountants, is to report on the summarized financial statements.

In our opinion, the accompanying financial statements fairly summarize, in all material respects, the related complete financial statements in accordance with the criteria described in the Guideline referred to above.

These summarized financial statements do not contain all the disclosures required by Canadian generally accepted accounting principles. Readers are cautioned that these statements may not be appropriate for their purposes. For more information on the entity's financial position, results of operations and cash flows, reference should be made to the related complete financial statements.

*PricewaterhouseCoopers LLP*

Chartered Accountants  
Calgary, Alberta

## Summarized Balance Sheet

As at October 31, 2010

	2010	2009
	(\$000s)	(\$000s)
<b>Assets</b>		
Current assets	3,991	3,384
Investments	14,391	13,400
Reinsurance recoverables	5,214	3,698
Trust assets	841	711
Capital assets	1,333	1,626
	<u>25,770</u>	<u>22,819</u>
<b>Liabilities</b>		
Current liabilities	782	1,098
Reserve for claims and related costs	10,907	7,883
Pension plan payable	654	568
Trust liabilities	841	711
Deferred lease inducement	322	400
	<u>13,506</u>	<u>10,660</u>
<b>Fund Balances</b>		
Invested in capital assets	1,333	1,626
Externally restricted funds		
Contingency reserve	7,341	7,875
Scholarship reserve	1,239	1,190
Unrestricted funds	2,351	1,468
	<u>12,264</u>	<u>12,159</u>
	<u>25,770</u>	<u>22,819</u>

## Summarized Statement of Revenue, Expenses and Fund Balances

For the year ended October 31, 2010

	2010	2009
	(\$000s)	(\$000s)
<b>Revenue</b>		
Practice fees	18,262	17,031
Investment income	952	860
Management fee	1,175	1,016
Enrolment and application fees	336	343
Other	53	77
Fines and penalties	36	61
	<u>20,814</u>	<u>19,388</u>
<b>Expenses</b>		
Corporate costs	2,251	2,346
Departments, programs and committees	15,139	14,936
Grants and contributions	2,131	2,024
Provision (recovery) for claims and related costs	1,552	1,526
Scholarships	45	40
	<u>21,118</u>	<u>20,872</u>
<b>Excess (deficiency) of revenue over expenses for the year before the following</b>		
	(304)	(1,484)
Unrealized gain (loss) on fair market value of investments	409	(811)
<b>Excess (deficiency) of revenue over expenses for the year</b>		
	105	(673)
<b>Fund balances - beginning of year</b>		
	12,159	12,832
<b>Fund balances - end of year</b>		
	<u>12,264</u>	<u>12,159</u>

## Summarized Non-Consolidated Financial Statements

June 30, 2010

### Auditors' Report

December 9, 2010  
To the Directors of  
The Alberta Lawyers Insurance Association

The accompanying summarized non-consolidated balance sheet and non-consolidated statement of revenue, expenses and net assets are derived from the complete non-consolidated financial statements of The Alberta Lawyers Insurance Association as at June 30, 2010 and for the year then ended on which we expressed an opinion without reservation in our report dated December 9, 2010. The fair summarization of the complete non-consolidated financial statements is the responsibility of management. Our responsibility, in accordance with Assurance Guideline 25 of The Canadian Institute of Chartered Accountants, is to report on the summarized financial statements.

In our opinion, the accompanying non-consolidated financial statements fairly summarize, in all material respects, the related complete non-consolidated financial statements in accordance with the criteria described in the Guideline referred to above.

These summarized non-consolidated financial statements do not contain all the disclosures required by Canadian generally accepted accounting principles. Readers are cautioned that these statements may not be appropriate for their purposes. For more information on the entity's financial position, results of operations and cash flows, reference should be made to the related complete non-consolidated financial statements.

*PricewaterhouseCoopers LLP*

Chartered Accountants  
Calgary, Alberta

### Summarized Non-Consolidated Balance Sheet

As at June 30, 2010

	2010 (\$000s)	2009 (\$000s)
<b>Assets</b>	18,299	19,082
Current assets	85,051	80,146
Capital assets	46	29
	<u>103,396</u>	<u>99,257</u>
<b>Liabilities</b>		
Current liabilities	17,023	16,022
Reserve for claims and related costs	55,034	46,027
	<u>72,057</u>	<u>62,049</u>
<b>Net assets</b>		
Unrestricted net assets	31,339	37,208
	<u>103,396</u>	<u>99,257</u>

### Summarized Non-Consolidated Statement of Revenue, Expenses and Net Assets

For the year ended June 30, 2010

	2010 (\$000s)	2009 (\$000s)
<b>Revenue</b>		
Annual levy	15,398	10,474
Investment income	8,462	4,648
	<u>23,860</u>	<u>15,122</u>
<b>Expenses</b>		
Provision for claims and related costs	20,174	15,184
Premium paid to Canadian Lawyers Insurance Association	3,799	2,721
Operating expenses	3,420	2,788
	<u>27,393</u>	<u>20,693</u>
<b>Deficiency of revenue over expenses for the year before the following</b>	(3,533)	(5,571)
Unrealized loss on fair market value of investments	(2,336)	(8,528)
Premium credit	-	736
<b>Deficiency of revenue over expenses for the year</b>	(5,869)	(13,363)
<b>Unrestricted net assets - Beginning of year</b>	37,208	50,571
<b>Unrestricted net assets - End of year</b>	<u>31,339</u>	<u>37,208</u>

## 2010 Executive Committee of the Law Society of Alberta



**Front row** (from left to right): Nicole Woodward (Staff Governance Lawyer); Doug Mah, QC (President-Elect); Rod Jerke, QC (President); Don Thompson, QC (Executive Director); and Howard Kushner (Deputy Executive Director – Regulation).

**Middle row** (from left to right): Larry Ohlhauser, MD (Public Representative); Dale Spackman, QC; and Carsten Jensen, QC.

**Back row** (from left to right): Steve Raby, QC; and Ron Everard, QC

## 2010 Benchers of the Law Society of Alberta



**Front row** (seated from left to right): Harry Van Harten; Ron Everard, QC; Doug Mah, QC (President-Elect); Rod Jerke, QC (President); Don Thompson, QC (Executive Director); Carsten Jensen, QC; and Dale Spackman, QC.

**Middle row** (standing from left to right): Rose Carter, QC; Neena Ahluwalia, QC; Tony Young, QC; Jim Eamon, QC; Scott Watson, QC; Kevin Feth, QC; Steve Raby, QC; and Amal Umar (Public Representative).

**Back row** (standing from left to right): Fred Fenwick, QC; Frederica Schutz, QC; Larry Ohlhauser, MD (Public Representative); James Glass, QC; Roy Nickerson, QC; Miriam Carey, PhD (Public Representative); Wayne Jacques (Public Representative); and Sarah King-D'Souza, QC.

**Missing:** Larry Ackerl, QC; and John Higgerty, QC.

## Viscount Bennett Scholarship Winners

The Viscount Bennett Scholarship was established through a trust fund by the Right Honourable Viscount Bennett to encourage a high standard of legal education, training and excellence. In 2010, scholarships were awarded to three Alberta law students.



### Jocelyn Stacey

Having completed a year - long clerkship at the Supreme Court of Canada in Ottawa, Jocelyn Stacey now has her sights set on earning an LL.M. degree from Yale University. She intends to focus her course work on legal theory and also work on an individual research project on administrative and environmental law. Jocelyn has a B.Sc. from the U. of Alberta and an LL.B. from the U. of Calgary. Upon earning her LL.M., she plans to find an academic position at a Canadian law school.



### Anna Lund

Anna Lund is attending the University of California, Berkeley (Boalt Hall), working towards her LL.M. and focusing on property law, bankruptcy law and water rights. She will be writing her thesis with Joseph Sax, author of *Legal Control of Water Resources: Cases and Materials* (Thomson West, 2006). Anna is appreciative of the Viscount Bennett Scholarship as it assists her in pursuing studies in water issues.



### Cameron Jefferies

Earning a biological sciences degree from the University of Alberta fueled an interest in environmental law for Cameron Jefferies. Having completed his law degree at the University of Alberta, Cameron is now studying towards his LL.M. at the University of Virginia in Charlottesville. Cameron plans to complete an independent research project on whale and shark conservation along with his course work.

## 2010 STANDING COMMITTEE LIST

### ACCESS TO JUSTICE

Scott Watson (*Chair*)  
Wayne Jacques (*Vice-Chair*)  
Fred Fenwick  
John Higgerty  
Roy Nickerson  
Steve Raby  
Sarah King-D'Souza  
Gillian Marriott  
Janice Pasay  
Jocelyn Frazer (*LSA*)

### APPEAL

Rod Jerke (*President*)  
Doug Mah (*President-Elect*)

### Benchers:

Larry Ackerl  
Neena Ahluwalia  
Rose Carter  
James Eamon  
Ron Everard  
Fred Fenwick  
Kevin Feth  
James Glass  
John Higgerty  
Carsten Jensen  
Sarah King-D'Souza  
J. Roy Nickerson  
Stephen Raby  
Frederica Schutz  
Dale Spackman  
Harry Van Harten  
Scott Watson  
Tony Young

### Appointed Benchers:

Miriam Carey  
Wayne Jacques  
Larry Ohlhauser  
Amal Umar  
Donna Diamond (*LSA*)

### AUDIT

Carsten Jensen (*Chair*)  
Frederica Schutz  
Jim Eamon  
Brett Code  
Brian Foster  
Heather Dunlop  
Christine Silverberg  
Don Thompson, ex officio (*LSA*)  
Bill Wakefield (*LSA*)  
Drew Thomson (*LSA*)  
Tia Mankar (*LSA*)

### CIVIL PRACTICE ADVISORY

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Jim Glass (*Vice-Chair*)  
Roy Nickerson  
Russell Brown  
David Hicks  
Elizabeth Liu  
David Tupper  
Raymond Wong  
Vivian R. Stevenson (*Rules of Court, ex officio*)  
Jim Eamon (*Rules of Court, ex officio*)

Diana J. Lowe (*Canadian Forum on Civil Justice, ex officio*)  
Mr. Justice David Wilkins (*Ad Hoc Member*)  
Don Thompson, ex officio (*LSA*)

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Kevin Feth (*Vice-Chair*)  
Larry Ackerl  
Neena Ahluwalia  
Miriam Carey  
Fred Fenwick  
Jim Glass  
John Higgerty  
Sarah King-D'Souza  
Larry Ohlhauser  
Steve Raby  
Amal Umar  
Harry Van Harten  
Mae Chow  
Catrin Coe  
Sandra Corbett  
Bill Hendsbee  
Clarke Hunter  
Karen M. O'Keefe  
Walter Pavlic  
Kathleen Ryan  
Harvey Steblyk  
Howard Kushner (*LSA*)  
Greg Busch (*LSA*)  
Janet Dixon (*LSA*)  
Donna Diamond (*LSA*)

### CONTINUING PROFESSIONAL

#### DEVELOPMENT

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Frederica Schutz (*Vice-Chair*)  
Larry Ackerl  
Wayne Jacques  
Harry Van Harten  
Corinne Ghitler  
Julie Inch  
Kathryn Chisholm  
Paul Wood (*LSA*)  
Nancy Carruthers (*LSA*)  
Ross McLeod (*LSA*)  
Michael Penny (*LSA*)

### CORPORATE & COMMERCIAL ADVISORY

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Peter Dobbie (*Vice-Chair*)  
Rick Reeson  
Ken Skingle  
David Stratton  
Peter Bryan  
Don Thompson (*LSA*)

### CREDENTIALS & EDUCATION

Ron Everard (*Chair*)  
John Higgerty (*Vice-Chair*)  
Rose Carter  
Jim Eamon  
Wayne Jacques  
Frederica Schutz  
Dale Spackman  
Amal Umar

Tony Young  
Crae Garrett  
Kanchana Fernando  
Lorena Harris  
Anne Kirker  
Catherine Workun  
Dean Alastair Lucas (*U of C*)  
John Law (*U of A*)  
Paul Wood (*LESA*)  
Howard Kushner (*LSA*)  
Angela Gallo-Dewar (*LSA*)

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Harry Van Harten (*Vice-Chair*)  
T. Catherine Christopher  
Charles Davison  
Gloria Grieco  
James Lutz  
Greg Rice  
Neil Skinner  
Janet Dixon (*LSA*)  
Katrina Diaz (*LSA*)

### EXECUTIVE

Rod Jerke (*President*)  
Doug Mah (*President-Elect*)  
Ron Everard  
Carsten Jensen  
Steve Raby  
Dale Spackman  
Larry Ohlhauser (*Appointed Bencher*)  
Don Thompson (*LSA*)  
Nicole Woodward (*LSA*)

### FAMILY LAW ADVISORY COMMITTEE

John Higgerty (*Chair*)  
Renee Cochard  
Timothy J. Corcoran  
Dale Ellert  
Catherine Fox  
Tina Huizinga  
Barbara Widdowson  
Deborah Miller  
Kathy Whitburn (*LSA*)  
Shonet Arsenault (*LSA*)

### FINANCE

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Miriam Carey  
Jim Eamon  
Fred Fenwick  
Wayne Jacques  
Amal Umar  
Tony Young  
Blair Carbert  
James McGinnis  
Deanna Steblyk  
Bill Wakefield (*LSA*)  
Nadine Meade (*LSA*)  
Drew Thomson (*LSA*)  
Don Thompson, ex officio (*LSA*)

### GOVERNANCE COMMITTEE

Dale Spackman (*Chair*)  
Neena Ahluwalia (*Vice-Chair*)

Carsten Jensen  
Larry Ohlhauser  
Scott Watson  
Doug Hudson  
Don Thompson (*LSA*)  
Drew Thomson (*LSA*)  
Nicole Woodward (*LSA*)  
Rod Jerke (*President*)  
Doug Mah (*President-Elect*)

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Ron Everard  
Jim Glass  
Sean Smyth  
Doug Stokes  
Phyllis A. L. Smith (*CLIA Past Chair – ex officio*)  
Vivian Stevenson (*CLIA Rep*)  
Lisa Sabo (*ALIA*)  
Veronica D'Souza (*ALIA*)

### JOINT LIBRARY

Rose Carter (*Chair*)  
Larry Ackerl (*Vice-Chair*)  
Elliot Baker  
Marlis Schoenemann (*CanLII Rep*)  
Lynn Varty (*Planning & Business Services*)  
Sonia Poulin (*Director, Provincial Law Libraries*)

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Dena Mitchell  
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...continued on page 24

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