
**Approved Minutes of the Annual General
Meeting of the Law Society of Alberta (Law
Society) held at the Law Society Offices
Edmonton, Alberta
April 7, 2016**

Law Society President, Anne Kirker, QC, called the meeting to order at 4:00 p.m. on April 7, 2016 and confirmed that a quorum of 20 members has been met.

1 Approval of the Minutes

Anne Kirker

The minutes of the April 9, 2015 Annual General Meeting were circulated to members in attendance at the meeting.

Motion: Armstrong/Chak

To approve minutes of the Annual General Meeting held April 9, 2015.

Carried

2 President's Report

Anne Kirker

The President's oral report follows:

The regulation of the legal profession has always evolved to ensure that current standards remain current, fair and defensible. This evolution impacts most of our regulatory framework. Over the years changes have been made in many areas to ensure that the legal profession continues to be independently regulated and that the public's confidence in our profession is maintained. These values are fundamental to ensuring the collective and individual public trust that is needed for lawyers to continue discharging their unique and fundamental role in the administration of justice.

Broadly speaking, and in furtherance of the strategic goals set by the Benchers, the Law Society has worked hard over the past year to enhance the services it provides to Alberta lawyers, to support and help them to deliver high quality legal services, avoid professional negligence, properly manage trust funds, and demonstrate high levels of ethical behaviour in their practices. Highlights of this include refinements to the Trust Safety program to enhance risk management; continued work in the retention and reengagement arena; and preparations for a consultation with the profession about innovation in the way we regulate, with a focus on entity regulation and compliance-

based regulation. The Law Society also looks forward to engaging with the profession about alternative business structures.

The Law Society is looking for ways to regulate that are proactive and flexible and which foster more innovative, efficient and cost effective delivery of legal services to the public whose interests we strive to protect. We welcome input from Alberta lawyers to explore options, identify challenges, mitigate risks, so that we make informed decisions about how we regulate the profession going forward. Members are encouraged to review the paper on the Law Society website in relation to these issues and consultation materials are being finalised.

The Law Society has also examined and taken steps to improve regulatory functions in circumstances where corrective action is required in order to maintain public confidence in the legal profession. A number of conduct complaint processes have been improved to ensure accessibility, transparency and timeliness, to ensure the Law Society is meeting National Discipline Standards approved by the Federation of Law Societies of Canada (the “Federation”) in April 2014.

The Law Society will soon welcome its expanded pool of adjudicators and implement an enhanced adjudicator training program through a newly established Tribunal Office, to ensure our decision making standards and practices are of the highest quality.

The Law Society continues to strive to make a meaningful contribution to access to justice, and to otherwise uphold the principles of justice fundamental to a free and democratic society. We are consulting with the provincial government in its review of the legal aid system in Alberta, we are a co-convenor in the Reforming Family Justice System initiative together with government and the courts, and we are gathering the information we need to meaningfully action the Truth and Reconciliation Commission recommendations.

Steps have been taken to enhance organizational culture and capacity, including streamlining and refining the committee structure. Committees are now organized in such a way that responsibilities for the pre-Board work required to assist the Benchers in discharging their oversight duties and to support the Board’s policy-making work, have been centralized into pre-Board committees and task forces. Adjudication committees will focus on adjudication responsibilities alone.

Throughout, the Law Society keeps a firm eye on organizational capacity and the strategic use of resources. The cost of our regulatory work has grown. The cost to ensure the safe operation of trust accounts is significant. Each year, we receive a significant number of complaints in response to a high number of claims related to the mismanagement of trust funds. Historically, lawyers who operated trust accounts bore the cost of annual audits; however, with the introduction of the Trust Safety program that cost was transferred to the Law Society. Our historical funding model spread the cost

across the profession; however, not all lawyers operate trust accounts, and are therefore not involved in the activity that creates the highest risk. The Benchers approved the implementation of a Trust Transaction Fee (TTF) as an alternate way to fund that part of our regulation of the risk. It is anticipated that the TTF will reduce the general practice fee by as much as one-third.

The Law Society will continue to collaborate with other Canadian law societies through our work with the Federation.

The evolution of our work led to the decision this year to transition toward closure of the Edmonton office. The Benchers had given the Law Society a clear mandate in the Strategic Plan to manage the risks which arose from the record number of claims, complaints, and trust fund issues following the economic downturn in 2008. A review of activities in the Counsel department and in our Trust Safety program and advice from external experts on how to improve the Trust Safety program led to the decision to consolidate the Trust Safety function in Calgary. Management's recommendation for dealing with the space in Edmonton was to transition out of the office and find new ways to maintain a presence in the city. The Law Society is committed to finding new and improved ways to maintain a presence in the Edmonton area and across the province.

In the year ahead the Law Society will refresh its Strategic Plan. The mission, vision, values and operating principles will continue to anchor the organization. We will continue to seek ways to encourage and engage lawyers and other stakeholders to work with us as we move forward to meet the challenges ahead while maintaining high ethical standards and competence of lawyers and preserve the public trust.

3 Old Business

Anne Kirker

There were no items of old business.

4 New Business

Anne Kirker

There being no further business the meeting was adjourned at 4:10 p.m.

Motion: Sommerville/Scott

To adjourn the April 7, 2016 Annual General Meeting of the Law Society.

Carried