

Approved Benchers Public Minutes

Public Minutes of the Five Hundred and Twelfth Meeting of the Benchers of the Law Society of Alberta (the “Law Society”)

February 23, 2023

In person in Calgary, AB and by videoconference

9:30 am

ATTENDANCE

<p>Benchers:</p>	<p>Ken Warren, Outgoing President Bill Hendsbee, President Deanna Steblyk, President-Elect Sony Ahluwalia Ryan Anderson Glen Buick Lou Cusano Ted Feehan Corie Flett Kene Ilochonwu Cal Johnson Jim Lutz Bud Melnyk Mary Ellen Neilson Sanjiv Parmar Sandra Petersson (by videoconference) Stacy Petriuk Ron Sorokin (by videoconference) Margaret Unsworth Maira Váně Grant Vogeli Louise Wasylenko</p>
<p>Executive Leadership Team:</p>	<p>Elizabeth Osler, CEO and Executive Director Cori Ghitler, Deputy Executive Director and Director, Policy and Education Nadine Meade, Chief Financial Officer Kendall Moholityn, Director, Regulation and Professionalism</p>



ATTENDANCE

	Andrew Norton, Chief Information Officer and Director, Business Operations David Weyant, CEO & President, Alberta Lawyers Indemnity Association (by videoconference)
Staff:	Susannah Alleyne, Equity, Diversity & Inclusion Counsel Nancy Bains, Tribunal Counsel and Privacy Officer (In person) Reed Bjerkseth, Business Technology (In person) Sheila Bryant, Senior Manager, Information, Technology and Change (In person) Shabnam Datta, Manager, Policy Jennifer Freund, Policy & Governance Counsel Andrew McGrath, Business Technology (In person) Noria Neuhart, Policy Counsel Christine Schreuder, Supervisor, Governance (In person) Laura Scheuerman, Governance Coordinator (In person) Avery Stodalka, Senior Communications Advisor (In person) Rebecca Young, Education Counsel
Guests:	Loraine Champion, Executive Director, Alberta Lawyers' Assistance Society Carsten Jensen, Law Society of Alberta representative to the Federation of Law Societies of Canada Kyle Kawanami, Treasurer, Canadian Bar Association Alberta Nonye Opara, Executive Director, Pro Bono Law Alberta Christine Sanderman, Executive Director, Legal Education Society of Alberta Liza Worthington, Acting CEO, Canadian Centre for Professional Legal Education
Regrets:	Bencher, Levonne Louie
Observers:	Ian Burns, Digital Reporter, The Lawyer's Daily Elsy Gagné, President, Association des juristes d'expression française de l'Alberta (AJEFA)

Secretary's Note: All Bencher and ELT attendees were in person unless otherwise stated. All Staff, guests and observers attended via videoconference unless otherwise stated. The arrival or departure of participants during the meeting are recorded in the body of these minutes.

Item	
Call to Order	
Mr. Hendsbee called the meeting to order at 9:30 am and welcomed everyone. Ms. Neilson delivered the Alberta land acknowledgement statement.	
1	Remarks from the Outgoing President Mr. Warren provided his outgoing remarks, reflecting on his time as Bencher and President. He commended the Benchers' work in support of the Law Society's strategic goals in their



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	<p>role to the public interest. He extended his gratitude to the Benchers, Executive Leadership Team and Law Society Staff.</p>
<p>2</p>	<p>Opening Remarks from the President</p> <p>Mr. Hendsbee thanked Mr. Warren for his service and contributions as a Bencher since 2018 and as President. Mr. Hendsbee highlighted Mr. Warren’s leadership which enabled strong strategic plan momentum.</p> <p>Mr. Hendsbee delivered a brief overview of the events leading up to and including the Special Meeting on February 6, 2023.</p>
<p>3</p>	<p>Leadership Report</p> <p>Documentation for this item was circulated with the materials prior to the meeting.</p> <p>Ms. Osler recognized Mr. Warren for his time as Bencher and President, particularly his pragmatic principled role as Chair for the Special Meeting.</p> <p>Ms. Osler expressed deep gratitude to the Law Society Team who supported the Special Meeting with special recognition to Andrew Norton and his team who led the project planning and execution, the Communications Department led by Avery Stodalka, and especially high praise went to Jennifer Freund for her invaluable Parliamentary advice and support.</p> <p style="text-align: right;"><i>Mr. Warren left the meeting.</i></p>
<p>4</p>	<p>Board Relations Guideline and In Camera Guideline Annual Review</p> <p>Documentation for this item was circulated with the materials prior to the meeting.</p> <p>Ms. Steblyk provided an overview of the Board Relations Guideline and In Camera Guideline outlining each Norm and its purpose.</p>
<p>5</p>	<p>2023 Committees, Advisory Committees, Task Force, Liaisons and Other Bodies</p> <p>Documentation for this item was circulated with the materials prior to the meeting.</p> <div style="border: 1px solid black; padding: 5px;"> <p>Motion: Unsworth/Johnson</p> <p>To appoint the 2023 Bencher committees, advisory committees, task force, liaisons and representatives to “other bodies” as set out in the 2023 Committees, Advisory Committees, Liaison, Task Force and Other Bodies list; and</p> <p>To continue the term of appointment for any person on a 2022 committee involved in any ongoing adjudicative matter until such time as a report or decision is rendered on the matter in which they are involved.</p> <p style="text-align: right;">Carried unanimously</p> </div>
<p>6</p>	<p>Strategic Committee Priorities</p> <p>Documentation for this item was circulated with the materials prior to the meeting.</p> <p>Ms. Ghitter provided an overview of the strategic committee priorities as related to resources and budget. The Benchers were invited to provide feedback.</p>



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	<p>In response to a Bencher question Ms. Ghitter confirmed that, resulting from the Furlong report, part of the Lawyer Competence Committee’s mandate is to improve new lawyer competence in their early years of practice.</p> <div style="border: 1px solid black; padding: 5px;"> <p>Motion: Cusano/Ahluwalia That the Benchers approve the priorities as set out in the attached Lawyer Competence Committee; Equity, Diversity and Inclusion Committee; and Policy and Regulatory Reform Committee memorandums.</p> <p style="text-align: right;">Carried unanimously</p> </div>
<p>7</p>	<p>Code of Conduct Amendments – Official Language Rights</p> <p style="text-align: right;"><i>Ms. Bains joined the meeting.</i></p> <p>Documentation for this item was circulated with the materials prior to the meeting.</p> <p>Ms. Freund provided an overview of the Code of Conduct language rights discussion at the December Bencher meeting resulting from a letter from the <i>Association des juristes d’expression française de l’Alberta</i> (AJEFA). The Policy and Regulatory Reform Committee has reviewed the amendments outlined in the memo and is recommending for Bencher approval.</p> <p>Most of the Benchers supported the changes as proposed. Those opposed to the changes thought that the changes to Code 3.2-8 (b) may dilute or weaken access to French speaking representation. As well, it was observed that the Law Society has no obligation to follow the Model Code.</p> <div style="border: 1px solid black; padding: 5px;"> <p>Motion: Melnyk/Wasylenko That the Benchers amend Code of Conduct provision 3.2-8 and the associated heading and commentary, as proposed.</p> <p style="text-align: right;">Carried</p> </div>
<p>8</p>	<p>Innovation Sandbox Update</p> <p><i>Secretary’s note: Mr. Polsky was detained as a result of a flight delay, and his presentation was deferred to the April Bencher meeting.</i></p>
<p>9</p>	<p>Audit and Finance Committee Report</p> <p>Documentation for this item was circulated with the materials prior to the meeting.</p>
<p>10</p>	<p>Equity, Diversity and Inclusion Committee Update</p> <p>Documentation for this item was circulated with the materials prior to the meeting.</p>
<p>11</p>	<p>Lawyer Competence Committee Update</p> <p>Documentation for this item was circulated with the materials prior to the meeting.</p>



	Item
12	<p>Tribunal Office Update</p> <p>Documentation for this item was circulated with the materials prior to the meeting.</p> <p>Ms. Bains expressed her gratitude to the Benchers for their significant adjudicative commitment to the hearings over the past year. Special commendations were extended to Margaret Unsworth and Louise Wasylenko for their substantial contributions on a particularly long hearing.</p> <p style="text-align: right;"><i>Ms. Bains left the meeting.</i></p>
13	<p>CONSENT AGENDA</p> <p>Documentation for this item was circulated with the materials prior to the meeting. There were no requests to remove any items from the consent agenda and the items were approved concurrently.</p> <div style="border: 1px solid black; padding: 5px;"> <p>Motion: Buick/Melnyk</p> <p>13.1 That the Benchers approve the date and time of the 2023 virtual Annual General Meeting of the Law Society of Alberta to be November 30, 2023 at 11:00 a.m., or such other date and time and place (or means) as the CEO and Executive Director of the Law Society may determine in their discretion.</p> <p>13.2 That the Benchers approve the re-appointment of PricewaterhouseCoopers (PwC) as auditors for the Law Society of Alberta for the fiscal year ending December 31, 2023.</p> <p style="text-align: right;">Carried unanimously</p> </div>
14	<p>EXTERNAL REPORTS</p> <p>The following External Agency Reports were circulated with the materials prior to the meeting:</p> <ul style="list-style-type: none"> 14.1 Alberta Law Reform Institute Report – Ms. Petersson added to her report that there is now a Federal Law Reform Commission. 14.2 Alberta Lawyers’ Assistance Society Report 14.3 Canadian Bar Association Report 14.4 Canadian Centre for Professional Legal Education (CPLED) Report 14.5 Federation of Law Societies of Canada Report 14.6 Legal Education Society of Alberta Report 14.7 Pro Bono Law Alberta Report 14.8 Real Estate Practice Advisory Committee Liaison Report
	<p>Other Business</p> <p>There being no further business, the public meeting was adjourned at 11:35 am.</p>