



## Bencher Meeting: Minutes

**To:** Benchers

**Purpose:** Approval (Consent Agenda)

**Date:** Friday, November 29, 2024

**Present:**

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

<b>Staff present:</b>	Don Avison, KC	Jeanette McPhee
	Gurprit Bains	Rose Morgan
	Barbara Buchanan, KC	Michael Mulhern
	Michaela David	Doug Munro
	Jackie Drozdowski	Rashmi Nair
	Su Forbes, KC	Carrie Robinson
	Kerryn Holt	Lesley Small
	Jeffrey Hoskins, KC	Arrie Sturdivant
	Alison Kirby	Christine Tam
	Jane Ladesma	Maddie Taylor
	Michael Lucas, KC	Adam Whitcombe, KC
	Claire Marchant	Vinnie Yen
	Tara McPhail	

<b>Guests:</b>	Dom Bautista	Executive Director, Courts Center & Executive Director, Amici Curiae Friendship Society
	Cori Gitter, KC	Deputy Executive Director, Law Society of Alberta
	Katrina Harry, KC	2025 Bencher-Elect
	Freya Kodar	Dean of Law, UVic
	Derek LaCroix, KC	Executive Director, Lawyers Assistance Program of BC
	Jamie Maclaren, KC	Executive Director, Access Pro Bono Society of BC
	Michael McDonald, KC	Former Member, Truth & Reconciliation Advisory Committee, Law Society of BC
	Desmond MacMillan	Assistant Dean of Law, Thompson Rivers University
	Mark Meredith	Treasurer and Board Member, Mediate BC
	Lee Nevens	President, Canadian Bar Association, BC Branch
	Caroline Nevin	CEO, Courthouse Libraries BC
	Tina Parbhakar	Strategic Coordinator, A2JBC and co-founder of South Asian Legal Clinic of BC
	Ngai Pindell	Dean of Law, Peter A. Allard School of Law
	Rob Seto	Director of Programs, Continuing Legal Education Society of BC
Kerry Simmons, KC	Executive Director, Canadian Bar Association, BC Branch	
Liza Worthington	Chief Executive Officer, Canadian Centre for Professional Legal Education	

## Consent Agenda

### 1. Minutes of November 1, 2024, meeting (regular session)

The minutes of the meeting held on November 1, 2024 were approved unanimously and by consent as circulated.

### 2. Minutes of November 1, 2024, meeting (*in camera* session)

The minutes of the *in camera* meeting held on November 1, 2024 were approved unanimously and by consent as circulated.

### 3. Rule Amendment: Tribunal Chair Term Limit

The following resolution was passed unanimously and by consent:

**BE IT RESOLVED** to amend Rule 5-1.3 (3) of Law Society Rules by deleting the word “two” and by inserting in its place the phrase “to be set by the Benchers upon making the appointment, and must not exceed three”.

**REQUIRES 2/3 MAJORITY OF BENCHERS PRESENT**

## Reports

### 4. President’s Report

President Jeevyn Dhaliwal, KC confirmed that no conflicts of interest had been declared for the regular portion of the meeting.

Ms. Dhaliwal began her report by congratulating the Benchers that were elected to the 2025 Executive Committee and thanking all those who put forward their names.

Ms. Dhaliwal then congratulated Justice Lindsay LeBlanc on her appointment to the Supreme Court of British Columbia, which had been announced that morning. She thanked Justice LeBlanc for her many contributions to the Law Society. Ms. Dhaliwal announced that Second Vice-President-Elect Thomas Spraggs would become Second Vice-President for the remainder of 2024 and First Vice-President for 2025. She also spoke about plans to fill the vacant Bencher position in the County of Victoria, the vacancy for Second Vice-President for 2025, a possible vacancy on the Executive Committee, and the vacancy on the transitional board, and she advised that further information would be communicated to Benchers.

Ms. Dhaliwal provided an overview of her recent and upcoming meetings and events, which included attending a call ceremony that morning to welcome over 100 new lawyers to the

profession; attending the Yale County Bench and Bar Dinner, which Don Avison, KC also attended; attending a call ceremony with Bencher Christina J. Cook in the territories of the Nlaka'pamux and the Syilx peoples; travelling to Winnipeg to deliver a presentation on the politicization of the justice system and lawyer independence at the Manitoba Defense Conference; and, travelling to Prince Rupert to attend a welcome ceremony.

Ms. Dhaliwal concluded her remarks by thanking Benchers and staff for their support during her tenure. She spoke about the accomplishments of the Law Society during her time as a Bencher including tackling access to justice challenges; modernizing professional regulation; combatting money laundering; working towards reconciliation; and, focusing on equity, diversity, and inclusion demonstrated through the increased representation around the Bencher table, which better reflects the community and public that the Law Society serves. Ms. Dhaliwal spoke about her gratitude in serving as President and her confidence that the Law Society would continue to lead with integrity, dedication, and compassion.

## **5. CEO's Report**

Don Avison, KC began his report with an update regarding changes to cabinet following the recent provincial election, as well as to the composition of the Legislative Assembly. He indicated that 65% of those who were elected had not previously sat as members of the legislative assembly before. Mr. Avison advised that he would be meeting with the Deputy Attorney General to speak about a number of matters of importance to the Law Society.

With respect to the ongoing litigation, Mr. Avison indicated the hearing would take place in October 2025 at the Supreme Court of BC, and that Chief Justice Skolrood has appointed himself as both the case management judge and as the trial judge for this matter.

Mr. Avison then spoke of the significance of the 2025 Financial Action Task Force (FATF) review, and the responsibility of Law Society to take a leadership role in working with the Federation of Law Societies of Canada in responding to FATF. Mr. Avison advised that he would be meeting with Financial Transactions and Reports Analysis Centre of Canada officials on December 9 in Ottawa, and that further information would be provided at a subsequent meeting.

Mr. Avison then provided an update about the launch of online credit card payments for Certificates of Standing applications through the Law Society member portal.

Mr. Avison concluded his remarks by acknowledging the significant progress that has been made to date regarding the Law Society's objectives and strategic plan, as well as the number of significant initiatives that had taken place over his tenure, including the Cullen Commission, and the work the Law Society has done to combat money laundering; weathering the COVID-19 pandemic; and the ongoing work regarding the single legal regulator initiative. Mr. Avison thanked Benchers and staff for their support and efforts over the past few years.

## **6. Briefing by the Law Society’s Member of the Federation Council**

First Vice-President Brook Greenberg, KC provided a brief overview of the written report he provided for Benchers’ information, which included an overview of the recent Federation meetings.

Benchers spoke about the importance of ensuring that the profession was aware of the mental health resources and supports available through the Law Society. Mr. Greenberg advised that there is mental health hub on the Law Society website and that he would be supportive of links to these supports being made available to the profession in future Law Society communications.

## **7. Briefing by the Law Society’s Member of the CBABC Provincial Council**

Bencher Kevin Westell provided a brief overview of the written report he provided for Benchers’ information, which included an overview of the recent Canadian Bar Association of BC (CBABC) provincial council meeting. Mr. Westell noted that this was the first meeting overseen by CBABC President Lee Nevens, who is the first transgender lawyer to ever hold that position, and the first non-binary President in CBA history.

# **Updates**

## **8. Financial Matters**

- **2024 Enterprise Risk Management Plan: Update**

Mr. Avison presented an overview of the Law Society’s 2024 Enterprise Risk Management Plan along with changes from previous years. Mr. Avison summarized the Law Society’s major strategic risks, and indicated that risks related to the transition to the single legal regulator and cyber security breaches had been moved higher on the register. He also spoke about the work being completed to address timeliness and methods of addressing lawyer misconduct, incompetence, and Rule breaches. He also reviewed the mitigation plans for these risks.

Benchers discussed risks related to the single legal regulator initiative, particularly in regard to the potential diversion of resources from the Law Society’s regulatory obligations and other strategic objectives. Mr. Avison advised that operational focus continued to be on the Law Society’s mandate, but that the risks inherent to the transition should be acknowledged.

- **Financial Report - 2024 - Q3 and Forecast**

Jeanette McPhee, Chief Financial Officer & Senior Director of Trust Regulation provided an overview of the financial results and highlights to the end of September 2024, as well as an overview of the forecasted 2024 year-end results. Ms. McPhee indicated that the General Fund

operations resulted in a positive variance to budget, with revenues very close to budget, but operating expenses were lower than budget due to both permanent savings and timing differences. Ms. McPhee also provided an overview of forecasted 2024 year-end results, noting that revenue was projected to be under budget, due a slightly lower number of practising lawyers and lower electronic filing revenues, due to the 2024 budget being set too high regarding the anticipated percentage for the real estate market. Ms. McPhee indicated that total operating expenses were projected to be below budget for the year primarily due to a decrease in property taxes and operational savings. Ms. McPhee concluded her remarks with an overview of the Law Society’s investment portfolio.

## For Information

### 9. 2024 Articling Program Assessment

There was no discussion on this item.

### 10. External Appointment: Law Foundation of BC

There was no discussion on this item.

### Final Remarks

Mr. Avison and Mr. Greenberg paid tribute to outgoing President Dhaliwal and thanked her for her dedication, commitment, and significant contributions to the Law Society on behalf of the public interest over the years. Ms. Dhaliwal thanked Mr. Avison and Mr. Greenberg for their kind words, thanked Benchers and staff for their support during her tenure, and then welcomed Mr. Greenberg as President for 2025 and presented him with the President’s pin.

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

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2024-01-28