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Public Minutes
of the Four Hundred and Eighty-Sixth Meeting
of the Bencher Board of the Law Society of Alberta (“Law Society”)
held at the Bell Tower, 800, 10104 – 103 Avenue NW, Edmonton, Alberta
November 30, 2017

Benchers present:

Anthony Young, President
Donald Cranston, President-Elect
Robert Armstrong
Glen Buick
Arman Chak
Brett Code
Sandra Corbett
Nancy Dilts
Robert Dunster
Fred Fenwick
Robert Harvie
Cal Johnson
Walter Pavlic
Corinne Petersen
Kathleen Ryan*
Darlene Scott
Hugh Sommerville
Kent Teskey
Margaret Unsworth
Louise Wasylenko

Regrets:

Dennis Edney
Adam Letourneau
Sarah King-D’Souza
Amal Umar

Executive Leadership Team members present:

Don Thompson, Executive Director and CEO
Elizabeth Osler, Deputy Executive Director and
Director, Regulation
Cori Gitter, Director, Professionalism and Policy
Drew Thomson, Chief Financial Officer
David Weyant, Chief Operating Officer, ALIA/ALIEX

Staff present:

Paule Armeneau, General Counsel
Colleen Brown, Manager, Communications
Nancy Carruthers, Manager, Policy and Ethics
Ruth Corbett, Governance Administrator
Jennifer Freund, Policy Counsel
Christine Schreuder, Governance Assistant

Guests and Observers present:

Ryan Anderson, Bencher-elect
Cori Flett, Bencher-elect
Karen Hewitt, Bencher-elect
Linda Long, Bencher-elect
Jim Lutz, Bencher-elect
Bud Melnyk, Bencher-elect
Stacy Petriuk, Bencher-elect
Robert Philips, Bencher-elect
Nate Whitling, Bencher-elect
Marian De Souza, Executive Director, Assist
Frank Friesacher, Vice-President, Canadian Bar
Association, Alberta Branch
Sandra Petersson, Director, Alberta Law Reform
Institute
Steve Raby, Federation of Law Societies of Canada
Maura Sutherland, Executive Director, Legal Education
Society of Alberta

**Secretary's Note: The arrival and/or departure of participants, staff, and guests during the meeting are recorded in the body of these minutes.*

1 Call the Meeting to Order

Anthony Young

The public meeting was called to order at 8:45 am.

2 Welcoming Remarks from the Chair

Anthony Young

The Chair opened the meeting by reading the following indigenous land territorial acknowledgement statement: *"We would like to begin by acknowledging that the land on which we gather is Treaty 6 territory and a traditional meeting ground and home for many Indigenous Peoples, including Cree, Saulteaux, Blackfoot, Métis, and Nakota Sioux."*

The Chair's remarks focused on the challenges and changes facing the legal profession. The Chair encouraged Benchers to think through the implications of change carefully, and encouraged the Benchers to discuss the issues fully.

The Chair welcomed, congratulated and introduced each Bencher-elect.

The Chair then read a ministerial declaration naming this day, November 30, 2017, as Alberta Law Reform Institute (ALRI) Day in Alberta, in commemoration of the establishment of ALRI fifty years ago and in recognition of ALRI's achievements and status as the longest serving independent provincial law reform agency in Canada.

The Chair also welcomed Maura Sutherland, Executive Director of the Legal Education Society of Alberta (LESA), to her first meeting.

3 Election of the President-Elect and Executive Committee

Anthony Young

Documentation circulated for this item included the Statements of Intention, approved election procedures, and the applicable Rules of the Law Society. The Chair confirmed that Mr. Armstrong and Mr. Teskey put their names forward for President-Elect. The Chair called for nominations from the floor in accordance with Rule 27(1) and there were none.

Motion:**To close the nominations for President-Elect.****Seconded
Carried**

Kathleen Ryan joined the meeting.

Mr. Armstrong and Mr. Teskey each addressed the Board. Following their remarks the election was held. Mr. Armstrong received a majority of the votes cast and was declared President-Elect pursuant to Rules 27(1)(b) and 28(2)(a).

The Chair then outlined the procedures for the election of the Executive Committee and read the Statements of Intention. The Chair called for nominations from the floor and none were received.

Motion:

To close the nominations for the Executive Committee.

**Seconded
Carried**

The election was held and after one round of voting the following individuals each received a majority of the votes cast and were declared the four elected Bencher members of the Executive Committee pursuant to Rule 27(1)(d), (in alphabetical order): Nancy Dilts; Cal Johnson; Kent Teskey; and Margaret Unsworth.

4 Appointment of a Lay Bencher to the Executive Committee

Anthony Young

The Lay Benchers appointed Mr. Buick as the Lay Bencher on Executive Committee for one year pursuant to Rule 27(1)(e).

5 Appointment of a Bencher to the Nominating Committee

Anthony Young

The Nominating Committee consists of the Past President, President, President Elect, and one other Bencher to be recommended by the Executive Committee. Recent practice has been to alternate Lay Benchers and elected Benchers for this appointment. This year, elected Benchers Ms. Corbett and Ms. Scott expressed their intention to be considered for this appointment. The Executive Committee recognized Ms. Corbett's recent contributions to the Nominating Committee in 2016 and agreed to recommend Darlene Scott for service on the Nominating Committee in 2018.

Motion:

To appoint Darlene Scott to the Bencher-at-large position on the Nominating Committee.

**Seconded
Carried**

6 Law Society 2018 Business Plan and Budget (the “Budget”)

Sandra Corbett/
Louise Wasylenko/
Drew Thomson

The proposed Budget was circulated with the meeting materials. The Chair of the Audit and Finance Committee (AFC) summarized the process for the review and recommendation of the Budget. In response to a request from a Bencher at the November 9, 2017 Bencher Budget meeting to revisit the Budget to see if a flat budget could be attained, management engaged in another review and the AFC met on November 23, 2017 to discuss the findings. The Budget was broken down into major categories and the AFC considered all discretionary and non-discretionary areas.

Having considered the question, the AFC was unanimous in its determination that no further reductions to the Budget are advisable within the context of the existing business and strategic plans. Accordingly, the AFC recommended that the Board approve the Budget as presented.

Motion:

To approve the Law Society of Alberta 2018 Business Plan and Budget as presented and to set the 2018 Practice Fee at \$2,600.

**Seconded
Carried
(Two opposed)**

7 President’s Report

Anthony Young

The President’s Report was circulated with the meeting materials.

8 Alberta Lawyers Insurance Exchange (ALIEX) Report

Steve Raby

Mr. Raby, Chair of the ALIEX Advisory Board, provided an oral report on ALIEX activities, highlighting the following:

- Laurie Balfour, Senior Manager, Prudential Supervision, Alberta Treasury Board and Finance, joined the Advisory Board meeting on November 28, 2017 to give a presentation on the regulator’s expectations for 2018. The Advisory Board has noticed the level of regulation increasing since the establishment of ALIEX.
- Challenges anticipated for 2018 include the requirement for ALIEX to transition to International Financial Reporting Standards.

- The Advisory Board approved a budget for 2018; however, because the policy year does not align with the fiscal year, much of the budgeting is based on assumptions.
- The actuarial cycle and levy setting for the 2018-2019 year will take place in April.

9 Policy Committee – Active Policy Inventory

Anthony Young

The Active Policy Inventory was circulated with the meeting materials.

10 Alberta Law Foundation (ALF) Reports

Darlene Scott

The meeting materials included the September 2017 report, which was omitted from the September Board meeting package in error, and the November 2017 report.

11 ALRI Report

Sandra Petersson

The ALRI report was circulated with the meeting materials. Ms. Petersson thanked the Law Society for their support of ALRI since its establishment 50 years ago.

12 Alberta Lawyers' Assistance Society (Assist) Report

Nancy Dilts

Ms. Dilts provided an oral report, highlighting Assist's continuing leadership of lawyer assistance programs across the country. Counselling hours in 2017 increased by 12.5% over 2016 and the trend of greater reliance on the program by women over men continues. Need for support in the commercial sector rose; however, the biggest demand continues to be in the litigation sphere, making up over 40% of the program. Ms. Dilts thanked Ms. De Souza and the Assist team for their commitment to the program.

13 Canadian Bar Association Alberta Report

Frank Friesacher

Documentation for this item was circulated with the meeting materials.

14 Federation of Law Societies of Canada (the "Federation") Report

Steve Raby

Documentation for this item was circulated with the meeting materials. Mr. Raby added an oral update on the CanLii 2018 budget. After two years of static budgets, the budget will increase by a total of \$282,000 in the areas of the Lexum contract; license fees in Quebec; upgrades to CanLii Connects; and the reserve for the last quarter of 2016 GST amounts that were not accepted by the CRA. The Law Society's share of the CanLii budget is estimated to increase from \$39.24 to \$41.94 per FTE lawyer, subject to the

finalization of the total FTE's nationally. It was noted that this increase has been factored in to the Law Society's 2018 Budget. The Federation Council will vote on the CanLii budget in December.

15 LESA Report

Maura Sutherland

Documentation for this item was circulated with the meeting materials.

16 Pro Bono Law Alberta Report

Robert Dunster

Documentation for this item was circulated with the meeting materials.

17 Other Business

Donald Cranston

President-Elect, Donald Cranston, advised Benchers that orientation for all Benchers is being organized for the February meeting.

The Benchers were advised that logistics for the January 11, 2018 legislation amendments update session have not been finalized; however, new Benchers will be fully informed and engaged in the legislation amendments project. It was suggested that it will be important to hold this session before the February meeting so that departing and incoming Benchers can be involved.

There being no further business the public meeting was adjourned at 10:20 am.