
BEING A BENCHER – FREQUENTLY ASKED QUESTIONS

WHAT IS THE TIME COMMITMENT?

The time commitment is significant and typically a Bencher may spend roughly 500-700 hours each year on Law Society work. Benchers who chair major committees, sit on the Executive Committee or Policy Committee, who sit lengthy hearings or who are involved in third-party consultations, may well exceed 100-days' work each year. Benchers may also sit on four to 7 committees and/or task forces in any year and may be Chair or Vice-chair one to two of those committees or task forces.

WHAT ARE THE KEY BENCHER RESPONSIBILITIES AND EXPECTATIONS?

The Benchers' key responsibilities divide generally in two ways: **governance** and **adjudication**.

Governance

- As a board, the Benchers set the policy of the Law Society, enact rules pursuant to the *Legal Profession Act*, set standards of admission and practice, and carry out corporate responsibilities such as policy-making, business planning and budgeting.
- Benchers sit on a number of committees and task forces which may have adjudicative, decision making and policy making responsibilities.
- Committees are chaired by Benchers but may be comprised of both Benchers and non-Bencher members of the Law Society.
Benchers may be appointed as Law Society representatives or delegates to outside but related bodies. The Bencher so appointed shall provide information or reports to and shall obtain direction from the Board as appropriate, to be determined by the Benchers or the Executive Committee at the time of appointment.

When exercising their governance function, Benchers are expected to:

- attend and participate in board meetings and meetings of committees to which they are appointed
- attend orientation and education sessions
- be familiar with materials provided in advance of general and committee meetings

Adjudication

- Benchers are expected to participate in various adjudicative roles, including hearings on disciplinary matters, admission and membership matters, and Assurance Fund claims.
- Benchers will participate on panels made up of one, three, 7 or 13 adjudicators, depending on the nature of the proceedings. While the duration of a proceeding varies, typically, most proceedings take one to four days.
- Benchers have decision writing responsibilities. Benchers are required to participate in training sessions designed to assist them in discharging their responsibilities as adjudicators.

When exercising their adjudicative role, Benchers are expected to:

- accept appointments to hearing panels

- act as Chair of those panels from time to time, and to write hearing decisions in a timely fashion
- review and be familiar with materials
- be conversant with the guidelines approved by the Benchers
- act with fairness and in accordance with the principles of natural justice as a decision-maker in an administrative law context.

WHAT ARE THE SKILLS AND ATTRIBUTES OF A BEING A BENCHER?

Core Competencies include:

- governance experience
- understanding of procedural fairness, legal ethics and natural justice
- effective communication
- collaboration & teamwork
- sound judgment
- professionalism, integrity & accountability
- cultural competence and awareness
- leadership skills
- effective time management skills

Desirable values include:

- a commitment to protecting the public interest
- an openness to new ideas and approaches
- respect for others and ethical behavior
- sensitivity to prevailing social values

Desirable Skills and Attributes include:

- a general understanding of the regulation of professionals
- a broad understanding of the Canadian legal system and the law
- strong analytical and decision-making skills

HOW OFTEN DO THE BENCHERS MEET?

- The Benchers hold meetings five times each year, with one meeting being an annual planning retreat.
- Committee meetings are typically held five times each year. Committees generally meet either toward the end of a working day (between 3-5 p.m.) or prior to the workday starting (7:45 a.m.); and usually by videoconference in Calgary and Edmonton; or via teleconference.
- Mandatory education sessions related to the role of a Bencher are held several times per year.

DO THE BENCHERS GET PAID?

The Benchers are volunteers and donate their time to regulate the profession (the exception being an honorarium received by the President). The Law Society does reimburse Benchers for their reasonable out of pocket expenses in connection with their duties, including attending general and committee meetings, hearings and meetings with outside bodies.