

THE HAMILTON LAW ASSOCIATION

The Hamilton Law Association exists to enable its members to become successful, respected and fulfilled in their profession.

45 Main Street East, Suite 500

Hamilton, Ontario L8N 2B7

Telephone (905) 522-1563

Fax (905) 572-1188

Website: <http://www.hamiltonlaw.on.ca>



The Law Society of Ontario

130 Queen Street West

Toronto, Ontario M5H 2N6

November 30th, 2021

Attention: Competence Task Force

Re: Competence Task Force Call for Comment

Dear Sir or Madam:

The Hamilton Law Association (HLA) welcomes the opportunity to participate in the Law Society of Ontario's call for consultation to the report of the Competence Task Force. The HLA represents the interests of its approximately 1000 members in the City of Hamilton and we trust that the Law Society of Ontario and its Benchers will give our submissions due consideration.

Background

Our law library and association staff have provided a nucleus of organizational and informational support to our bar and its 1,037 members. With the oversight of our Board, the library is a community hub where legal research is conducted by members and staff alike to assist lawyers in competently performing their vital societal function. It is submitted that, with the essential funding assistance, county libraries and associations provide support to lawyers serving all Ontarians.

The HLA Library frequently assists lawyers serving members of the public seeking legal assistance with family law, criminal law, real estate law, estate planning needs, and those with small businesses. Our library assists members in providing competent services.

President Andrew Confente • Vice-President David van der Woerd
Secretary-Treasurer Hussein Hamdani • Executive Director Rebecca Bentham

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In addition to being a hub for legal information, the HLA and Anthony Pepe Memorial Library, through its 13 committees and approximately 25 annual educational events, generate a web of relationships that enable its membership to seek and offer advice and mentorship. This provides lawyers with collegial and education support against errors in judgement

Call for Comment

Upon review of the Competence Task Force Report, we identified three key issues that our association can and should provide comment and they all revolve around the importance of local law libraries and the involvement of our association regarding CPD requirements. Those include the importance of local libraries, CPD programming, and mentorship.

The importance of local libraries

In preparing a response to the call for consultation to the report of the Competence Task Force, the HLA conducted a survey of our members. Respondents overwhelmingly agreed that the association library is a critical component in the competency framework for our members (82.98% of survey respondents agreed that access to legal information through the local association library is an important resource to assist the member in maintaining competence).

The library facilitates access to information, provides a hub for mentoring (formally fostered by the HLA and informally on a member-to-member basis) and creates a collaborative environment which is key in developing and maintaining competency for our members.

The HLA law library provides information support to our members, including availability of legal research conducted by members and staff alike to assist lawyers in providing competent services. The library also enables access to practice software for members.

We echo the comments of the Federation of Ontario Law Association in their response to this call for comment about the importance of association libraries as part of the overall competency picture.

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CPD

The HLA and the law library enable our organization to provide 25 annual educational events for our members across all areas of practice. Attendance at the events, and in the common library space create relationships and enable our membership to seek and offer advice and mentorship.

With respect to CPD, our members agreed that there should be continuing obligations to participate in substantive and professional programming on an annual basis. It was noted that it would be appropriate to consider tailoring professional development based on the member's area of practice and level of experience.

We encourage the Task Force to consider the development of resources for lawyers. The resources would include Practice Manuals, which could include expectations of best practices, precedents and other critical information in a variety of practice areas. These resources would assist all members, but could be particularly beneficial to sole and small firm practitioners, new practitioners, practitioners transitioning from one area of practice to another or experienced practitioners who wish to review current standards of practice.

Mentorship

The HLA through its New Lawyers' Subcommittee offers a vital and well attended mentoring program which is available to articling students and new lawyers practising in the Hamilton area, as well as students enrolled in their second or third year of law school. Their focus is to connect these individuals with other articling students and lawyers practising in the Hamilton area.

Mentorship is critical for any new lawyer, sole practitioner or lawyer in a small firm. As highlighted by FOLA in their response, we agree that to be effective a mentorship program must be a collaborative process that includes the LSO, stakeholders and the judiciary. We echo the recommendation of FOLA in how best to implement a truly effective mentorship program.

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Conclusion

We conclude by reiterating the importance of local law libraries as a critical piece of the foundation of competency for our members and the Ontario bar as a whole. As set out in the FOLA submission, ongoing sustainable funding for Ontario's county and district law libraries must continue to be a fundamental priority for the Law Society to ensure equality and equitable access for lawyers across the province and in particular, outside of jurisdictions where there is a law school or Great Library.

On behalf of the Board of the Hamilton Law Association, we thank you for your attention to this important issue. We would be happy to discuss this matter further if clarification is required.

Yours truly,

A handwritten signature in black ink, appearing to be "LD", on a light-colored background.

Laura Dickson
Professional Matters Chair,
The Hamilton Law Association

A handwritten signature in blue ink that reads "KBingham" on a light-colored background.

Kathleen Bingham
Family Law Committee Chair,
The Hamilton Law Association