

Building Blocks to Better Regulation



International Conference of Legal Regulators

July 27-28, 2015

Toronto, Ontario, Canada

All conference sessions and events take place at the Law Society of Upper Canada, 130 Queen Street West, Toronto, unless otherwise indicated. The law society is located across Queen Street from the Sheraton Centre Hotel.



2015 International Conference of Legal Regulators **Building Blocks to Better Regulation**

The 4th International Conference of Legal Regulators takes place in Toronto, Canada on July 27th and 28th, with an opening reception on the evening of July 26th.

Co-hosted by the Law Society of Upper Canada and the Federation of Law Societies of Canada, this year's conference focuses on the needs of legal regulators in today's rapidly shifting legal services market. The conference explores a number of key themes in the context of building better regulation.

Through a mix of plenary sessions and concurrent workshops, an international group of panelists will share their experiences and insights on emerging issues and practical strategies.

Sunday, July 26, 2015

18:00 - 20:00

Conference Welcoming Reception

Art Gallery of Ontario (AGO)
317 Dundas Street West, Toronto

Delegates will be on their own for dinner following the reception.

Monday, July 27, 2015

08:00 - 09:00 **Conference Breakfast (Provided at conference site)**

09:00 - 09:15 **Welcome and Orientation**

Janet E. Minor, Treasurer, Law Society of Upper Canada
Thomas G. Conway, President, Federation of Law Societies of Canada

09:15 - 10:45 **Lawyer Trust Accounts: Is there a Better System?**

Moderator: Kristin Dangerfield, Law Society of Manitoba
Panelists: Alison Hook, Solicitors Regulation Authority
Niels Hupkes, Netherlands Bar Association
Iain Miller, Bevan Brittan LLP
Ellyn S. Rosen, ABA Centre for Professional Responsibility

Billions of dollars flow through lawyer trust accounts every day. In an environment where money laundering and large scale frauds are increasingly prevalent, how can regulators reduce the risk of theft without defaulting to over regulating? This session will question the effectiveness of traditional models of trust oversight and explore different and innovative regulatory tools for ensuring trust safety.

10:45 - 11:15 **Refreshment Break**

11:15 - 12:15 **Lawyers and the Canadian Experience with the Indian Residential School Settlement Agreement – Lessons Learned**

Moderator: Janice LaForme, Law Society of Upper Canada
Panelists: The Honourable Warren K. Winkler, O. Ont., Q.C.
Lois Palmer, Children of Shingwauk Alumni Association
Leah Kosokowsky, Law Society of Manitoba

The speakers will discuss the background and impetus that gave rise to the Settlement Agreement and the Independent Assessment Process designed to compensate survivors of the Indian Residential Schools. The panel will touch upon claims that some lawyers were exploiting their vulnerable clients and the obstacles facing survivors in engaging in the Settlement process and the Regulators' complaints process. The panel will also discuss the Canadian regulators' experiences, challenges and responses to lawyer regulation in the context of the Settlement Agreement and the lessons that may be drawn from their experiences.

12:15 - 13:15 **Conference Lunch**

Monday, July 27, 2015

13:15 - 14:30

Burning Issues for Legal Regulators

Moderator: Daniel Abrahams, Law Society of Upper Canada

Panelists: John Elliot, Law Society of Ireland
William Slease, New Mexico Disciplinary Board
Margot Tung, Law Society of Hong Kong

The panel will bring together different perspectives on the hot button issues facing conference attendees. Join your colleagues in finding solutions during this interactive session.

14:30 - 15:00

Refreshment Break

15:00 - 15:45

Competence Initiative: Beyond CPD

Speaker: Paul Philip, Solicitors Regulation Authority

Paul Philip, Chief Executive of the Solicitors Regulation Authority will describe the SRA's current competence initiative, including the reasons for moving away from a points-collection system to a process of ongoing evaluation post licensing and the related transition process.

15:45 - 17:00

Lawyers on the Edge: Licensure and the Impaired Professional

Moderator: Tracey L. Kepler, National Organization of Bar Counsel

Panelists: James C. Coyle, Colorado Supreme Court
Dr. Doris C. Gundersen, Colorado Physician Health Program
Doron Gold, Homewood Health
Dr. Vanessa Davies, Bar Standards Board

Speakers will approach the challenge of regulating lawyers with addiction and mental health issues from the perspective of experts in the medical and peer support fields. The panel will discuss how to recognize a professional with impairment early on. Resources that are helpful in mitigating the effect of illness to prevent harm to clients and diminish the need for discipline will also be discussed. The panel will share the challenges faced by Canadian, US and UK regulators', the regulators' response, and the lessons that may be drawn from their experiences.

18:00 - 18:45

Reception (Upper and Lower Barristers Lounge), Law Society of Upper Canada

18:45 - 21:00

Dinner (Convocation Hall), Law Society of Upper Canada

Tuesday, July 28, 2015

08:00 - 08:45

Conference Breakfast (Provided at conference site)

08:45 - 10:15

In an Ever Expanding Universe of Legal Services, What is the Future of Legal Regulation?

Speakers: Malcolm M. Mercer, Law Society of Upper Canada
Steve Brooker, Legal Services Board of England and Wales
Jordan Furlong, Edge International Consulting
Steve Mark, Creative Consequences PL
Laurel S. Terry, Penn State's Dickinson Law

This session will focus on challenges to legal regulation and emerging approaches in the brave new world of expanded legal services. What is in scope and what is not? What are the risks presented by the unregulated sector? What is the role of the regulator of the future? Panelists will explore these questions and the preferred path forward.

10:15 - 10:30

Refreshment Break

10:30 - 11:45

What Can We Expect from the United States?

Moderator: Wallace E. "Gene" Shipp, DC Office of Bar Counsel
Speakers: James C. Coyle, Colorado Supreme Court
Jerome E. Larkin, Illinois Attorney Registration & Disciplinary Comm.
Ellyn S. Rosen, ABA Centre for Professional Responsibility
Laurel S. Terry, Penn State's Dickinson Law

In this session, panelists will discuss new approaches implemented and under consideration in the US, and expected directions for the future.

11:45 - 12:25

Building a Regulator

Speakers: Joan Janssen, Singapore Ministry of Law
Don Thompson, Law Society of Alberta

In this "how to" session, attendees will learn about building a new regulator and how to make large-scale transitions for long-standing regulatory organizations. The speakers will talk about what they have learned from their own experiences as regulatory builders.

12:25 - 13:25

Conference Lunch

Tuesday, July 28, 2015

13:25 - 14:40

ABS, Entity Regulation and Proactive Regulation Update

Moderators: Susan Fortney, Hofstra University, Maurice Deane School of Law
Naomi Bussin, Law Society of Upper Canada

Panelists: Robert G. Lapper, Q.C., Law Society of Upper Canada
Steve Mark, Creative Consequences PL
Paul Philip, Solicitors Regulation Authority
Konstantinos Tomaras, European Commission

Speakers from Australia, England, Canada, US and the European Commission will highlight new developments in Alternative Business Structures as well as the status of ABS and proactive regulation in their jurisdictions. Attendees will learn about the evolution of regulation, impact of changes and key elements of success in adopting new regulatory models.

14:40 - 15:40

Building and Maintaining Credibility with the Public – How to Maintain Public Confidence in a Consumer-Driven Environment

Moderator: Jonathan G. Herman, Federation of Law Societies of Canada

Speakers: Christine Grice, New Zealand Law Society
Alan Hunter, Law Society of Northern Ireland
Robert Hawley, State Bar of California
Stephan Göcken, German Federal Bar
Stephen Hung, Law Society of Hong Kong

Speakers will share their experiences and lessons learned as regulatory leaders. They will explore how to address the public's expectation that they will be protected from harm in a world in which lawyers will inevitably engage in misconduct and regulators cannot attain perfection.

15:40 - 16:00

Refreshment Break

16:00 - 17:00

International Cooperation and Information Sharing

Speakers: Alison Hook, Solicitors Regulation Authority
Deborah Armour, Law Society of British Columbia

This interactive session will look at possibilities for international sharing of information among legal regulators. Is there a need for this and if so, where should our efforts be focused? Speakers will consider tools available for sharing information on an ongoing basis.