

Watters, Treena M JAG:EX

From: Minister, JAG JAG:EX
Sent: Friday, June 6, 2014 2:19 PM
To: Green, Greg JAG:EX
Subject: FW: Notice of Suspension of Membership
Attachments: 4June2014_Suspension of Membership.pdf

Importance: High



AAA

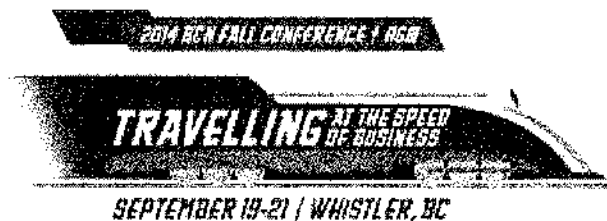
From: Amber Rooke [<mailto:ARooke@society.notaries.bc.ca>]
Sent: Friday, June 6, 2014 9:21 AM
To: Amber Rooke
Cc: Wayne Braid; Marny Morin; Ron Usher
Subject: Notice of Suspension of Membership
Importance: High

Please find enclosed a Notice of Suspension of Membership for Kam H. S. Brar.

The suspension is effective June 6, 2014.

Warm regards,

Amber Rooke
Member Services
Society of Notaries Public of BC
Box 44
1220 – 625 Howe Street
Vancouver, BC V6C 2T6
E-Mail: arooke@society.notaries.bc.ca
 Telephone (604-681-4516)
 Fax: (604) 681-7258





June 4, 2014

**NOTICE OF SUSPENSION OF MEMBERSHIP
KAM H. S. BRAR**

TO: The Attorney General
The Registrar
The District Registrars of the Supreme Court
The Registrars of the Land Title Offices
The Gazette
Pacific Newspaper Group
Juricert
Access BC
Members of The Society of Notaries Public of British Columbia

NOTICE IS HEREBY GIVEN that the membership in The Society of Notaries Public of British Columbia of

KAM H. S. BRAR
Notary Public
6667 Main Street
Vancouver, BC V5X 3H3

is hereby suspended effective **June 6, 2014** pursuant to Section 27(4) and 28(2) of the *Notaries Act* (RSBC 1996), C334.

BY ORDER OF THE SECRETARY

G.W. (Wayne) Braid, Secretary
The Society of Notaries Public of British Columbia

Buzbuzian, Andrea JAG:EX

From: Buzbuzian, Andrea JAG:EX
Sent: Tuesday, November 4, 2014 11:18 AM
To: Carter, Nancy L JAG:EX; Nyvall, Tyler JAG:EX
Subject: RE: Quick q

Current scope of practice for notaries: (see s. 18 Notaries Act below)

- drawing instruments relating to property intended, permitted or required to be registered, recorded or filed in a registry or other public office (e.g., real estate conveyancing)
- drafting contracts, charter parties (for marine purposes), mercantile instruments
- attest/protest all commercial instruments
- drawing affidavits, affirmations, statutory declarations for use in B.C., another province, Canada, or another country
- administer oaths
- "simple" wills
- draft representation agreements, advance directives, powers of attorney

Attached below is a list of services from the Society of Notaries Public's web site indicating what services notaries offer.

Current scope of practice for notaries:

"Regulate" Paralegals

- What a paralegal can do is defined by what *cannot* be delegated by a lawyer to a (any) non-lawyer. (Attached is section 6.1-3 from the Law Society's Code of Professional Conduct for BC.)
- Some of the more legal service matters that cannot be delegated are (many of which have exceptions in the specified circumstances, such as if done at the direction of the lawyer):
 - o give legal advice;
 - o give or accept undertakings (except in some conditions);
 - o act finally without reference to the lawyer in matters involving professional legal judgment;
 - o appear in court or actively participate in formal legal proceeding (although can in a supporting role, etc.);
 - o conduct negotiations with third parties (other than routine negotiations in some circumstances);
 - o take instructions from clients (except in some circumstances);
 - o "perform any of the duties that only lawyers may perform".

Designated Paralegals

- A lawyer must not supervise more than 2 designated paralegals at one time.
- Can also give legal advice and represent a client before a court or tribunal, as permitted by the court or tribunal



Notaries
Services.docx



Code of Conduct
- Delegation.d...

Notaries Act

18 A member enrolled and in good standing may do the following:

(a) draw instruments relating to property which are intended, permitted or required to be registered, recorded or filed in a registry or other public office, contracts, charter parties and other mercantile instruments in British Columbia;

(b) draw and supervise the execution of wills

(i) by which the will-maker directs the will-maker's estate to be distributed immediately on death,

(ii) that provide that if the beneficiaries named in the will predecease the will-maker, there is a gift over to alternative beneficiaries vesting immediately on the death of the will-maker, or

(iii) that provide for the assets of the deceased to vest in the beneficiary or beneficiaries as members of a class not later than the date when the beneficiary or beneficiaries or the youngest of the class attains majority;

(c) attest or protest all commercial or other instruments brought before the member for attestation or public protestation;

(d) draw affidavits, affirmations or statutory declarations that may or are required to be administered, sworn, affirmed or made by the law of British Columbia, another province of Canada, Canada or another country;

(e) administer oaths;

(e.1) draw instruments for the purposes of the Representation Agreement Act;

(e.2) draw instruments relating to health care for the purposes of making advance directives, as defined in the Health Care (Consent) and Care Facility (Admission) Act;

(e.3) draw instruments for the purposes of the Power of Attorney Act;

(f) perform the duties authorized by an Act.

-----Original Message-----

From: Carter, Nancy L JAG:EX

Sent: Tuesday, November 4, 2014 8:21 AM

To: Buzbuzian, Andrea JAG:EX; Nyvall, Tyler JAG:EX

Subject: Quick q

Can u send me an email giving a few billets on what paralegals currently do and what current scope of practice is for notRies

Sent from my iPhone

From Society of Notaries Public's web site:

What Services Can a BC Notary Provide?

Affidavits for All Documents required at a Public Registry within BC	Passport Application Documentation
Authorization of Minor Child Travel	Personal Property Security Agreements
Business Purchase/Sale	Powers of Attorney
Certified True Copies of Documents	Proof of Identity for Travel Purposes
Commercial Leases & Assignment of Leases	Purchaser's Side of Foreclosures
Contracts and Agreements	Representation Agreements
Easements and Rights of Way	Residential and Commercial Real Estate Transfers
Estate Planning	Restrictive Covenants and Builder's Liens
Execution/Authentications of International Documents	Statutory Declarations
Health Care Declarations	Subdivisions and Statutory Building Schemes
Insurance Loss Declarations	Wills Preparation
Letters of Invitation for Foreign Travel	Wills Searches
Manufactured Home Transfers	Zoning Applications
Marine Bills of Sale and Mortgages	
Marine Protestations	
Mortgage Refinancing Documentation	<i>Some BC Notaries provide these services:</i>
Notarizations/Attestations of Signatures	

Marriage Licences

Mediation

Real Estate Disclosure Statements

Delegation

6.1-3 A lawyer must not permit a non-lawyer to:

- (a) accept new matters on behalf of the lawyer, except that a non-lawyer may receive instructions from established clients if the supervising lawyer approves before any work commences;
- (b) give legal advice;
- (c) give or accept undertakings or accept trust conditions, except at the direction of and under the supervision of a lawyer responsible for the legal matter, providing that, in any communications, the fact that the person giving or accepting the undertaking or accepting the trust condition is a non-lawyer is disclosed, the capacity of the person is indicated and the lawyer who is responsible for the legal matter is identified;
- (d) act finally without reference to the lawyer in matters involving professional legal judgment;
- (e) be held out as a lawyer;
- (f) appear in court or actively participate in formal legal proceedings on behalf of a client except as set forth above or except in a supporting role to the lawyer appearing in such proceedings;
- (g) be named in association with the lawyer in any pleading, written argument or other like document submitted to a court;
- (h) be remunerated on a sliding scale related to the earnings of the lawyer or the lawyer's law firm, unless the non-lawyer is an employee of the lawyer or the law firm;
- (i) conduct negotiations with third parties, other than routine negotiations if the client consents and the results of the negotiation are approved by the supervising lawyer before action is taken;
- (j) take instructions from clients, unless the supervising lawyer has directed the client to the non-lawyer for that purpose and the instructions are relayed to the lawyer as soon as reasonably possible;
- (k) sign correspondence containing a legal opinion;
- (l) sign correspondence, unless
 - (i) it is of a routine administrative nature,
 - (ii) the non-lawyer has been specifically directed to sign the correspondence by a supervising lawyer,
 - (iii) the fact the person is a non-lawyer is disclosed, and
 - (iv) the capacity in which the person signs the correspondence is indicated;
- (m) forward to a client or third party any documents, other than routine, standard form documents, except with the lawyer's knowledge and direction;
- (n) perform any of the duties that only lawyers may perform or do things that lawyers themselves may not do; or
- (o) issue statements of account.

Buzbuzian, Andrea JAG:EX

From: Buzbuzian, Andrea JAG:EX
Sent: Tuesday, November 4, 2014 11:19 AM
To: Carter, Nancy L JAG:EX; Nyvall, Tyler JAG:EX
Subject: Re-sending - RE: Quick q

Sorry – re-sending correcting two headings:

Current scope of practice for notaries: (see s. 18 Notaries Act below)

- drawing instruments relating to property intended, permitted or required to be registered, recorded or filed in a registry or other public office (e.g., real estate conveyancing)
- drafting contracts, charter parties (for marine purposes), mercantile instruments
- attest/protest all commercial instruments
- drawing affidavits, affirmations, statutory declarations for use in B.C., another province, Canada, or another country
- administer oaths
- "simple" wills
- draft representation agreements, advance directives, powers of attorney

Attached below is a list of services from the Society of Notaries Public's web site indicating what services notaries offer.

Current scope of practice for paralegals:

"Regular" Paralegals

- What a paralegal can do is defined by what *cannot* be delegated by a lawyer to a (any) non-lawyer. (Attached is section 6.1-3 from the Law Society's Code of Professional Conduct for BC.)
- Some of the more legal service matters that cannot be delegated are (many of which have exceptions in the specified circumstances, such as if done at the direction of the lawyer):
 - o give legal advice;
 - o give or accept undertakings (except in some conditions);
 - o act finally without reference to the lawyer in matters involving professional legal judgment;
 - o appear in court or actively participate in formal legal proceeding (although can in a supporting role, etc.);
 - o conduct negotiations with third parties (other than routine negotiations in some circumstances);
 - o take instructions from clients (except in some circumstances);
 - o "perform any of the duties that only lawyers may perform".

Designated Paralegals

- A lawyer must not supervise more than 2 designated paralegals at one time.
- Can also give legal advice and represent a client before a court or tribunal, as permitted by the court or tribunal

<< File: Notaries Services.docx >> << File: Code of Conduct - Delegation.docx >>

Notaries Act

18 A member enrolled and in good standing may do the following:

(a) draw instruments relating to property which are intended, permitted or required to be registered, recorded or filed in a registry or other public office, contracts, charter parties and other mercantile instruments in British Columbia;

(b) draw and supervise the execution of wills

(i) by which the will-maker directs the will-maker's estate to be distributed immediately on death,

(ii) that provide that if the beneficiaries named in the will predecease the will-maker, there is a gift over to alternative beneficiaries vesting immediately on the death of the will-maker, or

(iii) that provide for the assets of the deceased to vest in the beneficiary or beneficiaries as members of a class not later than the date when the beneficiary or beneficiaries or the youngest of the class attains majority;

(c) attest or protest all commercial or other instruments brought before the member for attestation or public protestation;

(d) draw affidavits, affirmations or statutory declarations that may or are required to be administered, sworn, affirmed or made by the law of British Columbia, another province of Canada, Canada or another country;

(e) administer oaths;

(e.1) draw instruments for the purposes of the Representation Agreement Act;

(e.2) draw instruments relating to health care for the purposes of making advance directives, as defined in the Health Care (Consent) and Care Facility (Admission) Act;

(e.3) draw instruments for the purposes of the Power of Attorney Act;

(f) perform the duties authorized by an Act.

-----Original Message-----

From: Carter, Nancy L JAG:EX

Sent: Tuesday, November 4, 2014 8:21 AM

To: Buzbuzian, Andrea JAG:EX; Nyvall, Tyler JAG:EX

Subject: Quick q

Can u send me an email giving a few billets on what paralegals currently do and what current scope of practice is for notRies

Sent from my iPhone

Buzbuzian, Andrea JAG:EX

From: Buzbuzian, Andrea JAG:EX
Sent: Thursday, November 13, 2014 11:40 AM
To: Carter, Nancy L JAG:EX
Cc: Nyvall, Tyler JAG:EX; Meier, Julie JAG:EX
Subject: For approval: REVISED BN - Legal Services
Attachments: BN Legal Services Task Force.docx

Hi Nancy. Please find attached an updated BN re: the Legal Services Regulatory Framework Task Force – I added a paragraph, to incorporate additional info. from the draft report you received earlier this week.

Julie said she'll print a hard copy for you.

Thanks. Andrea

From: Buzbuzian, Andrea JAG:EX
Sent: Monday, November 10, 2014 5:01 PM
To: Carter, Nancy L JAG:EX
Cc: Nyvall, Tyler JAG:EX; Meier, Julie JAG:EX
Subject: For approval: BN - Legal Services

Hi Nancy. Please find attached, for your review, a draft briefing note regarding the work of the Legal Services Regulatory Framework Task Force.

Thanks.
Andrea

Andrea Buzbuzian
Civil Policy and Legislation Office
Ministry of Justice
ph: 250 356-5410

This message, including any attachments, is confidential and may contain privileged information intended only for the persons named above. Any other distribution, copying or disclosure is strictly prohibited. If you are not the intended recipient, please notify us immediately by reply email and permanently delete the original transmission from us, including any attachments, without making a copy.

**MINISTRY OF JUSTICE
JUSTICE SERVICES BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for the Deputy Attorney General

ISSUE: Update regarding the Legal Services Regulatory Framework Task Force

SUMMARY:

NR

- other work underway, including another recommendation made by the Legal Service Providers Task Force that the Law Society become the regulator of both notaries and lawyers.

BACKGROUND:

- In June 2012, the former Attorney General wrote to the Law Society of B.C. and the Society of Notaries Public of B.C. confirming her request that these organizations develop a proposal for her consideration regarding regulatory reform of legal and notarial services.
- The parameters set for any recommendations regarding regulatory reform of legal and notarial services were that they must:
 - ensure, and preferably enhance, the protection of the public interest in the provision of legal services;
 - increase both affordability and access to legal services and/or access to justice; and
 - create efficiencies in the regulation of legal services.
- The former Attorney General advised the Law Society and the Society of Notaries Public that she was satisfied with the key principles proposed to guide deliberations, including that
 - a single, unified regulatory body that oversees the regulation of all legal service providers is the optimum model;
 - any proposal will involve transitional arrangements;
 - the best approach is to look at the options from the broad perspective of the provision of all legal services; and
 - the best vehicle to encompass this work is the Legal Service Providers Task Force.
- On December 6, 2013, the Law Society Benchers unanimously approved in principle the three recommendations made by Legal Service Providers Task Force:
 1. that the Law Society become the regulator of both lawyers and notaries;
 2. that a program be created to establish qualifications for "certified paralegals"; and
 3. that the Law Society develop a framework to enable regulation of other existing, or new, legal services providers.

NR

NR

Prepared by:

Andrea Buzbuzian
Legal Counsel
Justice Services Branch
250 356-5410

Approved by:

Nancy Carter
Executive Director
Justice Services Branch
250 356-6182

Approved by:

Jay Chalke, QC
Assistant Deputy Minister

Date:

¹ On a preliminary review, it would appear that many if not all of the limited family law services that an LLLT is authorized to provide in Washington State would not be regulated in B.C.

² Under the *Legal Profession Act*, a non-lawyer may provide services that would otherwise constitute the "practice of law" if the services are not provided for a fee payable by the client.

Buzbuzian, Andrea JAG:EX

From: Carter, Nancy L JAG:EX
Sent: Thursday, November 13, 2014 4:47 PM
To: Buzbuzian, Andrea JAG:EX
Cc: Nyvall, Tyler JAG:EX; Meier, Julie JAG:EX
Subject: RE: For approval: REVISED BN - Legal Services
Attachments: BN Legal Services Task Force nc comments.docx

I made some changes...let me know if this looks okay to you.

From: Buzbuzian, Andrea JAG:EX
Sent: Thursday, November 13, 2014 11:40 AM
To: Carter, Nancy L JAG:EX
Cc: Nyvall, Tyler JAG:EX; Meier, Julie JAG:EX
Subject: For approval: REVISED BN - Legal Services
Importance: High

Hi Nancy. Please find attached an updated BN re: the Legal Services Regulatory Framework Task Force – I added a paragraph, to incorporate additional info. from the draft report you received earlier this week.

Julie said she'll print a hard copy for you.

Thanks. Andrea

From: Buzbuzian, Andrea JAG:EX
Sent: Monday, November 10, 2014 5:01 PM
To: Carter, Nancy L JAG:EX
Cc: Nyvall, Tyler JAG:EX; Meier, Julie JAG:EX
Subject: For approval: BN - Legal Services

Hi Nancy. Please find attached, for your review, a draft briefing note regarding the work of the Legal Services Regulatory Framework Task Force.

Thanks.
Andrea

Andrea Buzbuzian
Civil Policy and Legislation Office
Ministry of Justice
ph: 250 356-5410

This message, including any attachments, is confidential and may contain privileged information intended only for the persons named above. Any other distribution, copying or disclosure is strictly prohibited. If you are not the intended recipient, please notify us immediately by reply email and permanently delete the original transmission from us, including any attachments, without making a copy.

Page 014 to/à Page 017

Withheld pursuant to/removed as

NR;s.13

From: Chalke, Jay JAG:EX
Sent: Thursday, November 20, 2014 2:38 PM
To: Carter, Nancy L JAG:EX; Buzbuzian, Andrea JAG:EX
Subject: Benchers Minutes re Legal service provider task force

There seemed to be a problem locating the minutes from the Dec 6 2013 Benchers consideration of the above. Here is the relevant portion of the minutes of that meeting as approved at the January 24, 2014 meeting (my highlights). They can be found at: http://www.lawsociety.bc.ca/docs/about/agendas/2014-01-24_agenda.pdf

This is what I wanted reflected in the note – wasn't just a ctee recommendation but rather Benchers approved this.

Jay

2. Final Report and Recommendations of the Legal Service Providers Task Force

Bruce LeRose, QC addressed the Benchers as Chair of the Legal Service Providers Task Force. He introduced task force members Godfrey Archbold (CEO, Land Title and Survey Authority of BC), Satwinder Bains (Appointed Benchers), John Eastwood (Past-President, BC Society of Notaries Public), Carmen Marolla (Vice-President, BC Paralegal Association, Kerry Simmons, QC (Past-President, Canadian Bar Association, BC Branch) and Vice-Chair Ken Walker, QC (Kamloops Benchers and Second Vice-President of the Law Society). Mr. LeRose thanked the following Law Society staff for their invaluable assistance and support throughout the past year Michael Lucas (Manager, Policy & Legal Services), Doug Munro (Staff Lawyer), Anna Lin (Legal Assistant), Tim McGee (Chief Executive Officer) and Adam Whitcombe (Chief Information & Planning Officer).

Mr. LeRose outlined the research, consultation and public outreach conducted by the task force over the past year. He referred to paragraph 9 of task force's report to the Benchers (page 160 of the meeting materials) for a summary of the task force's conclusions:

9. The Task Force, in undertaking its work, reached a number of conclusions:
- a. It is in the public interest that legal service providers other than lawyers and notaries should be regulated unless operating under the supervision of a lawyer or other regulated legal service provider such as a notary public;
 - b. A single regulator of legal services is the preferable model (rather than distinct regulators for different groups of legal service providers);
 - c. If there is to be a single regulator of legal service providers, the Law Society is the logical regulator body;
 - d. Creating some method to provide "paralegals" who have met prescribed educational and practical standards with a certification would assist greatly in giving definition to that function when working under the supervision of a lawyer. Further, the regulation of non-lawyer, non-notary legal service providers of limited scope legal services should be included in the purview of a single regulator of legal services and that the Law Society should move to create a process by which that can take place. Other groups should not be regulated by such a body at this time.

11

Benchers Meeting – DRAFT Minutes December 6, 2013

9

c. There is no certainty that a single-model regulator of a number of different groups of legal service providers will improve access to justice, and it is uncertain that one would be able to create empirical evidence to prove this end. There is no way to find the answer without trying it, and the Task Force therefore concludes that it should be tried.

Mr. LeRose referred to paragraph 10 of the report (page 160-161 of the meeting materials) for the Legal Service Providers Task Force's three recommendations:

10. On the basis of its conclusions, the Task Force formulated three recommendations:

(1) That the Law Society seek to merge regulatory operations with the Society of Notaries Public of British Columbia with the result that the Law Society would become the regulator of both lawyers and notaries in the province, and that the Law Society otherwise continue to maintain the same object and duties as set out in section 3 of the *Legal Profession Act*, modified as necessary to achieve the recommended end;

(2) That a program be created by which the regulator of legal services could provide paralegals who have met specific, prescribed education and/or training standards with a certificate that would allow such persons to be held out by regulated legal service providers for whom they work as "certified paralegals." A regulated legal service provider would not be permitted to hold out as a "certified paralegal" any person who had not obtained a certificate.

(3) That the Law Society develop a regulatory framework by which other existing providers of legal services, or new stand-alone groups who are neither lawyers nor notaries, could provide credentialed and regulated legal services in the public interest.

Mr. LeRose confirmed the task force's views that if approved:

- Recommendation 1 should be pursued as a matter of negotiation between leaders and senior staff of the Law Society of BC and the BC Society of Notaries Public, rather than as the subject of another task force
- Recommendations 2 and 3 both raise complex and sensitive issues warranting further work, analysis, collaboration and consultation by the Law Society with other interested parties

Mr. LeRose commented that much of what the task force is recommending is already being done in other jurisdictions. He referred to the registration and regulation of Ontario's paralegals by the

12

Benchers Meeting DRAFT Minutes December 6, 2013

10

Law Society of Upper Canada, and the creation of Washington State's "limited licence legal practitioners", under the authority of the Washington State Supreme Court. Mr. LeRose noted the task force's hope that a "made in BC" approach can be found for executing its three recommendations.

BC Paralegal Association (BCPA) Vice President Carmen Marolla confirmed that that BCPA has been pleased to participate in the Legal Service Providers Task Force, and supports the task force's report and recommendations. Ms. Marolla credited the excellent work done by Staff Lawyers Michael Lucas and Doug Munro (and by Law Society paralegals) in supporting the task force.

John Eastwood, Past President of the BC Society of Notaries Public, thanked Mr. LeRose and Mr. Vertlieb for the opportunity to serve on the task force and confirmed his view that it would be in the best interest of the public for the Benchers to adopt the task force's recommendations. Regarding the recommendation to merge the regulatory operations of the Law Society of BC and the BC Society of Notaries Public (Recommendation 1), Mr. Eastwood urged prompt commencement of merger discussions (if the recommendation is adopted), and he noted the importance of demonstrating to BC Notaries that their distinction and autonomy would be maintained, and that they would have fair and balanced representation.

Godfrey Archbold, Chief Executive Officer of the Land Title and Survey Authority of BC, expressed his appreciation for the opportunity to serve on the task force. He commented that the task force designed its recommendations to be guided by three implementation principles:

- no harm to the public interest
- no impairment of access to justice
- a collaborative approach to the building of support and a regulatory regime

Mr. Walker moved (seconded by Ms. Bains) the adoption of the Legal Service Providers Task Force's three recommendations:

(1) That the Law Society seek to merge regulatory operations with the Society of Notaries Public of British Columbia with the result that the Law Society would become the regulator of both lawyers and notaries in the province, and that the Law Society otherwise continue to maintain the same object and duties as set out in section 3 of the *Legal Profession Act*, modified as necessary to achieve the recommended end;

13

Benchers Meeting - DRAFT Minutes December 6, 2013

11

(2) That a program be created by which the regulator of legal services could provide paralegals who have met specific, prescribed education and/or training standards with a certificate that would allow such persons to be held out by regulated legal service providers for whom they work as "certified paralegals." A regulated legal service provider would not be permitted to hold out as a "certified paralegal" any person who had not obtained a certificate.

(3) That the Law Society develop a regulatory framework by which other existing providers of legal services, or new stand-alone groups who are neither lawyers nor notaries, could provide credentialed and regulated legal services in the public interest.

The following points were raised in the ensuing discussion:

- it will be important to avoid delay and a partisan approach in any merger discussions or negotiations by the Law Society, and to keep the needs and perspectives of BC notaries in mind
- a "big tent" approach is not new to the Law Society and is needed in this instance
- early and effective consultation with the legal profession will be important
- Recommendation 3 is as important as Recommendations 1 and 2, and should more than aspirational
- many challenges will confront the implementation of the task force's recommendations, with no assurance of success
- addressing the need to enhance access to legal services should be kept in mind as the paramount purpose of all three recommendations and their implementation

The motion was carried unanimously.

The Honourable Suzanne Anton, QC congratulated the Legal Service Providers Task Force and Benchers for taking a historic step forward.

Mr. Vertlieb thanked the task force members and the Benchers, and expressed the Law Society's appreciation for the encouragement and interest shown by the Ministry of Justice and Attorney General throughout the task force's work.

Jay Chalke, QC
Assistant Deputy Minister
Justice Services Branch
Ministry of Justice
Government of British Columbia

**MINISTRY OF JUSTICE
JUSTICE SERVICES BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for the Attorney General and Minister of Justice

ISSUE: February 17, 2014, meeting with the Society of Notaries Public of B.C.

SUMMARY:

- The Society of Notaries Public is the self-regulatory organization for notaries in the province. The Society of Notaries Public has approximately 330 members.
- **Wayne Braid** is the Chief Executive Officer/Secretary of the Society of Notaries Public.
- **John Eastwood** is the Immediate Past President (and member of the Board of Directors) of the Society of Notaries Public.
- The Society of Notaries Public has advised they would like to discuss the following:
 1. The Ministry's views and expectations on the recommendations of the Legal Service Provider Task Force, and the Society's continued interest in a new *Notaries Act*.
 - s.12 as broader issues relating to the regulation of legal service providers in the province are reviewed.
 - Further to a request by the former Attorney General to develop a proposal for the Ministry's consideration regarding regulatory reform of legal and notarial services, the Law Society struck the Legal Service Provider Task Force. The Society of Notaries Public has a representative on the Task Force (John Eastwood).
 - In December 2013, the Task Force issued its final report, making three recommendations in principle, including a recommendation that the Law Society become the regulator of both lawyers and notaries.
 - More detailed information is set out in the "Discussion" section below.
s.13,s.14
 2. The Society of Notaries Public's annual conference in April.
 - Ministry staff are advised by the Society of Notaries Public that the Minister offered to attend the conference, and that an invitation letter has been sent.
 - The Ministry is advised that the meeting will provide an opportunity to discuss a topic should the Minister have questions in that regard.

NR

NR

4. Changes to the *Notaries Act*, specifically with respect to the drafting of wills.
- Currently, one of the restrictions on the wills that may be drafted by a notary is that the will must provide for the assets to vest in the beneficiary/ies as members of a class not later than the date when the beneficiary/ies or the youngest of the class attains majority.
 - The Society of Notaries Public's previous request for an expanded scope of practice was that this be expanded to when the beneficiary/ies or the youngest of the class attains the age of 30.

5^{s.13}

BACKGROUND:

- The *Notaries Act* is the legislation governing notaries public in British Columbia.
- There are three "types" of notaries in British Columbia:
 - members of the Society of Notaries Public;
 - all lawyers are notaries public;
 - notaries appointed by government based on need, with limited powers.
- The situation of B.C.'s notaries (members of the Society) is unique in Canada as notaries have a broader scope of authority, including the ability to provide some legal services (e.g., the drafting of some wills; real estate conveyancing; the preparation of incapacity planning instruments). As well, there is a comprehensive regulatory framework in place, including a self-regulatory organization to regulate the profession – the Society of Notaries Public.
- The exception is Quebec. The Quebec situation is unique in itself as notaries are legal practitioners and must complete a law school education.

DISCUSSION:

s.13

and the Legal Service Provider Task Force

- s.13

•

•

s.12

- In June 2012, the former Attorney General wrote to the Law Society of B.C. and the Society of Notaries Public of B.C. confirming her request that these organizations work together to develop a proposal for her consideration regarding regulatory reform of legal and notarial services in the province.
- The Law Society and the Notaries Society decided to pursue this work through the Law Society's Legal Service Provider Task Force.
- The Final Report of the Legal Service Provider Task Force was unanimously approved in principle by the Law Society Benchers in December, 2013.
- The Final Report noted that, based on the Notaries Society's survey of its members, 43% of respondents preferred lawyers and notaries to have their own regulatory body, and 35% preferred a single regulator. Support for a single regulator increased to 62% if notaries were able to achieve an expanded scope of practice. According to the Report, only 7% of notaries who responded believed the Law Society should be the single regulator, preferring an "independent" regulator (i.e., a new body).
- The Final Report makes three recommendations (noting that each requires further work):
 1. That the Law Society become the regulator of both lawyers and notaries.
 2. That a program be created to establish qualifications for "certified paralegals".
 3. That the Law Society develop a framework to enable regulation of other existing, or new, legal services providers.
- The Chief Executive Officer of the Society of Notaries Public was quoted in a December 10, 2014, news release issued by the Society of Notaries Public as follows: "BC Notaries look forward to working with the Law Society, our members, and the Ministry of Justice in taking the next step to ensure that any merging of regulation continues to offer protection, continued and expanded choice, and improved access to legal services for the public".
- The news release also noted that a merging of the regulation of the two professions should be considered under "a renewed *Legal Professions and Services Act*...provided the autonomy and distinction of Notaries and lawyers, in their respective professions, are maintained".

Prepared by:
Andrea Buzbuzian
Legal Counsel
Justice Services Branch
250 356-5410

Approved by:
Nancy Carter
Executive Director
Justice Services Branch
250 356-6182

Approved by:

Jay Chalke, QC
Assistant Deputy Minister

Date:

Richard J.M. Fyfe, Q.C.
Deputy Attorney General

Page 025

Withheld pursuant to/removed as

s.14;NR

Discussion questions regarding addition of new categories of legal service provider

NR

2. s.13

NR

Page 029

Withheld pursuant to/removed as

s.14;s.13

Buzbuzian, Andrea JAG:EX

From: Mulholland, Lauren GCPE:EX
Sent: Tuesday, October 14, 2014 1:37 PM
To: Buzbuzian, Andrea JAG:EX; Zeeben, Jim GCPE:EX
Cc: Schollen, Tasha GCPE:EX
Subject: RE: Agatha Chung Claim

s.14

From: Buzbuzian, Andrea JAG:EX
Sent: Friday, May 23, 2014 10:52 AM
To: Lalonde, Jarett JAG:EX
Cc: Carter, Nancy L JAG:EX; Chalke, Jay JAG:EX; Ives, Andrew JAG:EX
Subject: FW: Agatha Chung Claim

s.14

Background:

- The *Notaries Act*, which governs the regulation of notaries public, requires that a special fund be maintained for the purpose of compensating a person for misappropriation or wrongful conversion of money or property by a notary. The special fund must be at least \$3 million.

- Ministry staff are advised that the consideration of claims by the Society of Notaries Public is ongoing, and that the situation is complex (e.g., dealing with multiple claimants, banks, title insurance, reinsurance).
- Ministry staff understand that in some cases, the Society of Notaries Public has provided a lawyer for a complainant, for example, when dealing with a bank that may have commenced foreclosure proceedings.
- The Financial Consumer Agency of Canada is responsible for administering consumer provisions of the *Bank Act*, and monitoring the financial institutions' compliance with voluntary codes of conduct and public commitments.
- The Ombudsperson for Banking Services and Investments is an independent service for resolving banking services and investment disputes. A complaint must first be made to the firm involved. The Ombudsperson may make recommendations to a firm, but cannot order them to be followed.

From: Chalke, Jay JAG:EX
Sent: Wednesday, May 21, 2014 11:54 AM
To: Lalonde, Jarett JAG:EX; Buzbuzian, Andrea JAG:EX
Cc: Ives, Andrew JAG:EX
Subject: Re: Agatha Chung Claim

Jarett, I am copying Andrea with this who can get back to you.

Jay

On May 21, 2014, at 11:50 AM, "Lalonde, Jarett JAG:EX" <Jarett.Lalonde@gov.bc.ca> wrote:

Hi Jay,

I am hoping you might have some advice or thoughts the Minister could offer her constituent on the issue raised below.

Thank you,

Jarett

From: s.22
Sent: May 13, 2014 12:30 PM
To: Anton.MLA, Suzanne
Subject: RE: Agatha Chung Claim

Dear Honorable Suzanne Anton

s.22

Page 033

Withheld pursuant to/removed as

s.14

From: Chalke, Jay JAG:EX
Sent: Wednesday, May 21, 2014 11:54 AM
To: Lalonde, Jarett JAG:EX; Buzbuzian, Andrea JAG:EX
Cc: Ives, Andrew JAG:EX
Subject: Re: Agatha Chung Claim

Jarett, I am copying Andrea with this who can get back to you.

Jay

On May 21, 2014, at 11:50 AM, "Lalonde, Jarett JAG:EX" <Jarett.Lalonde@gov.bc.ca> wrote:

Hi Jay,

I am hoping you might have some advice or thoughts the Minister could offer her constituent on the issue raised below.

Thank you,

Jarett

From: s.22
Sent: May 13, 2014 12:30 PM
To: Anton.MLA, Suzanne
Subject: RE: Agatha Chung Claim

Dear Honorable Suzanne Anton

s.22

Page 036

Withheld pursuant to/removed as

s.14

Hi Jay,

I am hoping you might have some advice or thoughts the Minister could offer her constituent on the issue raised below.

Thank you,

Jarett

From: s.22
Sent: May 13, 2014 12:30 PM
To: Anton.MLA, Suzanne
Subject: RE: Agatha Chung Claim

s.22 Dear Honorable Suzanne Anton

Buzbuzian, Andrea JAG:EX

From: Lalonde, Jarett JAG:EX
Sent: Wednesday, May 21, 2014 1:50 PM
To: Chalke, Jay JAG:EX; Buzbuzian, Andrea JAG:EX
Cc: Ives, Andrew JAG:EX
Subject: RE: Agatha Chung Claim

Thank you both.

From: Chalke, Jay JAG:EX
Sent: May-21-14 11:54 AM
To: Lalonde, Jarett JAG:EX; Buzbuzian, Andrea JAG:EX
Cc: Ives, Andrew JAG:EX
Subject: Re: Agatha Chung Claim

Jarett, I am copying Andrea with this who can get back to you.

Jay

On May 21, 2014, at 11:50 AM, "Lalonde, Jarett JAG:EX" <Jarett.Lalonde@gov.bc.ca> wrote:

Hi Jay,

I am hoping you might have some advice or thoughts the Minister could offer her constituent on the issue raised below.

Thank you,

Jarett

From: s.22
Sent: May 13, 2014 12:30 PM
To: Anton.MLA, Suzanne
Subject: RE: Agatha Chung Claim

Dear Honorable Suzanne Anton

s.22

Page 041

Withheld pursuant to/removed as

s.14

- Ministry staff are advised that the consideration of claims by the Society of Notaries Public is ongoing, and that the situation is complex (e.g., dealing with multiple claimants, banks, title insurance, reinsurance).
- Ministry staff understand that in some cases, the Society of Notaries Public has provided a lawyer for a complainant, for example, when dealing with a bank that may have commenced foreclosure proceedings.
- The Financial Consumer Agency of Canada is responsible for administering consumer provisions of the *Bank Act*, and monitoring the financial institutions' compliance with voluntary codes of conduct and public commitments.
- The Ombudsperson for Banking Services and Investments is an independent service for resolving banking services and investment disputes. A complaint must first be made to the firm involved. The Ombudsperson may make recommendations to a firm, but cannot order them to be followed.

From: Chalke, Jay JAG:EX
Sent: Wednesday, May 21, 2014 11:54 AM
To: Lalonde, Jarett JAG:EX; Buzbuzian, Andrea JAG:EX
Cc: Ives, Andrew JAG:EX
Subject: Re: Agatha Chung Claim

Jarett, I am copying Andrea with this who can get back to you.

Jay

On May 21, 2014, at 11:50 AM, "Lalonde, Jarett JAG:EX" <Jarett.Lalonde@gov.bc.ca> wrote:

Hi Jay,

I am hoping you might have some advice or thoughts the Minister could offer her constituent on the issue raised below.

Thank you,

Jarett

From: s.22
Sent: May 13, 2014 12:30 PM
To: Anton.MLA, Suzanne
Subject: RE: Agatha Chung Claim

Dear Honorable Suzanne Anton

s.22

Buzbuzian, Andrea JAG:EX

From: Buzbuzian, Andrea JAG:EX
Sent: Friday, October 10, 2014 3:02 PM
To: Zeeben, Jim GCPE:EX
Subject: Correspondence re: notary

Hi Jim. As discussed, I want to make your office aware of an issue that relates to correspondence received by the Minister and the Premier, and which was also sent to CBC News Vancouver (as well as the Society of Notaries Public and others). The writers also indicate that they have been in discussion with CBC and, while they have not given the CBC the go ahead to proceed with the story, if they don't get a resolution by end of day on Sunday, October 13 [sic], they will have no choice but to speak with the CBC about proceeding.

I have been asked to draft a "reply direct" response to the most recent correspondence on a "rush" basis, which should be finalized either today or early next week. I understand that the Minister has spoken with these constituents.

As I understand it, the writers purchased a home in Vancouver, acting through a notary. The sellers also used a notary to sell the house, and this notary fled the country with the money instead of paying off the remaining mortgage on the property. The bank has commenced foreclosure proceedings on the property. The writer indicates that the Society of Notaries Public has made an offer to the HSBC bank, and apparently HSBC is not accepting the offer.

The Ministry is responsible for the Notaries Act.

If you'd like to discuss this further, I can provide you with more details.

Thanks very much.
Andrea

Andrea Buzbuzian
Civil Policy and Legislation Office
Ministry of Justice
ph: 250 356-5410

This message, including any attachments, is confidential and may contain privileged information intended only for the persons named above. Any other distribution, copying or disclosure is strictly prohibited. If you are not the intended recipient, please notify us immediately by reply email and permanently delete the original transmission from us, including any attachments, without making a copy.

Watters, Treena M JAG:EX

From: Minister, JAG JAG:EX
Sent: Monday, February 16, 2015 1:30 PM
To: Green, Greg JAG:EX
Subject: Reply Direct FW: Agatha Chung
Attachments: 411654 - Jaswal; FW: Agatha Chung Claim; FW: Agatha Chung Claim; FW: Agatha Chung Claim; FW: URGENT: Agatha Chung Fraud

From: Tennant, Laura JAG:EX
Sent: Monday, February 16, 2015 1:25 PM
To: Minister, JAG JAG:EX
Subject: FW: Agatha Chung

Please have reply direct drafted with cc to MLA Office.

Thank you,
Laura

From: Tan, Tanya [<mailto:Tanya.Tan@leg.bc.ca>]
Sent: Monday, February 16, 2015 1:13 PM
To: Tennant, Laura JAG:EX
Cc: Lalonde, Jarett JAG:EX; Shih, Yulin LASS:EX
Subject: FW: Agatha Chung

Hi Laura,

Below and attached are emails from a constituent, asking help from MSA regarding a fraud. This constituent has met with MSA as his MLA. We have also forwarded this case to your ministry, please refer to the '411654' email.

He is now again asking for a response from MLA Anton, regarding the updated situation for his case. Would you please help to get a response from the ministry? Let me know if you need any other information.

Thank you,

Tanya Tan
Constituency Assistant to
Hon. Suzanne Anton, Q.C.
MLA, Vancouver-Fraserview
Office: (604) 660-2035 | Fax: (604) 660-2368

From: Anton.MLA, Suzanne
Sent: February 16, 2015 12:48 PM
To: Tan, Tanya
Subject: FW: Agatha Chung

From: s.22

Sent: January 26, 2015 8:59 AM

To: Anton.MLA, Suzanne

Subject: Agatha Chung

Good Morning Honorable Suzanne Anton,

s.22

Watters, Treena M JAG:EX

From: Anton.MLA, Suzanne LASS:EX
Sent: Monday, October 6, 2014 3:59 PM
To: Tan, Tanya LASS:EX
Subject: FW: URGENT: Agatha Chung Fraud

Importance: High

See quote from text below...

s.22

Yulin Shih

Constituency Assistant to
Hon Suzanne Anton Q.C.
MLA Vancouver-Fraserview
Office: (604) 660-2035 | Direct (604) 660-2228
Fax: (604) 660-2368 | Mobile: (778) 873-9785

From: s.22

Sent: October 6, 2014 12:54 PM

To: Anton.MLA, Suzanne; premier@gov.bc.ca; gwb@society.notaries.bc.ca; akash@sablok.com; ghoeckstra@la-law.ca; anu.dawit-kanna@cbc.ca; pmaia@hsbc.ca

Subject: URGENT: Agatha Chung Fraud

Importance: High

Good Afternoon,

s.22

CC:

Hon. Christy Clark, Premier of British Columbia

Hon. Suzanne Anton, Attorney General of BC & MLA Vancouver-Fraserview

Paulo Maia, CEO HSBC Canada

Akash Sablok, President of Society of Notaries Public of BC

G.W. Wayne Braid, CEO Society of Notaries Public of BC

Anu Dawit-Kanna, CBC News Vancouver

Gavin Hoekstra, Lawyer for s.22

Watters, Treena M JAG:EX

From: Anton.MLA, Suzanne LASS:EX
Sent: Friday, October 3, 2014 4:06 PM
To: Tan, Tanya LASS:EX
Subject: FW: Agatha Chung Claim

From: s.22
Sent: October 3, 2014 4:02 PM
To: Anton.MLA, Suzanne
Subject: RE: Agatha Chung Claim

Good Afternoon Honorable Suzanne Anton

s.22

From: s.22
To: suzanne.anton.mla@leg.bc.ca
Subject: RE: Agatha Chung Claim
Date: Fri, 30 May 2014 11:32:49 -0700

Good Morning Honorable Suzanne Anton

s.22

s.22

From: s.22
To: suzanne.anton.mla@leg.bc.ca
Subject: RE: Agatha Chung Claim
Date: Fri, 23 May 2014 08:30:42 -0700

Good Morning

s.22

From: Gavin Hoekstra [<mailto:ghoekstra@la-law.ca>]
Sent: Thursday, May 22, 2014 5:22 PM
To: s.22
Subject: RE: Notaries, s.22

s.14

s.14

=====

Please confirm that you have received this email.

s.22

From: s.22
To: suzanne.anton.mla@leg.bc.ca
Subject: RE: Agatha Chung Claim
Date: Thu, 22 May 2014 16:18:56 -0700

Good Afternoon Hon. Suzanne Anton

s.22

Sincerely

s.22

From: s.22
To: suzanne.anton.mla@leg.bc.ca
Subject: RE: Agatha Chung Claim
Date: Tue, 13 May 2014 12:29:32 -0700

Dear Honorable Suzanne Anton

s.22

Watters, Treena M JAG:EX

From: Anton.MLA, Suzanne LASS:EX
Sent: Tuesday, June 17, 2014 1:44 PM
To: Tan, Tanya LASS:EX
Subject: FW: Agatha Chung Claim

An update from s.22 . I'll put this Email in the "Tanya – s.22" folder

--

Yulin Shih

Constituency Assistant to
Suzanne Anton Q.C.
MLA Vancouver-Fraserview
Office: (604) 660-2035 | Direct: (604) 660-2228
Fax: (604) 660-2368 | Mobile: (778) 873-9785

From: s.22
Date: Tue, 17 Jun 2014 10:04:56 -0700
To: Y Shih <suzanne.anton.mla@leg.bc.ca>
Subject: RE: Agatha Chung Claim

Good Morning Honorable Suzanne Anton

s.22

From: s.22
To: suzanne.anton.mla@leg.bc.ca
Subject: RE: Agatha Chung Claim
Date: Fri, 30 May 2014 11:32:49 -0700

From: s.22
To: suzanne.anton.majeweg.bc.ca
Subject: RE: Agatha Chung Claim
Date: Fri, 23 May 2014 08:30:42 -0700

Good Morning

s.22

See below for his response:

=====

From: Gavin Hoekstra [<mailto:ghoekstra@la-law.ca>]
Sent: Thursday, May 22, 2014 5:22 PM
To: s.22
Subject: RE: Notaries,s.22....

s.14

s.14

=====

Please confirm that you have received this email.

s.22

From: s.22
To: suzanne.anton.mla@leg.bc.ca
Subject: RE: Agatha Chung Claim
Date: Thu, 22 May 2014 16:18:56 -0700

Good Afternoon Hon. Suzanne Anton

s.22

From: s.22
To: suzanne.anton.mla@leg.bc.ca
Subject: RE: Agatha Chung Claim
Date: Tue, 13 May 2014 12:29:32 -0700

Dear Honorable Suzanne Anton

s.22

Watters, Treena M JAG:EX

From: Lalonde, Jarett JAG:EX
Sent: Monday, June 16, 2014 1:33 PM
To: Anton, Suzanne JAG:EX
Cc: Tan, Tanya LASS:EX
Subject: FW: Agatha Chung Claim

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Minister and Tanya, FYI.

s.14

s.13,s.14

From: Chalke, Jay JAG:EX
Sent: Wednesday, May 21, 2014 11:54 AM

To: Lalonde, Jarett JAG:EX; Buzbuzian, Andrea JAG:EX

Cc: Ives, Andrew JAG:EX

Subject: Re: Agatha Chung Claim

Jarett, I am copying Andrea with this who can get back to you.

Jay

On May 21, 2014, at 11:50 AM, "Lalonde, Jarett JAG:EX" <Jarett.Lalonde@gov.bc.ca> wrote:

Hi Jay,

I am hoping you might have some advice or thoughts the Minister could offer her constituent on the issue raised below.

Thank you,

Jarett

From: s.22

Sent: May 13, 2014 12:30 PM

To: Anton.MLA, Suzanne

Subject: RE: Agatha Chung Claim

Dear Honorable Suzanne Anton

s.22

Watters, Treena M JAG:EX

From: AG Justice Services AG:EX
Sent: Wednesday, October 15, 2014 3:04 PM
To: s.22
Cc: OfficeofthePremier, Office PREM:EX; Anton.MLA, Suzanne LASS:EX
Subject: s.22

s.22
Dear

We have been asked to respond to your email of October 6, 2014, addressed to the Honourable Christy Clark, Premier, and the Honourable Suzanne Anton, Attorney General and Minister of Justice.

We are sorry to hear of the difficult situation you are in, and appreciate the stress this must be causing you.

As the Society of Notaries Public of British Columbia is an independent regulator of notaries, the ministry is unable to intervene in the operations of the Society of Notaries Public. However, we appreciate your bringing this matter and your concerns to our attention.

Justice Services Branch
Ministry of Attorney General

pc: The Honourable Christy Clark
The Honourable Suzanne Anton, QC

Watters, Treena M JAG:EX

From: Minister, JAG JAG:EX
Sent: Thursday, October 9, 2014 10:33 AM
To: King, Kim J M JAG:EX
Subject: FW: URGENT: Agatha Chung Fraud

Importance: High

Hi Kim,

One further request please – many thanks,

Candice

From: Tennant, Laura JAG:EX
Sent: Wednesday, October 8, 2014 4:10 PM
To: Minister, JAG JAG:EX
Subject: FW: URGENT: Agatha Chung Fraud
Importance: High

Hi Candice, further to this, can I please request a cc to the constit office?
Thanks

From: Tennant, Laura JAG:EX
Sent: Wednesday, October 8, 2014 4:09 PM
To: Minister, JAG JAG:EX
Subject: FW: URGENT: Agatha Chung Fraud
Importance: High

Hi Candice, please have staff RUSH Reply direct.

Thanks

From: Tan, Tanya [<mailto:Tanya.Tan@leg.bc.ca>]
Sent: Monday, October 6, 2014 4:05 PM
To: Suzanne Anton; Tennant, Laura JAG:EX
Cc: Lalonde, Jarett JAG:EX; Ives, Andrew JAG:EX
Subject: FW: URGENT: Agatha Chung Fraud
Importance: High

Hi Laura,

Would you please print this out and let MSA look at it?

MSA has talked to this constituent on Friday. As a lawyer is involved, MSA is not able to help him. The email below is his follow-up for his call with MSA.

Regards,

Tanya

From: s.22

Sent: October 6, 2014 12:54 PM

To: Anton.MLA, Suzanne; premier@gov.bc.ca; gwb@society.notaries.bc.ca; akash@sablok.com; ghoekstra@la-law.ca; anu.dawit-kanna@cbc.ca; pmaia@hsbc.ca

Subject: URGENT: Agatha Chung Fraud

Importance: High

Good Afternoon,

s.22

CC:

Hon. Christy Clark, Premier of British Columbia

Hon. Suzanne Anton, Attorney General of BC & MLA Vancouver-Fraserview

Paulo Maia, CEO HSBC Canada

Akash Sablok, President of Society of Notaries Public of BC

G.W. Wayne Braid, CEO Society of Notaries Public of BC

Anu Dawit-Kanna, CBC News Vancouver

Gavin Hoekstra, Lawyer ^{s.22}

October 15, 2014

s.22

Email: s.22

Dear s.22 I:

We have been asked to respond to your email of October 6, 2014, addressed to the Honourable Christy Clark, Premier, and the Honourable Suzanne Anton, Attorney General and Minister of Justice.

We are sorry to hear of the difficult situation you are in, and appreciate the stress this must be causing you.

As the Society of Notaries Public of British Columbia is an independent regulator of notaries, the ministry is unable to intervene in the operations of the Society of Notaries Public. However, we appreciate your bringing this matter and your concerns to our attention.

Sent via JSB mailbox

Justice Services Branch
Ministry of Attorney General

pc: The Honourable Christy Clark
The Honourable Suzanne Anton, QC

Pearson, Nancy JAG:EX

From: Buzbuzian, Andrea JAG:EX
Sent: Tuesday, October 21, 2014 9:56 AM
To: Pearson, Nancy JAG:EX
Cc: Carter, Nancy L JAG:EX; Getz, Russell JAG:EX
Subject: FW: FOR APPROVAL: IN_Agatha Chung claim_Oct 20_2014_DRAFT (2)
Attachments: IN_Agatha Chung claim_Oct 20_2014_DRAFT (2).docx

Importance: High

Hi Nancy. Nancy C is away from the office till Friday for work. Given the tight timelines, this can go to Jay.

I just had a few suggestions.

Thanks. Andrea

From: Pearson, Nancy JAG:EX
Sent: Monday, October 20, 2014 5:41 PM
To: Buzbuzian, Andrea JAG:EX; Carter, Nancy L JAG:EX
Cc: Vermaning, Tiny JAG:EX
Subject: FOR APPROVAL: IN_Agatha Chung claim_Oct 20_2014_DRAFT (2)
Importance: High

Given the tight deadline, I'm sending this to both of you at the same time in case one of you gets to it before the other. Deadline is 10:00 tomorrow morning and we have to allow Jay some time to see it, too. If you could get back to us by 9:00 (sorry!), that would be great.

thanks.

From: Zeeben, Jim GCPE:EX
Sent: Monday, October 20, 2014 4:06 PM
To: Pearson, Nancy JAG:EX; Vermaning, Tiny JAG:EX
Cc: Mulholland, Lauren GCPE:EX
Subject: For Review: IN_Agatha Chung claim_Oct 20_2014_DRAFT (2)

Good afternoon Nancy,
We're hoping to have this back by 10 a.m., signed off by Andrea and Jay.

Thanks in advance for your help.

Jim

Jim Zeeben

Public Affairs Officer
Ministry of Justice
2nd Floor 634 Humboldt St. | Victoria | British Columbia
Office: 250 387-6708 | Mobile: 778 677-9437

Page 071 to/à Page 072

Withheld pursuant to/removed as

s.14

Pearson, Nancy JAG:EX

From: Vermaning, Tiny JAG:EX
Sent: Tuesday, October 21, 2014 2:35 PM
To: Zeeben, Jim GCPE:EX; Pearson, Nancy JAG:EX
Cc: Mulholland, Lauren GCPE:EX
Subject: RE: For Review: IN_Agatha Chung claim_Oct 20_2014_DRAFT (2)
Attachments: IN_Agatha Chung claim_Oct 20_2014_DRAFT.docx

Updated package, approved by Jay with changes.

Thanks.

Tiny

From: Zeeben, Jim GCPE:EX
Sent: Monday, October 20, 2014 4:07 PM
To: Pearson, Nancy JAG:EX; Vermaning, Tiny JAG:EX
Cc: Mulholland, Lauren GCPE:EX
Subject: For Review: IN_Agatha Chung claim_Oct 20_2014_DRAFT (2)
Importance: High

Good afternoon Nancy,
We're hoping to have this back by 10 a.m., signed off by Andrea and Jay.

Thanks in advance for your help.

Jim

Jim Zeeben

Public Affairs Officer
Ministry of Justice
2nd Floor 634 Humboldt St. | Victoria | British Columbia
Office: 250 387-6708 | Mobile: 778 677-9437

Page 075 to/à Page 076

Withheld pursuant to/removed as

s.14

Pearson, Nancy JAG:EX

From: Funk, Richelle GCPE:EX
Sent: Thursday, April 24, 2014 9:31 AM
To: Pearson, Nancy JAG:EX
Cc: Mitchell, Andrew J JAG:EX
Subject: Please have reviewed/approved. Deadline 15:00 today
Attachments: IIO_Yap-2MS-Notaries-DRAFT.docx

Nancy,

Can you please have this statement on notaries and their practice reviewed and approved by 1500 today.

That's the minister's office request please and thanks.

Cheers,

Richelle

Richelle Dawn Funk
Public Affairs Officer | Government Communications & Engagement
Ministry of Justice | Attorney General
☎ 250 387-6708 | BB 778 679-8203

Pearson, Nancy JAG:EX

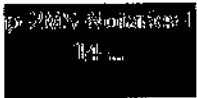
From: Buzbuzian, Andrea JAG:EX
Sent: Thursday, April 24, 2014 11:10 AM
To: Pearson, Nancy JAG:EX
Cc: Mitchell, Andrew J JAG:EX
Subject: FW: FOR INPUT THIS MORNING: statement re notaries

Importance: High

Comments included. (I'm suggesting quite a lot come out.) I don't know if more could be added about the history/tradition of notaries; their participation in the community; role in providing services.

Thanks. Andrea

From: Pearson, Nancy JAG:EX
Sent: Thursday, April 24, 2014 10:00 AM
To: Buzbuzian, Andrea JAG:EX
Cc: Mitchell, Andrew J JAG:EX
Subject: FOR INPUT THIS MORNING: statement re notaries
Importance: High



Hi Andrea,

MLA Yap is planning to read the attached statement in the House. GCPE needs this back by 3:00 today, so I'm hoping you'll have time to provide you input this morning, to allow Nancy and Jay some time to review it before the deadline.

The "hug" line is a bit much...but I guess we go with it!

Thanks,
Nancy

s.13

Subject: FW: FOR INPUT THIS MORNING: statement re notaries
Importance: High

Comments included. (I'm suggesting quite a lot come out.) I don't know if more could be added about the history/tradition of notaries; their participation in the community; role in providing services.

Thanks. Andrea

From: Pearson, Nancy JAG:EX
Sent: Thursday, April 24, 2014 10:00 AM
To: Buzbuzian, Andrea JAG:EX
Cc: Mitchell, Andrew J JAG:EX
Subject: FOR INPUT THIS MORNING: statement re notaries
Importance: High

Hi Andrea,

MLA Yap is planning to read the attached statement in the House. GCPE needs this back by 3:00 today, so I'm hoping you'll have time to provide you input this morning, to allow Nancy and Jay some time to review it before the deadline.

The "hug" line is a bit much...but I guess we go with it!

Thanks,
Nancy

s.13

Pearson, Nancy JAG:EX

From: Pearson, Nancy JAG:EX
Sent: Thursday, April 24, 2014 3:22 PM
To: Funk, Richelle GCPE:EX
Cc: Mitchell, Andrew J JAG:EX
Subject: RE: Please have reviewed/approved. Deadline 15:00 today
Attachments: IIO_Yap-2MS-Notaries-DRAFT 14-04-24.docx

Here it is, Richelle, reviewed by all and sundry.

s.13

From: Funk, Richelle GCPE:EX
Sent: Thursday, April 24, 2014 9:31 AM
To: Pearson, Nancy JAG:EX
Cc: Mitchell, Andrew J JAG:EX
Subject: Please have reviewed/approved. Deadline 15:00 today

Nancy,

Can you please have this statement on notaries and their practice reviewed and approved by 1500 today.

That's the minister's office request please and thanks.

Cheers,

Richelle

Richelle Dawn Funk
Public Affairs Officer | Government Communications & Engagement
Ministry of Justice | Attorney General
☎ 250 387-6708 | BB 778 679-8203

s.13

Pearson, Nancy JAG:EX

From: Funk, Richelle GCPE:EX
Sent: Thursday, April 24, 2014 3:24 PM
To: Pearson, Nancy JAG:EX
Cc: Mitchell, Andrew J JAG:EX
Subject: RE: Please have reviewed/approved. Deadline 15:00 today

I will provide that advice forward.

Thanks,

Richelle

From: Pearson, Nancy JAG:EX
Sent: April-24-14 3:22 PM
To: Funk, Richelle GCPE:EX
Cc: Mitchell, Andrew J JAG:EX
Subject: RE: Please have reviewed/approved. Deadline 15:00 today

Here it is, Richelle, reviewed by all and sundry.

s.13

From: Funk, Richelle GCPE:EX
Sent: Thursday, April 24, 2014 9:31 AM
To: Pearson, Nancy JAG:EX
Cc: Mitchell, Andrew J JAG:EX
Subject: Please have reviewed/approved. Deadline 15:00 today

Nancy,

Can you please have this statement on notaries and their practice reviewed and approved by 1500 today.

That's the minister's office request please and thanks.

Cheers,

Richelle

Richelle Dawn Funk
Public Affairs Officer | Government Communications & Engagement
Ministry of Justice | Attorney General
☎ 250 387-6708 | BB 778 679-8203

Pearson, Nancy JAG:EX

From: Wayne Braid <gwb@society.notaries.bc.ca>
Sent: Friday, March 21, 2014 8:47 AM
To: Pearson, Nancy JAG:EX
Subject: RE: April 5 event
Attachments: Justice Minister Suzanne Anton Alt.docx; AG Bond Brief Jan.27.12.pdf

Good Morning


Here are some notes that I hope you will find helpful. I am also enclosing a brief that we supplied to the previous minister that she indicated was helpful.


If I can assist in any other way, please just let me know.

Thank you.

Wayne

G.W.Wayne Braid
Chief Executive Officer/Secretary
The Society of Notaries Public of B.C.
Suite 1220 625 Howe Street, Box 44,
Vancouver, B.C.
V6C 2T6

 E-Mail gwb@society.notaries.bc.ca

 Telephone (604-681-4516)



This message may contain confidential or privileged material or information, which is exempt from disclosure under applicable law. Any use, distribution or copying of this information by anyone other than the intended recipient is prohibited. If you are not the intended recipient, or have received this message in error, please reply to the sender or telephone the sender, and destroy any hard copies that may have been made of this message and delete this information from your computer.

From: Pearson, Nancy JAG:EX [mailto:Nancy.Pearson@gov.bc.ca]
Sent: 12-Mar-14 9:10 AM
To: Wayne Braid
Subject: RE: April 5 event

Thanks very much, Wayne, and welcome back!

From: Wayne Braid [mailto:gwb@society.notaries.bc.ca]
Sent: Wednesday, March 12, 2014 9:09 AM
To: Pearson, Nancy JAG:EX
Subject: RE: April 5 event

Hello Nancy

Sorry for the delay getting back to you, I have been out of the country for a bit. I have not forgotten about his and was planning on putting something together for you this weekend and getting it to you by Monday.


I hope that works for you.

Regards,

Wayne

G.W.Wayne Braid
Chief Executive Officer/Secretary
The Society of Notaries Public of B.C.
Suite 1220 625 Howe Street, Box 44,
Vancouver, B.C.
V6C 2T6

 E-Mail gwb@society.notaries.bc.ca

 Telephone (604-681-4516)



This message may contain confidential or privileged material or information, which is exempt from disclosure under applicable law. Any use, distribution or copying of this information by anyone other than the intended recipient is prohibited. If you are not the intended recipient, or have received this message in error, please reply to the sender or telephone the sender, and destroy any hard copies that may have been made of this message and delete this information from your computer.

From: Pearson, Nancy JAG:EX [<mailto:Nancy.Pearson@gov.bc.ca>]
Sent: 11-Mar-14 2:06 PM
To: Wayne Braid
Subject: RE: April 5 event

Hi Wayne,

I'm following up on your note below to ask if you've had a chance yet to put some bullet points together?

Thanks!
Nancy

From: Wayne Braid [<mailto:gwb@society.notaries.bc.ca>]
Sent: Friday, February 28, 2014 8:37 AM
To: Pearson, Nancy JAG:EX
Subject: RE: April 5 event

Hello Nancy

Thank you for your note


I am enclosing what I sent Jarett the other day when he asked. I am also enclosing a copy of the program for the weekend. This one has been revised since the last one I sent Jarett.


The minister also asked me to send some bullet points of things we might like her to touch on during her talk. I will get those to you in the next 10 days or so.

Thanks very much!

Wayne

G.W.Wayne Braid
Chief Executive Officer/Secretary
The Society of Notaries Public of B.C.
Suite 1220 625 Howe Street, Box 44,
Vancouver, B.C.
V6C 2T6

 E-Mail gwb@society.notaries.bc.ca

 Telephone (604-681-4516)



This message may contain confidential or privileged material or information, which is exempt from disclosure under applicable law. Any use, distribution or copying of this information by anyone other than the intended recipient is prohibited. If you are not the intended recipient, or have received this message in error, please reply to the sender or telephone the sender, and destroy any hard copies that may have been made of this message and delete this information from your computer.

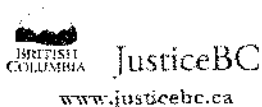
From: Pearson, Nancy JAG:EX [<mailto:Nancy.Pearson@gov.bc.ca>]
Sent: 27-Feb-14 10:30 AM
To: Wayne Braid
Subject: April 5 event

Good morning, Wayne,

We are preparing some speaking notes for Minister Anton's use at the Society's Spring conference on April 5. I'm wondering if you can tell me how much time has been allocated for the Minister's speech and if there is a particular topic you would like her to speak to. Any additional information you can provide would be helpful.

Thanks very much,
Nancy

Nancy Pearson | Manager, Stakeholder Relations
Assistant Deputy Minister's Office | Justice Services Branch
Ministry of Justice | 250-356-8245



Pearson, Nancy JAG:EX

From: Wayne Braid <gwb@society.notaries.bc.ca>
Sent: Friday, March 21, 2014 8:47 AM
To: Pearson, Nancy JAG:EX
Subject: RE: April 5 event
Attachments: Justice Minister Suzanne Anton Alt.docx; AG Bond Brief Jan.27.12.pdf

Good Morning

Here are some notes that I hope you will find helpful. I am also enclosing a brief that we supplied to the previous minister that she indicated was helpful.

If I can assist in any other way, please just let me know.

Thank you.

Wayne

G.W.Wayne Braid
Chief Executive Officer/Secretary
The Society of Notaries Public of B.C.
Suite 1220 625 Howe Street, Box 44,
Vancouver, B.C.
V6C 2T6

ERROR: syntaxerror
OFFENDING COMMAND:

```
end B/'' < :fpgm~ ; L _glyph 8 h "6head 'L
```



THE SOCIETY OF NOTARIES PUBLIC OF BRITISH COLUMBIA

Notes for Justice Minister Suzanne Anton March 2014

Short Historical Background

- The first Notary was appointed in the Colony of Vancouver Island by Governor Douglas in 1868; many more were appointed when the Colony was established on the Mainland.
- As the Colony/Province developed, the work of Notaries grew throughout British Columbia. <http://www.youtube.com/watch?v=Vw67QGpvzIE>
- The Society of Notaries Public of BC was initially created as a self-governing Society under the *Society's Act* in 1926.
- Since that time, BC Notaries have been providing legal services and safeguarding the public as a self-governing society.
- Currently, 330 Notaries practise in British Columbia. They are located in most cities and towns across the province.
- Fully 55 percent of BC Notaries are women.
- Our members speak over 60 languages and offer services in those languages.
- BC Notaries are similar to Civil Code Notaries, which serves our immigrant population very well. They are familiar with that type of legal service.
- Enrollment as a Notary in BC requires completion of the Master of Arts degree in Applied Legal Studies (MA ALS) at Simon Fraser University.
<http://www.youtube.com/watch?v=pzgMoslK4Ek>

Changes for the Future

Following many years of discussion with Government regarding the need to amend the *Notaries Act* (the Act dates back to the 1960s), Minister Bond indicated Government was interested in the issue of Access to Justice for British Columbians. That included the provision of certain legal services to the public by professionals other than Lawyers.

- Minister Bond asked the two governing bodies of the current legal providers (Lawyers and Notaries) to get together to look at the issue of regulation.
- Minister Bond indicated that in the future, other people would be or could be trained to provide certain legal services. Government did not want multiple Regulators.

The Legal Providers Task Force was formed with representatives from the Law Society, the Notary Society (represented by Immediate Past President John Eastwood), the Canadian Bar Association, and the BC Paralegal Association.

- In their report, the Legal Services Task Force made a recommendation that there be only one Regulator of legal providers and that the current provision of legal services be expanded to include other trained legal professionals.
- The report invited the Law Society and the BC Notaries to begin discussions.
- The Notaries' Board of Directors agrees that discussions should commence.
- Although the discussions have not yet commenced, the CEOs of each organization have had preliminary meetings to discuss process.

s.13

Support for Government and Additional Services and Information

- Notaries have long supported Government programs and are prepared to assist with Access to Justice in British Columbia.
- Many BC Notaries provide and are involved in Pro Bono activities.
- BC Notaries practise noncontentious law. Education for Notaries would remain Notary-practice focused and not Lawyer-focused.
- The Notary Foundation has generated over \$42 million. The use of those funds includes Legal Research, Law Libraries, and Public Legal Education in BC.
- Notaries are well accepted and trusted by the public. Recent surveys indicate over 78 percent of people in British Columbia have used the services of a BC Notary. The surveys show they would use a Notary again for the current services offered and for additional legal services.

BC Notaries
A TRUSTED TRADITION



Brief
for
The Honourable Shirley Bond

Attorney General
of
British Columbia

January 27, 2012

Page 101 to/à Page 116

Withheld pursuant to/removed as

s.13

Pearson, Nancy JAG:EX

From: Mulholland, Lauren GCPE:EX
Sent: Wednesday, April 2, 2014 4:02 PM
To: Pearson, Nancy JAG:EX
Cc: Funk, Richelle GCPE:EX
Subject: SN for Notaries Public

Mostly plain language changes. I would not call them substantive. I think they were nicely done! ☺



QAs to follow.

NR

Thanks,
Andrew

From: Mulholland, Lauren GCPE:EX
Sent: April-02-14 2:13 PM
To: Lalonde, Jarett JAG:EX; Ives, Andrew JAG:EX; Southern, Evan JAG:EX
Cc: Heiman, Carolyn GCPE:EX; Matheson, Carissa JAG:EX
Subject: Question: Summit -- Minister's bio

JSB staff are putting a package of speakers' bios together for the next Summit and would like to know if it's okay to use the same bio as last time for the next Summit.

Honourable Suzanne Anton, QC – The Honourable Suzanne Anton was elected to represent the riding of Vancouver-Fraserview in 2013 after a distinguished career at the municipal level. She was appointed Attorney General and Minister of Justice on 10 June 2013. A lawyer and former prosecutor with the Criminal Justice Branch of B.C., Ms. Anton has nine years of elected service. She was elected to Vancouver City Council in 2005 and re-elected in 2008. Before becoming a City Councillor, she served three years on the Vancouver Park Board. Ms. Anton was on the Board of Directors for the B.C. Pavilion Corporation (PavCo), the Vancouver Symphony Orchestra and the BC Sports Hall of Fame. She served on the 2011 Grey Cup committee and the Vancouver 125 committee.

Ms. Anton served as the Vancouver director for the Federation of Canadian municipalities, where she was the vice-chair of the Committee to Increase Women's Participation in Municipal Government and sat on the Governance Review Committee. As a Director of Metro Vancouver, Ms. Anton was a member of the Waste Management Committee, the Land Use and Transportation Committee, and the UBC/Metro Vancouver joint committee. Ms. Anton served as the Vancouver director on Translink during the initial construction of the Canada Line. While there, she also served on the audit committee.

Ms. Anton has served on numerous community and sport boards. She was also a mathematics teacher in Portugal and Nigeria (with CUSO). She has experience in the leadership, management and financial operations of some of B.C.'s largest organizations.



Lauren Mulholland

Communications Manager | Government Communications
Ministry of Justice | Attorney General
Ph: 250 952.7302 | Cell: 250 889.3922
lauren.mulholland@gov.bc.ca

Pearson, Nancy JAG:EX

From: Mulholland, Lauren GCPE:EX
Sent: Wednesday, April 2, 2014 4:07 PM
To: Pearson, Nancy JAG:EX
Cc: Funk, Richelle GCPE:EX
Subject: Minor tweaks to QA
Attachments: QA for SN Society of Notaries Public 14-03-25_GCPE comments.docx

Nancy, I changed the name of this document to begin with what it is a "QA" – otherwise it will confuse.

Cheers,
Lauren



Lauren Mulholland

Communications Manager | Government Communications
Ministry of Justice | Attorney General
Ph: 250 952.7302 | Cell: 250 889.3922
lauren.mulholland@gov.bc.ca

Pearson, Nancy JAG:EX

From: Pearson, Nancy JAG:EX
Sent: Thursday, April 3, 2014 8:08 AM
To: Matheson, Carissa JAG:EX; Lalonde, Jarrett JAG:EX
Cc: Mulholland, Lauren GCPE:EX; Chalke, Jay JAG:EX
Subject: Speaking notes for Minister Anton

Good morning, Carissa and Jarrett,

Attached for the Minister's use at two events this weekend are speaking notes and other documents. The speaking notes and Q&A have been vetted by GCPE.

NR

- The Society of Notaries Public's event – April 5



1st Society of Notaries Public's event - April 5
2nd Society of Notaries Public's event - April 5
Justice Minister's Speech - April 5
Speech - April 5

Please let me know if anything further is needed.

Thanks,
Nancy

Nancy Pearson | Manager, Stakeholder Relations
Assistant Deputy Minister's Office | Justice Services Branch
Ministry of Justice | **250-356-8245**

SOCIETY OF NOTARIES PUBLIC OF BC

QUESTIONS AND ANSWERS

Q: Does the Government plan to “take-over” the regulation of notaries? What about the Law Society?

- There is no intention at this time for Government to move away from self-regulation of legal professions, either notaries or lawyers.
- However, the ministry asked the Society of Notaries Public and the Law Society to explore proposals for the direction of the regulation of legal services in the province.
- We asked that they consider the proposals within the context of access to justice, and in the context of proposals being considered or put forward by both the Society of Notaries Public and the Law Society.

Q: What will you do about concerns that notary autonomy should not be lost (if there’s a merger of the Society of Notaries Public and Law Society)?

- I hear your concern, given notaries’ long history and the Society’s role as a separate regulatory body.
- I understand that further work is to be done flowing from the recommendations of the Legal Providers Task Force.
- The report noted that this included ongoing discussion with the Society of Notaries Public and Government, and would involve detailed negotiations regarding the terms of a merger.

Q: Why are you looking at alternatives?

- We are looking at opportunities to increase access to justice, ensure protection of the public, and create efficiencies in the provision of legal services.

Q: What about concerns that a merger of the Society of Notaries Public and Law Society would result in regulatory functions being lawyer-centred and not equal for notaries?

- I understand that the detailed work flowing from the recommendations is really just getting underway.
- It is premature at this point to speculate about this.

Q: The Society of Notaries Public has been waiting for a new Notaries Act for a number of years. What is the status?

- In the context of proposals being put forward, the Society of Notaries Public and Law Society were asked to consider future direction for legal services.
- The result has been a Legal Providers Task Force Report, and there is still a lot of work to be done to move any potential recommendations forward.
- I look forward to considering any proposals resulting from this collaborative work.

Q: Requests have been made for an expanded scope of practice for notaries. What’s happening with that?

- We are awaiting the outcome of the ongoing work of the Legal Services Task Force regarding improving regulations before considering any suggestion about scope of practice.



THE SOCIETY OF NOTARIES PUBLIC OF BRITISH COLUMBIA

Notes for Justice Minister Suzanne Anton March 2014

Short Historical Background

- The first Notary was appointed in the Colony of Vancouver Island by Governor Douglas in 1868; many more were appointed when the Colony was established on the Mainland.
- As the Colony/Province developed, the work of Notaries grew throughout British Columbia. <http://www.youtube.com/watch?v=Vw67QGpvzIE>
- The Society of Notaries Public of BC was initially created as a self-governing Society under the *Society's Act* in 1926.
- Since that time, BC Notaries have been providing legal services and safeguarding the public as a self-governing society.
- Currently, 330 Notaries practise in British Columbia. They are located in most cities and towns across the province.
- Fully 55 percent of BC Notaries are women.
- Our members speak over 60 languages and offer services in those languages.
- BC Notaries are similar to Civil Code Notaries, which serves our immigrant population very well. They are familiar with that type of legal service.
- Enrollment as a Notary in BC requires completion of the Master of Arts degree in Applied Legal Studies (MA ALS) at Simon Fraser University.
<http://www.youtube.com/watch?v=pzgMosIK4Ek>

Changes for the Future

Following many years of discussion with Government regarding the need to amend the *Notaries Act* (the Act dates back to the 1960s), Minister Bond indicated Government was interested in the issue of Access to Justice for British Columbians. That included the provision of certain legal services to the public by professionals other than Lawyers.

- Minister Bond asked the two governing bodies of the current legal providers (Lawyers and Notaries) to get together to look at the issue of regulation.
- Minister Bond indicated that in the future, other people would be or could be trained to provide certain legal services. Government did not want multiple Regulators.

The Legal Providers Task Force was formed with representatives from the Law Society, the Notary Society (represented by Immediate Past President John Eastwood), the Canadian Bar Association, and the BC Paralegal Association.

- In their report, the Legal Services Task Force made a recommendation that there be only one Regulator of legal providers and that the current provision of legal services be expanded to include other trained legal professionals.
- The report invited the Law Society and the BC Notaries to begin discussions.
- The Notaries' Board of Directors agrees that discussions should commence.
- Although the discussions have not yet commenced, the CEOs of each organization have had preliminary meetings to discuss process.

Support for Government and Additional Services and Information

- Notaries have long supported Government programs and are prepared to assist with Access to Justice in British Columbia.
- Many BC Notaries provide and are involved in Pro Bono activities.
- BC Notaries practise noncontentious law. Education for Notaries would remain Notary-practice focused and not Lawyer-focused.
- The Notary Foundation has generated over \$42 million. The use of those funds includes Legal Research, Law Libraries, and Public Legal Education in BC.
- Notaries are well accepted and trusted by the public. Recent surveys indicate over 78 percent of people in British Columbia have used the services of a BC Notary. The surveys show they would use a Notary again for the current services offered and for additional legal services.



DIVERSITY+BUSINESS

2014 BCN SPRING CONFERENCE

APRIL 5-6
DELTA BURNABY HOTEL &
CONFERENCE CENTRE

EVENT PROGRAM

SATURDAY, April 5th

7:30 am to 8:45 am.....REGISTRATION OPEN

8:00 am to 9:00 am.....BUFFET BREAKFAST

9:00 am to 10:00 am.....A moderated panel discussion regarding the interaction between
WESA, Family Law and Property Law (PART 1)

10:00 am to 10:15 am.....COFFEE BREAK

10:15 am to 12:00 pm.....A moderated panel discussion regarding the interaction between
WESA, Family Law and Property Law (PART 2)

12:15 pm to 1:00 pm.....LUNCH BREAK

1:00 pm to 1:30 pm.....Suzanne Anton, Minister of Justice

1:30 pm to 3:00 pm.....Legal Service Providers Task Force: The Law Society's
Recommendations and their Effect on Notaries
(FACILITATED GROUP DISCUSSIONS)

**NOTE: YOUR NAME BADGE WILL BE MARKED WITH YOUR DESIGNATED
GROUP NUMBER**

3:15 pm to 4:30 pm.....Legal Service Providers Task Force: Q&A Session
John Eastwood and Wayne Braid

4:45 pm to 6:30 pm.....COCKTAIL RECEPTION

NOTE: The above program is subject to change



DIVERSITY+BUSINESS

2014 BCN SPRING CONFERENCE

APRIL 5-6
DELTA BURNABY HOTEL &
CONFERENCE CENTRE

SUNDAY, April 6th

8:00 am to 8:45 am.....BUFFET BREAKFAST

9:00 am to 10:30 am.....Keynote Seminar: Peter Zablud
Chair of the Board of The Australian & New Zealand College of Notaries

10:30 am to 10:45am.....COFFEE BREAK

10:45 am to 12:00 pmBreakout Sessions
(Registrants to book session of their choice)

<i>Seminar</i>	<i>Topic</i>	<i>Speaker(s)</i>	<i>Room</i>
1	Strata Issues & Limitations	William Brown and Dan Boisvert	Villa Ballroom
2	Factors to Consider When Setting your Fees	David Bilinsky	Venezia
3	Power of Attorney Update & Note Taking	Ron Usher	Firenze

12:15 pm to 1:15 pmLUNCH BREAK

1:15 pm to 2:30 pmWill Drafting under WESA
Laurie Salvador

2:30 pm to 2:45 pmCOFFEE BREAK

2:45 pm to 3:30 pmLand Title & Survey Authority of BC: MyLTSA & EFS
Lindsay Hardie, Customer Support Service Manager
Liza Aboud, Vice President, Business Development & Communications

NOTE: The above program is subject to change

Pearson, Nancy JAG:EX

From: Pearson, Nancy JAG:EX
Sent: Wednesday, April 2, 2014 4:38 PM
To: Mulholland, Lauren GCPE:EX
Cc: Funk, Richelle GCPE:EX
Subject: RE: Minor tweaks to QA
Attachments: Event Program Spring 2014 V5.pdf; QA for SN Society of Notaries Public 14-03-25 _GCPE comments.docx; QA for SN Society of Notaries Public 14-04-02 FINAL.docx; SN Society of Notaries Public 14-03-31_GCPE_edits.docx; SN Society of Notaries Public 14-04-02 FINAL.docx

Here they are, back at ya.

The event program is attached. It may not be the final version but it's what I have.

We made some small changes to both documents, which you'll see in the tracked changes versions. I've accepted all edits and fixed up the formatting as needed. Do you want to send these to the MO?

From: Mulholland, Lauren GCPE:EX
Sent: Wednesday, April 2, 2014 4:13 PM
To: Pearson, Nancy JAG:EX
Cc: Funk, Richelle GCPE:EX
Subject: RE: Minor tweaks to QA

Of course. Thanks!

From: Pearson, Nancy JAG:EX
Sent: April-02-14 4:09 PM
To: Mulholland, Lauren GCPE:EX
Cc: Funk, Richelle GCPE:EX
Subject: RE: Minor tweaks to QA

Thanks for this and the speaking notes. I have to run some of the changes past the SMEs before we can finalize.

From: Mulholland, Lauren GCPE:EX
Sent: Wednesday, April 2, 2014 4:07 PM
To: Pearson, Nancy JAG:EX
Cc: Funk, Richelle GCPE:EX
Subject: Minor tweaks to QA

Nancy, I changed the name of this document to begin with what it is a "QA" – otherwise it will confuse.

Cheers,
Lauren



Lauren Mulholland
Communications Manager | Government Communications

Ministry of Justice | Attorney General
Ph: 250 952.7302 | Cell: 250 889.3922
lauren.mulholland@gov.bc.ca



DIVERSITY + BUSINESS

2014 BCN SPRING CONFERENCE

APRIL 5-6
DELTA BURNABY HOTEL &
CONFERENCE CENTRE

EVENT PROGRAM

SATURDAY, April 5th

7:30 am to 8:45 am.....REGISTRATION OPEN

8:00 am to 9:00 am.....BUFFET BREAKFAST

9:00 am to 10:00 am.....A moderated panel discussion regarding the interaction between
WESA, Family Law and Property Law (PART 1)

10:00 am to 10:15 am..... COFFEE BREAK

10:15 am to 12:00 pmA moderated panel discussion regarding the interaction between
WESA, Family Law and Property Law (PART 2)

12:15 pm to 1:00 pmLUNCH BREAK

1:00 pm to 1:30 pm Suzanne Anton, Minister of Justice

1:30 pm to 3:00 pm Legal Service Providers Task Force: The Law Society's
Recommendations and their Effect on Notaries
(FACILITATED GROUP DISCUSSIONS)

**NOTE: YOUR NAME BADGE WILL BE MARKED WITH YOUR DESIGNATED
GROUP NUMBER**

3:15 pm to 4:30 pmLegal Service Providers Task Force: Q&A Session
John Eastwood and Wayne Braid

4:45 pm to 6:30 pmCOCKTAIL RECEPTION

NOTE: The above program is subject to change



DIVERSITY+BUSINESS

2014 BCN SPRING CONFERENCE

APRIL 5-6
DELTA BURNABY HOTEL &
CONFERENCE CENTRE

SUNDAY, April 6th

8:00 am to 8:45 am.....BUFFET BREAKFAST

9:00 am to 10:30 am.....Keynote Seminar: Peter Zabłud
Chair of the Board of The Australian & New Zealand College of Notaries

10:30 am to 10:45am.....COFFEE BREAK

10:45 am to 12:00 pmBreakout Sessions
(Registrants to book session of their choice)

Seminar	Topic	Speaker(s)	Room
1	Strata Issues & Limitations	William Brown and Dan Boisvert	Villa Ballroom
2	Factors to Consider When Setting your Fees	David Bilinsky	Venezia
3	Power of Attorney Update & Note Taking	Ron Usher	Firenze

12:15 pm to 1:15 pmLUNCH BREAK

1:15 pm to 2:30 pm Will Drafting under WESA
Laurie Salvador

2:30 pm to 2:45 pmCOFFEE BREAK

2:45 pm to 3:30 pm Land Title & Survey Authority of BC: MyLTSA & EFS
Lindsay Hardie, Customer Support Service Manager
Liza Aboud, Vice President, Business Development & Communications

NOTE: The above program is subject to change

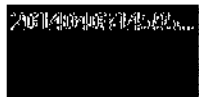
Pearson, Nancy JAG:EX

From: Mulholland, Lauren GCPE:EX
Sent: Thursday, April 3, 2014 4:13 PM
To: Pearson, Nancy JAG:EX
Subject: FW: Speaking notes for Minister Anton

Hi Nancy:

MSA reviewed the Notary SN and would like changes made and sent back to her in a Word document please.

From: Ives, Andrew JAG:EX
Sent: April-03-14 3:05 PM
To: Mulholland, Lauren GCPE:EX
Cc: Southern, Evan JAG:EX; Lalonde, Jarett JAG:EX
Subject: FW: Speaking notes for Minister Anton



Hi Lauren,

Please see attached SN's approved with edits.

Thanks,
Andrew

From: Matheson, Carissa JAG:EX
Sent: April-03-14 8:44 AM
To: Southern, Evan JAG:EX; Ives, Andrew JAG:EX
Subject: FW: Speaking notes for Minister Anton

FYI.

From: Pearson, Nancy JAG:EX
Sent: Thursday, April 3, 2014 8:08 AM
To: Matheson, Carissa JAG:EX; Lalonde, Jarett JAG:EX
Cc: Mulholland, Lauren GCPE:EX; Chalke, Jay JAG:EX
Subject: Speaking notes for Minister Anton

Good morning, Carissa and Jarrett,

Attached for the Minister's use at two events this weekend are speaking notes and other documents. The speaking notes and Q&A have been vetted by GCPE.

- The Society of Notaries Public’s event – April 5



NOT Notarizing will ...	NOT Notarizing ...	NOT Notarizing ...	NOT Notarizing ...
Notarizing Public ...	Notarizing Public ...	Notarizing Public ...	Notarizing Public ...

Please let me know if anything further is needed.

Thanks,
Nancy

Nancy Pearson | Manager, Stakeholder Relations
Assistant Deputy Minister's Office | Justice Services Branch
Ministry of Justice | **250-356-8245**

Pearson, Nancy JAG:EX

From: Pearson, Nancy JAG:EX
Sent: Friday, April 4, 2014 8:23 AM
To: Mulholland, Lauren GCPE:EX
Subject: RE: Speaking notes for Minister Anton
Attachments: SN Society of Notaries Public 14-04-03 FINAL.docx

Done.

From: Mulholland, Lauren GCPE:EX
Sent: Thursday, April 3, 2014 6:24 PM
To: Pearson, Nancy JAG:EX
Subject: Fw: Speaking notes for Minister Anton

MO says to disregard those two edits. Please make the other few edits and send SN back to me to send up.

I was wrong -- apparently, MO prefers that I send up comm materials.

Thanks Nancy!

From: Mulholland, Lauren GCPE:EX
Sent: Thursday, April 03, 2014 04:47 PM
To: Pearson, Nancy JAG:EX
Subject: RE: Speaking notes for Minister Anton

Checking on this.

From: Pearson, Nancy JAG:EX
Sent: April-03-14 4:21 PM
To: Mulholland, Lauren GCPE:EX
Subject: RE: Speaking notes for Minister Anton

I don't know what it means. There's also a note on page 4 that I don't understand. Could you ask Andrew to clarify with the Minister, please, what her two notations mean.

From: Mulholland, Lauren GCPE:EX
Sent: Thursday, April 3, 2014 4:20 PM
To: Pearson, Nancy JAG:EX
Subject: RE: Speaking notes for Minister Anton

I asked Andrew but he wasn't with her when she reviewed.

Might there be a proposal for additional notaries? Or, additional notary duties? Is that what it might mean?

From: Pearson, Nancy JAG:EX
Sent: April-03-14 4:14 PM
To: Mulholland, Lauren GCPE:EX
Subject: RE: Speaking notes for Minister Anton

What does "additional notaries?" mean?

From: Mulholland, Lauren GCPE:EX
Sent: Thursday, April 3, 2014 4:13 PM
To: Pearson, Nancy JAG:EX
Subject: FW: Speaking notes for Minister Anton

Hi Nancy:

MSA reviewed the Notary SN and would like changes made and sent back to her in a Word document please.

From: Ives, Andrew JAG:EX
Sent: April-03-14 3:05 PM
To: Mulholland, Lauren GCPE:EX
Cc: Southern, Evan JAG:EX; Lalonde, Jarett JAG:EX
Subject: FW: Speaking notes for Minister Anton

<< File: 20140403145958.pdf >>

Hi Lauren,

Please see attached SN's approved with edits.

Thanks,

Andrew

From: Matheson, Carissa JAG:EX
Sent: April-03-14 8:44 AM
To: Southern, Evan JAG:EX; Ives, Andrew JAG:EX
Subject: FW: Speaking notes for Minister Anton

FYI.

From: Pearson, Nancy JAG:EX
Sent: Thursday, April 3, 2014 8:08 AM
To: Matheson, Carissa JAG:EX; Lalonde, Jarett JAG:EX
Cc: Mulholland, Lauren GCPE:EX; Chalke, Jay JAG:EX
Subject: Speaking notes for Minister Anton

Good morning, Carissa and Jarrett,

Attached for the Minister's use at two events this weekend are speaking notes and other documents. The speaking notes and Q&A have been vetted by GCPE.

- Law Foundation's 45th anniversary – April 4

<< File: SN Law Foundation 45th anniv 14-03-26_prepared by JSB.docx >>

- The Society of Notaries Public's event – April 5

<< File: SN Society of Notaries Public 14-04-02 FINAL.docx >> << File: QA for SN Society of Notaries Public 14-04-02 FINAL.docx >> << File: Justice Minister Suzanne Anton Alt.docx >> << File: Event Program Spring 2014 V5.pdf >>

Please let me know if anything further is needed.

Thanks,

Nancy

Nancy Pearson | Manager, Stakeholder Relations

Assistant Deputy Minister's Office | Justice Services Branch

Ministry of Justice | **250-356-8245**

Speaking Notes
for the
Hon. Suzanne Anton
Attorney General and Minister of Justice

Event Information / Speaking Notes

Event: Spring conference – The Society of Notaries Public of B.C.

When: Saturday, April 5, 2014 – noon (following the lunch service)

Where: Delta Burnaby Hotel and Conference Centre
4331 Dominion Street, Burnaby, B.C.

Speaking backdrop: podium and microphone

Parking:

Style of dress: business

Logistics: Mark Jiles will bring the Minister to the event; the Minister will be seated at a reserved table with the Board President, Akash Sablok.

Contact: Wayne Braid, (604) 761-5078

Speech Length: 30 minutes, including a question and answer session

Audience Description: 280 to 320 Notary members and their guests

Agenda:

PEOPLE TO RECOGNIZE:

- Akash Sablok, President, Board of Directors, Society of Notaries Public
- Professor Peter Zablud, Chairman of the Australian and New Zealand College of Notaries
- Wayne Braid, Chief Executive Officer and Secretary, Society of Notaries Public

KEY MESSAGES:

- As Attorney General and Minister of Justice one of my priorities is to increase access to justice in this province.
- As such, I appreciate the commitment of the Society of Notaries Public to consider ways to improve access to legal services for British Columbians.
- Collaboration across the justice sector is key to bringing about the changes needed to improve access to the services people need to resolve their justice issues.
- I look forward to considering any proposals resulting from the ongoing work flowing from the recommendations made by the Legal Service Provider Task Force.

[Minister Introduced by emcee Wayne Braid]

- Thank you, Wayne.
- It's such a pleasure to have this opportunity to meet with you this afternoon.
- Notaries Public have played a significant role in British Columbia, with the first notary being appointed in 1868 by Governor Douglas, when Vancouver Island was a colony.
- The number and work of notaries grew from that point on.
- The Society of Notaries Public of B.C. was created in 1926...
- Almost 90 years ago.
- Some of you will know that my father – David Ricardo Williams – was a criminal and civil lawyer in British Columbia...

- And an author of several books about historical figures – and their influence – on Canada’s justice system.

As you can imagine, there was often spirited debate in our household about the history of law .

- His passion for the law in B.C. was infectious and it fed my own enthusiasm for the field.
- In retrospect, I believe that his work and the family discussions we had, revealed to me how the justice system in B.C. has evolved.
- As I mentioned before, your profession has historical roots.
- With more than 300 notaries now practising in communities around the province, notaries are building on that story every day as they help meet the legal needs of British Columbians.

Justice reform – the JRTA and JPSC:

- I'd like to now speak more broadly about the justice system.
- A system rooted in history...and one that is in great need of reform so that it can keep pace with the needs of British Columbians.
- To this end, the *Justice Reform and Transparency Act* was passed in March of 2013...and it came into force one month later – in April.
- A primary goal of the act is to hold the government accountable for the state of the justice system.
- The act created the Justice and Public Safety Council.
- The Council was established to bring together key players to oversee the planning for justice transformation.

- The council sets the strategic direction for the justice sector, establishes overall performance measures and reports to the public on progress made on system reforms.
- This is an important step in providing transparency to the planning process and performance evaluation of our system.
- The approach not only respects the vital and various independent justice system participants but recognizes the interdependence of all parts of the system.

Justice Summits:

- The act also ensures that all justice system partners have the opportunity to provide broad and extensive input into the planning process.
- This is where Justice Summits come into play.

- The Summit fosters innovation and collaboration across the justice system.
- It offers an opportunity to strengthen collaboration across the criminal justice sector...
- ...and, over time, to strengthen the services offered to the people who rely on our justice system.
- The act requires that at least one Summit be held each year...
- We have now held two, with a focus on the criminal justice sector, and there will be one next month on family justice.

Justice and Public Safety Plan

- The input received from those two Summits and the Justice and Public Safety Council has provided a foundation for the first Justice and Public Safety Plan...

- Which was released earlier this week.
- This first plan provides a vision for the justice system and its values..
- It also includes important performance measures...
- That will help all of us work towards the common goals of transforming the justice system so that it meets the needs of the people who use it...
- A system that is more transparent, timely and balanced for all British Columbians,
- And one that is managed within available public resources.

Innovation

- One of the ways we will meet the challenges before us is through innovation.

- Our sector has seen some initial innovation successes that I know we can build on.
- B.C.'s justice system depends, in part, on our administrative system...
- An area where thousands upon thousands of disputes are resolved each year.
- Government currently provides more than \$80 million to fund 27 administrative tribunals.
- And, at a time when Government is doing everything it can to balance budgets, we are investing new funds.
- Why? ...because we believe the administrative justice system is a key plank in building a sustainable justice system.
- ...to support a shift...

- ...from traditional adversarial services to those that are focused on online information and early resolution.
- One of our key innovations in this area is the establishment of a Civil Resolution Tribunal, which will be launched in next year.
- The Civil Resolution Tribunal will bring a new way for people to resolve their small claims and strata property disputes quickly and effectively.
- People will have access to a broad range of self-help dispute resolution tools 24/7, from their own homes and at a time that best suits their busy schedules.
- This new approach will be less adversarial and, in most cases, the parties will work out a settlement on their own.
- A collaborative, problem-solving, self-help approach to dispute resolution will be a

primary focus for the Civil Resolution Tribunal.

Evidence-based approach

- The Civil Resolution Tribunal will be evaluated at every step of the way to help us determine how well it is serving the people who are using it.

[Pause]

- I mentioned earlier that the Justice and Public Safety Plan also includes important performance measures.
- These performance measures were developed by a working group of representatives from across the sector.
- We will be measuring what we value as a sector.

- We are beginning with a very limited, manageable set of measures that relate directly to the goals set out in the Justice and Public Safety Plan.
- And we are collaborating and sharing information and data related to the performance measures...
- So that we ensure our justice system performance reflects the public interest rather than institutional interest.
- What this all boils down to is this:
- reviewing the evidence we gather, and making decisions about justice transformation based on that critical information.

Modernization of law:

- I would also like to acknowledge the significant reforms achieved through modernization of our laws.
- The *Family Law Act*, as you know, came into force a little more than a year ago on March 18.
- The new act places the safety and best interests of the child first when families are going through separation and divorce.
- It also clarifies parental responsibilities and the division of assets if relationships break down...
- It addresses family violence and encourages families to resolve their disputes out of court.
- The new *Limitation Act* came into force on June 1st last year.

- It outlines the set period of time that people have to start a proceeding to sue someone in the civil justice system.
- The new act makes the law easier to understand, and brings B.C.'s laws more in line with that of other provinces.
- While many other laws set limitation periods, the *Limitation Act* sets the default regime, which means that unless another law sets the applicable limitation period, the *Limitation Act* applies.
- And, just this week, on Monday, the *Wills, Estates and Succession Act* came into force.
- We marked it with our first-ever Make-a-Will Week.
- I'd like to thank the society and all of you for your wonderful support of Make-a-Will Week and its success.

- Your survey of British Columbians was perfectly timed!
- I think notaries have done a great job of working with us in telling the public how important it is to plan for your family's future...
- And that plan should include a will.
- As you know, the new act provides greater certainty for individuals who put their wishes into writing and simplifies the process for those responsible for distributing an estate.
- And new probate rules also came into force with this act.
- These three reforms alone have broad and significant impacts on our justice system and the people we all serve.
- They are the result of years and years of research, consultation and policy work.

- The reforms drew on the expertise of, not only the policy advisors within government, but also many representatives across the civil and family justice sectors.

Access to justice and the role of Notaries:

Improving access to justice is a key reason we are transforming the justice system.

- The work of the National Action Committee on Access to Justice, led by Justice Thomas Cromwell, of the Supreme Court of Canada, provides invaluable information and recommendations on the issue.
- While the report cites many examples of how B.C. is leading reforms when it comes to access, there are still challenges to be met.
- Collaboration across the justice sector is key to bringing about the changes needed to improve access to the services people require to resolve their disputes.

- I appreciate the commitment of the Society of Notaries Public to consider ways to improve access to legal services for British Columbians.
- And I assure you that Government supports self-regulation by legal professionals – there is no plan to take over the regulation of services you offer to the public.
- There is, however, an intention to explore other approaches to the regulation of legal services provided.
- The Society of Notaries Public and Law Society were asked to consider a proposal regarding directions for regulatory reform of legal services.
- Ontario, for example, has made the Law Society the regulator of paralegals.
- As the Law Society's Legal Service Provider Task Force's final report notes, there is still work that needs to be done

before there is any consideration to merge the operations of the Society of Notaries Public and the Law Society.

- I look forward to considering any proposals resulting from the ongoing work flowing from the recommendations made by the Task Force.
- And it bears repeating – my criteria in reviewing any proposal are twofold:
 - protection of the public, and
 - access to justice.

Closing remarks:

- I know you share my goal, and the government's goal, of creating a justice system that is timely, responsive and supportive.
- Just as notaries played an important early role in our province's legal system, I know you will continue to play an important role

in helping us ensure we can provide a system that continues to evolve.

- Thank you for this opportunity to meet with you today.
- I look forward to taking your questions

-30-

Watters, Treena M JAG:EX

From: Philippides, Edna M JAG:EX
Sent: Tuesday, March 4, 2014 12:53 PM
To: Watters, Treena M JAG:EX
Subject: FW: RUSH BN - AG LSBC Meeting - 407156
Attachments: 407156 - AG LSBC Meeting.pdf

Importance: High

FYI.

From: Labh, Janet JAG:EX
Sent: Tuesday, March 4, 2014 10:47 AM
To: Hansen, Lucy JAG:EX; Ives, Andrew JAG:EX; Lalonde, Jarrett JAG:EX; Matheson, Carissa JAG:EX; Southern, Evan JAG:EX
Cc: Philippides, Edna M JAG:EX; Richter, Connie JAG:EX
Subject: RUSH BN - AG LSBC Meeting - 407156
Importance: High

Good morning;

Attached is an approved BN for the AG's meeting with LSBC tomorrow.

Thanks

Janet

**MINISTRY OF JUSTICE
JUSTICE SERVICES BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for the Attorney General and Minister of Justice

ISSUE: Wednesday, March 5, 2014, meeting with the Law Society of British Columbia

SUMMARY:

- Ministry staff are advised there are two proposed agenda items for the Law Society's meeting with the Minister of Justice on March 5, 2014:
 1. Unified Regulator Task Force/Notaries
 - It is assumed that this task force flows from the recommendation of the Law Society's Legal Service Provider Task Force that the Law Society become the regulator of both lawyers and notaries.

Recommended response: I appreciate the continuing efforts being made with regard to regulatory reform of legal and notarial services, and look forward to receiving any proposals following the work of the Task Force.

NR

BACKGROUND:

1. Unified Regulator Task Force/Notaries

- In the context of proposals from the Society of Notaries Public with respect to an expanded scope of practice, and consideration of issues relating to paralegal credentialing and regulation by the Law Society, in June 2012, the former Attorney General wrote to the Law Society and the Society of Notaries Public confirming her request that these organizations work together to develop a proposal regarding regulatory reform of legal and notarial services in the province.
- The former Attorney General stipulated that any recommended proposal must:
 - 1) ensure, and preferably enhance, the protection of the public interest in the provision of legal services;

- 2) increase both affordability and access to legal services and/or access to justice;
and
 - 3) create efficiencies in the regulation of legal services.
- The Law Society and the Society of Notaries Public decided to pursue this work through the Law Society's Legal Services Providers Task Force.
 - The Final Report of the Task Force was unanimously approved in principle by the Law Society Benchers in December 2013.
 - The Final Report makes three recommendations:
 - 1) That the Law Society become the regulator of both lawyers and notaries.
 - 2) That a program be created to establish qualifications for "certificate paralegals".
 - 3) That the Law Society develop a framework to enable regulation of other existing, or new, legal services providers.
 - The Report notes, however, that each recommendation is in effect a decision in principle, as much further work is required, and that this further work could disclose reasons to discontinue proceeding with the recommendations.
 - It is assumed that the referenced task force on the proposed agenda relates to the further work to be done in respect of Recommendation 1 (merger of Law Society and Society of Notaries Public).
 - The Task Force's final report notes that next steps would include agreement of the government to legislative amendments (as well as agreement of the Society of Notaries Public, and detailed negotiations regarding the terms of the merger).

NR

NR

Prepared by:
Andrea Buzbuzian
Legal Counsel
Justice Services Branch
250 356-5410

Approved by:
Nancy Carter
Executive Director
Justice Services Branch
250 356-6182

Approved by:

Jay Chalke, QC
Assistant Deputy Minister

Date: 3 March 2014



Richard J.M. Fyfe, Q.C.
Deputy Attorney General

Dated: March 4, 2014

Watters, Treena M JAG:EX

From: Watters, Treena M JAG:EX
Sent: Tuesday, November 18, 2014 10:56 AM
To: Vermaning, Tiny JAG:EX
Cc: Philippides, Edna M JAG:EX
Subject: FW: BN - Update Re Legal Services Regulatory Framework Task Force - 412256
Attachments: BN Legal Services Task Force nc comments.docx

Hi Tiny,
Would you mind asking Jay for his approval on this BN?
Thank you!
-Treena

From: Watters, Treena M JAG:EX
Sent: Tuesday, November 18, 2014 10:00 AM
To: Philippides, Edna M JAG:EX
Cc: Meier, Julie JAG:EX
Subject: BN - Update Re Legal Services Regulatory Framework Task Force - 412256

Hi Edna,
Nancy has approved this BN. Would you mind asking Jay for his approval?
Thank you!

Treena Watters
Office Manager
Civil Policy and Legislation Office, Justice Services Branch Ministry of Justice
Phone: 250-387-4576
Fax: 250-387-4525
E-mail: Treena.Watters@gov.bc.ca

**MINISTRY OF JUSTICE
JUSTICE SERVICES BRANCH
BRIEFING NOTE**

PURPOSE: For INFORMATION for the Deputy Attorney General

ISSUE: Update regarding the Legal Services Regulatory Framework Task Force which will report to Law Society Benchers on December 5, 2014

SUMMARY:

NR,s.14

s.12,s.13

BACKGROUND:

- In June 2012, the former Attorney General wrote to the Law Society of B.C. and the Society of Notaries Public of B.C. confirming her request that these organizations develop a proposal for her consideration regarding regulatory reform of legal and notarial services.
- The parameters set for any recommendations regarding regulatory reform of legal and notarial services were that they must:
 - ensure, and preferably enhance, the protection of the public interest in the provision of legal services;
 - increase both affordability and access to legal services and/or access to justice; and
 - create efficiencies in the regulation of legal services.
- The former Attorney General advised the Law Society and the Society of Notaries Public that she was satisfied with the key principles proposed to guide deliberations, including that
 - a single, unified regulatory body that oversees the regulation of all legal service providers is the optimum model;
 - any proposal will involve transitional arrangements;
 - the best approach is to look at the options from the broad perspective of the provision of all legal services; and
 - the best vehicle to encompass this work is the Legal Service Providers Task Force.
- On December 6, 2013, the Law Society Benchers unanimously approved in principle the three recommendations made by Legal Service Providers Task Force:
 1. that the Law Society become the regulator of both lawyers and notaries;
 2. that a program be created to establish qualifications for "certified paralegals"; and

3. that the Law Society develop a framework to enable regulation of other existing, or new, legal services providers.

NR

ADVICE AND ANALYSIS:

NR

Prepared by:
Andrea Buzbuzian
Legal Counsel
Justice Services Branch
250 356-5410

Approved by:
Nancy Carter
Executive Director
Justice Services Branch
250 356-6182

Approved by:

Jay Chalke, QC
Assistant Deputy Minister

Date:

² Under the *Legal Profession Act*, a non-lawyer may provide services that would otherwise constitute the “practice of law” if the services are not provided for a fee payable by the client.