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## News



## LSUC to vote on changing name to Law Society of Ontario

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Benchers at the Law Society of Upper Canada (LSUC) will face an important decision at Convocation on Sept. 28 — whether to keep the law society's name as is, or change it to the Law Society of Ontario.



Julian Falconer, Falconers LLP

The LSUC's Strategic Communications Steering Group brought forward the idea of a name change in June and said a time would come in the fall when benchers would be asked to vote on the issue. That time is now.

"The issue of how we communicate with the public, how well the public understands the work that we do, and the role of the law society is front and centre as part of a strategic plan that benchers collectively identified. At the end of the day, one of the more challenging issues that face the law society is how do we define the term 'public interest' as it applies to our obligations to act as a regulator in the public interest," said Julian Falconer, chair of the steering group, adding that the LSUC's mandate speaks to a much broader issue of how the legal profession serves the province's different communities.

The steering group was established by treasurer Paul Schabas in February to examine how to best meet the law society's strategic priority to engage stakeholders and the public. The group used an external consultant to research the organization's communications with the public and licensees. This research revealed that the public sees the term "Upper Canada" as a barrier and a name change was recommended to remedy this.

"The question becomes does the [name] Law Society of Upper Canada further that mandate or is it a barrier to reaching people? We are faced with significant research that tells us that the name is anachronistic and a barrier. In the end, that's truly something for Convocation to decide, but certainly a compelling argument exists that when we speak of, for example, real acts of reconciliation with our Indigenous partners in Canada, and specifically Ontario, do we put actions to words or do we simply speak in platitudes? These are issues we're faced with — does the name open doors or does the name leave doors closed?" he asked.

The [motion](#) before Convocation points out that changing the name to the Law Society of Ontario would make the organization's title consistent with all the other law societies across Canada and would therefore make the law society more recognizable. It also notes that "Upper Canada" does not reflect the geographic area the law society represents.

According to the motion, if passed, the name change would be phased in over 12 months to allow for gradual adoption throughout the law society. The LSUC would begin to operate as the Law Society of Ontario on Jan. 1, 2018, while the legal name of the organization would remain as the Law Society of Upper Canada until an amendment is made to the *Law Society Act*.

The LSUC was founded in 1797, making it the oldest law society in the country. A motion to change the law society's name was proposed by Tom Vincent at the LSUC's 2012 annual general meeting, but it was voted down. Falconer said the steering group is unanimous in its view that a name change is the right move for the law society.

"We can respect history, but change is an opportunity to grow and certainly when you look at the composition and diversity of our collective bench of benchers there's been a real change and, I think, a renewal and strengthening of diversity commitments at the bencher level. I wouldn't be surprised if that's reflected in the level of dialogue around this issue," he said.

According to the motion, costs associated with this change are separate from costs designated to announce the name change and the LSUC's communications plan to raise awareness with the public. A total of \$150,000 has been set aside in the 2018 budget for the phasing in of name change requirements, including: updating stationery, signage, website references and the law society's logo.

Schabas has shown his support for a name change publicly by penning a [blog post](#) about how the law society needs to do better in connecting with the public it serves.

"Most don't know who we are, or that we are the regulator. The term 'Upper Canada' is puzzling to many, who don't know what Upper Canada is, or more accurately, was, while to others it suggests we are 'out of touch,' 'colonial,' 'not inclusive' and 'pretentious.' Clearly these are not positive things. If we are to achieve our goal of becoming a relevant, inclusive, modern regulator that promotes access to justice, we need to be identifiable," he wrote.

Falconer said a name change is just one step in the longer journey the law society needs to take.

"A very important step, but only one step in a much broader imperative, which is that the legitimacy and credibility of the law society depends in large measure on its ability to be accessible to the public and be relied upon by the public for protecting the public interest as it relates to legal services," said Falconer, adding that a key part of that is whether the public knows who the law society is and how they're able to identify with the organization. Benchers at the Law Society of Upper Canada (LSUC) will face an important decision at Convocation on Sept. 28 — whether to keep the law society's name as is, or change it to the Law Society of Ontario.