



NOVA SCOTIA  
BARRISTERS' SOCIETY

# **COMMITTEES**

# **TERMS OF REFERENCE**

Amended to July 2010

## **Terms of Reference for the Complaints Investigation Committee**

These Terms of Reference should be read in conjunction with the Legal Profession Act (“Act”), the Regulations issued there under, and the Council Policies relating to committees.

| <b>Complaints Investigation Committee(CIC) - Terms of Reference</b> |  |
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| <b>Type</b>   | Regulatory Committee   |
| <b>Mandate</b>  | <ul style="list-style-type: none"> <li>• The Complaints Investigation Committee carries out the functions assigned to it under Part III of the Act and Part 9 of the Regulations</li> <li>• The Committee carries out its responsibilities in accordance with the Objects of the professional responsibility process</li> </ul>  |
| <b>Responsibilities</b>   | <ul style="list-style-type: none"> <li>• Refer to Part III of the Act and Part 9 of the Regulations</li> <li>• The Committee shall approve the minutes of its previous meeting</li> <li>• Appoint a Complaints Investigation Review sub-committee</li> </ul>   |
| <b>Composition and Quorum</b>                                       | <ul style="list-style-type: none"> <li>• In accordance with s.2.9.5 of the Regulations, at least 12 members, including at least 2 members residing in each judicial district</li> <li>• At least five members shall be serving members of Council</li> <li>• Appointments shall be made and vacancies filled by Council</li> <li>• The Committee shall include at least two of the Public Representatives members of Council</li> <li>• The First Vice President and Second Vice President shall be members of the Committee</li> <li>• Quorum for the committee shall consist of three (3) members</li> </ul> |
| <b>Committee Chair/Vice Chair</b>                                   | <ul style="list-style-type: none"> <li>• The Committee Chair shall be appointed by Council</li> <li>• Council may appoint a Vice Chair</li> <li>• The Committee Chair, who need not be a member of Council, should have at least 1 year of Committee service</li> <li>•</li> </ul>   |
| <b>Procedures and Work Product</b>                                  | <ul style="list-style-type: none"> <li>• The Committee shall operate in accordance with Council Policy 16</li> <li>• The Committee may make recommendations for policy changes</li> <li>• The Committee may appoint sub-committees to carry out work of the CIC</li> <li>• The Committee shall annually review these Terms of</li> </ul>   |

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|                      | <p>Reference and may recommend changes to Council</p> <ul style="list-style-type: none"> <li>• The Committee shall be guided by the Complaints Investigation Committee Policies and Procedures Manual</li> <li>• The Committee shall maintain minutes of its meetings</li> </ul>                        |
| <b>Reporting</b>     | <ul style="list-style-type: none"> <li>• In performing regulatory functions for the Society the Committee is independent from Council</li> <li>• Council shall be informed by staff about the work of the Committee</li> <li>• The Committee Chair shall provide an annual report to Council</li> </ul> |
| <b>Staff support</b> | <ul style="list-style-type: none"> <li>• Director of Professional Responsibility</li> </ul>   |

## Terms of Reference for the Credentials Committee

These Terms of Reference should be read in conjunction with the *Legal Profession Act*, the Regulations issued there under, and the Council Policies relating to committees.

| <b>Credentials Committee - Terms of Reference</b> |  |
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| <b>Type</b>                                       | Regulatory Committee   |
| <b>Mandate</b>                                    | <ul style="list-style-type: none"> <li>• The Credentials Committee carries out the responsibilities assigned to it under Part I of the Act and Parts 3, 5 and 6 of the Regulations.</li> <li>• The Credentials Committee supports Council in the governance of the Society by recommending to Council changes to policy relating to the credentials process</li> </ul>   |
| <b>Responsibilities</b>                           | <ul style="list-style-type: none"> <li>• Refer to Part I of the Act and Parts 3, 5 and 6 of the Regulations</li> <li>• To consider and recommend to Council policy direction relating to aspects of the credentials process that impact the Society's obligations to applicants, members, and other affected individuals, or that impact key outcomes of the credentials process</li> <li>• To consider and recommend to staff for its approval operational or administrative procedures for the carrying out of credentials functions</li> <li>• To make recommendations to Council for its approval respecting the <i>Legal Profession Act</i>, and Regulations governing the credentials process</li> <li>• Appoint a Credentials Review sub-committee</li> </ul> |
| <b>Composition</b>                                | <ul style="list-style-type: none"> <li>• At least six and no more than nine members</li> <li>• At least three members shall be serving members of Council</li> <li>• Appointments shall be made and vacancies filled by Council</li> <li>• The Committee shall include at least one Public Representative currently elected to Council</li> <li>• The Committee shall include a representative from Dalhousie Law School</li> </ul>  |
| <b>Committee Chair</b>                            | <ul style="list-style-type: none"> <li>• The Committee Chair shall be appointed by Council</li> <li>• The Committee Chair is responsible for annually reviewing with the Committee: Council Policy 16, these Terms of Reference, and the Society's Strategic and Annual Plans</li> </ul>   |
| <b>Procedures and Work Product</b>                | <ul style="list-style-type: none"> <li>• Quorum for the committee shall consist of three members</li> <li>• The Committee shall operate in accordance with Council</li> <li>• The Committee shall maintain minutes of its meetings</li> <li>• Decisions of the Committee are compiled in the</li> </ul>  |

Revision Date:  
July 2010

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|                      | <p style="text-align: center;">Credentials Committee Precedents</p> <p style="text-align: center;">.</p>   |
| <b>Reporting</b>     | <ul style="list-style-type: none"> <li>• The Committee performs a regulatory function for the Society and in that respect is independent from Council</li> <li>• In its advisory capacity, the Committee may make recommendations for policy</li> <li>• The Committee shall provide a report on its work to Council no later than the May Council meeting</li> </ul> |
| <b>Staff support</b> | <ul style="list-style-type: none"> <li>• Director of Admissions and Professional Development.</li> </ul>   |

### **Terms of Reference for the Hearing Committee**

These Terms of Reference should be read in conjunction with the Legal Profession Act (“Act”), the Regulations issued there under, and the Council Policies relating to committees.

| <b>Hearing Committee - Terms of Reference</b> |   |
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| <b>Type</b>                                   | Regulatory Committee  |
| <b>Mandate</b>                                | <ul style="list-style-type: none"> <li>• The Hearing Committee carries out the responsibilities assigned to it under Part III of the Act and Part 9 of the Regulations, and its assigned responsibilities acting as a credentials appeal panel</li> <li>• The Committee carries out its responsibilities in accordance with the Objects of the professional responsibility process</li> </ul>   |
| <b>Responsibilities</b>                       | <ul style="list-style-type: none"> <li>• Refer to Part III of the Act and Part 9 of the Regulations</li> </ul>  |
| <b>Composition</b>                            | <ul style="list-style-type: none"> <li>• In accordance with Regulation 2.9.7 at least 12 members, including at least 2 members residing in each judicial district</li> <li>• Appointments shall be made and vacancies filled by Council</li> <li>• At least two members shall be non-lawyers</li> <li>• Current members of Council shall not be members of the Committee</li> </ul>   |
| <b>Committee Chair/Vice Chair</b>             | <ul style="list-style-type: none"> <li>• The Committee Chair shall be appointed by Council following consultation with the Committee</li> <li>• The Committee Chair must have prior relevant experience</li> <li>• The Vice Chair(s) shall be appointed by Council following consultation with the Committee Chair</li> </ul>   |
| <b>Procedures and Work Product</b>            | <ul style="list-style-type: none"> <li>• The Committee is not required to hold regular meetings of members.</li> <li>• The Committee shall annually deliver professional development to Committee members.</li> <li>• The Committee shall operate in accordance with Council Policy 16, while maintaining independence from Council</li> <li>• The Committee may make recommendations for policy changes</li> <li>• The Committee shall annually review these Terms of Reference and may recommend changes to Council</li> <li>• Hearing Panels shall be appointed by the Committee Chair, from Committee members, and function in accordance with the Act, Regulations and Policies of the Society. Panels shall be guided by the Hearing</li> </ul> |

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|                      | Committee Policy and Procedure Manual.   |
| <b>Reporting</b>     | <ul style="list-style-type: none"> <li>• In performing regulatory functions for the Society the Committee is independent from Council</li> <li>• Council shall be informed by staff about the work of the Committee</li> <li>• The Committee Chair may discuss procedural matters and the functioning of the Committee with the President and/or the Executive Director</li> </ul> |
| <b>Staff support</b> | <ul style="list-style-type: none"> <li>• The Committee receives only administrative and logistical support, from the Administrator of Professional Responsibility</li> </ul>   |

## **Terms of Reference for the Continuing Professional Development Working Group**

These Terms of Reference should be read in conjunction with the *Legal Profession Act*, the Regulations issued there under, and the Council Policies relating to committees.

| <b>Continuing Professional Development Working Group - Terms of Reference</b> |  |
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| <b>Type</b>   | Council Committee –Advisory to Council   |
| <b>Mandate</b>  | <ul style="list-style-type: none"> <li>• The Continuing Professional Development Working Group supports Council in the governance of the Society and will recommend the details of a Continuing Professional Development (“CPD”) Program for Council’s consideration by               <ul style="list-style-type: none"> <li>- Drawing upon the work done, conclusions drawn and recommendations made by the CCTF and the Futures Project;</li> <li>- Consider ongoing developments in other jurisdictions;</li> <li>- Recommend the details of a Continuing Professional Development (“CPD”) Program for Council’s consideration</li> </ul> </li> </ul>   |
| <b>Responsibilities</b>   | <p>The Working Group shall consider:</p> <ul style="list-style-type: none"> <li>• What are the key elements of a Continuing Professional Development Program for the legal profession in Nova Scotia? (e.g., self-assessment, formalized education, self-learning, quality assurance, etc)</li> <li>• Should any aspect of a Continuing Professional Development Program be mandatory, and if so, what would be entailed? Who would be covered? What types of activities would be involved<sup>1</sup></li> <li>• What reporting and monitoring requirements should there be for lawyers to report on their CPD activities, whether through the Annual Member Report or otherwise?</li> </ul> <p><b>Continuing Legal Education (CLE)</b></p> <ul style="list-style-type: none"> <li>• To the extent that Continuing Legal Education is recommended or required, as an element of CPD what should be covered – e.g., substantive legal knowledge, cultural competence, practice and client management, project planning, effective client communications, risk prevention, personal management, ethics, professionalism, technology and knowledge management and other issues?<sup>2</sup></li> <li>• How should CLE programs be offered to members?<sup>3</sup></li> </ul> |

<sup>1</sup> With MCLE having been approved in BC, Sask. and NB, and under active consideration in Ontario there are models to look at.

<sup>2</sup> See pp 10-12 of the Futures Report

<sup>3</sup> Consideration must be given to factors such as utilization of technology, cost, efficiency and effectiveness, and to recognize differences in urban/rural practice, sole practice/firm practice, seniority differences and other demographic factors

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|                                    | <ul style="list-style-type: none"> <li>• Should the Society continue to offer CLE and if so what types? If not (or if offered in a limited way) who are the available CLE providers and what is the Society's relationship with them?<sup>4</sup></li> </ul> <p><b>Self- Assessment</b></p> <ul style="list-style-type: none"> <li>• To the extent that self-assessment may be a part of CPD, how will the Society develop and provide self assessment tools and resources for members?<sup>5</sup></li> </ul> <p><b>Consultation</b></p> <ul style="list-style-type: none"> <li>• What consultation is needed with members prior to approving any Continuing Professional Development Program?</li> </ul> <p><b>Miscellaneous</b></p> <ul style="list-style-type: none"> <li>• What changes, if any, need to be considered to the Legal Profession Act or regulations?</li> <li>• What is the recommended timing for the implementation of any Continuing Professional Development Program?</li> <li>• What are the costs associated with implementing a Continuing Professional Development Program and who should bear such costs?</li> </ul> |
| <b>Composition</b>                 | <ul style="list-style-type: none"> <li>• Members of the Futures Project Advisory Group who wish to continue as part of this Working Group</li> <li>• Four members of Council appointed by Council</li> <li>• Representative from Dalhousie Law School, selected on the recommendation of the Executive Director</li> <li>• Appointments shall be made and vacancies filled by Council</li> <li>• Include whether Public Representatives or NSBS Officers are required to be members</li> </ul>   |
| <b>Committee Chair</b>             | <ul style="list-style-type: none"> <li>• Committee Chair shall be appointed by Council</li> </ul>  |
| <b>Procedures and Work Product</b> | <ul style="list-style-type: none"> <li>• The Committee shall operate in accordance with Council Policy 16</li> <li>• The Committee shall annually review these Terms of Reference and may recommend changes to Council</li> <li>• The Committee shall maintain minutes of its meetings</li> <li>• Identify specific expectations of committee output – e.g., policy advice, reports, budgets, annual reports.</li> </ul>   |
| <b>Reporting</b>                   | <ul style="list-style-type: none"> <li>• The Committee is advisory to Council, and may make recommendations for policy changes to Council</li> <li>• The Committee shall provide an interim report to Council no later than the June 2010 Council meeting</li> </ul>   |

<sup>4</sup> It should be noted that collaborative work with other providers has begun in accordance with the 2009-2010 Activity Plan.

<sup>5</sup> This was a specific recommendation of the CCTF, the implementation of which was deferred.

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|                      | <p>with a final report by October which will then allow for wide consultation with the membership</p> <ul style="list-style-type: none"> <li>• The Committee shall provide a report on its work to Council no later than the May Council meeting</li> </ul> |
| <b>Staff support</b> | <ul style="list-style-type: none"> <li>• Director, Admissions and Professional Development</li> </ul>   |

## Terms of Reference for the Executive Committee

These Terms of Reference should be read in conjunction with the *Legal Profession Act*, the Regulations issued thereunder, and the Council Policies relating to committees.

| <b>Executive Committee - Terms of Reference</b> |  |
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| <b>Type</b>                                     | Council Committee – Governance and Advisory to Council   |
| <b>Mandate</b>                                  | <ul style="list-style-type: none"> <li>• The Executive Committee support Council in the governance of the Society by ensuring matters are ready for consideration by Council, and undertaking matters that are delegated to it by Council</li> <li>• The Committee assist Council in carrying out the work of the Society and act on behalf of Council in matters of urgency</li> </ul>  |
| <b>Responsibilities</b>                         | <ul style="list-style-type: none"> <li>• Assess issues to be presented to Council</li> <li>• Ensure matters are ready and appropriate for Council consideration</li> <li>• On behalf of the Society liaise with government, the Courts, and other organizations to further the objectives of the Society</li> <li>• Provide guidance to the Executive Director and Council</li> <li>• Monitor the Long Term Plan and the Annual Activity Plan</li> <li>• Ensure that Council evaluates its work and the work of committees through a regular evaluation process</li> <li>• Assist in overseeing the management of volunteers</li> <li>• Assist Council, as directed, in overseeing the work within the authority of the Executive Director, in order to promote the accountability of the Executive Director to Council</li> </ul> |
| <b>Composition</b>                              | <ul style="list-style-type: none"> <li>• Society Officers</li> </ul>   |
| <b>Committee Chair</b>                          | <ul style="list-style-type: none"> <li>• The President shall serve as Chair</li> </ul>   |
| <b>Procedures and Work Product</b>              | <ul style="list-style-type: none"> <li>• The Committee shall operate in accordance with Council Policies 14 and 16</li> <li>• The Committee shall annually review these Terms of Reference and may recommend changes to Council</li> <li>• The Committee shall maintain minutes of its meetings</li> </ul>   |
| <b>Reporting</b>                                | <ul style="list-style-type: none"> <li>• The Committee is advisory to Council, and may make recommendations for policy changes to Council</li> <li>• The Committee may act upon authority delegated to the Committee by Council</li> <li>• Copies of Committee minutes shall be provided to Council after they are approved</li> <li>• The Committee shall provide regular reports to Council</li> </ul>   |
| <b>Staff support</b>                            | <ul style="list-style-type: none"> <li>• Executive Director</li> </ul>   |



### Terms of Reference for the Finance Committee

These Terms of Reference should be read in conjunction with the Legal Profession Act, the Regulations issued there under, and the Council Policies relating to committees.

| <b>Finance Committee - Terms of Reference</b> |  |
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| <b>Type</b>                                   | Council Committee – Advisory to Council  |
| <b>Mandate</b>                                | <ul style="list-style-type: none"> <li>• The Finance Committee supports Council in the governance of the Society by monitoring the finances of the Society, acting on behalf of Council in regard to the annual audit of the Society finances, and acting on behalf of Council in respect of the management of the Society investments.</li> </ul>   |
| <b>Responsibilities</b>                       | <p>Financial Reporting Responsibilities</p> <ul style="list-style-type: none"> <li>• Monitors the Executive Director’s prudent and effective management of the Society’s resources</li> <li>• Monitors Executive Director’s internal controls and policies for areas of risk</li> <li>• Monitors Executive Director’s preparation of the annual budget for presentation to Council</li> <li>• Reviews performance against budget during the course of the year</li> <li>• Receives from management satisfactory explanations for all forecast variances from budget that are greater than 5 percent of budget or greater than \$10,000 of budget</li> <li>• Encourages efficiency in the management of the Society’s finances and in the expenditure of Society funds</li> </ul> <p>Investment Responsibilities</p> <ul style="list-style-type: none"> <li>• In accordance with the Society’s Investment Policy, oversees the prudent implementation of the Policy including the regular review of investment results and the performance of the Society’s Investment Manager as required by it</li> <li>• Selects the Society’s external investment manager</li> <li>• Sets the investment parameters for the Society on behalf of Council</li> </ul> <p>Audit Responsibilities</p> <ul style="list-style-type: none"> <li>• Annually recommends to Council the appointment of the external auditor</li> <li>• Meets with the Society’s external auditor in preparation for and following the annual external audit to ensure the audit function is effectively performed and to reinforce the external auditor’s independence</li> </ul> |

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|                                    | <ul style="list-style-type: none"> <li>• May meet with the Society’s external auditor at any time</li> <li>• Recommends audited financial statements to the annual meeting of members of the Society</li> </ul>   |
| <b>Composition</b>                 | <ul style="list-style-type: none"> <li>• At least four members, one of whom shall be a current member of Council (not an officer of Council)</li> <li>• The First and Second Vice Presidents shall be members of the Committee</li> <li>• At least one member, who is not a member of the Society, shall have expertise in financial or investment matters</li> <li>• Appointments shall be made and vacancies filled by Council</li> <li>• Include whether Public Representatives or NSBS Officers are required to be members</li> </ul> |
| <b>Committee Chair</b>             | <ul style="list-style-type: none"> <li>• The Committee Chair shall be appointed by Council</li> <li>• The Committee Chair is responsible for annually reviewing with the Committee: Council Policy 16, these Terms of Reference, and the Society’s Strategic and Annual Plans</li> </ul>  |
| <b>Procedures and Work Product</b> | <ul style="list-style-type: none"> <li>• Quorum for the committee shall consist of at least three (3) members</li> <li>• The Committee shall operate in accordance with Council Policy 16</li> <li>• The Committee shall annually review these Terms of Reference and may recommend changes to Council</li> <li>• The Committee shall maintain minutes of its meetings</li> </ul>   |
| <b>Reporting</b>                   | <ul style="list-style-type: none"> <li>• The Committee is advisory to Council, and may make recommendations for policy changes to Council</li> <li>• The Committee, or Committee Chair, shall assist staff in the presentation of the annual budget to Council</li> <li>• The Committee shall recommend an auditor and audited financial statements to the annual meeting of members</li> </ul>   |
| <b>Staff support</b>               | <ul style="list-style-type: none"> <li>• Director of Finance</li> </ul>   |

## Terms of Reference for the Gender Equity Committee

These Terms of Reference should be read in conjunction with the *Legal Profession Act*, the Regulations issued there under, and the Council Policies relating to committees.

| <b>Gender Equity Committee - Terms of Reference</b> |   |
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| <b>Type</b>   | Council Committee – Advisory to Council   |
| <b>Mandate</b>                                      | <ul style="list-style-type: none"> <li>• The Gender Equity Committee supports Council in the governance of the Society by monitoring and providing advice about matters that address issues of gender in the legal profession</li> </ul>  |
| <b>Responsibilities</b>                             | <ul style="list-style-type: none"> <li>• Review, assess and propose to Council methods of implementing, where feasible, recommendations relating to gender equity in the legal profession.</li> <li>• Monitor the Society’s mentoring program for women in the legal profession, and support its delivery by staff as directed by Council or requested by staff.</li> <li>• Identify barriers to and facilitate active involvement of women lawyers in the volunteer functions of the Society and on Council and its Committees</li> <li>• On behalf of Council, maintain awareness and information regarding gender issues</li> <li>• Raise, for Council and members of the Society, awareness of gender equity issues in the legal profession and in relation to access to justice in Nova Scotia</li> <li>• Develop and recommend to Council: <ul style="list-style-type: none"> <li>○ Policies for the promotion of gender equity in the legal profession in Nova Scotia for adoption by Council</li> <li>○ Methods to facilitate entry and retention of women in the Nova Scotia legal profession</li> <li>○ Programs and initiatives addressing gender equity in the legal profession and access to justice in Nova Scotia</li> </ul> </li> <li>• Under the direction of the Equity Officer, assist in carrying out the Committee’s approved programs and initiatives.</li> </ul> |
| <b>Composition</b>                                  | <ul style="list-style-type: none"> <li>• At least one member shall be a current member of Council</li> <li>• Appointments shall be made and vacancies filled by Council</li> <li>• Members should have awareness, expertise or experience in issues of gender equity</li> </ul>   |
| <b>Committee Chair</b>                              | <ul style="list-style-type: none"> <li>• Committee Chair shall be appointed by Council</li> <li>• Committee Chair should have at least one year of</li> </ul>   |

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|                                    | <p>service on the Committee</p> <ul style="list-style-type: none"> <li>• The Committee Chair is responsible for annually reviewing with the Committee: Council Policy 16, these Terms of Reference, and the Society's Strategic and Annual Plans</li> </ul>  |
| <b>Procedures and Work Product</b> | <ul style="list-style-type: none"> <li>• Quorum for the committee shall consist of at least three (3) members</li> <li>• The Committee may appoint sub-committees to assist it in carrying out its work</li> <li>• The Committee shall operate in accordance with Council Policy 16</li> <li>• The Committee shall annually review these Terms of Reference and may recommend changes to Council</li> <li>• The Committee shall maintain minutes of its meetings</li> </ul>  |
| <b>Reporting</b>                   | <ul style="list-style-type: none"> <li>• The Committee is advisory to Council and reports to Council</li> <li>• The Chair of the Committee may communicate urgent matters of concern directly to the President or Executive Director</li> <li>• The GEC may make recommendations for policy changes to Council and undertake specific tasks assigned by Council to the Committee</li> <li>• The GEC may also provide advice to staff when requested</li> <li>• The Committee shall provide an annual workplan to Council no later than the September Council meeting</li> <li>• The Committee shall provide a report on its work to Council no later than the May Council meeting</li> </ul> |
| <b>Staff support</b>               | <ul style="list-style-type: none"> <li>• Equity Officer</li> </ul>   |

### Terms of Reference for the Governance and Nominating Committee

These Terms of Reference should be read in conjunction with the *Legal Profession Act*, the Regulations issued there under, and the Council Policies relating to committees.

| <b>Governance and Nominating Committee - Terms of Reference</b> |   |
|---|---|
| <b>Type</b>   | Council Committee –Advisory to Council  |
| <b>Mandate</b>  | <ul style="list-style-type: none"> <li>• The Committee supports Council in the governance of the Society by:               <ul style="list-style-type: none"> <li>○ Assisting with the recruitment, appointment and election of members of Council and Officers of the Society</li> <li>○ Supporting Council’s commitment to the principles and practices of good governance</li> </ul> </li> </ul>   |
| <b>Responsibilities</b>   | <ul style="list-style-type: none"> <li>• Establish and ensure an open and transparent nominating and election process for Council positions, that provides candidates for all positions</li> <li>• Recruit a Second Vice President nominee</li> <li>• Recruit candidates for Public Representatives on Council for appointment by Council</li> <li>• Recommend to Council recipients of the Distinguished Service Award, and other Honours and Awards, as appropriate</li> <li>• Support Council’s governance of the Society, including but not limited to:               <ul style="list-style-type: none"> <li>○ recommending changes to the Legal Profession Act and Regulations and changes to Council Policies</li> <li>○ Monitor and review Council governance policies</li> <li>○ Support, as requested by the Executive Committee or by Council, the regular evaluation of Council or its Committees</li> </ul> </li> <li>• Annually recommend, for Council approval, committee appointments</li> </ul> |
| <b>Composition</b>  | <ul style="list-style-type: none"> <li>• Appointments shall be made and vacancies filled by Council</li> <li>• The Committee shall include Council Officers and the immediate Past President of the Society</li> <li>• The Committee shall include at least one Public Representative currently serving on Council</li> <li>• The Committee shall include at least two additional practicing members of the Society who are not members of Council</li> </ul>   |
| <b>Committee Chair</b>  | <ul style="list-style-type: none"> <li>• The immediate Past President shall serve as the Committee Chair</li> </ul>   |

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|                                    | <ul style="list-style-type: none"> <li>• The Committee Chair is responsible for annually reviewing with the Committee: Council Policy 16, these Terms of Reference, and the Society's Strategic and Annual Plans</li> </ul>  |
| <b>Procedures and Work Product</b> | <ul style="list-style-type: none"> <li>• The Committee shall operate in accordance with Council Policy 16</li> <li>• The Committee shall annually review these Terms of Reference and may recommend changes to Council</li> <li>• The Committee shall maintain minutes of its meetings</li> </ul>  |
| <b>Reporting to Council</b>        | <ul style="list-style-type: none"> <li>• The Committee is advisory to Council, and may make recommendations for policy changes to Council</li> <li>• The Committee shall provide an annual workplan to Council no later than the September Council meeting</li> <li>• The Committee shall provide a report on its work to Council no later than the May Council meeting</li> </ul> |
| <b>Staff support</b>               | <ul style="list-style-type: none"> <li>• Executive Director</li> </ul>   |

### **Terms of Reference for the Lawyers Fund for Client Compensation Committee**

These Terms of Reference should be read in conjunction with the *Legal Profession Act*, the Regulations, and the Council Policies relating to committees.

| <b>Lawyers Fund for Client Compensation Committee - Terms of Reference</b> |  |
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| <b>Type</b>  | Council Committee – Advisory to Council  |
| <b>Mandate</b>   | <ul style="list-style-type: none"> <li>• The Lawyers Fund for Client Compensation Committee carries out the responsibilities assigned to it under Part IV of the Act and Part 11 of the Regulations</li> </ul>   |
| <b>Responsibilities</b>  | <ul style="list-style-type: none"> <li>• Refer to Part IV of the Act and Part 11 of the Regulations</li> </ul>   |
| <b>Composition</b>   | <ul style="list-style-type: none"> <li>• At least three members, who need not be members of Council</li> <li>• Appointments shall be made and vacancies filled by Council</li> </ul>   |
| <b>Committee Chair</b>   | <ul style="list-style-type: none"> <li>• The Committee Chair shall be appointed by Council</li> </ul>  |
| <b>Procedures and Work Product</b>   | <ul style="list-style-type: none"> <li>• The Committee shall operate in accordance with Council Policy 16</li> <li>• The Committee is not required to hold regular meetings of members, but shall meet as required to perform its duties</li> <li>• The Committee shall annually review these Terms of Reference and may recommend changes to Council</li> <li>• The Committee shall maintain minutes of its meetings</li> </ul> |
| <b>Reporting</b>   | <ul style="list-style-type: none"> <li>• The Committee is advisory to Council, and may make recommendations for policy changes to Council</li> <li>• The Committee may act upon authority delegated to the Committee by Council</li> <li>• The Committee shall provide a report on its work to Council no later than the May Council meeting</li> </ul>  |
| <b>Staff support</b>   | <ul style="list-style-type: none"> <li>• Director of Professional Responsibility</li> </ul>  |

### **Terms of Reference for the Ethics and Professional Responsibility Advisory Committee**

These Terms of Reference should be read in conjunction with the Legal Professional Act, the Regulations issued there under, and the Council Policies relating to committees.

| <b>Ethics and Professional Responsibility Advisory Committee - Terms of Reference</b> |  |
|---|--|
| <b>Type</b>   | Operational Committee  |
| <b>Mandate</b>  | <ul style="list-style-type: none"> <li>• The Ethics and Professional Responsibility Advisory Committee supports the Executive Director in the promotion of the ethical practice of law by members of the Society, and by providing guidance and advice to members in this regard</li> </ul>  |
| <b>Responsibilities</b>   | <ul style="list-style-type: none"> <li>• Responds to inquiries from members respecting their duties and responsibilities under the rules of ethics and professional conduct</li> <li>• Assist with the provision of ethics education for students, members and others</li> </ul>   |
| <b>Composition</b>  | <ul style="list-style-type: none"> <li>• At least five members</li> <li>• Appointments shall be made and vacancies filled by the Executive Director</li> <li>• Members' experiences should cover a broad range of practice areas</li> </ul>  |
| <b>Committee Chair/Vice Chair</b>   | <ul style="list-style-type: none"> <li>• The Committee Chair shall be appointed by the Executive Director</li> <li>• Committee Chair must have at least one year of service on the Committee</li> </ul>  |
| <b>Procedures and Work Product</b>  | <ul style="list-style-type: none"> <li>• Quorum for the committee shall consist of at least three (3) members</li> <li>• The Committee shall operate in accordance with Council Policy 16</li> <li>• The Committee shall annually review these Terms of Reference and may recommend changes to Council</li> <li>• The Committee shall maintain a record of its advice to members and maintain inquiry statistics for purposes of developing education programs for members</li> <li>• The Committee may assist with ethics and professional responsibility education programs for articulated clerks, members and other</li> </ul> |
| <b>Reporting</b>  | <ul style="list-style-type: none"> <li>• The Committee is advisory to the Executive Director</li> <li>• The Committee shall report annually on the nature and number of inquiries</li> </ul>   |
| <b>Staff support</b>  | <ul style="list-style-type: none"> <li>• Professional Responsibility Counsel</li> </ul>  |

### **Terms of Reference for the Professional Standards (Family Law) Committee**

These Terms of Reference should be read in conjunction with the Legal Profession Act, the Regulations issued there under, and the Council Policies relating to committees.

| <b>Professional Standards (Family Law) Committee - Terms of Reference</b> |  |
|---|--|
| <b>Type</b>   | Council Committee – Advisory to Council  |
| <b>Mandate</b>  | <ul style="list-style-type: none"> <li>• The Professional Standards (Family Law) Committee supports Council in the governance of the Society by developing professional standards for the area of family law</li> </ul>  |
| <b>Responsibilities</b>   | <ul style="list-style-type: none"> <li>• Make recommendations to Council with respect to identification of:               <ol style="list-style-type: none"> <li>1. existing applicable professional standards of family law practice and emerging family law issues which may require the development of professional standards</li> <li>2. changes in professional standards of family law practice and emerging family issues which require amendments to existing NSBS Professional Standards – Family Law</li> </ol> </li> <li>• Annually review the NSBS Professional Standards – Family Law (including footnotes and references) and advise Council with respect to potential amendments thereto, including a draft of proposed amendments</li> <li>• Identify resources and tools to assist members to practice in accordance with the Standards</li> <li>• Act as a resource on issues of professional standards for family law as may be requested by Council</li> </ul> |
| <b>Composition</b>  | <ul style="list-style-type: none"> <li>• At least five (5) and not more than ten (10) members</li> <li>• Members may, but need not be, members of Council</li> <li>• Appointments shall be made and vacancies filled by Council</li> <li>• Members should be experienced practitioners in Family Law</li> </ul>  |
| <b>Committee Chair</b>  | <ul style="list-style-type: none"> <li>• Committee Chair shall be appointed by Council</li> <li>• Committee Chair need not be a member of Council</li> <li>• The Committee Chair is responsible for annually reviewing with the Committee: Council Policy 16, these Terms of Reference, and the Society’s Strategic and Annual Plans</li> </ul>  |
| <b>Procedures and Work Product</b>  | <ul style="list-style-type: none"> <li>• The Committee shall operate in accordance with Council Policy 16</li> <li>• The Committee may appoint sub-committees to carry out its work</li> <li>• The Committee shall annually review these Terms of Reference and may recommend changes to Council</li> </ul>  |

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|                      | <ul style="list-style-type: none"> <li>• The Committee shall maintain minutes of its meetings</li> </ul>   |
| <b>Reporting</b>     | <ul style="list-style-type: none"> <li>• The Committee is advisory to Council and reports to Council</li> <li>• The Committee recommend to Council changes to the Standards</li> <li>• The Committee may make changes to the Standards footnotes or references upon written notice to Council</li> <li>• The Committee shall provide an annual workplan to Council no later than the September Council meeting</li> <li>• The Committee shall provide a report on its work to Council no later than the May Council meeting</li> </ul> |
| <b>Staff support</b> | <ul style="list-style-type: none"> <li>• In the discretion of the Executive Director</li> </ul>  |

### **Terms of Reference for the Professional Standards (Real Estate) Committee**

These Terms of Reference should be read in conjunction with the Legal Profession Act, the Regulations issued there under, and the Council Policies relating to committees.

| <b>Professional Standards (Real Estate) Committee - Terms of Reference</b> |  |
|--|--|
| <b>Type</b>  | Council Committee – Advisory to Council  |
| <b>Mandate</b>   | <ul style="list-style-type: none"> <li>The Professional Standards (Real Estate) Committee supports Council in the governance of the Society by developing professional standards for the area of real estate law</li> </ul>  |
| <b>Responsibilities</b>  | <ul style="list-style-type: none"> <li>Make recommendations to Council with respect to identification of:               <ol style="list-style-type: none"> <li>existing applicable professional standards of real estate law practice and emerging real estate law issues which may require the development of professional standards</li> <li>changes in professional standards of real estate law practice and emerging real estate law issues which require amendments to existing NSBS Real Estate Law Professional Standards</li> </ol> </li> <li>Annually review the NSBS Real Estate Law Professional Standards and advise Council with respect to potential amendments thereto, including a draft of proposed amendments</li> <li>Identify resources and tools to assist members to practice in accordance with the Standards</li> <li>Act as a resource on issues of professional standards for real estate law as may be requested by Council</li> </ul> |
| <b>Composition</b>   | <ul style="list-style-type: none"> <li>At least five (5) and not more than ten (10) members</li> <li>Members may, but need not be, members of Council</li> <li>Appointments shall be made and vacancies filled by Council</li> <li>Members should be experienced practitioners in Real Estate Law</li> </ul>   |
| <b>Committee Chair</b>   | <ul style="list-style-type: none"> <li>Committee Chair (or co-Chairs) shall be appointed by Council</li> <li>Committee Chair(s) need not be a member of Council</li> <li>The Committee Chair is responsible for annually reviewing with the Committee: Council Policy 16, these Terms of Reference, and the Society's Strategic and Annual Plans</li> </ul>  |
| <b>Procedures and Work Product</b>   | <ul style="list-style-type: none"> <li>The Committee shall operate in accordance with Council Policy 16</li> <li>The Committee may appoint sub-committees to carry out its work</li> </ul>   |

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|                      | <ul style="list-style-type: none"> <li>• The Committee shall annually review these Terms of Reference and may recommend changes to Council</li> <li>• The Committee shall maintain minutes of its meetings</li> </ul>   |
| <b>Reporting</b>     | <ul style="list-style-type: none"> <li>• The Committee is advisory to Council and reports to Council</li> <li>• The Committee recommend to Council changes to the Standards</li> <li>• The Committee may make changes to the Standards footnotes or references upon written notice to Council</li> <li>• The Committee shall provide an annual work plan to Council no later than the September Council meeting</li> <li>• The Committee shall provide a report on its work to Council no later than the May Council meeting</li> </ul> |
| <b>Staff support</b> | <ul style="list-style-type: none"> <li>• In the discretion of the Executive Director</li> </ul>   |

### **Terms of Reference for the Racial Equity Committee**

These Terms of Reference should be read in conjunction with the *Legal Profession Act*, the Regulations, and the Council Policies relating to committees.

| <b>Racial Equity Committee - Terms of Reference</b> |   |
|---|---|
| <b>Type</b>   | Council Committee – Advisory to Council   |
| <b>Mandate</b>                                      | <ul style="list-style-type: none"> <li>• The Racial Equity Committee supports Council in the governance of the Society by monitoring and providing advice about programs that address issues of racism and discrimination in the legal profession and in relation to access to justice, including programs to increase access to the legal profession</li> </ul>  |
| <b>Responsibilities</b>                             | <ul style="list-style-type: none"> <li>• Develop policy options for the promotion of equity and diversity in the legal profession in Nova Scotia for adoption by Council</li> <li>• Identify barriers to and facilitate active involvement of racialized and Aboriginal lawyers in the volunteer functions of the Society, on Council and on other Committees</li> <li>• On behalf of Council, maintain awareness and information regarding issues of race as they relate to the legal profession, access to justice or the administration of justice</li> <li>• Raise, for Council and members of the Society, awareness of the issues of racial inequity in the legal profession</li> <li>• Identify barriers and provide advice to Council about <ul style="list-style-type: none"> <li>○ How to facilitate entry into the Nova Scotia legal profession of racialized and Aboriginal Peoples</li> <li>○ Racial equity related experiences encountered by racialized and Aboriginal Peoples as members of the Nova Scotia legal profession</li> <li>○ Programs and initiatives for the Nova Scotia legal profession on racial equity and cultural competency</li> </ul> </li> <li>• Under the direction of the Equity Officer, assist in carrying out the Committee’s approved programs and initiatives.</li> </ul> |
| <b>Composition</b>                                  | <ul style="list-style-type: none"> <li>• At least one member shall be a current member of Council</li> <li>• Appointments shall be made and vacancies filled by Council</li> <li>• Non-Society members shall be recruited from African Nova Scotian and Mi’kmaq communities,</li> </ul>   |

|                                    |  |
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|                                    | <ul style="list-style-type: none"> <li>• Members shall have expertise, experience or a commitment to issues of racial equity</li> </ul>  |
| <b>Committee Chair</b>             | <ul style="list-style-type: none"> <li>• Committee Chair shall be appointed by Council, with input from the Committee</li> <li>• The Committee Chair is responsible for annually reviewing with the Committee: Council Policy 16, these Terms of Reference, and the Society's Strategic and Annual Plans</li> </ul>  |
| <b>Procedures and Work Product</b> | <ul style="list-style-type: none"> <li>• The Committee shall operate in accordance with Council Policy 16</li> <li>• The Committee may appoint sub-committees to assist it in carrying out its work</li> <li>• The Committee shall annually review these Terms of Reference and may recommend changes to Council</li> <li>• The Committee shall maintain minutes of its meetings</li> </ul>  |
| <b>Reporting</b>                   | <ul style="list-style-type: none"> <li>• The Committee is advisory to Council and reports to Council</li> <li>• The Chair of the Committee may communicate urgent matters of concern directly to the President or Executive Director</li> <li>• The Committee may make recommendations for policy changes to Council and undertake specific tasks assigned by Council to the Committee</li> <li>• The Committee may also provide advice to staff when requested</li> <li>• The Committee shall provide an annual workplan to Council no later than the September Council meeting</li> <li>• The Committee shall provide a report on its work to Council no later than the May Council meeting</li> </ul> |
| <b>Staff support</b>               | <ul style="list-style-type: none"> <li>• Equity Officer</li> </ul>   |