



To: Law Society of Nunavut Members

From: Nalini Vaddapalli, CEO & Gloria Song, Access to Justice Coordinator

Re: November 26, 2020 Special Meeting Memo and Resolution - Extending insurance coverage for exempted members to support not-for-profit corporations and societies

Date: November 16, 2020

History

During a Special Meeting held on December 4, 2014, Rule 93 of the *Rules of the Law Society of Nunavut* (“Rules”) was amended to allow members, who are normally exempted from professional liability insurance, to be entitled to indemnification for approved pro bono legal services rendered through the Access to Justice Program (“Program”) established earlier the same year.

Given the Program’s goal of building the legal capability of Nunavummiut to manage everyday legal issues, extending indemnification coverage to members providing pro bono services through the Program was an important step towards improving access to justice in the territory.

New Proposed Pro Bono Activity

This memo is to inform members of the motion to include the provision of pro bono legal services to not-for-profit corporations and societies within the scope of approved pro bono legal services rendered through the Program, as referenced in Rule 93. The inclusion of such activities in the Program would need to be approved at the Law Society of Nunavut’s (“LSN”) Annual General Meeting or at a Special Meeting, and is therefore being brought forward for this Special Meeting.

This proposal would address a significant deficit in access to justice that has been identified in Nunavut. Not-for-profit corporations and societies often play vital roles in the territory in providing valuable services to Nunavummiut. These organizations would benefit greatly from the assistance of members with respect to certain work, such as drafting and reviewing memoranda of understanding, by-laws, filings and funding applications. However, these organizations often are not in a position to be able to afford to hire legal counsel. As such, providing insurance coverage for law society members who are willing to provide assistance to not-for-profit corporations and societies on a pro bono basis provide an important contribution to meeting access to justice needs in the territory, while also supporting members who would like to give back to their community.

Professional Development

To ensure that members have the competency to provide quality support, the LSN is pleased to welcome member Margaret Hollis who will offer a professional development training on advising societies and not-for-profit corporations. The training will take place on Thursday December 3rd. This training will review the basics of incorporation and governance for non-profits, including policies that should be in place. It will also discuss the characteristic risks faced by non-profits, special cases such as condominium corporations and charitable organizations, and the roles and risks of members sitting on a board.

Resolution to adopt a new pro bono activity under the Law Society of Nunavut Access to Justice Program

WHEREAS the members of the Law Society of Nunavut (“LSN”) approved, on December 4, 2014, an amendment to Rule 93 of the *Rules of the Law Society of Nunavut* (“Rules”) to allow members, who are normally exempted from professional liability insurance, to be entitled to indemnification for approved pro bono legal services rendered through the Access to Justice Program (“Program”) established earlier the same year;

AND WHEREAS pursuant to ss. 93(4) of the Rules, members who are not otherwise entitled to indemnification under the group contract, namely the Canadian Lawyers Insurance Association (“CLIA”), are now entitled to indemnification under the group contract for approved pro bono legal services rendered through the Access to Justice Program;

AND WHEREAS not-for-profit corporations and societies often play vital roles in the territory in providing valuable services to Nunavummiut and would benefit greatly from the assistance of members with respect to certain work, such as drafting and reviewing memoranda of understanding, by-laws and filings;

AND WHEREAS providing insurance coverage for LSN members who are not otherwise entitled to indemnification through CLIA would increase the number of pro bono contributions to meet access to justice needs in the territory, and also support members who would like to give back to their community;

AND WHEREAS the LSN Executive has taken steps to provide professional development training to its members to support not-for-profit corporations and societies within the scope of their skills and competency;

THEREFORE, BE IT RESOLVED THAT the Law Society of Nunavut members approve the new proposed pro bono activity, support for not-for-profit corporations and societies, under the Access to Justice Program.