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**ANNOTATED BRITISH COLUMBIA LEGAL
PROFESSION ACT**

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Author's Comments

Since the appearance of the last issue of this book, the Supreme Court of Canada published two highly anticipated judgments. In *Groia v. Law Society of Upper Canada* (2018), 46 C.R. (7th) 227, 34 Admin. L.R. (6th) 183 (S.C.C.), the court delineated, with a 6-3 split, the limited power law societies have to regulate civility, placing beyond disciplinary reach uncivil lawyers who have acted mistakenly but in good faith at court. And just before retired Chief Justice McLachlin's authority as a justice of the Court was exhausted, the Court published a 7-2 judgment in *Law Society of British Columbia v. Trinity Western University* (2018), 423 D.L.R. (4th) 197, [2018] 8 W.W.R. 1 (S.C.C.), maddening some readers and gladdening others according to the readers' respective beliefs in the importance of freedom of religion, on the one side, and of diversity,

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equality and human rights on the other.

It will likely be some time before two similarly important regulatory judgments are pronounced in such quick succession.

Once again, I thank Alexandra Hutchinson of Thomson Reuters for her invaluable technical work.

Case Law Highlights

[Where the neutral citation is not provided in the annotation within the text, please refer to the Table of Cases where all the correlative citations (including the neutral citation) are listed.]

- *Groia v. Law Society of Upper Canada* (2018), 46 C.R. (7th) 227, 34 Admin. L.R. (6th) 183 (S.C.C.) (dictating the limits of punishable incivility by counsel and confirming that courts and law societies have concurrent jurisdiction to regulate and enforce standards of courtroom conduct)
- *Law Society of British Columbia v. Trinity Western University* (2018), 423 D.L.R. (4th) 197, [2018] 8 W.W.R. 1 (S.C.C.) (establishing that reasonableness is the standard of review when the court considers a law society's decision to refuse to accredit a proposed law school, and confirming the authority of a law society to refuse to accredit a proposed law school whose intended parent was not committed to values of diversity, equality and human rights)
- *Law Society of British Columbia v. Perrick* (2018), 11 B.C.L.R. (6th) 247, 2018 CarswellBC 1028 (B.C. C.A.) (confirming that a hearing panel, when considering what penalty to impose, can consider a lawyer's professional conduct record even though the record is under review)
- *Stikeman Elliott LLP v. Matthews*, 2018 BCSC 1219, 2018 CarswellBC 1953 (B.C.S.C.) (dictating the procedure to be followed where a party to a review seeks an interlocutory order from a judge)
- *Kemp v. Ross*, 2018 CarswellBC 2100, 295 A.C.W.S. (3d) 420 (B.C. S.C.) (holding that a client might reasonably miss the review limitation when the lawyer whose bill the client wants reviewed continues to act for the client)