

JOHN CALLAGHAN

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Region	Incumbency	Slate or Coalition Affiliation	Law Association Membership
Toronto	Benchler Pre-2019	Good Governance Coalition	Toronto

LiRN Funding and Libraries	
Will you support the Law Society maintaining its current level of funding for LiRN, adjusted annually for inflation?	Yes
Do you recognize the importance of the Law Society’s support for the LiRN budget in maintaining licensee competence across Ontario?	Yes
<i>I view the law libraries as an extension of the Associations. They are the hubs around which most Associations flourish and facilitate the Associations' work in mentoring, professional education and keeping lawyers' connected. This work is not only in the interest of the profession but the public. LiRN also provides a significant benefit to the profession by providing a suite of online resources at minimal cost to lawyers. LiRN’s success should not be lost through neglect by the LSO. I support LiRN.</i>	
If you are an incumbent, do you regret voting to cut the LiRN budget by 10% in November 2020?	N/A
<i>N/A - not an incumbent.</i>	
Do you support offloading funding for LiRN/law libraries to the Law Foundation of Ontario?	No
<i>LiRN promotes professional competency, mentoring and bar connectivity . The Law Society should continue to contribute to its success. Although the LSO appoints some of LFO’s Board, LFO is not answerable to the LSO .In addition, LFO’s funding is not stable. LFO’s revenue is largely from the interest on the profession's trust accounts which fluctuate greatly based on interest rates and lawyers’ trust balances. 75% of LFO’s revenue is statutorily committed to legal aid.The remainder is provided as grants to deserving justice participants. In 2019, the LFO had \$27 million for grants. With interest rate cuts, in 2021, LFO had only \$17 million for grants .LiRN would have required most of the grant money, leaving other community justice partners without access to needed funds. With recent increased interest rates , LFO has more money now but this is temporary and not reliable. LSO can provide LiRN with stable funding that allows for long term planning , while providing budgetray oversight as necessary.</i>	

Legal Aid Funding	
Will you advocate for Legal Aid Ontario funding improvement and sustainability to ensure that being a Legal Aid-empanelled lawyer remains a viable area of practice for the private bar?	Yes
<i>👉 If you answered “yes”, how?</i>	
<i>I was deeply involved in Legal Aid advocacy as a Benchler, ASLA member and as a director of LAO from 2020-23. I have long promtoted that the LSO should be a vocal advocate for legal aid.While Chair of the LSO’s Government Relations, we successfully petitioned for significant increases in legal aid under the Wynne government, opposed later cut-backs, and successfully advocated for a bigger federal contribution to immigration legal aid. On each occasion, the LSO was not alone but worked with the profession in its advocacy for legal aid.</i>	
<i>This was not always the case . After the government took over the management of legal aid from the LSO in 1999, the LSO was largely silent. I Chaired the LSO group that authored “An Abiding Interest” (at: <a href="https://lawsocietyontario.azureedge.net/media/lso/media/legacy/pdf/2/2018_lawg_report.pdf">https://lawsocietyontario.azureedge.net/media/lso/media/legacy/pdf/2/2018_lawg_report.pdf</a>) . Convocation adopted the report which recommended that the LSO take a greater interest in advocating for legal aid. Who better than lawyers to let the public/ politicians know the importance of legal aid to society. This is consistent with the LSO’s statutory obligation to facilitate access to justice. To learn more about my advocacy see: <a href="http://www.johncallaghan.com">www.johncallaghan.com</a>.</i>	
Please describe efforts that you believe should be undertaken by the Law Society to advocate for investment in LAO and increased financial allocation to LAO from the provincial and federal governments’ budgets.	
<i>Legal aid is a political issue competing with all other publicly funded proghrams.The profession has traditionally done a poor job explaining the importance for legal aid. For example, the clinics, whichdo a fabulous job, are often the sole legal voice for many Ontarians. Similarly, legal services in Ontario depend on almost solely on legal aid from child protection to mental health to refugee law. Of course, legal aid is essential for our criminal justice system to function. Each area has unmet needs.</i>	
<i>The LSO can play an active role advocating for a more robust and stable legal aid, including educating the public/ politicians as to why this is in the public's interest. Legal aid funding needs more stability. Currently, 75% of the Law Foundation revenue goes to Legal Aid. As explained above, LAO funding is subject to great fluctuation and dependent on interest rates and the real estate market. This fluctuation poses a challenge to long term planning that impacts not only LAO but the profession that works in the system.Instability is bad for LAO and the profession. In addition, eligibility (below the low-income cutoff) and funding for the certificate bar needs immediate attention.</i>	
<i>The financial fix for legal aid is beyond the scope of the LSO but starting the discussion is not. Addressing these issues will require advocacy to both prod the government and support those with the political will to make improvements. I have done this work in the past. To play this role does not require a great financial outlay.. The Law Society has not been as active in this important advocacy role this current term due to unnecessary infighting. its imperative that a group is elected that takes these issues seriously.The LSO must be heard on these issues.</i>	

Paralegal Scope of Practice	
On December 1, 2022, Convocation approved the Family Legal Service Provider (FLSP) license to allow paralegals who complete specified training to assist clients with certain family law services. The FLSP is to be reviewed in 3 years. Should paralegals’ scope of practice be expanded?	
<i>It should be expanded no further than the FLSP</i>	
👉 If you answered “yes”, in what ways, why, and what additional training (if any) should be required of paralegals?	
<i>No response was required, but the candidate wrote: The representation gap is real. As the group that holds a monopoly on legal services, there is an obligation to address those gaps. However, the public must have access to qualified professionals. The profession ought not to be a place where unqualified service providers can operate. The FLSP is a compromise that assists in closing the gap. It imposes not only more and better training on the paralegals providing the service but provides a specified designation allowing the public to know who it can trust.This is a good blueprint which needs to be carefully monitored to determine if it adequately meets the public's needs.The assessment must be rigorous and that assessment must focus on the overall public interest. I would not look for new areas of expansion while this program is being reviewed.</i>	
Lawyer licensees pay an annual competency levy as part of their annual fees that contributes towards LiRN, which funds courthouse libraries. Would you support a requirement for paralegals to also pay an annual competency levy?	Yes
<i>The competency of paralegals, like lawyers, is important to the public. I believe the resources of LiRN should be made available to them. However, this is an issue under consideration by FOLA which has the primary responsibility to make the decision. I do think if they are to have access then they should pay a fair contribution to the cost of LiRN.</i>	

Law Association Involvement	
When did you become a member of each of the associations you selected above? Which board or executive roles, if any, have you served in as part of these associations? Please list relevant dates and roles.	
<i>I can not remember the year but I have been a member of the TLA from the outset of my practice in the early 1990s.</i>	
Why are you a member of each of the associations you selected above?	
<i>The TLA is a great organization. For my entire professional life, the TLA has provided a great venue to interact with other lawyers either at events or in the robing room/lounge at 361 University.Access to the library , its resources and its staff has been most beneficial over the years. As the profession has embraced mentoring and CPD, the TLA has played a central role in ensuring the profession stays connected and educated. The TLA annual event (recently at the CARLU) is a highlight of the year. In our post-Covid world, as the profession works remotely , the TLA and other Associations , with their emphasis on professional development and social events, will play an even greater role in our profession by helping to combat the ills of isolation. I have also appreciated the effectiveness of the TLA and FOLA’s ' advocacy on issues that impact lawyers from legal aid to the greying of the bar to the grounds of Osgoode Hall. The Law Society must act in the public interest; in contrast, the TLA and the other Associations act and advocate in the professions’ interest which is an imporatnt distinction that is vital to the professions' long term success.</i>	