

LEGAL SERVICES SOCIETY BOARD OF DIRECTORS

Conflicts of Interest – Disclosure of Relationships

A director of Legal Services Society (the “Society”) owes a fundamental duty of loyalty to the Society. This duty requires directors at all times to act honestly, in good faith, and in the Society’s best interest. Directors must uphold the highest ethical standards in order to maintain and enhance public confidence and trust in the Society’s integrity, objectivity, and impartiality. In keeping with this duty, the directors and the Society must consider when a director is in a conflict of interest or perceived to have a conflict of interest.

The Society recognizes it is to the benefit of the Society and to low-income individuals it is mandated to serve, to have as directors, lawyers who make legal aid a part of their practice. Accordingly, the Society does not want to preclude lawyers from being directors just because they, or their firms, do a significant amount of legal aid work. However, the Society recognizes that if too many directors are receiving remuneration from the Society, or are indirectly financially benefiting from the Society, this may reduce the board’s focus on clients’ interests.

The Society has a conflict of interest policy (attached) which attempts to balance these interests. The policy defines a conflict of interest and outlines the process a director is to follow when they have a conflict or a perceived conflict. The policy also allows for up to two directors who, individually as lawyers or through their firms, receive significant financial remuneration from the Society to discuss and vote on all issues before the board, except those that directly or materially affect their remuneration.

Non-lawyer directors may also have a conflict of interest or a perceived conflict of interest if they have a family member who receives remuneration from the Society.

Disclosure

Upon appointment to the board, and thereafter annually, each director must disclose to the Chair of the Finance Committee (the “Finance Chair”) the names of those in the following relationships with the director who the director knows receives remuneration from the Society:

- Family member including: a director’s spouse (married, common-law, and same sex partners), parent, grandparent, child, sibling, or spouse of any of these relatives;
- Law partner;
- Associate;
- Employee; and
- Employer.

Each director is expected to make reasonable efforts to determine if anyone in the above-mentioned relationships with the director is receiving remuneration from the Society.

Examples of those receiving remuneration from the Society include LSS employees, local agents, referral bar lawyers, contractors, and other service providers such as interpreters and court reporters.

A director has an ongoing duty during their board term to advise the Finance Chair of any names which should be added to or removed from the list initially provided to the Finance Chair for disclosure purposes.

In addition to disclosing to the Finance Chair the names as set out above, if a director becomes aware that he or she has or might be perceived to have a conflict of interest with respect to a matter to be considered by the board, the director must provide notice to the Board Chair of the conflict or possible conflict and must announce it to the board whenever the matter giving rise to the conflict is to be considered.

Annual Acknowledgement

I have disclosed to the Finance Chair on the attached form the names of all people in a relationship with me who I know to be receiving remuneration from the Society. If I learn of anyone who should be added to or removed from the list of names I have provided I will promptly notify the Finance Chair.

I further acknowledge that I have read the board's Conflict of Interest By-law.

SIGNED at _____, British Columbia, this ____ day of _____, 20__.

(Board Member)

Director's name

Attachments: 7. Conflict of Interest Governance Bylaw

Conflicts of Interest – Disclosure of Relationships

Name of Board Member: _____

NAMES OF PERSONS AND RELATIONSHIP FOR CONFLICT OF INTEREST PURPOSES

Family Member: _____

Law Partner/Associate: _____

Employee: _____

Employer: _____

Other: _____

OR

I DO NOT HAVE ANY CONFLICT OF INTEREST RELATIONSHIP TO REPORT

Name: _____

Signature: _____

Date: _____