



UNIFORM LAW CONFERENCE OF CANADA

PLENARY DISCUSSION DOCUMENT

2018 PROGRESS REPORT - STRATEGIC PLAN

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STRATEGIC PLAN

Introduction

The overall goal of the Strategic Plan this year was to continue making significant progress on elements identified at the annual meeting in Fredericton 2016 and Regina 2017. Key aspects of the organizational renewal have been completed in time for implementation / adoption at the 100th annual meeting of the ULCC in Quebec City in 2018. It has become clear however that the implementation of the Strategic Plan must continue next year and in years to come.

Since 2016, members of the Strategic Plan Oversight Committee (SPOC) have included: Manon Dostie (Chair since April 2017), Josh Hawkes (Chair until April 2017), Elizabeth Strange, Luc Labonte, Genevieve Harvey, Clark Dalton, Lucie Angers, Dorette Pollard, Stephanie O'Connor, Russell Getz, Cathy Cooper, Peter Lown and Marie Bordeleau.

SPOC (Constitution and By-laws) met weekly by conference calls and email exchanges to revise the Constitution and Bylaws. Other committees, such as the Finance and Budget Committee and the Publications Committee, met regularly through the year to work on various initiatives. This work was done with the support of many colleagues from the Civil Section Steering Committee, Criminal Section Steering Committee, the Advisory Committee on Program Development and Management (ACPDPM), and Clark Dalton, Project Coordinator and Marie Bordeleau, Executive Director. The Executive Committee received regular updates from SPOC during its monthly meetings.

SPOC will be meeting early in the Fall to take stock of this week's discussions and plan the upcoming year's work.

Strategic Issues

The key elements for the initial phase of this project were discussed at the Annual Meeting in Fredericton in August 2016 and again in Regina in 2017. Those elements were described (in an order not reflecting priority) in the Strategic Plan 2016 as follows:

- 1) updating the Constitution and By-Laws of the ULCC including considering the name of the organization;
- 2) modernizing the communications strategy and website;
- 3) addressing the financial status and long term stability of the ULCC;
- 4) formalizing and refreshing relationships with FPT governments;
- 5) formalizing and refreshing relationships with the CBA, law reform institutes and other law bodies; and

6) timing and length of the annual meeting.

We have made significant progress on most of these items as described in greater detail below. Proposed next steps and additional actions items have been identified. Those wishing to participate in this work are encouraged to send their names to Manon Dostie at manon.dostie@justice.gc.ca.

1) Constitution and By-Laws of the ULCC

The latest ULCC Constitution was adopted in 1990 and last amended in 1996. Since that time there have been several operational changes to the structure and function of significant components of the organization. These changes created a significant gap between the structure and process as outlined in the Constitution, by-laws, and related documents and the actual functioning of the ULCC.

The exercise to modernize the Constitution and the By-laws started two years ago as part of a broader strategic planning exercise undertaken by the ULCC under the leadership of Past President Josh Hawkes. Work on the Constitution and By-laws continued with regular conference calls by the Committee and with both formal and informal consultations with the ULCC membership.

Through the past two years, many took part in this broad consultation process and provided necessary input to the Committee including: the Criminal Section Steering Committee, the Civil Section Steering Committee, the Advisory Committee on Project Development and Management, the Finance Committee and ad hoc members of the ULCC.

More formal consultations were held including:

- at the 2017 Annual Meeting in Regina, Saskatchewan during multiple in-person meetings;
- by email in the Fall of 2017;
- during the April 4, 2018, conference call with Jurisdictional Representatives where participants were also invited to provide written comments to the Committee; and
- by email to all JRs and their delegations in June 2018.

All comments and suggestions received were carefully considered by the Committee and modifications were made to the documents to reflect that input.

As an overall approach, the working group worked on the premise that the Constitution should be brief, describing the purpose, mandate, and essential components of the ULCC and that the By-Laws would provide more details on the structure and function of these essential components.

The revised Constitution and By-laws aim to align modern practices in the ULCC, establish committees and the important roles in the ULCC including the President, Vice President, Jurisdictional representatives, Steering Committees, Section Chairs, Finance and Budget Committee, Advisory Committee on Program Development and Management, Section Chairs and others. Proper clarification of these roles will enable the Executive and others to more effectively carry out governance, planning and administrative functions.

Next Steps:

- Update the ULCC's operational documents to clarify the roles of the President, Civil Section Chair, Criminal Section Chair, Jurisdictional representatives, and of the Secretary for the Criminal Section and Civil Section.
- Update other ULCC operational documents including: Format for the ULCC documents, and the Orientation Manual.
- Consider updating the Rules of Procedure for the Criminal Section and for the Civil Section.
- Consider updating ACPDM documents including the Project Flow Chart, Project Proposal template, Project Report and Project Selection Criteria.
- Set up an Implementation Committee.

2) Communications strategy and website

The bi-annual Communiqué and website are critical to the organization. They are the public face of the ULCC and are the means through which the work product of the ULCC is made available to the public. They are also an important channel of communication to Jurisdictional Representatives, delegates and other participants in the work of the ULCC.

For the past two years, the Publications Committee (Ian Rennie, Clark Dalton, Dorette Pollard, Caroline Quesnel and Marie Bordeleau) headed by Genevieve Harvey worked on a variety of aspects to update our communications and prepare for a new ULCC website.

Last year, the Committee revamped the ULCC's newsletter. The format was streamlined to reduce duplication and provide better communication to non-ULCC recipients. Further to consultations, the Committee prepared a high-level outline of the website project as the basis of an RFP to service providers. Publications and documents are being given a consistent look and format in preparation for a new website. A general information email address was also set up for use on the Publications section of the website.

This year the Committee retained a service provider to work on the new website. A tremendous amount of behind-the scene work has been accomplished and although work is still on-going, delegates will get an overview of the new website at the annual meeting.

Next Steps:

- Continue to populate the new website.
- Ensure complete and bilingual content.
- Consider a social media presence and building brand recognition.
- Establish procedures to ensure accurate and timely updates to the website.

3) Financial Status and Long-Term Stability of the ULCC

The ULCC is facing pressing immediate, medium and long-term financial issues. Since 2016, the Finance and Budget Committee has included Josh Hawkes (Chair until April 2017), Manon Dostie (Chair since April 2017), Peter Lown, Kathryn Sabo, Clark Dalton, Marie Bordeleau, Lee Kirkpatrick (September 2018) and John Lee (January 2018). Topics discussed included the annual assessments, in-kind contributions, interpretation and translation needs, funding for a new website, process for the adoption of proposed annual budgets and the need to entrench and clarify responsibilities for this Committee in the By-laws.

Jurisdictions were made aware of impending increases in government contributions in April 2018. A fact sheet outlining historical facts and justifications for the increase has been prepared by the Committee and the Executive.

Ongoing work on these important issues by a dedicated Finance and Budget Committee will continue this year with the objective of ensuring the long term sustainability and viability of the ULCC.

Next Steps:

- Implement new annual budget approval procedures.
- Review fact sheet on government contributions if and when appropriate.
- Examine staffing including roles and compensation of staff.
- Create and implement, as necessary, a succession plan.
- Respond to requests for information.

4) Relationships with FPT governments

Work on this topic is and should continue to be on-going. The relationship is multi-faceted and complex. Governments provide significant financial and in-kind contributions to support the ULCC. Governments are also the intended audience for the ULCC's products whether Uniform Acts, resolutions or other work products of the organization. Responsibilities of the Executive and of the jurisdictional representatives have been clarified in the revised Constitution and By-laws. More detailed descriptions of respective roles will be included in the revision of the ULCC's operational documents.

Next Steps:

- Further clarify the roles of the Executive and Jurisdictional representatives by updating the ULCC's operational documents.
- Establish an Implementation Committee for uniform acts
- Continue to report to FPT governments when appropriate

5) Alliances and Outreach

Work on strengthening existing relationships/formalizing relationships including those with the Canadian Bar Association (national and provincial sections) and other domestic groups including law reform institutes, Chambre des Notaires du Québec and le Barreau du Québec, as well as with international uniform law groups, including the Uniform Law Commission of the US, the Mexican Center for Uniform Law and the European Law Institute.

Next Steps:

- Continue to strengthen existing alliances.
- Formalize a trilateral relationship with the Uniform Law Commission and European Law Institute.

6) Timing and length of the Annual Meeting

The length and timing will depend on the location of the annual meeting and topics to be discussed at the annual meeting.

7) Miscellaneous next steps

Next Steps:

- Continue to hold mid-year conference calls with jurisdictional representatives from the Criminal and the Civil Sections to update them on the progress of the strategic review and other topics.
- Follow-up with jurisdictions offering drafting services as well as those offering

translation services.

- Set up criteria for recognition for working group volunteers and other volunteers.
- Establish Lifetime Member recognition for long-serving former members of the ULCC.