

## **MDP Speaking Points**

### **Committee work**

- work of committee - receiving comments from various groups
- continuing to monitor developments in Canada and outside
- working to develop a draft resolution to bring to Council in Halifax based on this input

### **CBA Consultations**

- Sent letters out to CBA groups in the fall: Branches, Sections, Conferences
- Sent reminders in January
- No responses yet. Committee is anxious to receive feedback so it can incorporate that into its thinking.

### **Other Consultations**

- Web survey - 34 respondents, 90 per cent members
- so far, general support for not limiting MDPs to those controlled by lawyers or providing legal services; so far, there is support for licencing
- encourage others to log on and vote
- Committee members met with Law Society of Upper Canada's committee looking into Captive Law Firms (law firms with exclusive referral arrangements). Positive meeting.
- CICA generally supportive, not surprisingly; suggests working together; some hesitance

### **Developments Outside Canada**

- The American Bar Association continues its internal debate on MDPs. The ABAs Commission has done a revised background and informational report and request for comments. At last week's ABA mid-year meeting in Dallas, they had a "town hall meeting" broadcast over the internet. A number of state bar associations are opposed to allowing MDPs until it can be demonstrated that there is a demand for them and that the public interest can be protected. Others disagree, saying MDPs already exist de facto and

we should be taking steps to ensure law firms can remain competitive with them. The Commission hopes to be doing a final draft of its report for April 2000.

- The Law Society of England and Wales Council has approved a plan to develop two “interim” models of MDPs for solicitors: a solicitors’ firm with a minority of non-solicitor partners and allowing “linked” partnerships of lawyers and non-lawyers to share fees.
- Interesting study done by Financial Times in England last year. Interviewed general counsel of 100 businesses in US & England. 58 per cent of US and 52 per cent of UK firms said they would “quite likely” or “very likely” consider using MDPs for legal services.