



## REPORT TO

## AUDIT COMMITTEE

## LEGAL FEES REPORT 2016-17

*“But select capable men from all the people—men who fear God, trustworthy men who hate dishonest gain”*

**Exodus 18:21**

Created, Draft	First Tabling	Review
March 27, 2018	April 24, 2018	

D. Bilenduke, Senior Coordinator of Finance

P. Matthews, Legal Counsel

P. De Cock, Comptroller of Business Services & Finance

## INFORMATION REPORT

**Vision:**

*At Toronto Catholic we transform the world through witness, faith, innovation and action.*

**Mission:**

*The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ.*

*We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.*



Rory McGuckin  
Director of Education

D. Koenig  
Associate Director  
of Academic Affairs

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Acting Associate Director  
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L. Noronha  
Executive Superintendent  
of Business Services and  
Chief Financial Officer

## **A. EXECUTIVE SUMMARY**

TCDSB policy *A.12 Legal Counsel* requires that a report on legal services/fees will be made semi-annually to the Corporate Affairs, Strategic Planning and Property Committee of the Board. The Audit committee recommended that the report be provided on an annual basis.

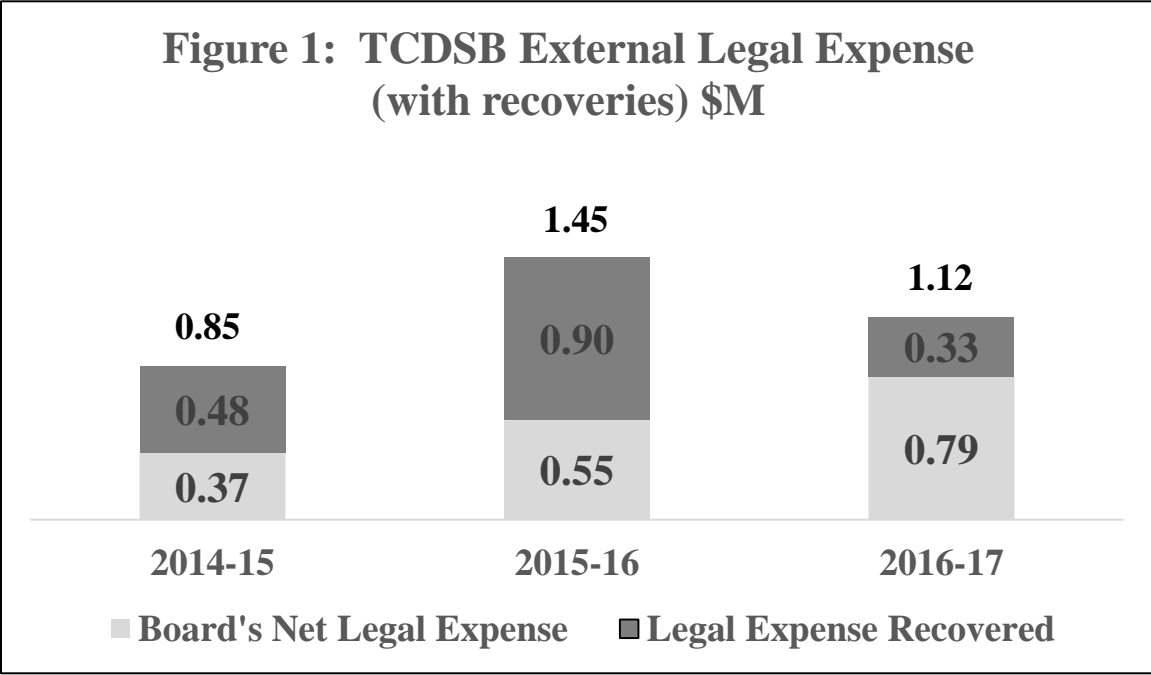
*The cumulative staff time required to prepare this report was 5 hours*

## **B. PURPOSE**

1. A three-year comparative report on legal fees has been prepared.
2. ***Board staff and Legal Counsel have taken several remediation measures to reduce its external legal fees expenditures.*** Any requirement for legal services is reviewed by Legal Counsel and redirected to in-house Legal Staff to the greatest extent possible before approval is given to retain external legal services.
3. ***Complex property transactions require significant legal advice.*** Over the last three years the Board has been aggressive in obtaining properties under its Education Development Charges (EDC) bylaw. These deals are complicated and require significant legal expertise. Legal fees related to these projects are recovered from the EDC Reserve that is funded from building permits.

## **C. EVIDENCE/RESEARCH/ANALYSIS**

1. Figure 1 below provides a comparison of the last three years of external legal expense. The “Board’s Net Legal Expense” represents the amount paid by the Board and is unrecoverable, while the “Legal Expense Recovered” is the amount that has been or expected to be recovered from third parties.

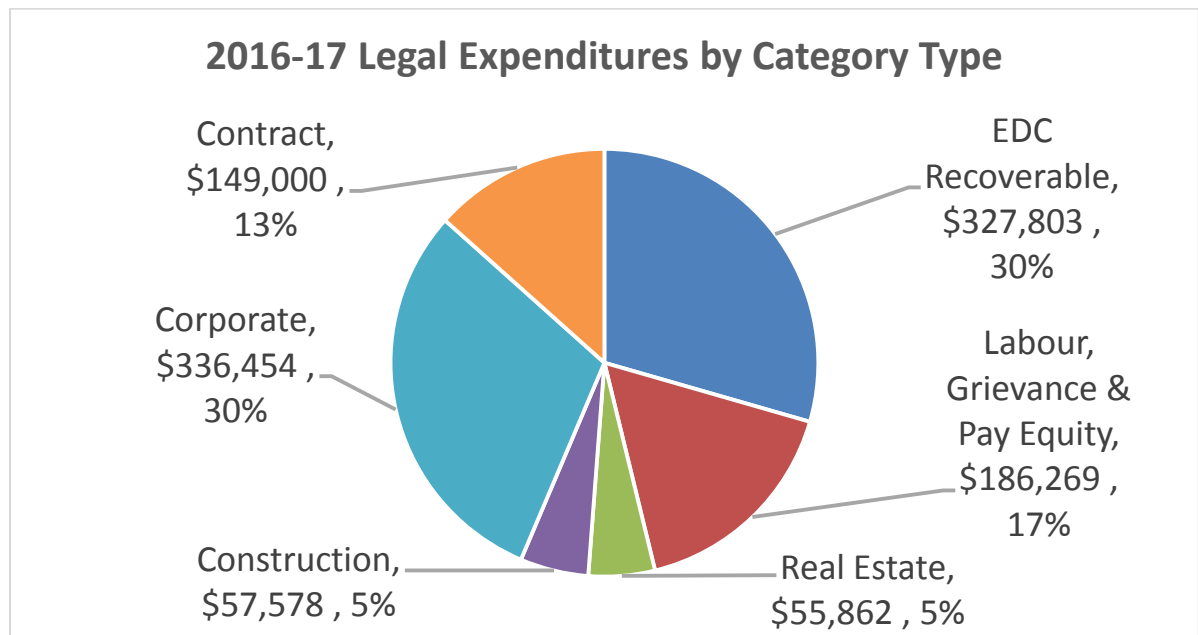


**D. METRICS AND ACCOUNTABILITY**

1. *Net legal fees have increased 43% year over year.* Gross legal fees decreased by 23% due to a decrease in Cogeco Data Service expenditures, which was recoverable in the previous year; and there was a large increase in labour and corporate law expenses.

Notable expenditures for the period include \$71K for the Ministry Transportation challenge, \$89K for CUPE pay equity and \$100K for building lease contracts with third party providers.

2. Appendix A and the chart below provides a detailed analysis of legal expenditures by firm and categorized by expenditure type.



3. The Board continues to explore new ways to streamline and increase in-house legal services and provide further reports as required by TCDSB Policy A.12.

## **E. CONCLUDING STATEMENT**

This report is for the consideration of the Audit Committee.