



REPORT TO

**CORPORATE SERVICES, STRATEGIC
PLANNING AND PROPERTY
COMMITTEE**

LEGAL FEES REPORT 2018

Exodus 18:21

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

Created, Draft	First Tabling	Review
October 30, 2018	November 13, 2018	
D. Bilenduke, Senior Coordinator of Finance P. De Cock, Comptroller of Business Services & Finance		
INFORMATION REPORT		

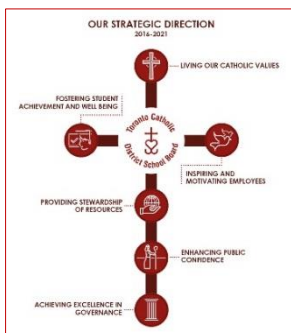
Vision:

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

- T. Robins
Acting Associate Director
of Planning and Facilities

- 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 appearing below provides a comparison of the last three years of external legal expense. TCDSB's GSN (Grants for Student Needs) funded Legal Expenses represents the amount paid by the Board for regular operational matters, while the EDC (Education Development Charges) funded legal expenses is the amount associated with education land acquisition and development costs.
2. Figure 2 appearing below provides a further 3-year comparison of legal expenses by classification.

**Figure 1: TCDSB External Legal Expense
(with recoveries) \$M**

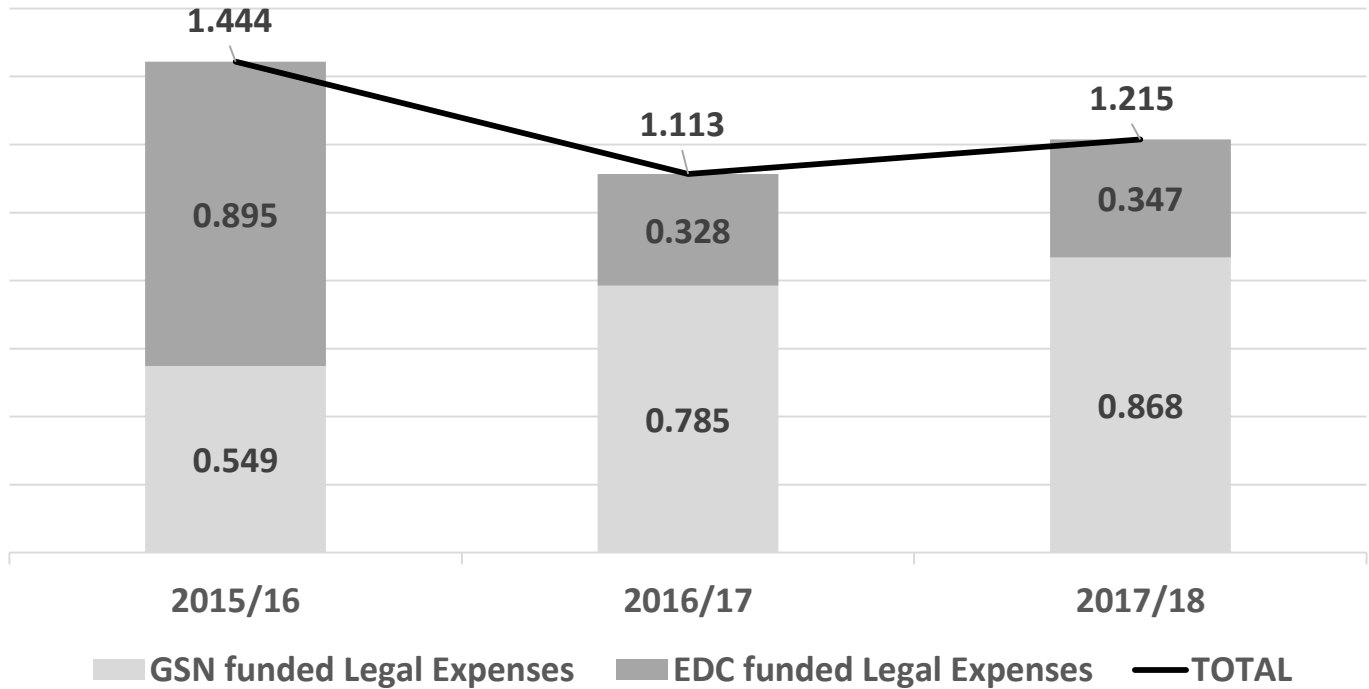
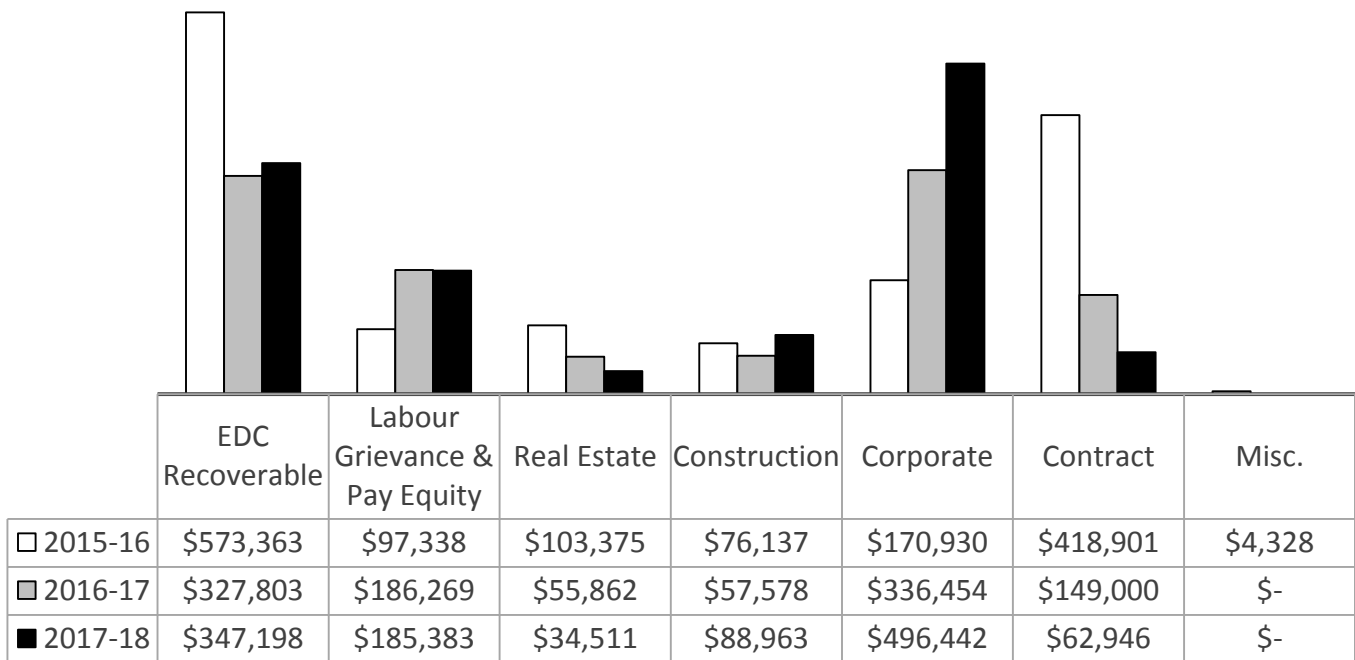


Figure 2: Comparative Legal Fees



D. METRICS AND ACCOUNTABILITY

1. *GSN funded legal fees have increased 10.6% year over year.* Construction and corporate legal issues have increased considerably during 2017/18, i.e. approximately \$90K related to legal advice provided to the Board's Executive Compensation Committee; while considerable savings were realized in contract and real estate issues. Notable expenditures for the period include \$129K for Dante Alighieri and \$72K regarding Percon Construction challenges at St Clement & St. Paschal Baylon Schools.
2. Appendix A 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 Board.