



REPORT TO

## CORPORATE SERVICES, STRATEGIC PLANNING AND PROPERTY COMMITTEE

### LEGAL FEES REPORT 2019

*"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 |
|--|-------------------|--------|
| October 25, 2019   | November 14, 2019 |        |
| D. Bilenduke, Senior Coordinator of Finance<br>P. Matthews, General Legal Counsel<br>M. Eldridge, Senior Legal Counsel<br>B. Dourley, Senior Legal Counsel<br>P. De Cock, Comptroller of Business Services & Finance |                   |        |
| <b>INFORMATION REPORT</b>  |                   |        |

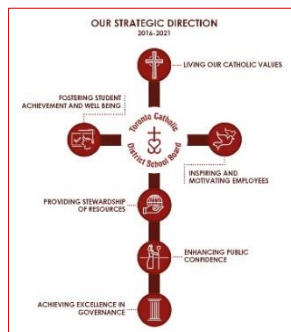
**Vision:**

*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

L. Noronha  
Associate Director of Facilities,  
Business and Community  
Development, 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; however, the Audit committee recommended that the report be provided on an annual basis.

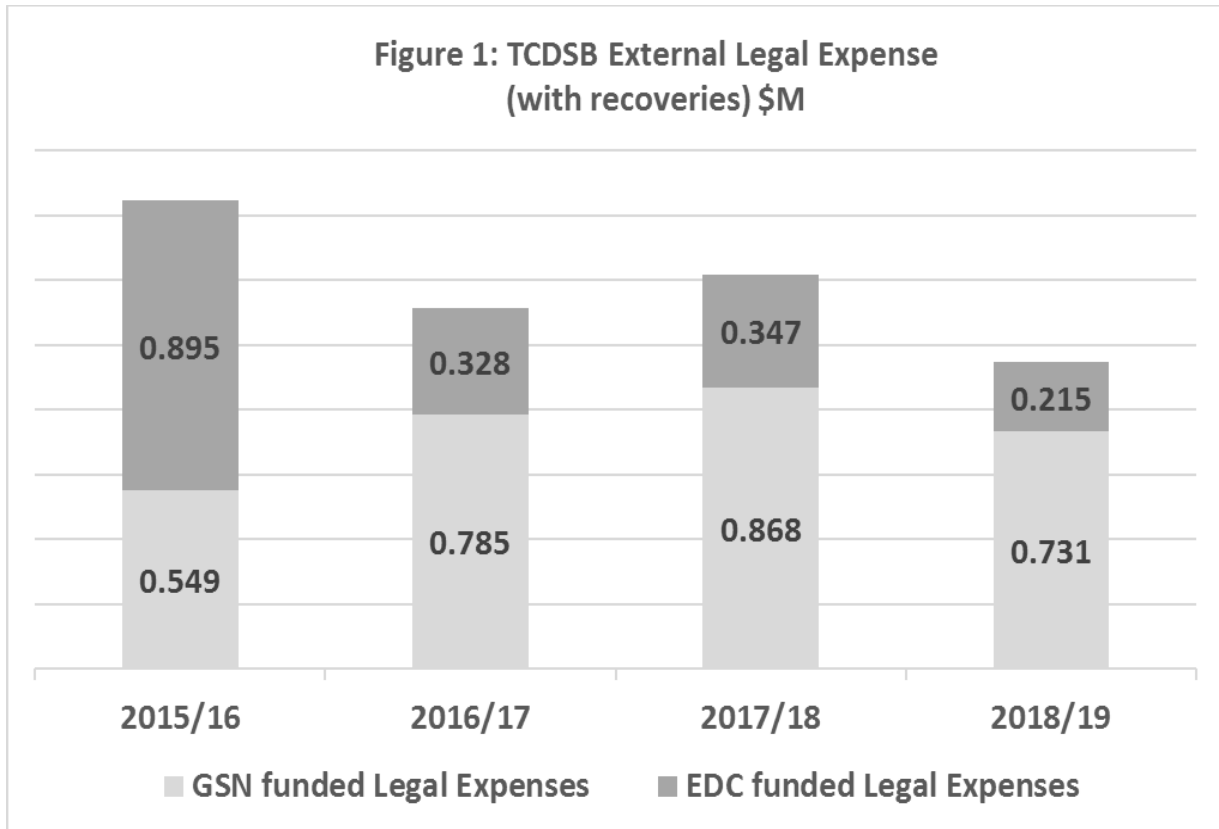
*The cumulative staff time required to prepare this report was 4 hours*

## **B. PURPOSE**

1. A four-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.*** Legal Counsel reviews any requirement for legal services and redirects to in-house Legal Staff to the greatest extent possible before retaining external legal services.
3. ***Complex property transactions require significant legal advice.*** Over the last four 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 provides a comparison of the last four 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 is expected to be recovered from third parties.



## **D. METRICS AND ACCOUNTABILITY**

1. *Net legal fees have decreased 15.8% year over year.* Labour, Human Rights Tribunal (HRTO), Real estate and Contract law all experienced increases during the year, while Construction and Corporate law experienced decreases.
2. Appendix A provides a detailed analysis of legal expenditures by firm and categorized by expenditure type.
3. Appendix B provides a four-year analysis by expenditure type.

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 Corporate Services, Strategic Planning and Property Committee.