

# Memorandum to the Council of Corporation of the Municipality of Temagami

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**Subject:** Lawyer of Record for Municipal Legal Services

**Memo No:** 2025-M-014

**Date:** January 9, 2025

**Attachment:** WMG Membership Options

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## Recommendation

BE IT RESOLVED THAT Council receives Memo 2025-M-014 as presented;

AND FURTHER BE IT RESOLVED THAT Wishart Law be appointed as the Municipality of Temagami’s lawyer of record for municipal legal services;

AND FURTHER BE IT RESOLVED THAT the Municipality engage Wishart Law’s Gold Package 1 at a cost of \$24,000 plus HST;

AND FURTHER BE IT RESOLVED THAT staff be directed to include this cost in the 2025 fiscal year budget, with the package to be renewed upon full utilization of the allocated minutes.

AND FURTHER BE IT RESOLVED THAT authorized staff to include the legal services cost in the budget for the 2025 fiscal year and that the package be renewed upon full utilization of the allocated minutes.

## Contents

Recommendation .....	1
Executive Summary .....	2
Background.....	2
Legal Services Comparison .....	2
Conclusion .....	5
Appendix A.....	6

## Executive Summary

The Municipality of Temagami requires legal services that are both cost-effective and aligned with its operational needs. Following a detailed review of various legal service providers, it is recommended that the Municipality engage Wishart Law through the Wishart Municipal Group (WMG) program. Wishart Law offers a combination of municipal law expertise, cost-effective service packages, and a strong record of serving Ontario municipalities, making them the optimal choice for Temagami.

## Background

Legal services are critical to ensuring compliance with legislation such as the Municipal Act and Planning Act, while also protecting the Municipality's interests. In the past, the Municipality has engaged various legal firms, but rising costs and the need for specialized municipal expertise necessitate a re-evaluation of our current legal service provider.

To meet these challenges, it is essential to secure legal representation that offers comprehensive services while minimizing financial burdens on taxpayers. Engaging qualified counsel ensures legal compliance, reduces litigation risks, and supports informed governance.

## Legal Services Comparison

The Municipality has engaged several legal firms, including Osler, Wishart, Hicks and Morley, Loopstra Nixon LLP, Bill Ramsay, and Hunter Liberatore. This report presents the facts to support an informed decision, focusing on selecting the firm that best aligns with the Municipality's legal needs and financial constraints. The goal is to ensure the most efficient use of taxpayer resources, without making any judgment about the expertise of the firms involved.

- Osler:
  - Reputation: Highly ranked in corporate law, strong reputation.
  - Cost: High.

- Suitability for Municipality: Primarily focused on corporate law with limited municipal expertise.
- Length in Practice: Over 150 years.
- Government Experience: Minimal involvement in municipal governance.
- Wishart Law:
  - Reputation: A leading firm in municipal law with a proven track record.
  - Cost: Moderate, with cost-effective membership packages.
  - Suitability for Municipality: Comprehensive expertise in the Municipal Act, planning, and employment law.
  - Length in Practice: Over 120 years.
  - Government Experience: Extensive experience working with Ontario municipalities.
- Hicks and Morley:
  - Reputation: Highly regarded in employment law.
  - Cost: High.
  - Suitability for Municipality: Specializes primarily in labor-related legal services.
  - Length in Practice: Over 50 years.
  - Government Experience: Limited municipal involvement.
- Loopstra Nixon LLP:
  - Reputation: Known for litigation and municipal services.
  - Cost: High, reflecting complex legal teams.
  - Suitability for Municipality: Broad specialization, with less focus on municipal governance.
  - Length in Practice: Over 40 years.
  - Government Experience: Some municipal cases, but not a primary focus.

- Bill Ramsay:
  - Reputation: Offers general municipal services with a solid reputation.
  - Cost: Low to moderate.
  - Suitability for Municipality: Limited range of services.
  - Length in Practice: Over 30 years.
  - Government Experience: Minimal involvement in Ontario government projects.
- Hunter Liberatore:
  - Reputation: Strong in municipal litigation and planning.
  - Cost: Moderate.
  - Suitability for Municipality: Focused expertise, but lacks comprehensive scope.
  - Length in Practice: Over 25 years.
  - Government Experience: Several projects with Ontario municipalities.

## Recommendation Rationale

Based on an analysis of each firm’s strengths, Wishart Law emerges as a strong candidate for meeting the Municipality’s legal needs while efficiently utilizing available resources and maintaining fiscal responsibility. The following factors support this conclusion:

- Membership Benefits: Wishart Law’s membership package, offered through the WMG (Wishart Municipal Group) program, provides municipalities with access to a wide range of legal resources, cost-effective service bundles, and the flexibility to renew unused minutes (see Appendix A). This exclusive offering, rarely available from other firms, is specifically tailored to meet municipal needs, simplifying processes and reducing overall costs.
- Breadth of Expertise: With a focus on the Municipal Act, planning, and employment law, Wishart Law addresses the Municipality's most critical legal requirements.

- **Cost-Effective Municipal Partnerships:** The WMG program not only offers bundled services to reduce expenses and ease the financial burden on taxpayers but also fosters collaboration with Ontario municipal groups. This approach leverages shared expertise and enhances services, ensuring exceptional value for municipal clients.
- **Proven Track Record:** Wishart Law’s enduring relationship with Temagami highlights its reliability and consistency in providing exceptional municipal legal representation.
- **Government Engagements:** Wishart Law’s extensive experience with Ontario municipalities ensures the delivery of informed, practical, and effective legal advice.
- **Service Flexibility:** The WMG program offers the option to renew unused minutes, ensuring uninterrupted service and ongoing value, even when the initial package allocation is fully utilized.
- **Labor and Employment Expertise:** Wishart Law’s dedicated team of lawyers specializes in labor and employment law, with a strong focus on addressing the unique challenges faced by municipalities in these areas.

## Conclusion

After evaluating all available options, Wishart Law’s expertise in municipal law, cost-effective packages, and history of collaboration with municipalities make them the ideal choice for Temagami. Their services ensure compliance with legislative requirements while managing costs effectively, supporting the Municipality’s commitment to fiscal responsibility and sound governance.



### WMG MEMBERSHIP OPTIONS

**1. GOLD PACKAGE 1 - \$24,000 plus HST**

- 4,500 WMG lawyer minutes
- 5% discount on other legal fees for a 3 year term
- Minutes do not expire

**2. GOLD PACKAGE 2 - \$11,781.25 plus HST**

- 2,175 WMG lawyer minutes
- 2% discount on other legal fees for a 3 year term
- Minutes do not expire

**3. SILVER PACKAGE 1 - \$8,458.34 plus HST**

- 1,450 WMG lawyer minutes
- 2% discount on other legal fees for a 1 year term
- Minutes do not expire

**4. SILVER PACKAGE 2 - \$4,083.34 plus HST**

- 700 WMG lawyer minutes
- 1% discount on other legal fees for a 1 year term
- Minutes do not expire