



Law Society
of Ontario

Barreau
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Tab 5

Professional Development & Competence Committee

Professional Development & Competence Division 2019 Annual Program and Resource Report

May 28, 2020

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PROFESSIONAL DEVELOPMENT AND COMPETENCE DIVISION

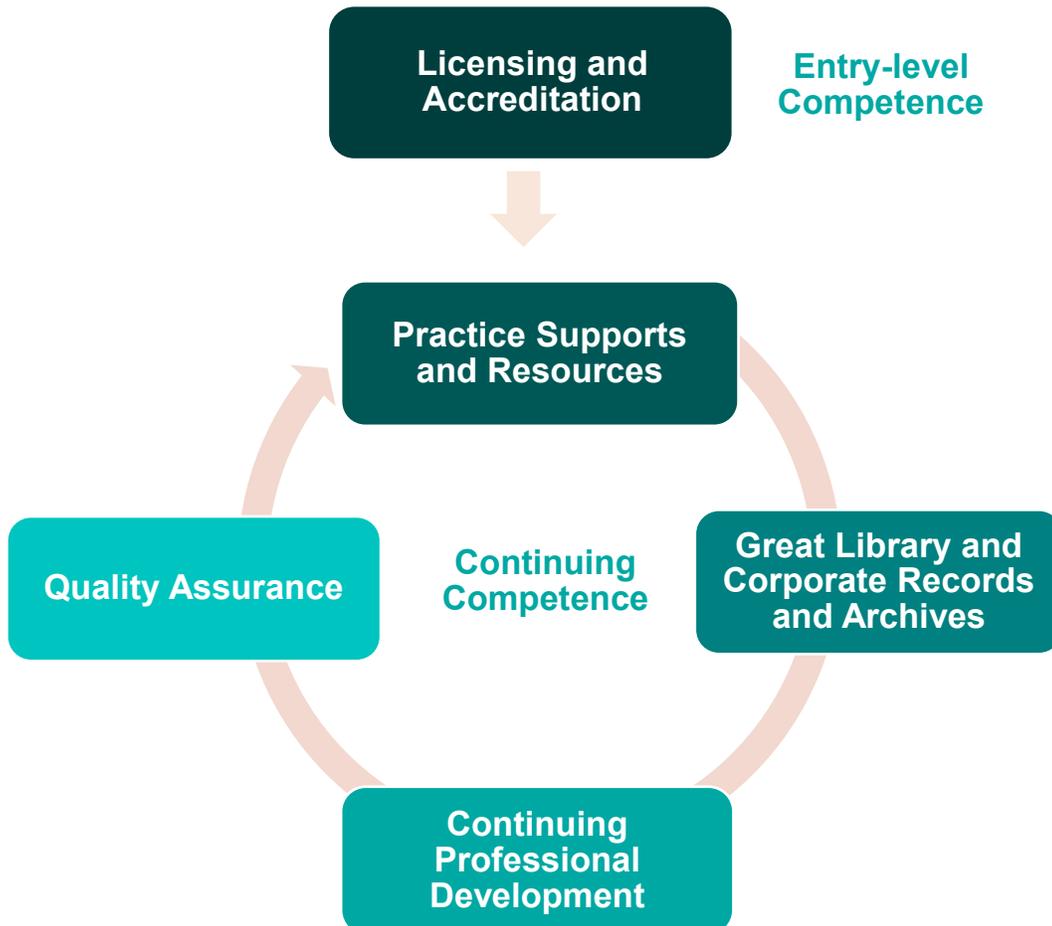
2019 Annual Program and Resource Report

The Professional Development and Competence (PD&C) Division of the Law Society is responsible for all activities relating to licensing, continuing professional development, practice management support, and quality assurance for lawyers and paralegals.

PD&C is made up of the Office of the Executive Director and five areas that support the policy development and operational implementation for all of the Law Society's competence related activities, services, products, and programs.

The Office of the Executive Director continues to provide strategic leadership in these areas. In 2019, staff in the Office of the Executive Director engaged in various cross-divisional or cross-departmental work to support a number of initiatives. Staff conducted research, analysis, planning, implementation, and reporting pertaining to the development of a family legal services licence, new models for licensing examination delivery, and evolving approaches to supporting continuing competence.

This report provides information about core PD&C programs and resources in each of the five areas in PD&C outlined below.



Licensing and Accreditation

LAWYER LICENSING PROCESS

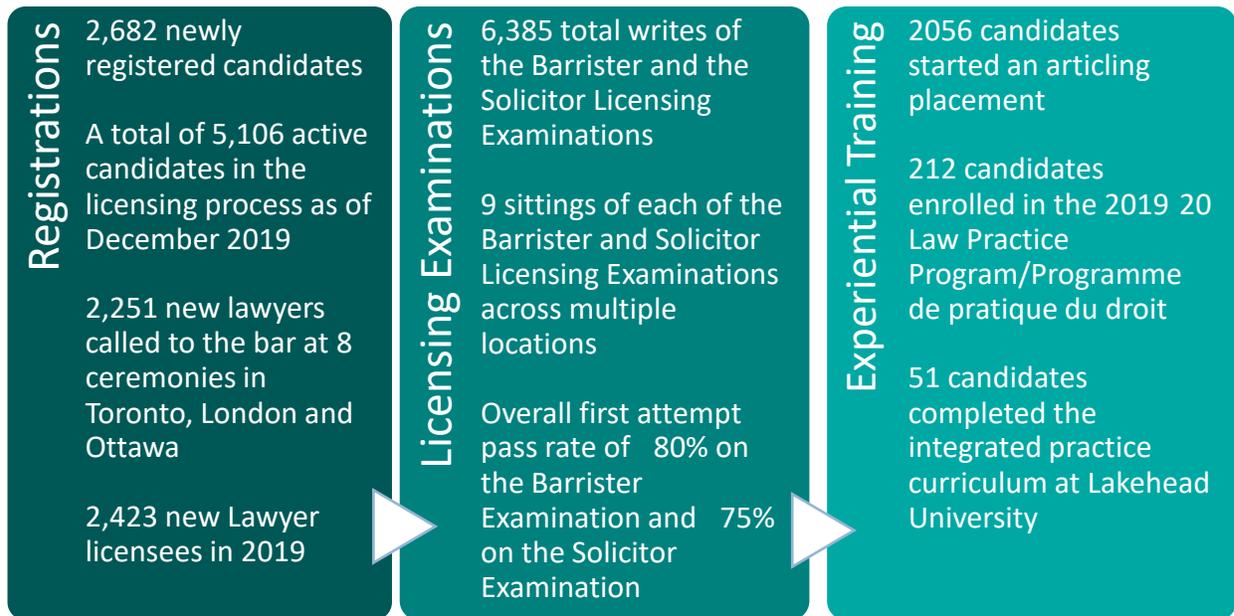
WHAT WE DO

We ensure that lawyer licensing candidates have demonstrated that they possess the required entry-level competencies in order to provide legal services effectively and in the public interest.

The Lawyer Licensing Process consists of a Barrister Licensing Examination and a Solicitor Licensing Examination, experiential training, and a good character requirement.

OPERATIONAL HIGHLIGHTS

- In 2019, approximately 64% of newly registered candidates were graduates from an accredited Canadian law degree program. In comparison, approximately 36% of new registrants obtained their law school degree outside of Canada, representing a 60% increase in the number of international applicants compared to five years ago.
- There are now four experiential training pathways in the lawyer licensing process: articling, the Law Practice Program, the Programme de pratique du droit, and the integrated practice curriculum (Lakehead University). All four pathways are required to fulfill the same entry-level experiential training competencies.



Licensing and Accreditation

PARALEGAL LICENSING PROCESS

WHAT WE DO

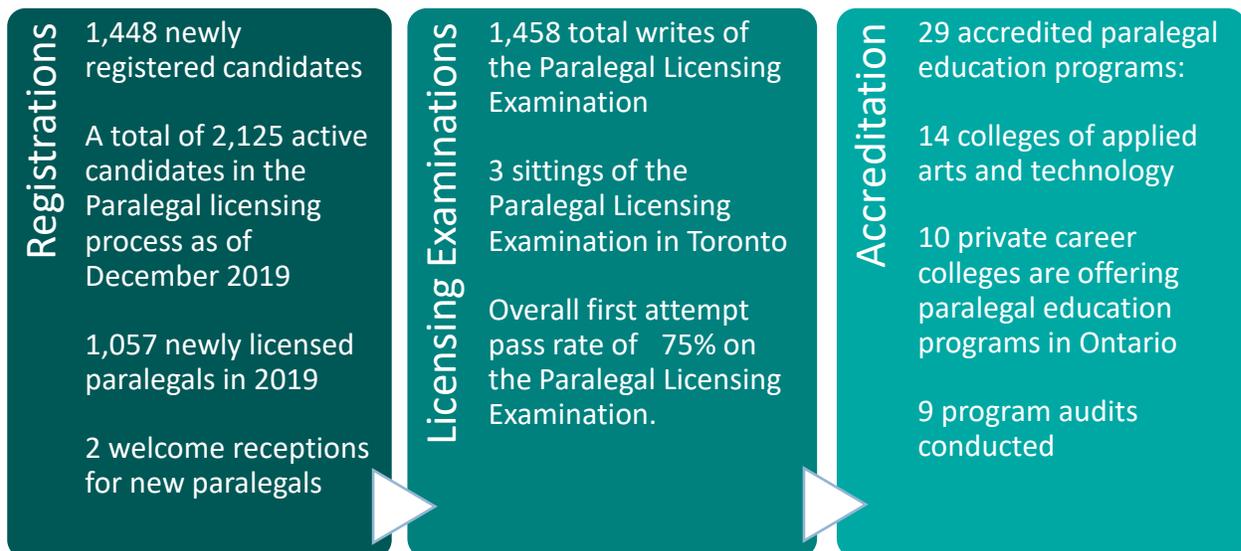
We ensure that paralegal licensing candidates have demonstrated that they possess the required entry-level competencies in order to provide legal services effectively and in the public interest.

The Paralegal Licensing Process consists of a Paralegal Licensing Examination and a good character requirement.

To qualify for admission to the paralegal licensing process, an applicant must have graduated from a Law Society accredited paralegal education program at a college of applied arts and technology or private career college.

OPERATIONAL HIGHLIGHTS

- Accredited paralegal education includes an experiential training component. All registrants must have completed a minimum four-week field placement as part of their accredited paralegal education program.
- Accredited paralegal education programs must comply with Law Society requirements related to quality of instruction, curriculum design and delivery, and assessment best practices. Accredited programs are subject to a Law Society audit every five years.
- In 2019, approximately 77% of candidates registering for licensure as paralegals in Ontario were graduates of accredited paralegal education programs offered by colleges of applied arts and technology, and 33% were graduates of private career colleges.



Licensing and Accreditation

CERTIFIED SPECIALIST PROGRAM

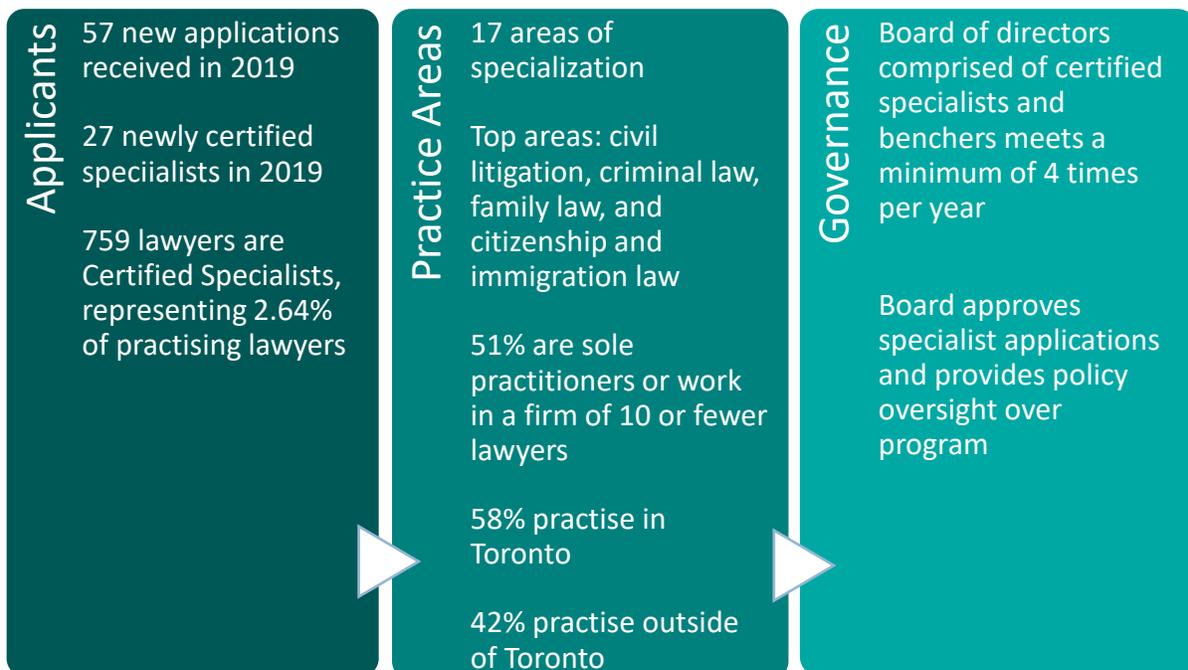
WHAT WE DO

The Certified Specialist Program assists members of the public to identify lawyers who can meet their needs for specialist legal assistance. The program is governed by the Certified Specialist Board. Lawyers seeking a certified specialist designation must submit a detailed application, references, and other supporting documentation to demonstrate their eligibility.

Each area of specialization is extensively developed with support by lawyers recognized as exemplars within the practice areas chosen for the program. The Law Society also seeks out specialists to support periodic review of the standards. These features help ensure the experiential requirements of the program are relevant for assessing an applicant's eligibility for certification.

OPERATIONAL HIGHLIGHTS

- Taxation Law was added as an area of specialization in June 2019. Forty-one percent of newly certified specialists in 2019 were Taxation Law specialists.
- The majority of certified specialists are located in the City of Toronto (58%), and the Regional Municipality of Ottawa-Carleton (10%), followed by Middlesex County (4%), the Hamilton-Wentworth Region (4%), Essex County (3%) and Simcoe County (3%).
- Certified Specialists are permitted to use "C.S." as a post-nominal designation. The C.S. designation is an indication to the public and to colleagues that the specialist has demonstrated elevated standards of competence in their area of practice.



Practice Supports and Resources

COACH AND ADVISOR NETWORK

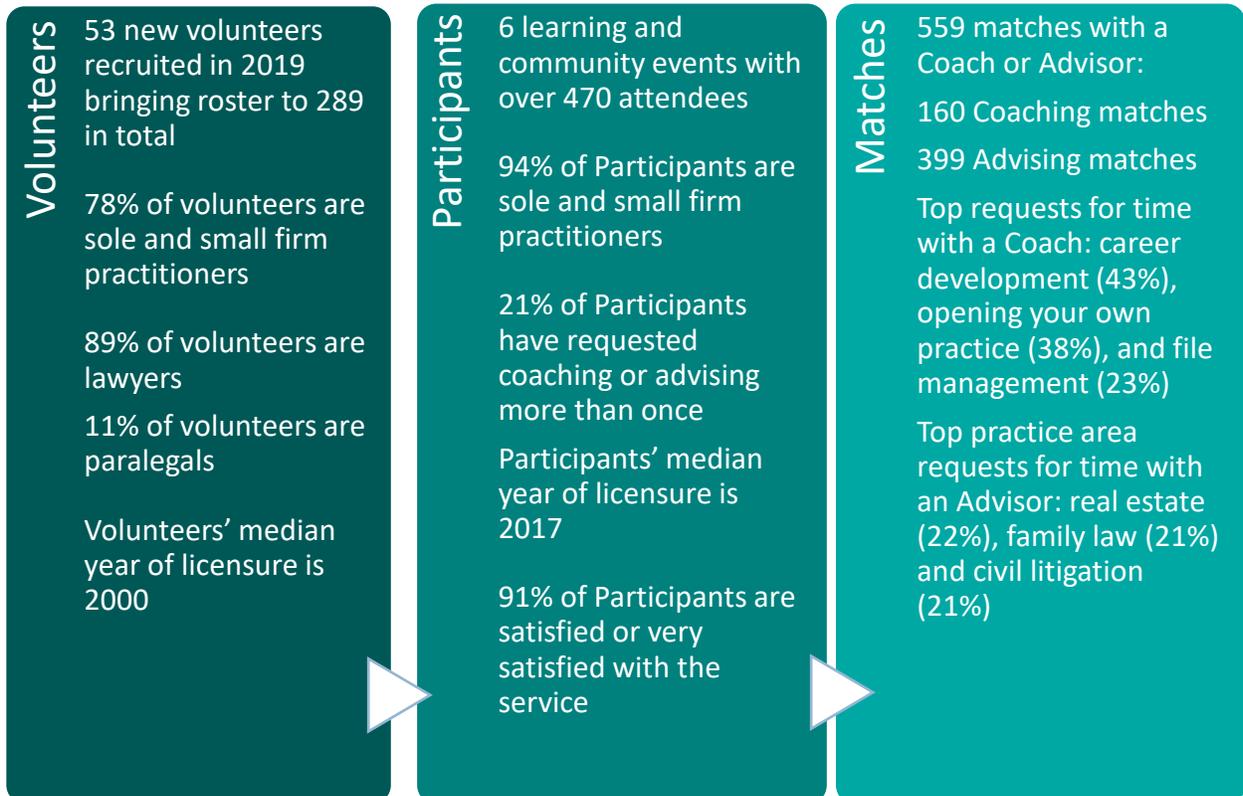
WHAT WE DO

The Coach and Advisor Network provides lawyers and paralegals with access to short-term, outcome-oriented relationships with Coaches and Advisors drawn from the professions. Coaches support the implementation of best practices and Advisors assist with substantive and procedural law inquiries on client files.

In 2019, CAN focused on volunteer engagement and marketing. CAN introduced monthly newsletters, virtual onboarding, and town hall sessions for volunteers. CAN launched the CAN Community volunteer webpage delivering on-demand access to multi-media, self-study modules on risk management, advising, and coaching skills.

OPERATIONAL HIGHLIGHTS

- CAN has introduced a new podcast series called “Things CAN Change” that will explore topics related to setting goals, building resilience, and professional growth.
- CAN has launched a new Management Coaching 2020 Program with a focus on coaching for leaders of smaller firms.
- CAN accepts volunteer applications from all lawyers and paralegals entitled to practise law or provide legal services in Ontario. Licensees who have left the practice are able to stay connected with the professions and share their experience with colleagues.



Practice Supports and Resources

PRACTICE MANAGEMENT HELPLINE

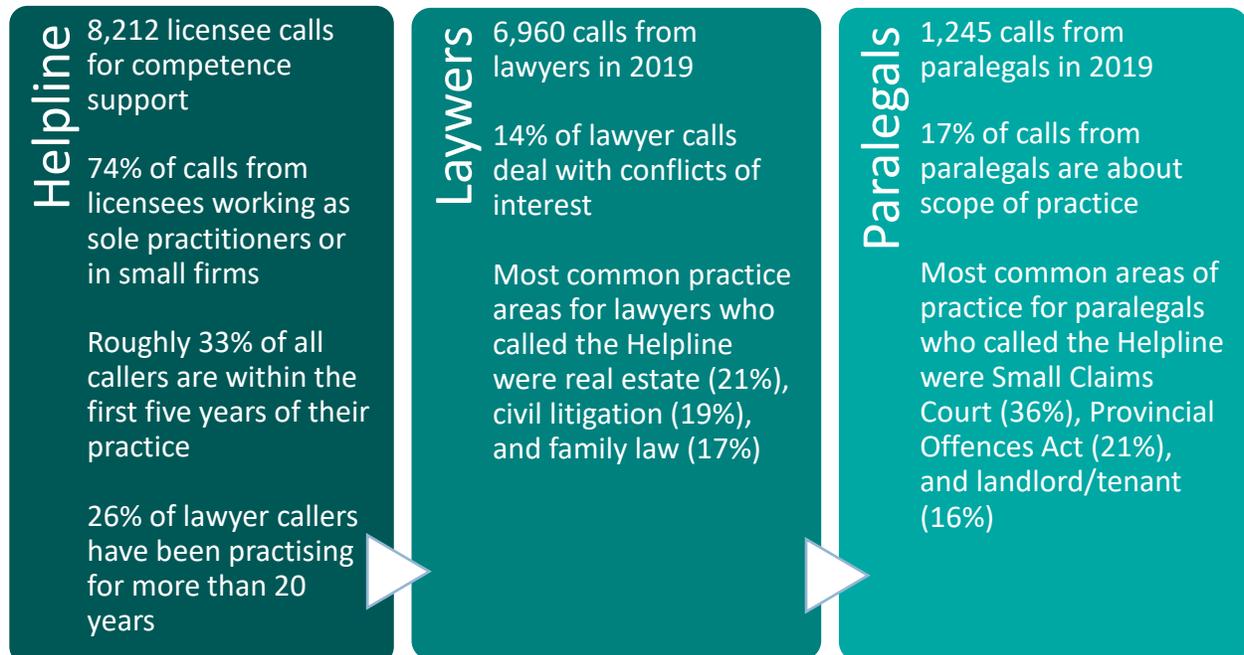
WHAT WE DO

The Practice Management Helpline is a confidential telephone service that answers questions about the *Rules of Professional Conduct*, the *Paralegal Rules of Conduct*, and other professionalism and practice management topics. The Helpline provides “just in time” guidance and information to enable callers to make informed decisions, often at a critical juncture in a file or in their practices.

Helpline counsel and representatives currently support over 130 Law Society of Ontario practice management and professional responsibility resources. These resources include Practice Management Guidelines, Practice Guides, Frequently Asked Questions, checklists, articles, and other tools. In 2019 the most popular resource topics were Bookkeeping, Identification and Verification, Retainer or Non-Engagement, and File Retention and Destruction.

OPERATIONAL HIGHLIGHTS

- Inquiries are returned by telephone within one business day in most cases.
- Licensees can now reach the Helpline directly by selecting the Helpline option on the Law Society’s Licensee Inquiry Line. Licensees may also leave confidential voicemails after hours.
- The Helpline’s new triaged voicemail system creates administrative efficiencies and allows licensees to directly escalate urgent matters.

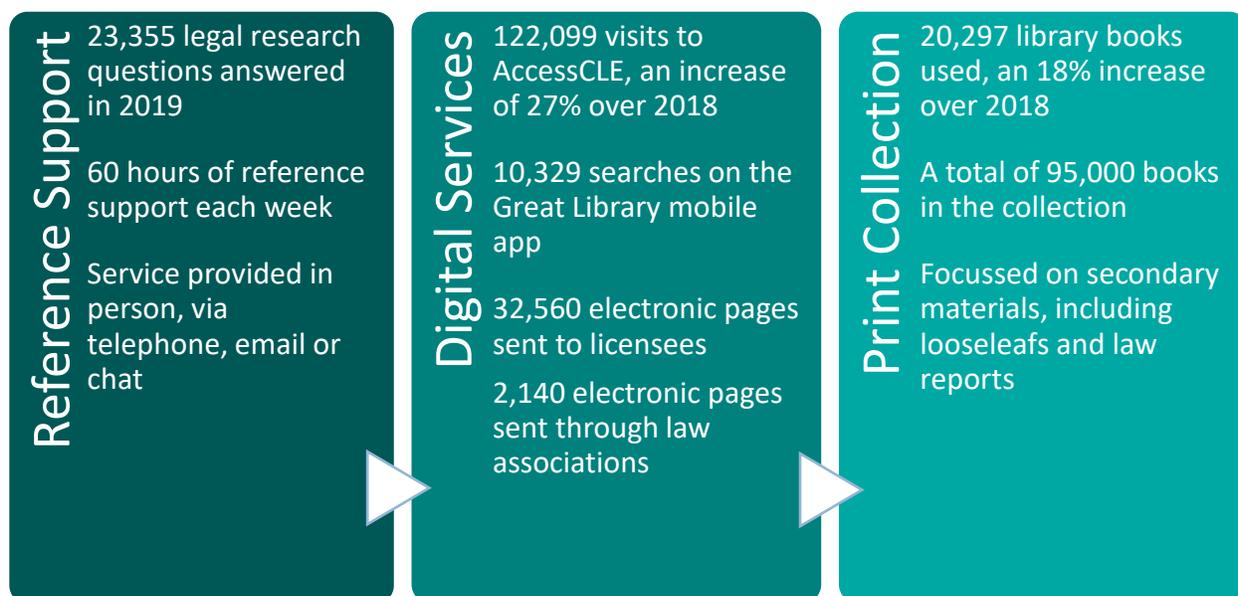


WHAT WE DO

We support legal research and information needs of licensees in accordance with the Law Society's competence mandate. While the Great Library has operated out of Osgoode Hall for 160 years, services are increasingly designed to leverage technology tools and platforms to make legal information accessible to licensees more broadly. Lawyers and paralegals across the province can use the Great Library's services in person and remotely. Lawyers who belong to through their local law associations can also access services through their county law libraries.

OPERATIONAL HIGHLIGHTS

- The Great Library mobile app has been available for four years. The app can be downloaded from the iTunes and Google Play stores, allows researchers to search a wide variety of resources, including the library's Advocat catalog.
- Licensees can use AccessCLE to get a quick update on practice area topics right from their desks. AccessCLE is a full-text, searchable website of all articles and materials from Law Society continuing professional development programs. The collection is free to access and download in PDF format and extends back to 2007.
- Lawyers and paralegals can access law journals remotely through a HeinOnline subscription that is available to all licensees province wide.
- In recent years, the Great Library has been focused on optimizing its physical space to provide more research space for licensees. In addition, the library now has two meeting rooms to allow licensees to meet with clients. Both rooms are equipped with Wi-Fi access and a projector.



Corporate Records and Archives

RECORDS RETENTION AND THE LAW SOCIETY'S HISTORY

WHAT WE DO

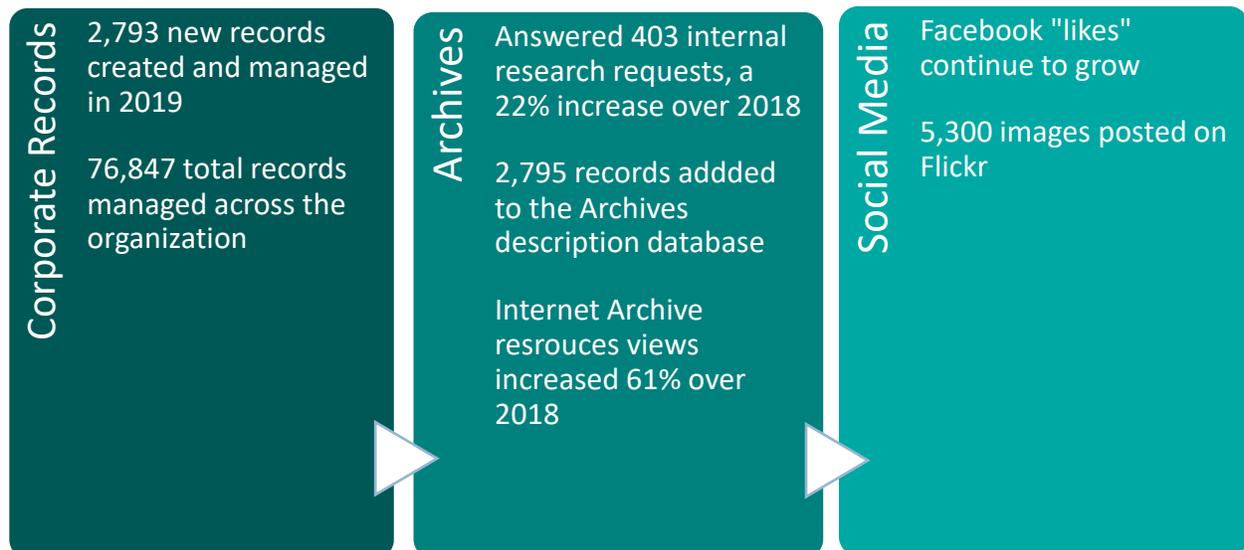
The Corporate Records and Archives manage the life-cycle of business documents generated by the Law Society, including managing the retention policy and processes of corporate documents. Corporate Records acquires, arranges, describes and makes available records that detail the development and operation of key Law Society functions.

The Archives team oversees documents and other artifacts of historical significance to the Law Society and Ontario's legal professions. Archives participates in the Internet Archive project

In 2019, Corporate Records and Archives provided extensive support to Law Society staff. The team supported a significant increase in information requests from Convocation. They continued the SharePoint records management roll out on the Law Society's critical corporate documents.

OPERATIONAL HIGHLIGHTS

- Corporate Records and Archives began using social media in 2009 when it opened a Flickr site as a means of sharing historic photographs in its collection. Over the years, the department has added Facebook, YouTube and Instagram accounts in order to promote the Law Society's archives, its holdings, and Ontario's legal history.
- The Archives team's Flickr account is part of the Flickr Commons, a specialized area focused on galleries, libraries, archives, museums, and governmental institutions.



Continuing Professional Development

CPD PROGRAMS

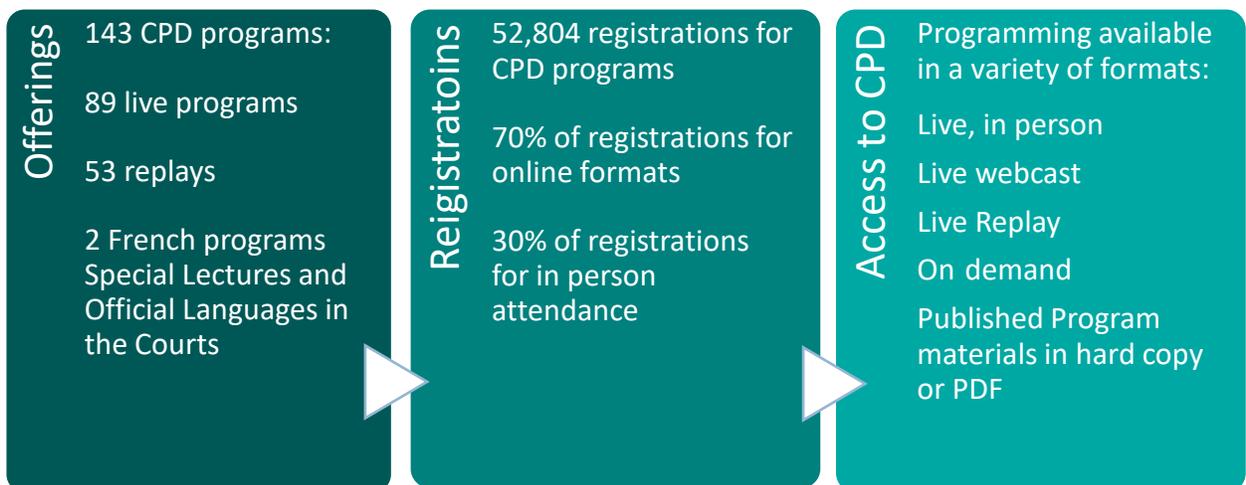
WHAT WE DO

The Continuing Professional Development (CPD) department provides peer-led learning programs to lawyers and paralegals to help them maintain and improve their professional knowledge and competence. In 2019, more than 90 programs were offered to licensees on topics of substantive and procedural law, and professionalism, ethics, and practice management.

Program delivery methods are varied to address a wide variety of learning preferences and include comprehensive, multi-day Summits as well as shorter, webcast-only sessions that concentrate on emerging issues. CPD Programs promote interactive learning through question and answer sessions, roundtable discussions, reflective exercises, and polling techniques.

OPERATIONAL HIGHLIGHTS

- The Law Society held the 2019 Special Lectures last fall. This two-day program, entitled “Innovation, Technology and the Practice of Law” attracted over 400 participants. Knowledgeable presenters with varied perspectives explored the challenges and opportunities of technology in the legal sphere, and how it can aid in facilitating access to justice.
- The CPD Department completed and made available a free online course to address the issues of Equality, Diversity, and Inclusion in the legal professions. The course is available in English and French. By the end of 2019, there were more than 5,000 downloads of the online course.
- Content relating to ethics, practice management and professional responsibility is a prominent component of Law Society programming. Licensees can access this content by attending programs on specific professionalism topics or by attending substantive sessions that integrate relevant professionalism topics.
- The CPD department is working on creating learning modules that are responsive to licensee needs for shorter, focussed programs on discrete topics. This new line of offerings is expected to be available by the fall of 2020.



Quality Assurance

SPOT AUDIT AND PRACTICE REVIEW PROGRAMS

WHAT WE DO

The Law Society’s spot audit and practice review programs are quality assurance activities that ensure competence of the legal professions in the public interest. The programs provide proactive, remedial support to lawyers and paralegals and ensure compliance with Law Society rules and requirements.

Spot Audit assesses a law firm’s compliance with the Law Society’s financial record-keeping requirements. Law firms are selected for an audit based on approved risk criteria that include firm size, area of practice, newly formed practices and other financial indicators. Sole practitioners and two-lawyer firms with a real estate practice are audited every 5 years, other sole practitioners and small firms are audited every 7 years, and mid-sized and large-sized firms are audited every 10 years.

The Lawyer Practice Review Program addresses an individual lawyer’s practice management activities. Since 2009, the program has been comprised of random reviews (lawyers who were called within the past 8 years), focused reviews (lawyers selected for a review due to cause) and re-entry reviews (lawyers re-entering private practice as a sole practitioner or in a small firm after 5 years). Practice Audits are combined financial audit and practice management reviews conducted on paralegal practices and began in 2008.

OPERATIONAL HIGHLIGHTS

- Practice reviewers provide practical suggestions on how to maintain a practice at optimal levels, leading to increased efficiencies, high quality service, and greater lawyer and client satisfaction. The percentage of practice management deficiencies in most key areas has declined over time for lawyers and paralegals.
- Quality Assurance staff have been involved in a number of outreach initiatives, such as podcasts and presentations, which are aimed at making licensees more aware of the importance of effective practice management processes.
- Approval ratings for the quality assurance programs are very high, with ~95% of licensees indicating that they found the process to be constructive and valuable.

