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# Professional Development & Competence Division 2023 Program and Resource Report

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Priya Bhatia  
Executive Director,  
Professional Development & Competence  
pbhatia@lso.ca

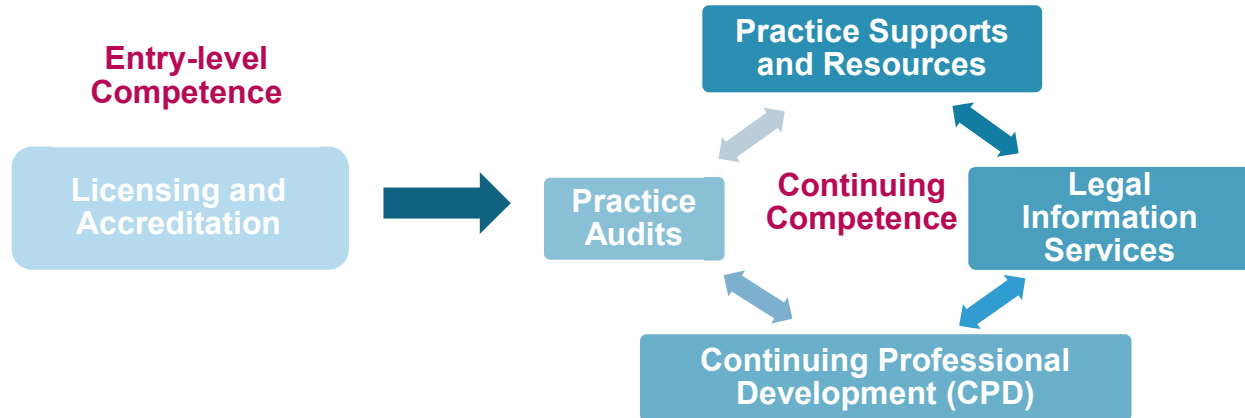


Law Society  
of Ontario

Barreau  
de l'Ontario

## Overview

The Professional Development and Competence (PD&C) division of the Law Society is responsible for “cradle to grave” competence of lawyers and paralegals, in the public interest. PD&C is made up of the Office of the Executive Director and five departments that support the policy development and implementation of the Law Society of Ontario's competence activities that include licensing, continuing professional development, practice management support, legal information, and quality assurance.



Throughout 2023, PD&C remained focused on facilitating the competence of lawyers and paralegals from the outset of their legal careers and beyond, across multiple practice areas and settings. We supported an array of offerings and initiatives, including:

**Entry-level Competence** – PD&C implemented several measures to support entry-level competence of candidates in the licensing process and of new licensees. We launched enhancements to experiential training to support meaningful and effective placements and fair working conditions for candidates. We updated the paralegal version of the Bridge to Practice course library with improved navigation features and user-friendly design and are planning for similar changes to the lawyer version in early 2024.

**Continuing Competence** – We developed CPD programs, checklists, FAQs, and provided Practice Management Helpline assistance to facilitate licensee compliance with client identification and verification requirements that came into effect on January 1, 2024. We also devoted time and resources from across the division to developing and creating the mandatory practice essentials course, *Foundations of Sole Practice*, that is aimed at the needs of new sole practitioners and which will launch in early 2025. We provided licensees and articling candidates with training, orientation, and tours of the services and facilities offered by the Great Library, facilitating access to legal information and research tools.

Looking ahead to 2024, PD&C will embark on significant innovation across many of its programs and platforms as part of the Law Society's Business and Technology Transformation Initiative and our commitment to continuous improvement. We look forward to embracing fresh approaches that will enhance our ability to support the competence of lawyers and paralegals as a modern regulator.

# Licensing and Accreditation

## Lawyer Licensing Process

The Lawyer Licensing Process ensures that lawyer candidates have demonstrated that they possess the required entry-level competencies to provide legal services effectively and in the public interest. The process consists of a Barrister licensing examination, Solicitor licensing examination, experiential training, and a good character requirement. There are multiple pathways to fulfill the experiential training component – articling, the Law Practice Program or Programme de pratique du droit, or graduation from an integrated practice curriculum program.

In 2023, we implemented a number of enhancements to experiential training designed to improve the quality of placements and facilitate fair working conditions for candidates.

- Mandatory Minimum Compensation for articling, Law Practice Program and Programme de pratique du droit placements came into effect on May 1, 2023. We created a policy to support the requirement and a process for seeking exemptions.
- We launched the Guide to Experiential Training, a new orientation program for candidates, principals, and supervisors. This series of online learning modules, videos, and resources supports effective experiential training by providing tips and best practices that addressing common challenges that arise during placements.
- We began proactively following up with candidates whose placements ended prematurely to provide them with appropriate supports and referrals.

### Registrations

- 2,814 newly registered lawyer candidates
- 61% graduated from a Canadian law degree program
- 39% graduated from law school outside of Canada

### Licensing Examinations

- A total of 7,679 examinations written, an increase of 13% compared to 2022, due to a higher number of multiple examination attempts

2023 First Attempt Success Rates – Lawyer Licensing Examinations			
	Overall	JD/LLB	Internationally trained (NCA)
Barrister	78%	88%	58%
Solicitor	70%	81%	50%

**2023 Highlights**

6,324 active candidates in the Lawyer Licensing Process

Just over half (52%) of articling placements were 10 months long

The vast majority of placements are meeting or exceeding Mandatory Minimum compensation

Over 325 principals, supervisors, and candidates accessed the Guide to Experiential Training

## Experiential Training Pathways

- 2,145 candidates started an articling placement
- 257 candidates enrolled in the 2023-2024 Law Practice Program at Toronto Metropolitan University
- 8 candidates enrolled in the 2023-2024 Programme de pratique du droit at the University of Ottawa
- 189 candidates completed the Integrated Practice Curriculum and applied to the licensing process (53 Lakehead, 136 Toronto Metropolitan University)

## Calls to the Bar

- 9 ceremonies held in Toronto Ottawa and London
- 1,960 new lawyers licensed via ceremonial call to the bar
- 594 new lawyers licensed via administrative call to the bar
- A total of 2,554 newly licensed lawyers

## Paralegal Licensing Process

The Paralegal Licensing Process ensures that paralegal candidates have demonstrated that they possess the required entry-level competencies to provide legal services effectively and in the public interest. The process consists of a Paralegal licensing examination and a good character requirement. Applicants must have graduated from a Law Society accredited paralegal education program at a college of applied arts and technology or a private career college. Accredited paralegal education programs must comply with requirements related to the quality of instruction, curriculum design and delivery, and assessment best practices. Accredited programs must also include experiential training in the form of a field placement. The Law Society requires accredited programs to seek approval of major changes and conducts program audits every five years.

In February 2023, Convocation approved a plan to strengthen paralegal education to improve entry-level competence of new paralegals. These enhancements build on the robust education framework that is already in place and include additional instructional hours in key courses, longer field placements, higher qualification standards for program coordinators and faculty, and increased transparency of licensing examination outcomes. Since the recommendations were approved, we have been engaging with representatives from paralegal colleges to support awareness and implementation of the new requirements that will take effect later this year and into 2025.

## Registrations

- 1,279 newly registered paralegal candidates in the licensing process
- 77% were graduates from a college of applied arts and technology
- 23% were graduates from a private career college

### 2023 Highlights

2,740 active candidates in the Paralegal Licensing Process

7 program audits conducted

910 newly licensed paralegals

2 welcome receptions for newly licensed paralegals held at the Law Society

## Licensing Examinations

- A total of 1,587 paralegal examinations written

2023 First Attempt Success Rates – Paralegal Licensing Examination		
Overall	Community College	Private College
68%	64%	49%

## Accreditation

- 37 accredited paralegal education programs at campuses across Ontario
- 14 colleges of applied arts and technology are offering paralegal education
- 8 private career colleges are offering paralegal education
- 1 new application for accreditation in progress

## Certified Specialist Program

The Certified Specialist Program assists members of the public to identify lawyers who can meet their needs for specialist legal representation and assistance. 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 developed with the support of lawyers recognized as exemplars within the practice areas chosen for the program. The program is governed by the Certified Specialist Board, comprised of certified specialists and benchers.

The Certified Specialist Program remained under review during the past year. In November 2023, following an extensive consultation with the professions and stakeholders, Law Society Convocation approved the continuation of the program, with modifications that are responsive to the feedback received during the review. These include a requirement that all certified specialists undertake an additional 10 hours of CPD in their area of specialty, beginning in 2025, and exploration of the opportunities for paralegals to participate in the program.

## Applications

- 16 new applications received
- 9 new certified specialists approved

## Practice Areas

- A total of 721 certified specialists, which is 1.2% of practising lawyers
- 17 areas of specialization
- Top areas are civil litigation, criminal law, citizenship and immigration law, family law, and environmental law

## Practice Settings

- 51% of specialists are sole practitioners or work in a firm of 10 or fewer lawyers
- 57% of specialists practise in Toronto
- 44% of specialists practise outside of Toronto

# Practice Supports and Resources

## Coach and Advisor Network

The Coach and Advisor Network (CAN) was introduced in 2016 in recognition of the critical importance of peer support and mentorship in facilitating continued professional competence. CAN 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 skills development, and advisors assist with substantive and procedural law inquiries on client files.

In 2023, CAN supported 856 engagements, representing a return to 2021 volumes. Most engagements continue to be advising (77%), with coaching engagements steady at 23% of all activity. Paralegal engagements increased by 7% overall in 2023: paralegals participated in 15% of advising engagements and 25% of coaching engagements. Feedback on CAN remains extremely positive, with 90% of participants likely to recommend CAN to other licensees.

Over the past year, CAN conducted a thorough review of its volunteer roster to identify areas of need and to optimize matches. As a result, 127 new volunteers were recruited to the program. Both volunteers and participants may count their time involved in CAN towards the annual CPD requirement, including Professionalism hours and EDI hours, provided they fulfill the criteria and receive accreditation by the Law Society.

### Volunteers

- Total roster of 498 licensees
- 83% are lawyers
- 17% are paralegals
- 82% are sole and small firm practitioners

### Participants

- 709 lawyer participants, 147 paralegal participants
- 90% are sole and small firm practitioners
- 57% have requested coaching or advising more than once in the calendar year

### Matches

- 663 advisor engagements
- Top areas for advising: family law (29%), civil litigation (22%), and real estate (22%)
- 193 coaching engagements
- Top areas for coaching: career development (58%), opening your own practice (58%) and firm management (35%)

## CAN Testimonials

“This is a great resource for lawyers, especially ones who are newer to the practice and are a sole practitioner like myself. I have recommended this program to many of my friends who are just starting out.”

“I feel I have gained a mentor, ally, and friend going forward. Can't say enough good things about my advisor. He really took the time to understand my professional predicament and think through the issues with me.”

“As a new paralegal starting out, it is difficult to find a mentor with the time to offer you, so I would definitely refer the option for a CAN advisor to a colleague.”

## Practice Management Helpline

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. Inquiries are returned by telephone within one business day in most cases. User satisfaction is extremely high, with 97% of callers indicating that they would recommend the Helpline to others.

In 2023, PD&C launched 25 new resources to provide practical guidance on a variety of practice management issues. New offerings available on the LSO’s website include:

- Employee Delegation and Supervision Quick Reference Guide
- FAQs About Wire Transfers
- FAQs about Confidentiality
- Business Structures Comparison Chart
- Payment Methods Practice Note
- Non-engagement Checklist and sample letters

In addition, we focused on updating the Technology Resource Centre, an online library of videos, tips, FAQs, and CPD programs aimed at improving technology competence that launched in 2022. A total of 66 new links were added to the resources, tutorials and training, an CPD sections of the Resource Centre. We developed a new Authentication Technology section to assist licensees with compliance with the Law Society’s virtual verification with authentication requirement that came into effect on January 1, 2024. In addition, there were 970 downloads of the Law Society’s Technology Practice Tips Podcasts dealing with topics such as managing mail, writing apps, and social media.

### Helpline Inquiries

- 9,414 inquiries in total
- 67% from licensees working as sole or small firm practitioners
- 53% are within their first five years of practice
- 21% have been practising for more than 20 years

### Lawyers

- 7,720 inquiries (77%) from lawyers
- Top areas of inquiry are conflicts of interest, trust accounts, client identification and verification
- Most common practice areas civil litigation (18%), wills and estates (12%), family law (10%), and corporate law (10%)

### Helpline Testimonials

“I can attest to the unwavering excellence of the Practice Management Helpline. The team consistently goes above and beyond to provide expert guidance tailored to the unique challenges faced by legal professionals.”

“Having the ability to get a quick second opinion so that you’re not second guessing yourself is so incredibly valuable. It supports self-care and mental health in the profession.”

“The person I spoke with was compassionate and empathic, and after the call I felt a sense of relief about my issue but I also felt good about being part of an organization with this service available.”



## Paralegals

- 1,569 inquiries (17%) from paralegals
- Top area of inquiry is paralegal scope of practice, commissioning, and trust accounts
- Most common practice areas for callers were Small Claims Court (15%), landlord and tenant (13%), and criminal/quasi criminal (16%)

# Great Library

## Legal Information Services

The Great Library supports legal research and information needs of licensees in accordance with the Law Society's competence mandate. Lawyers and paralegals across the province can use the Great Library's services in person and remotely. Lawyers who belong to their local law associations can also access services through their law association libraries.

While the Great Library has operated out of Osgoode Hall for over 160 years, services are increasingly designed to leverage technology tools and platforms to make legal information accessible to licensees more broadly. Some of the digitally enabled services offered by the Great Library are as follows:

- The Great Library operates *AccessCLE*, a free, full-text, searchable website of all articles and materials from Law Society continuing professional development programs dating back to 2007.
- The Great Library has a mobile app that can be downloaded from iTunes and Google Play stores and allows researchers to search a wide variety of resources, including the library's catalog.
- Lawyers and paralegals across the province can access law journals remotely through a *HeinOnline* subscription.

## Reference Support Testimonials

"Thank you for taking the time to meet with me and for sharing your invaluable insights on constructing point-in-time consolidation of statutes. Our conversation was incredibly helpful..."

"As a sole practitioner, the access to quality research materials that you provide is invaluable, and it's a benefit that gets conveyed to the clients of lawyers like me, most of whom could never afford to hire layers at large firms with their own well-financed libraries."

Legal research support remains one of the most utilized services offered by the Great Library and is accessed by lawyers, paralegals, articling candidates, courthouse staff, and members of the public. Since 2021, there has been a 35% increase in the volume of legal research questions. In 2023, 57% of these



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questions were asked online, and 43% were asked in person, a 21% increase in the number of in-person inquiries compared to the previous year.

### Reference Services

- 10,309 legal research questions answered
- 45 hours of reference support each week
- 96,046 electronic pages sent to licensees
- 1,057 electronic pages sent to law associations

### Digital Services

- 113,171 visits to *AccessCLE* (Jan- Sept 2023)
- 2,821 searched on Great Library mobile app
- 345,237 website page views, a 140% increase compared to 2019

### Physical Collection

- 92,867 books in the collection
- 6,420 library books consulted
- 11,077 pages copied by library users

## Corporate Records and Archives

### Records Retention and the Law Society's History

The Corporate Records and Archives team manages 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 Law Society's Archives department was established in 1982 to preserve the heritage of the legal profession in Ontario. The Archives team oversees documents and other artifacts of historical significance to the Law Society and Ontario's legal professions. Archives serves as a resource to Law Society staff, the legal professions, and the public. The Law Society also participates in the Internet Archive project, which is a global, online collection of free content available to the public.

Corporate Records and Archives recently implemented a digital preservation system to ensure long term access to the Law Society's electronic records. Over 17,500 records were preserved over the past year, including Convocation minutes and transcripts, committee agendas, annual reports, photographs, periodicals, and licensee records. The team also upgraded the archival records databases to a cloud-based system as part of the Law Society's modernization and

### Social Media Engagement

Over 1,500 Instagram followers

11,042 Internet Archives resource views, a 34% increase from 2021

Over 6,600 YouTube views

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move away from on-premises storage. In March of 2023, we launched a public user interface that greatly enhances user access to the Law Society's archival collection. There are now over 35,000 digital records preserved within the system.

### **Corporate Records**

- 3,636 new records created and managed, a 32% increase compared to the past five-year average
- 87,712 total records managed across the organization

### **Archives**

- Supported ~293 research requests
- 5,381 archival images posted on Flickr
- Over 539,000 Flickr views

In 2023, we launched an online timeline tracing the history of the lawyer and paralegal oaths: [Timeline | Law Society of Ontario \(lso.ca\)](#).

## **Continuing Professional Development**

The Continuing Professional Development (CPD) department provides peer-led education programs for lawyers and paralegals to enhance and maintain competence. Volunteers from the professions contribute to learning sessions covering a range of substantive and procedural legal issues as well as professionalism, ethics, and practice management. All CPD programs are available online as live and/or on demand recorded programs. The majority of programs are two hours or half-day in length to ensure that programs are accessible to busy practitioners.

In 2023, we continued to provide innovative and responsive programming to support lawyers and paralegals in delivering competent legal services in the public interest. In-person attendance was available for several programs, however licensee preference for online attendance has persisted well beyond the COVID-19 pandemic. Approximately 94% of program attendance over the past year took place online.

We refreshed the Bridge to Practice (B2P) library of free course modules for newly licensed paralegals with enhanced navigation features and user-friendly design. B2P is a collection of archived programs focused on the needs of new practitioners, including topics such as setting up a practice, delivering effective client service, and managing professional responsibility obligations. A similar update will be rolled out for the lawyer version of the tool in 2024. In 2023, there were 1,367 downloads of lawyer content and 553 downloads of the paralegal content available through B2P.

### CPD Offerings

- 71 live programs, including 4 in French
- 64 program replays, including 2 in French
- 4 on-demand only programs, including 1 in French
- 41 free Lawyer Bridge to Practice offerings
- 28 free Paralegal Bridge to Practice offerings

### CPD Registrations

- 41,463 registrations for paid offerings
- 23,570 registrations for free offerings

### CPD Programs for Paralegals

- Tribunal Practice and Procedure – 273 registrants
- Views from the Bench – 144 registrants
- The Mechanics of Writing Well: Grammar and Punctuation Booster for Paralegals – 255 registrants
- Provincial Offences: Practice and Procedure for Paralegals 2023 – 183 registrants
- Introduction to Statutory Accident Benefits for Paralegals – 69 registrants
- Best Practices for Paralegals Dealing with Self-Represented Parties – 75 registrants
- WSIB Law for Lawyers and Paralegals 2023 – 230 registrants
- Advocacy Workshop for Paralegals – 135 registrants
- The 12-Minute Paralegal – Trending Topics – 392 registrants

### 2023 CPD Programs of Interest

Mental Health Summit for Legal Professionals 2023 (free program) – 7,590 registrants

20<sup>th</sup> Real Estate Summit – 2,157 registrants

Anti-Money Laundering Best Practices (2 free programs) – 2,787 registrants

Equity, Diversity and Inclusion for Indigenous Peoples 2023 – 814 registrants

Managing Conflict in the Legal Workplace and Building a Stronger Team – 472 registrants

Sleep and Your Wellness – 610 registrants

10 Tech and Cyber Security Highlights – 135 registrants

## Practice Audits

### Spot Audit and Practice Review Programs

The Law Society's Spot Audit and Practice Review programs are quality assurance activities that proactively ensure competence of the legal professions. The programs provide remedial support to lawyers and paralegals and ensure compliance with LSO rules and requirements.

- Spot Audits assess a law firm's compliance with the LSO's financial record-keeping requirements. Law

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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.

- The Lawyer Practice Review Program addresses an individual lawyer’s practice management activities. The program is comprised of random reviews, focused reviews, and re-entry reviews.
- The Paralegal Practice Review Program is a combined financial audit and practice management review of a paralegal practice.

In 2023, the Law Society implemented a check up audit program for law firms that have demonstrated compliance with the LSO’s financial and bookkeeping requirements during a previous audit and whose practices are considered lower risk. A check up audit is focussed primarily on the law firm’s trust accounts, compared to a full scope audit which will examine a broader range of financial records as well as relevant client files. This proportionate approach is a more efficient use of Law Society resources and allows for a greater focus on practices that present greater risk. In 2023, over 75% of firms that underwent a check up audit met Law Society standards and were closed, 14% were subject to additional monitoring, and 7% were referred for investigation. These outcomes reflect a slightly higher level of compliance with Law Society requirements than for the full scope audit program.

Over the past year, the Spot Audit and Practice Review programs have been focussed on streamlining processes as part of the Law Society’s Business and Technology Transformation Initiative. Modifications are being introduced to increase program efficiency and effectiveness and to prioritize areas of risk. This work will continue in 2024.

Auditors and reviewers participated in a number of outreach initiatives to share practice management expertise with the legal professions. We presented at the Law Society’s Sole and Small Firm Conference, a variety of CPD programs, and legal association events.

#### **Spot Audits**

- 487 law firm audits, including 71 check up audits
- 71% of law firms had minor or no books and records deficiencies and 23% had deficiencies that were remediated
- 6% had serious books and records deficiencies

#### **Practice Reviews – Lawyers**

- 204 lawyer practice reviews
- 79% of initial reviews met standards of professional competence
- 21% of reviews required a follow-up, resulting in 99% compliance

#### **Practice Reviews – Paralegals**

- 71 paralegal practice reviews
- 51% of initial reviews met standards of professional competence
- 49% of reviews required a follow-up, resulting in 100% compliance

### **2023 Highlights**

97% of licensees responding to post-engagement surveys found the programs to be constructive and valuable

Spot auditors delivered a course on law office accounting to second year law students at the Lincoln Alexander School of Law at Toronto Metropolitan University