



**TAB 8**

## **Report to Convocation September 27, 2018**

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### **Paralegal Standing Committee**

#### **Committee Members**

Robert Burd (Chair)  
Janis Criger (Vice-Chair)  
Gisèle Chrétien  
Suzanne Clément  
Cathy Corsetti  
Ross Earnshaw  
Michelle Haigh  
Brian Lawrie  
Marian Lippa  
Susan McGrath  
Jonathan Rosenthal  
Baljit Sikand  
Anne Vespry

**Purpose of Report: Information**

**Prepared by the Policy Division  
Will Morrison (416-947-3314)**

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### **COMMITTEE PROCESS**

1. The Paralegal Standing Committee (the "Committee") met on September 12, 2018. In attendance were Robert Burd (Chair), Janis Criger (Vice-Chair), Gisèle Chrétien (by telephone), Suzanne Clément, Cathy Corsetti (by telephone), Ross Earnshaw, Michelle Haigh, Marian Lippa, Susan McGrath, Jonathan Rosenthal, Baljit Sikand, and Anne Vespry.
2. Treasurer Malcolm Mercer, Bencher Heather Zordel, and Law Society staff members Diana Miles, Cara-Marie O'Hagan, Priya Bhatia, Michelle Ryan, Anne-Katherine Dionne, Marian MacGregor, and Will Morrison also participated in the meeting.

**FOR INFORMATION**

**2018 PARALEGAL ANNUAL REPORT**

3. The amended 2018 Paralegal Annual Report (PAR) is shown at **TAB 8.1.1** for Convocation's information.

**Background**

4. Subsection 5(1) of By-Law 8 requires that every licensee file a report with the Law Society by March 31 of each year, in respect of the licensee's professional business during the preceding year; and the licensee's other activities during the preceding year related to the licensee's practice of law or provision of legal services.

**Substantive Amendments**

5. The substantive amendments to the 2018 PAR at **TAB 8.1.1** are described below:
  - a. Section 1 – Identification: Tagalog and Tamil have been added to the languages in question 4.
  - b. The Demographic Survey in Section 2 has been merged with the Equality, Diversity and Inclusion (EDI) questions, which were previously in Section 3. Section 2 is now called "Section 2 – Equality, Diversity and Inclusion (EDI)".
  - c. The questions about the Statement of Principles and the Human Rights Policy questions have been moved from Section 3 to Section 2.
  - d. The introduction to the Demographic Information section has been removed and replaced with the following introduction to explain the basis for collecting the EDI information in Section 2:

*In 2017, in keeping with its commitment to promote equality and diversity in the legal professions and to enhance legal services provided by and for Indigenous, Francophone and equality-seeking communities, the Law Society began implementing the 13 recommendations of the Challenges Faced by Racialized Licensees Final Report, Working Together for Change: Strategies to Address Issues of Systemic Racism in the Legal Professions, and the five strategies designed to address the systemic barriers faced by racialized and other equality-seeking licensees. The following describes actions required by licensees respecting two of the strategies: Accelerating Culture Shift and Measuring Progress.*

**Question 1: Strategy - Measuring Progress: Self-Identification Data  
Recommendation 4**

*Since 2009, the Law Society has been collecting licensee demographic data on a voluntary basis to better understand demographic trends, to develop programs and initiatives within the mandate of the Law Society and to promote equality and diversity in the professions. The data has been reported in the aggregate in the annual publications, Statistical Snapshot of Lawyers in Ontario and Statistical Snapshot of Paralegals in Ontario (“Snapshots”). To access the yearly Snapshots from previous years, visit the Law Society’s website.*

*Providing self-identification data will continue to be voluntary each year. In addition to reporting on the legal professions in the aggregate, the Law Society will also provide legal workplaces of at least 25 licensees in Ontario with the self-identification data of their legal workplace. The individual licensees of the workplace will also be provided with a copy. This data will allow legal workplaces to compare their data with the aggregate demographic data gathered from the professions as a whole.*

*The Law Society will provide the data to legal workplaces in a manner that preserves the privacy and confidentiality of individual licensees.*

**Question 2: Strategy - Accelerating Culture Shift: Statement of Principles  
Recommendation 3(1)**

*In its commitment to promote equality, diversity and inclusion within the legal professions, the Law Society encourages licensees to consider their individual roles in creating lasting change. Recommendation 3(1) requires licensees to commit to equality, diversity and inclusion by adopting and abiding by a Statement of Principles. The requirement does not create any obligation to profess any belief or to seek to persuade anyone about anything. The requirement will be satisfied by licensees acknowledging their obligation to take reasonable steps to cease or avoid conduct that creates and/or maintains barriers for racialized licensees or other equality-seeking groups. Licensees are not required to make their Statements of Principles public. They are just required to confirm annually that they have considered and implemented this requirement. The content of the Statement of Principles does not create or derogate from, but rather reflects, professional obligations. Accordingly, licensees are not required to disclose the content of their Statement of Principles to the Law Society but are only required to confirm its existence. The Law Society has created resources to assist licensees in completing this requirement. Refer to the Guide for links to online resources.*

**Question 5: Strategy - Measuring Progress: Inclusion Questions**  
**Recommendation 5**

*The Law Society encourages licensees to voluntarily answer questions about their individual experiences of inclusion within their legal workplaces. These questions will be asked every four years and a summary of the information gathered will be provided to legal workplaces of at least 25 licensees in Ontario. The responses to these inclusion questions will help the Law Society to track trends over time and refine and develop programs and initiatives to address the challenges faced by racialized licensees and other equality-seeking groups.*

*The Law Society will provide the data to legal workplaces in a manner that preserves the privacy and confidentiality of individual licensees.*

**Question 6: Strategy - Measuring Progress: Self-Assessment Questions**  
**Recommendation 3(3)**

*The Law Society requires a licensee representative from each legal workplace of at least 10 licensees in Ontario to complete an equality, diversity and inclusion self-assessment for their legal workplace. The self-assessment will assist legal workplaces in discussing and reflecting on the current state of diversity and inclusion within their legal workplace, and will encourage legal workplaces to advance diversity and inclusion efforts. The information will also assist the Law Society in understanding the environments within legal workplaces, from the perspective of the legal workplace, and assisting licensees to overcome barriers they are experiencing.*

*These questions will be completed every two years by the licensee representative on behalf of the legal workplace.*

**Question 7: Strategy - Accelerating Culture Shift: Human Rights Diversity Policy**  
**Recommendation 3(2)**

*The Law Society requires a licensee representative of each legal workplace of at least 10 licensees in Ontario to develop, implement and maintain a human rights/diversity policy for their legal workplace. The human rights/diversity policy is to address at the very least fair recruitment, retention and advancement of licensees within their legal workplace. Adopting this policy will encourage licensees to consider their collective roles in creating lasting change within their legal workplaces. The legal workplace's human rights/diversity policy is to be available to members of the professions and the public upon request.*

*The Law Society has created resources to assist licensees in completing this requirement. Refer to the Guide for links to online resources.*

**Strategy - Measuring Progress: Inclusion Index (Recommendation 6)**

*Every four years, the Law Society will develop and publish an inclusion index for each legal workplace of at least 25 or more licensees in Ontario. The inclusion index is a tool intended to advance the goals of equality, diversity and inclusion within the legal professions by demonstrating the progress of equality, diversity and inclusion within legal workplaces. The inclusion index will reflect the responses to the self-assessment and inclusion questions and the data collected from the self-identification questions.*

*The Law Society will ensure that privacy and confidentiality are preserved when collecting quantitative demographic data and qualitative inclusion data from licensees.*

**For additional information on any of topics outline above and the questions in Section 2, please visit the Law Society's Equality, Diversity and Inclusion webpage at [LSO.ca/EDI](http://LSO.ca/EDI).**

- e. Section 2, Question 1 – Demographic Information: an instruction has been added to clarify that all licensees must answer the question. (“I do not wish to answer” remains one of the options for response.)
- f. Section 2, Question 2 – Statement of Principles: the word “and” has been inserted so that the statement now reads (emphasis added for the purposes of this report only):  
  
*I declare that I abide by a Statement of Principles that acknowledges my obligation to promote equality, diversity and inclusion generally, **and** in my behaviour towards colleagues, employees, clients and the public.*
- g. Section 2, Question 3 – Legal Workplace: licensees are required to indicate whether or not they are in a legal workplace in Ontario. Licensees who are not in a legal workplace in Ontario are directed to proceed directly to Section 3.
- h. Section 2, Question 4 – Legal Workplace Details: licensees who are in at least one legal workplace in Ontario must identify the size of each of their legal workplaces in Ontario. Licensees are required to provide the name of their legal workplace(s) if there are 10 or more licensees in the legal workplace.
- i. Section 2, Question 5: licensees must complete the Inclusion Survey.
- j. Section 2, Question 6: licensees who are in a workplace with 10 or more licensees must identify the Licensee Representative from their legal workplace in Ontario who

is responsible for answering the workplace Self-Assessment Questions and, if they are the Licensee Representative, answer the questions.

- k. Section 2, Question 7: licensees in a legal workplace with 10 or more licensees must answer the questions pertaining to the legal workplace's Human Rights/Diversity Policy.
- l. Section 2, Questions 4 – 7 are to be repeated for each of the licensee's legal workplaces in Ontario with 10 or more licensees.
- m. Five new referral fee questions have been added at the end of Section 3 – Individual Practice Activities (see text below):

a) *In 2018, did you pay any referral fees?*

Yes       No

i. *How many times did you pay a referral fee to accept a matter in 2018?*

\_\_\_\_\_

ii. *What was the total amount that you paid in referral fees in 2018?*

\_\_\_\_\_

b) *In 2018, did you receive any referral fees?*

Yes       No

i. *How many times did you receive a referral fee to accept a matter in 2018?*

\_\_\_\_\_

ii. *What was the total amount that you received in referral fees in 2018?*

\_\_\_\_\_

c) *Referral Fee Acknowledgement - I acknowledge that I am aware of my professional obligations with respect to referral fees, as set out at Rules 5.01(14) to 5.01(20) of the Paralegal Rules of Conduct, Paralegal Professional Conduct Guideline 13 paragraphs 12 to 20, and at section 19.1 of By-Law 19. (To review the referral fee requirements, please see [https://www.iso.ca/Referral\\_Fees/](https://www.iso.ca/Referral_Fees/).)*

Yes       No

- n. In the Preamble to Section 4 – Financial Reporting: the instructions have been changed to clarify that all licensees must answer, at a minimum, questions about whether they operated a trust or general account during the reporting year.
- o. In Section 4 – Financial Reporting: licensees must report deficiencies related to their Referral Fee Journal.

- p. In Section 4 – Financial Reporting: changes have been made to the Preamble to Question 5 to direct licensees not to convert foreign currency trust account balances to Canadian dollars and to report the currency of their trust account(s) in the text box provided at question 12.

### **Context for the Changes**

6. The addition of Tagalog and Tamil to the languages section of the 2018 Annual Report reflects the growth in prevalence of those languages, as reported by Statistics Canada following the 2016 Census.
7. In December 2016, Convocation adopted *The Final Report of the Challenges Faced by Racialized Licensees Working Group (Working Together for Change: Strategies to Address Issues of Systemic Racism in the Legal Professions)*. Recommendations 3(3), 5, and 6 require the Law Society to begin collecting information for the purposes of measuring the legal professions' progress addressing barriers experienced by racialized licensees and equality-seeking groups.
8. In 2017, the Law Society introduced new requirements with respect to referral fees, including caps, and new record-keeping requirements. Beginning on the 2018 Annual Report, licensees are required to report on the number of referral fees paid and accepted, as well as the aggregate amount paid and received as referral fees. Licensees must also confirm they are aware of their professional obligations with respect to referral fees.



## 2018 Paralegal Annual Report

### Introduction Page

#### **YOUR 2018 PARALEGAL ANNUAL REPORT IS DUE MARCH 31, 2019.**

This report is based on the calendar year ending December 31, 2018, and is due by March 31, 2019. Failure to complete and file the report within 60 days of the due date will result in a late filing fee and a summary order suspending your licence until such time as this report is filed and the late filing fee is paid.

Your responses to Section 4, relating to mixed trust accounts, will be shared with the Law Foundation of Ontario (LFO).

**GUIDE:** For definitions or assistance in completing this report, please review the enclosed Guide or visit the Law Society's website at [www.lso.ca](http://www.lso.ca)

**FINANCIAL FILING DECLARATION (FFD):** Only the Designated Financial Filing Licensee for each firm needs to complete the Financial Filing Declaration. A single Financial Filing Declaration is required from each firm. The Financial Filing Declaration is found within Section 4.

If you require filing assistance, contact By-Law Administration Services at (416) 947-3315 or at (800) 668-7380 ext. 3315 or by email at [bylawadmin@lso.ca](mailto:bylawadmin@lso.ca).



## 2018 Paralegal Annual Report

### Section 1 – LICENSEE IDENTIFICATION AND STATUS

#### 1. Licensee Status as at December 31, 2018

The Law Society's records show your status on December 31, 2018 as follows:

Status: \_\_\_\_\_

Is this status for December 31 correct?  Yes  No

If "No", select the correct status from the options below. Choose only one status (your status on December 31, 2018) regardless of changes during the 2018 calendar year. Your response to this question will not be used to change your status. To review or update your current status, you must use the Change of Information portlet in the Law Society Portal. By-Law 8 requires licensees to notify the Law Society immediately after any change in status or contact information.

#### Practising Law/Providing Legal Services

- Sole Practitioner in Ontario
- Partner in a Professional Business in Ontario
- Employee in a Professional Business in Ontario
- Associate in a Professional Business in Ontario (providing legal services in the manner of an employed paralegal)
- Employed in Education in Ontario
- Employed in Government in Ontario
- In-House Paralegal
- Legal Clinic
- Not in Ontario

#### Not Practising Law/Not Providing Legal Services

- Employed in Education in Ontario
- Employed in Government in Ontario
- Otherwise Employed in Ontario
- Not in Ontario
- Suspended

#### Not Working

- Retired or Not Working
- Temporary Leave of Absence
- Parental Leave
- Not in Ontario

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### 2. Bencher Election Privacy Option (non-mandatory response)

During the bencher election, many candidates want to communicate with voters by email.

Check the box if you give the Law Society permission to provide your email address for bencher election campaigning purposes:

### 3. Provision of Legal Services in French (non-mandatory response)

a) Can you communicate with your clients and provide legal advice to them in French?

Yes  No

b) Can you communicate with your clients, provide legal advice to them, and represent them in French?

Yes  No

### 4. Other Languages (non-mandatory response)

- |   |                                    |                                     |
|---|------------------------------------|-------------------------------------|
| <input type="checkbox"/> ASL or LSQ (Sign Language) | <input type="checkbox"/> Albanian  | <input type="checkbox"/> Arabic     |
| <input type="checkbox"/> Bulgarian                  | <input type="checkbox"/> Cantonese | <input type="checkbox"/> Croatian   |
| <input type="checkbox"/> Czech                      | <input type="checkbox"/> Danish    | <input type="checkbox"/> Dutch      |
| <input type="checkbox"/> English                    | <input type="checkbox"/> Estonian  | <input type="checkbox"/> Finnish    |
| <input type="checkbox"/> French                     | <input type="checkbox"/> German    | <input type="checkbox"/> Greek      |
| <input type="checkbox"/> Gujarati                   | <input type="checkbox"/> Hebrew    | <input type="checkbox"/> Hindi      |
| <input type="checkbox"/> Hungarian                  | <input type="checkbox"/> Italian   | <input type="checkbox"/> Japanese   |
| <input type="checkbox"/> Korean                     | <input type="checkbox"/> Latvian   | <input type="checkbox"/> Lithuanian |
| <input type="checkbox"/> Macedonian                 | <input type="checkbox"/> Mandarin  | <input type="checkbox"/> Norwegian  |
| <input type="checkbox"/> Persian                    | <input type="checkbox"/> Polish    | <input type="checkbox"/> Portuguese |
| <input type="checkbox"/> Punjabi                    | <input type="checkbox"/> Romanian  | <input type="checkbox"/> Russian    |
| <input type="checkbox"/> Serbian                    | <input type="checkbox"/> Slovak    | <input type="checkbox"/> Slovene    |
| <input type="checkbox"/> Somali                     | <input type="checkbox"/> Spanish   | <input type="checkbox"/> Swedish    |
| <input type="checkbox"/> Tagalog                    | <input type="checkbox"/> Tamil     | <input type="checkbox"/> Ukrainian  |
| <input type="checkbox"/> Urdu                       | <input type="checkbox"/> Yiddish   |                                     |

Other – Please specify: \_\_\_\_\_

## Section 2 – EQUALITY, DIVERSITY AND INCLUSION (EDI)

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In 2017, in keeping with its commitment to promote equality and diversity in the legal professions and to enhance legal services provided by and for Indigenous, Francophone and equality-seeking communities, the Law Society began implementing the 13 recommendations of the Challenges Faced by Racialized Licensees Final Report, [Working Together for Change: Strategies to Address Issues of Systemic Racism in the Legal Professions](#), and the five strategies designed to address the systemic barriers faced by racialized and other equality-seeking licensees. The following describes actions required by licensees respecting two of the strategies: Accelerating Culture Shift and Measuring Progress.

### Question 1: Strategy - Measuring Progress: Self-Identification Data

#### Recommendation 4

Since 2009, the Law Society has been collecting licensee demographic data on a voluntary basis to better understand demographic trends, to develop programs and initiatives within the mandate of the Law Society and to promote equality and diversity in the professions. The data has been reported in the aggregate in the annual publications, *Statistical Snapshot of Lawyers in Ontario* and *Statistical Snapshot of Paralegals in Ontario* (“Snapshots”). To access the yearly Snapshots from previous years, visit the Law Society’s [website](#).

Providing self-identification data will continue to be voluntary each year. In addition to reporting on the legal professions in the aggregate, the Law Society will also provide legal workplaces of at least 25 licensees in Ontario with the self-identification data of their legal workplace. The individual licensees of the workplace will also be provided with a copy. This data will allow legal workplaces to compare their data with the aggregate demographic data gathered from the professions as a whole.

The Law Society will provide the data to legal workplaces in a manner that preserves the privacy and confidentiality of individual licensees.

### Question 2: Strategy - Accelerating Culture Shift: Statement of Principles

#### Recommendation 3(1)

In its commitment to promote equality, diversity and inclusion within the legal professions, the Law Society encourages licensees to consider their individual roles in creating lasting change. Recommendation 3(1) requires licensees to commit to equality, diversity and inclusion by adopting and abiding by a Statement of Principles. The requirement does not create any obligation to profess any belief or to seek to persuade anyone about anything. The requirement will be satisfied by licensees acknowledging their obligation to take reasonable steps to cease or avoid conduct that creates and/or maintains barriers for racialized licensees or other equality-seeking groups. Licensees are not required to make their Statements of Principles public. They are just required to confirm annually that they have considered and implemented this requirement. The content of the Statement of Principles does not create or derogate from, but rather reflects, professional obligations. Accordingly, licensees are not required to disclose the content of their Statement of Principles to the Law Society but are only required to confirm its existence. The Law Society has created resources to assist licensees in completing this requirement. Refer to the Guide for links to online resources.

### Question 5: Strategy - Measuring Progress: Inclusion Questions

#### Recommendation 5

The Law Society encourages licensees to voluntarily answer questions about their individual experiences of inclusion within their legal workplaces. These questions will be asked every four years and a summary of the information gathered will be provided to legal workplaces of at least 25 licensees in Ontario. The responses to these inclusion questions will help the Law Society to track trends over time and refine and develop programs and initiatives to address the challenges faced by racialized licensees and other equality-seeking groups. The Law Society will provide the data to legal workplaces in a manner that preserves the privacy and confidentiality of individual licensees.



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**If you are not in a legal workplace of at least 10 licensees in Ontario or if you are not the Licensee Representative responsible for completing the equality, diversity and inclusion self-assessment for your legal workplace, you may not be required to answer all parts of Questions 6 & 7.**

### **Question 6: Strategy - Measuring Progress: Self-Assessment Questions**

#### **Recommendation 3(3)**

The Law Society requires a Licensee Representative from each legal workplace of at least 10 licensees in Ontario to complete an equality, diversity and inclusion self-assessment for their legal workplace. The self-assessment will assist legal workplaces in discussing and reflecting on the current state of diversity and inclusion within their legal workplace, and will encourage legal workplaces to advance diversity and inclusion efforts. The information will also assist the Law Society in understanding the environments within legal workplaces, from the perspective of the legal workplace, and assisting licensees to overcome barriers they are experiencing.

These questions will be completed every two years by the Licensee Representative on behalf of the legal workplace.

### **Question 7: Strategy - Accelerating Culture Shift: Human Rights Diversity Policy**

#### **Recommendation 3(2)**

The Law Society requires a Licensee Representative of each legal workplace of at least 10 licensees in Ontario to develop, implement and maintain a human rights/diversity policy for their legal workplace. The human rights/diversity policy is to address at the very least fair recruitment, retention and advancement of licensees within their legal workplace. Adopting this policy will encourage licensees to consider their collective roles in creating lasting change within their legal workplaces. The legal workplace's human rights/diversity policy is to be available to members of the professions and the public upon request.

The Law Society has created resources to assist licensees in completing this requirement. Refer to the Guide for links to online resources.

### **Strategy - Measuring Progress: Inclusion Index (Recommendation 6)**

Every four years, the Law Society will develop and publish an inclusion index for each legal workplace of at least 25 or more licensees in Ontario. The inclusion index is a tool intended to advance the goals of equality, diversity and inclusion within the legal professions by demonstrating the progress of equality, diversity and inclusion within legal workplaces. The inclusion index will reflect the responses to the self-assessment and inclusion questions and the data collected from the self-identification questions.

The Law Society will ensure that privacy and confidentiality are preserved when collecting quantitative demographic data and qualitative inclusion data from licensees.

For additional information on any of topics outline above and the questions in Section 2, please visit the Law Society's Equality, Diversity and Inclusion webpage at [LSO.ca/EDI](https://www.lso.ca/EDI).

#### **1. Demographic Information (Self-Identification Questions) – (To be completed by all Paralegals)**

a) Are you Francophone?

Yes       No       I do not wish to answer



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b) Do you consider yourself to be an Indigenous person? (select all that apply)

- First Nations, Status Indian, Non-Status Indian
- Inuk (Inuit)
- Métis
- Other – Specify \_\_\_\_\_
- No, not an Indigenous person
- I do not wish to answer

c) Which of the following best describes your racial or ethnic identity? (select all that apply)

- Arab
- Black
- Chinese
- Filipino
- Japanese
- Korean
- Latin American
- South Asian (e.g. East Indian, Pakistani, Sri Lankan, etc.)
- Southeast Asian (e.g. Vietnamese, Cambodian, Laotian, Thai, etc.)
- West Asian (e.g. Iranian, Afghan, etc.)
- White
- Other – Specify \_\_\_\_\_
- I do not wish to answer

d) What is your religion or creed? (select all that apply)

- Atheist
- Buddhist
- Hindu
- Jewish
- Muslim
- Protestant
- Roman Catholic
- Other Christian, such as Eastern Orthodox and Ukrainian Catholic
- Sikh
- Other religion – Specify \_\_\_\_\_
- No religion
- I do not wish to answer

e) Are you a person with a disability?

- Yes     
  No     
  I do not wish to answer



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f) Are you transgender, transsexual, gay, lesbian or bisexual? (select all that apply)

- Transgender  
 Transsexual  
 Gay  
 Lesbian  
 Bisexual  
 Other – Specify \_\_\_\_\_  
 No  
 I do not wish to answer

### 2. Statement of Principles

I declare that I abide by a Statement of Principles that acknowledges my obligation to promote equality, diversity and inclusion generally, and in my behaviour towards colleagues, employees, clients and the public.

- Yes       No

If “No”, provide an explanation below.

**For the purpose of answering the remaining questions in Section 2, a “legal workplace” is defined as a place of work in Ontario where legal work is being done, such as providing legal advice, guidance or opinions.**

### 3. Legal Workplace

All questions to be answered as of December 31, 2018.

To the best of my knowledge:

- I am not in any legal workplaces in Ontario.  
 I am in at least one (1) legal workplace in Ontario.

**If you are not in any legal workplaces in Ontario**

- Proceed to Section 3.

**If you are in one legal workplace in Ontario:**

- Complete Question 4a) regarding the size of your legal workplace.
- Complete Questions 4b), if applicable, and Question 5.
- Complete Question 6, as applicable.
- Complete Question 7a) and Question 7b), if applicable.

**If you are in more than one legal workplace in Ontario, follow the instructions set out in (A), (B), or (C), as applicable:**

**(A) All of your legal workplaces in Ontario have 9 or fewer licensees:**

- Complete Question 4a) regarding the size of your legal workplace.
- Do not complete Question 4b).
- If you are in more than one legal workplace in Ontario and all have 9 or fewer licensees, you need only answer Question 5 once, based on your overall experience.
- Do not complete Question 6 or Question 7. Proceed to Section 3 of the Annual Report.

**(B) All of your legal workplaces in Ontario have 10 or more licensees:**

- You will need to repeat this procedure for each of your legal workplaces with 10 or more licensees. Questions relating to your second and third legal workplaces are provided after Question 7.
- For your first legal workplace in Ontario, complete Questions 4, 5, and as applicable, 6.
- Complete all applicable parts of Question 7.
- Repeat for each of your legal workplaces in Ontario.
- If you are in only one legal workplace in Ontario and it is a legal workplace with 10 or more licensees, proceed to Section 3 of the Annual Report after completing all applicable parts of Question 7.
- If you require more copies of Questions 4-7 than provided in this Annual Report, please contact By-Law Administration Services at [bylawadmin@lso.ca](mailto:bylawadmin@lso.ca) or 416-947-3315.

**(C) You are in more than one legal workplace in Ontario and at least one has 9 or fewer licensees and at least one has 10 or more licensees:**

- Follow the instructions above, as applicable to each of your legal workplaces in Ontario.

**4. Legal Workplace Details**

a) Indicate the size of your legal workplace.

9 or fewer licensees       10-24 licensees       25 or more licensees

b) Provide the name of your legal workplace (mandatory if there are 10 or more licensees in the legal workplace)

## 5. Inclusion Survey

**When responding to the survey questions, please consider your own personal experiences at your legal workplace in 2018.**

- a) At my legal workplace\*, I feel included\*.
- Always
  - Often
  - Sometimes
  - Rarely
  - Never
  - I do not know
  - I do not wish to answer
  - Not applicable
- b) At my legal workplace, I feel respected.
- Always
  - Often
  - Sometimes
  - Rarely
  - Never
  - I do not know
  - Not applicable
  - I do not wish to answer
- c) At my legal workplace, I feel free from harassment\*.
- Always
  - Often
  - Sometimes
  - Rarely
  - Never
  - I do not know
  - Not applicable
  - I do not wish to answer
- d) At my legal workplace, I feel free from sexual harassment\*.
- Always

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- Often
- Sometimes
- Rarely
- Never
- I do not know
- Not applicable
- I do not wish to answer

e) At my legal workplace, I feel free from discrimination\*.

- Always
- Often
- Sometimes
- Rarely
- Never
- I do not know
- Not applicable
- I do not wish to answer

f) In my opinion, all members and employees of my legal workplace are treated fairly and respectfully\* without regard to age, ancestry, colour, race, citizenship, ethnic origin, place of origin, creed, disability, family status, marital status, gender identity, gender expression, sex, sexual orientation, and all other prohibited grounds\*.

- Always
- Often
- Sometimes
- Rarely
- Never
- I do not know
- Not applicable
- I do not wish to answer

g) As a member of the diverse Francophone\* community, I feel supported at my legal workplace and in all aspects of my identity, such as race, that intersect with my Francophone identity.

- Always
- Often
- Sometimes
- Rarely

- Never
- I do not know
- Not applicable
- I do not wish to answer

h) I can be my authentic self\* at work.

- Always
- Often
- Sometimes
- Rarely
- Never
- I do not know
- Not applicable
- I do not wish to answer

i) I have experienced instances of discrimination or harassment at my legal workplace.

- Yes
- No
- I do not know
- Not applicable
- I do not wish to answer

j) I have observed instances of discrimination or harassment at my legal workplace.

- Yes
- No
- I do not know
- Not applicable
- I do not wish to answer

k) In response to incidents I have experienced or observed (as indicated above) (select all that apply)

- I felt comfortable speaking up to address the behaviour with the individual who engaged in this instance of discrimination or harassment.
- I spoke to the person who experienced this instance of discrimination or harassment.
- I took some form of action to report the incident to the appropriate individual within my legal workplace
- I spoke to my colleagues about the incident
- I did not know what to do

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I knew what to do but opted not to take action

Not applicable

I do not wish to answer

l) The response to the action(s) I took to address incidents of discrimination or harassment I have experienced or observed (as indicated above) resulted in (select all that apply):

Positive impact for those that experienced the discrimination or harassment

No impact for those that experienced the discrimination or harassment

Negative impact for those that experienced the discrimination or harassment

Positive impact for those that demonstrated discriminatory or harassing behaviour

Negative impact for those that demonstrated discriminatory or harassing behaviour

No impact for those that demonstrated discriminatory or harassing behaviour

Positive impact for me personally

No impact for me personally

Negative impact for me personally

Not applicable

I do not wish to answer

m) I am included in informal social gatherings (eg. coffee, lunch etc.) at my legal workplace.

Always

Often

Sometimes

Rarely

Never

I do not know

Not applicable

I do not wish to answer

n) Opportunities for career advancement\* are based on demonstrated professional ability or achievement in my legal workplace.

Always

Often

Sometimes

Rarely

Never

- I do not know
- Not applicable
- I do not wish to answer

o) In my legal workplace, there are barriers to career advancement due to (select all that apply):

- Age
- Ancestry, colour, race
- Citizenship
- Ethnic origin
- Place of origin
- Creed
- Family status
- Marital status
- Disability
- Gender identity,
- Gender expression
- Sex
- Sexual orientation
- None of the above
- I do not know
- Not applicable
- I do not wish to answer

p) My legal workplace makes reasonable accommodations\*.

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- I do not know
- Not applicable
- I do not wish to answer

## 2018 Paralegal Annual Report

- q) It is important to me that in my legal workplace there is a demonstrated commitment to reconciliation\* between Indigenous Peoples\* and non-Indigenous Canadians.
- Strongly agree
  - Agree
  - Neither agree nor disagree
  - Disagree
  - Strongly disagree
  - I do not know
  - I do not wish to answer
- r) My legal workplace provides suitable opportunities or resources\* for me to learn about reconciliation.
- Strongly agree
  - Agree
  - Neither agree nor disagree
  - Disagree
  - Strongly disagree
  - I do not know
  - I do not wish to answer
- s) My legal workplace provides opportunities\* for (select all that apply):
- Training to support equality, diversity, and inclusion.
  - Participation in groups\* that provide support within my legal workplace.
  - Participation in groups that provide support and connect licensees or professionals of similar backgrounds or experiences within my community. *(for example Pride at Work, Business and Professional Women Ontario, Iranian Canadian Legal Professionals, Canadian Association of Muslim Women in the Law, etc)*
  - Sharing of feedback and input about equality, diversity, and inclusion.
  - I do not know
  - I do not wish to answer
- t) My legal workplace conducts inclusion surveys\* to measure and track its progress on equality, diversity and/or inclusion.
- Yes
  - No
  - I do not know
  - Not applicable

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I do not wish to answer

u) My legal workplace effectively communicates\* with respect to progress, initiatives, and/or actions, and their status, related to equality, diversity, and inclusion within my organization.

Always

Often

Sometimes

Rarely

Never

I do not know

Not applicable

I do not wish to answer

v) In my professional experiences, I am treated fairly and respectfully without regard to age, ancestry, colour, race, citizenship, ethnic origin, place of origin, creed, disability, family status, marital status, gender identity, gender expression, sex, sexual orientation, and all other prohibited grounds\* by the following groups (select all that apply):

*Clients and potential clients*

Always

Often

Sometimes

Rarely

Never

I do not know

Not applicable

I do not wish to answer

*Other licensees*

Always

Often

Sometimes

Rarely

Never

I do not know

Not applicable

I do not wish to answer

*Non legal employees*

- Always  
 Often  
 Sometimes  
 Rarely  
 Never  
 I do not know  
 Not applicable  
 I do not wish to answer

*The administrators of justice\**

- Always  
 Often  
 Sometimes  
 Rarely  
 Never  
 I do not know  
 Not applicable  
 I do not wish to answer

**6. Self-Assessment Questions**

- a) Are you the Licensee Representative responsible for completing the equality, diversity and inclusion self-assessment for your legal workplace?

Yes       No

If you answered, "No", complete Question 6b).

If you answered, "Yes", complete Questions 6c) through 6f).

- b) Indicated below is the Licensee Representative responsible for completing the equality, diversity and inclusion self-assessment for the legal workplace.

NOTE: The licensee who is responsible for completing the self-assessment for your legal workplace on behalf of other licensees must be listed below. Your Annual Report will be considered incomplete until the Licensee Representative has successfully submitted their Annual Report.

Licensee Name: \_\_\_\_\_

Law Society Number: \_\_\_\_\_

- c) Your legal workplace\* actively demonstrates a commitment to addressing equality\*, diversity\*, and inclusion\* by (select all that apply):
- Your leaders (for example partners, senior management, general counsel, etc.) have formally stated that equality, diversity, and inclusion are important business priorities.
  - Your legal workplace has a written plan\* that features equality, diversity, and inclusion components with measurable goals and specific actions.
  - Your legal workplace has formal policies\* to support equality, diversity, and inclusion including policies that address recruitment, retention, and advancement.
  - Your legal workplace conducts inclusion surveys\* to identify concerns and opportunities related to workplace culture.
  - Your legal workplace collects data\* to measure and track its progress on equality, diversity and/or inclusion.
  - Your legal workplace has a committee, dedicated role, or human resource that supports equality, diversity, and inclusion within your organization.
  - Your legal workplace has established internal initiatives\* that are designed to support equality, diversity, and inclusion.
  - There are employee groups\* within your legal workplace that provide support and connect licensees of similar backgrounds or experiences.
  - Licensees in your legal workplace are encouraged and supported to participate in professional groups that address diversity and community issues and promote professional opportunities for licensees who self-identify with their group. (Examples for lawyers: Canadian Association of Black Lawyers (CABL), Federation of Asian Canadian Lawyers (FACL), South Asian Bar Association (SABA), Canadian Muslim Lawyers Association (CMLA), Pride at Work, Women's Law Association of Ontario (WLAO), Indigenous Bar Association (IBA), Roundtable of Diversity Associations (RODA), etc. Examples for paralegals: Pride at Work, Business and Professional Women Ontario, Iranian Canadian Legal Professionals, Canadian Association of Muslim Women in Law, Canadian Italian Advocates Organization, etc.)
  - Your legal workplace demonstrates an understanding of the diversity within the Francophone\* community and related inclusion concerns and opportunities for that community.
  - Your legal workplace demonstrates a commitment to addressing the Calls to Action in the Truth and Reconciliation Commission of Canada's Final Report, Honouring the Truth, Reconciling for the Future\*.
  - Your legal workplace provides educational opportunities or resources about reconciliation\*.
  - Your legal workplace participates in community or outreach activities\* relating to equality, diversity & inclusion
  - In the last year, your legal workplace has internally communicated\* about the status and/or progress of equality, diversity, and inclusion initiatives or goals in your workplace.
  - None of the above

- d) Your legal workplace has actively demonstrated a commitment to fostering an environment that is free from discrimination, and harassment on all prohibited grounds\* by establishing and providing (select all that apply):

*Discrimination\**

- Anti-discrimination policies
- Anti-discrimination complaints process
- Education and training on anti-discrimination policies and processes
- Encouragement and support for all licensees to who report incidents of discrimination
- Anti-discrimination education or training generally
- None of the above

*Harassment\**

- Harassment policies
- Harassment complaints process
- Education and training on harassment policies and processes
- Encouragement and support for all licensees who report incidents of harassment
- Education or training on harassment in general
- None of the above

*Sexual Harassment\**

- Sexual harassment policies
- Sexual harassment complaints process
- Education and training on sexual harassment policies and processes
- Encouragement and support for all licensees who report incidents of sexual harassment
- Education or training on sexual harassment in general
- None of the above

- e) Your legal workplace formally considers opportunities\* to support equality, diversity, and inclusion when making decisions about (select all that apply):

- Recruitment
- Hiring
- Advancement / promotion
- Training and development
- Mentoring

- Assignment of work
- None of the above

f) Your legal workplace provides or makes available forms of equality, diversity and/or inclusion training or education\* to (select all that apply):

- All licensees
- Staff or licensees who make recruitment, hiring, and advancement decisions
- Staff or licensees who are responsible for human resource processes and policies
- All leaders (for example, partners, senior management, general counsel, etc.)
- None of the above

**7. Human Rights/Diversity Policy Declaration (To be completed by all Paralegals whose legal workplaces in Ontario have 10 or more licensees)**

a) Is your employer a licensee or non-licensee?

- Licensee  Non-licensee

If you answered "Licensee", you must answer Question 7b).

If you answered "Non-licensee", you must answer Question 7e).

b) Are you the Licensee Representative responsible for developing, implementing and maintaining the legal workplace's human rights/diversity policy?

- Yes  No

If you answered "Yes", you must answer Question 7c).

If you answered "No", you must answer Question 7d).

c) I declare that a Human Rights/Diversity Policy is developed, implemented and maintained and that it addresses fair recruitment, retention and advancement in the legal workplace.

- Yes  No

If you answered "No", you must answer Question 7g).

d) Indicated below is the Licensee Representative responsible for developing, implementing and maintaining the legal workplace's Human Rights/Diversity Policy.

NOTE: The licensee who is responsible for developing, implementing and maintaining your legal workplace's Human Rights/Diversity Policy on behalf of other licensees must be listed below. Your Annual Report will be considered incomplete until the Licensee Representative has successfully submitted their Annual Report.



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Licensee Name: \_\_\_\_\_

Law Society Number: \_\_\_\_\_  
(e.g. 12345A or P12345)

e) I acknowledge that my employer has developed, implemented and maintains a Human Rights/Diversity Policy and that it addresses fair recruitment, retention and advancement in the legal workplace.

Yes       No

If you answered "No", you must answer Question 7f).

f) I acknowledge my individual obligation to have a Human Rights/Diversity Policy that addresses fair recruitment, retention and advancement in the legal workplace.

Yes       No

If you answered "No", you must answer Question 7g).

g) If you answered "No" to Questions 7c)) or 7f), provide an explanation below.

\*\*\*\*\*

Questions 4-7 for Legal Workplace #2 to be inserted here.

Questions 4-7 for Legal Workplace #3 to be inserted here.

*For further information or inquiries about the Law Society's initiatives to promote equality and diversity in the profession, please contact the Equity department:*

Telephone: 416-947-3315      Toll-free: 1-800-668-7380  
Fax: 416-947-3983      Email: equity@lso.ca



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### Section 3 – INDIVIDUAL PRACTICE ACTIVITIES

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To be completed by all Paralegals.

Some of the terms and phrases in this section are described in the Definitions area of the Guide.

#### NOTES ABOUT THIS SECTION:

- For further assistance in completing this section, refer to *The Bookkeeping Guide for Paralegals* available on our website at [www.lso.ca](http://www.lso.ca).
- \* Refer to the Guide for definitions.

#### 1. Cash Transactions

**All paralegals must report on large cash transactions regardless of jurisdiction of practice.**

- a) Did you receive cash\* in an aggregate amount equivalent to \$7,500 CDN or more in respect of any one client file in 2018?

Yes       No

**If “Yes” to a), answer b).**

- b) Was the cash solely for legal fees and/or client disbursements\*?

Yes       No

**If “No” to b), answer c).**

- c) Provide full particulars below with respect to compliance with Part III of By-Law 9 (Cash Transactions).

#### 2. Trust Funds/Property – 2a), 2b) and 2c) must be answered.

- a) In 2018, did you receive\* trust funds\* and/or trust property\* on behalf of your firm in connection with the provision of legal services in Ontario?

Yes       No

- b) In 2018, did you disburse\* (payout), or did you have signing authority to disburse, trust funds\* or trust property\* on behalf of your firm in connection with the provision of legal services in Ontario?

Yes       No

- c) In 2018, did you hold\* trust funds\* or trust property\* on behalf of your firm in connection with the provision of legal services in Ontario?

Yes       No

### 3. Borrowing from Clients – 3a) and 3b) must be answered.

**Note:** If your borrowing was/is from a lending institution, financial institution, insurance company, trust company or any similar corporation whose business includes lending money to members of the public, answer “No” to a)i) and “N/A” to a)ii).

See Section 3.06 of the *Paralegal Rules of Conduct*.

- a) i) At any time in 2018, were you personally indebted to a person or organization who, at the time of borrowing, was a current or former client of you or the firm through which you provided legal services?

Yes       No

If “Yes” to i), answer ii) and iii).

- ii) Was the client or person a related\* person as defined in the *Income Tax Act* (Canada)?

Yes       No       N/A

- iii) Provide full particulars below. Include the name of the lender and of the borrower, the amount of the loan, the security provided, and particulars of independent legal advice or independent legal representation obtained by the lender.

### 4. Client Identification – All Paralegals must answer questions 4a) and 4b).

- a) i) In 2018, when you provided professional services to clients, did you obtain and record identification information for every (each) client and any third party, in accordance with Part III of By-Law 7.1?

Yes       No       N/A

If “No” to i), answer ii).



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ii) In 2018, when you provided professional services to clients, were you exempt from the requirement to obtain and record identification information for every (each) client and any third party, in accordance with Part III of By-Law 7.1?

Yes     No     N/A

**If “No” to ii), answer iii).**

iii) Provide an explanation below.

b) i) In 2018, when you engaged in or gave instructions in respect of the receiving, paying or transferring of funds, did you obtain and record information to verify the identity of each client, and additional identification information for a client that is an organization, and any third party, in accordance with Part III of By-Law 7.1?

Yes     No     N/A

**If “No” to i), answer ii).**

ii) In 2018, when you engaged in or gave instructions in respect of the receiving, paying or transferring of funds, were you exempt from the requirement to obtain and record information to verify the identity of each client, and additional identification information for a client that is an organization, and any third party, in accordance with Part III of By-Law 7.1?

Yes     No     N/A

**If “No” to ii), answer iii).**

iii) Provide an explanation below.

### 5. Pro Bono Legal Services

**(Pro bono legal services means the provision of legal services to persons of limited means or to charitable or not-for-profit organizations without the expectation of a fee from the client.)**

a) Did you provide pro bono legal services in Ontario in 2018?

Yes     No



If “Yes” to a), answer b) and c).

- b) How many hours did you devote to pro bono legal services in Ontario in 2018?

\_\_\_\_\_

- c) Did you provide pro bono legal services for Pro Bono Ontario (PBO) sponsored programs?

Yes       No

### 6. Membership in other Regulatory Bodies

- a) Are you now a member of another professional/regulatory/governing body in any jurisdiction?

Yes       No

If “Yes” to a), answer b).

- b) Please identify the professional/regulatory/governing body.

### 7. Self-Study

The annual minimum expectation is 50 hours of self-study. For the purposes of this section, self-study means self-directed reading or research using print materials, electronic or otherwise. CPD hours must be reported in the CPD section of the Law Society Portal by December 31<sup>st</sup> of each calendar year.

- a) Did you undertake any self-study during 2018?

Yes       No

If “Yes” to a), answer b) to d).

If “No” to a), you may provide an explanation in the area at the end of this section.

- b) Approximate total number of self-study hours spent on **file specific** reading or research:

\_\_\_\_\_

- c) Approximate total number of self-study hours spent on **general** reading or research:

\_\_\_\_\_

- d) Indicate below the tools used, overall, for all types of self-study. Check all that apply:

Printed Material                       Internet                       Other

## 8. Referral Fees

**In 2017, the Law Society introduced several new requirements with respect to referral fees, including setting a cap on referral fees, introducing new client transparency and reporting requirements, and introducing new record keeping requirements. Starting with the 2018 Paralegal Annual Report, Paralegals will be asked further questions related to referral fees paid and received.**

**A “referral fee” includes any financial or other reward for the referral of a matter whether the referral fee is direct or indirect and whether the referral fee is past, current or future. However, a referral fee does not include a referral of other work by the licensee who received the referral. (*Paralegal Rules of Conduct*, Rule 5.04(14)).**

a) i) In 2018, did you pay any referral fees?

Yes       No

**If the answer to question 8(a)(i) is “Yes”, then questions 8(a)(ii) and 8(a)(iii) must also be answered:**

ii) How many times did you pay a referral fee to accept a matter in 2018? \_\_\_\_\_

iii) What was the total amount that you paid in referral fees in 2018? \_\_\_\_\_

b) i) In 2018, did you receive any referral fees?

Yes       No

**If the answer to question 8(b)(i) is “Yes”, then questions 8(b)(ii) and 8(b)(iii) must also be answered:**

ii) How many times did you receive a referral fee to accept a matter in 2018? \_\_\_\_\_

iii) What was the total amount that you received in referral fees in 2018? \_\_\_\_\_

c) **Referral Fee Acknowledgement** – I acknowledge that I am aware of my professional obligations with respect to referral fees, as set out at 5.01(14) to 5.01(20) of the *Paralegal Rules of Conduct*, Paralegal Professional Conduct Guideline 13 paragraphs 12 to 20, and at section 19.1 of By-Law 19. (To review the referral fee requirements, please see [https://www.lso.ca/Referral\\_Fees/](https://www.lso.ca/Referral_Fees/).)

Yes       No

## Section 4 – FINANCIAL REPORTING

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**Question 1 is to be completed by all licensees. The remaining questions in Section 4 are to be completed by all paralegals who:**

- **As at December 31<sup>st</sup>, were sole practitioners;**
- **As at December 31<sup>st</sup>, were partners, employees and associates of paralegal firms or law firms;**
- **As at December 31<sup>st</sup>, were employed by Legal Aid Ontario and were responsible for general\*, trust\* and/or mixed trust accounts; and**
- **Throughout the filing year, held client monies or property from a former legal services business in Ontario.**
- **The term “employee” means employed in a providing legal services status, for which professional liability insurance coverage is required. This section does not apply to a paralegal working at a paralegal firm in a non-legal capacity (e.g. clerk, assistant, bookkeeper, etc.).**

### NOTES ABOUT THIS SECTION:

- Starting in this 2018 Annual Report, if you paid or received a referral fee during the filing year, you are required to report on Referral Fee Journals in Question 4.
- Information concerning mixed trust accounts is shared with the Law Foundation of Ontario. In addition, the opening or closing of all trust accounts, mixed and non-mixed, must be immediately reported to the Law Society pursuant to subsection 4(1)5 of By-Law 8 (<http://www.lso.ca/trustaccounts/>).
- For further assistance in completing this section, refer to *The Bookkeeping Guide for Paralegals* available on our website at <https://lso.ca/>.
- \* Refer to the Guide for definitions.

#### 1. Trust and General (Non-Trust) Accounts – 1a) and 1b) must be answered.

a) During the filing year, did either you or your firm operate a trust\* or mixed trust\* account in Ontario?

Yes       No

b) During the filing year, did either you or your firm operate a general\* (non-trust) account in Ontario?

Yes       No

**If “Yes” to a), proceed to question 2.**

**If “No” to a) and “Yes” to b), proceed to question 4, and then proceed to Section 5.**

**If “No” to both a) and b), proceed to Section 5.**

#### 2. Trust Account Information

a) During the filing year, were you a sole practitioner, or were you the Paralegal responsible for filing the trust\* account information on behalf of other licensees in Ontario?

Yes       No

b) Will you be filing the financial information on behalf of other lawyers and/or paralegals?

Yes       No



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If you are reporting financial information on behalf of other licensees, you must also submit a Financial Filing Declaration (FFD). Sole practitioners practising alone in Ontario do not need to file an FFD.

If “Yes” to 2a), proceed to questions 4 through 11.

If “No” to 2a), complete the Designated Financial Filing Option (question 3) below.

### 3. Designated Financial Filing Option

This option is available to you if you are not responsible for filing trust account information.

Indicate on lines a) and b) below who will be reporting the firm’s financial information on your behalf, then proceed to Section 5.

**ENTER DESIGNATED FINANCIAL FILING LICENSEE’S NAME & LAW SOCIETY NUMBER**

a) **FINANCIAL FILING LICENSEE’S NAME:** \_\_\_\_\_

b) **Law Society Number:** \_\_\_\_\_  
(e.g. 12345A or P12345)

The Designated Financial Filing Licensee that you have named is responsible for submitting the Financial Filing Declaration to report the firm’s financial information on your behalf. Your Paralegal Annual Report will not be considered complete without the submission of the **Financial Filing Declaration by the licensee you have named. If you are unable to obtain the Financial Filing Licensee’s Law Society Number, as you are no longer employed by the firm, please enter “unknown” in question b).**

### 4. Firm Records

Were financial records for all your firm’s trust\* accounts (mixed\*, separate\*, estates, power(s) of attorney\* and other interest generating investments\*) and/or general\* (non-trust) bank accounts maintained throughout the filing year, on a current basis, in accordance with all applicable sections in By-Law 9?

Yes       No

If “No” to 4, indicate below which areas were deficient and provide an explanation for each.

**COMPLETE THIS CHART ONLY IF YOU ANSWERED “NO” ABOVE  
COMPLETE ONLY THOSE AREAS WHERE YOU WERE DEFICIENT**

By-Law 9: Financial Transactions and Records	By-Law 9 Sections 18, 19, 19.1 & 20 (Maintain)	By-Law 9 Section 22 (Current)	Explanation for Deficiency
1. Trust Receipts Journal Subsection 18(1)	<input type="checkbox"/>	<input type="checkbox"/>	
2. Trust Disbursements Journal Subsection 18(2)	<input type="checkbox"/>	<input type="checkbox"/>	



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<b>3. Client's Trust Ledger</b> <i>Subsection 18(3)</i>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>4. Trust Transfer Journal</b> <i>Subsection 18(4)</i>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>5. General Receipts Journal</b> <i>Subsection 18(5)</i>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>6. General Disbursements Journal</b> <i>Subsection 18(6)</i>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>7. Fees Book or Chronological Billing File</b> <i>Subsection 18(7)</i>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>8. Trust Bank Comparison **</b> <i>Subsection 18(8)</i>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>9. Valuable Property Record</b> <i>Subsection 18(9)</i>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>10. Source documents including deposit slips, bank statements and cashed cheques</b> <i>Subsection 18(10)</i>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>11. Electronic Trust Transfer Requisitions and Confirmations</b> <i>Subsection 18(11) and Section 12 (Form 9A)</i>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>12. Duplicate Cash Receipts Book for all cash received</b> <i>Section 19</i>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>13. Referral Fee Journal</b> <i>Section 19.1</i>	<input type="checkbox"/>	<input type="checkbox"/>	

\*\* Trust comparisons are to be completed within 25 days of the effective date of the monthly trust reconciliation.

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### 5. Comparison of Trust Bank Reconciliations and Trust Listing of Client Liabilities as at December 31, 2018.

Fill in the fields below.

Do not convert foreign currency accounts to Canadian dollars.

Use the box at the end of Question 12 to report the currency (Canadian, US, etc.) of your trust account(s).

Trust Reconciliation and Comparison	December 31, 2018 Balances
i) The total dollar value of mixed* trust bank accounts	\$
ii) The total dollar value of separate* interest bearing trust accounts or income generating trust accounts/investments*	+\$
iii) The total dollar value of separate* estate and/or power of attorney* accounts and investments* Include the total dollar value indicated in Section 3, questions 3a)v), 3b)v) and/or 3c)iv) (if any)	+\$
iv) <b>TOTAL</b> of i) to iii)	=
v) Total outstanding deposits (if any)	+
vi) Total bank/posting errors (if any)	+/-
vii) Total outstanding cheques (if any)	-
viii) <b>Reconciled Bank Balance</b>	=
ix) <b>Total Client Trust Liabilities</b> (Client Trust Listing)	-
x) <b>Difference between Reconciled Bank Balance and Total Client Trust Liabilities</b>	=

If there is a difference between the Reconciled Bank Balance **viii)** and the Total Client Trust Liabilities **ix)**, provide a written explanation below.

### 6. Mixed Trust Accounts

- This question must be answered if you operated a mixed trust account at any time during the filing year (2018 calendar year).
- A licensee who receives money in trust for a client shall immediately pay the money into an account at a chartered bank, provincial savings office, credit union or a league to which the *Credit Unions and Caisses Populaires Act*, 1994 applies or registered trust corporations, to be kept in the name of the licensee, or the name of the firm of licensees of which the licensee is a



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partner, through which the licensee practises law or provides legal services or by which the licensee is employed, and designated as a trust account.

- A mixed trust account is a trust account holding, or intended to hold, trust funds for more than one client. Mixed trust accounts are governed by subsection 57(1) of the *Law Society Act*, which requires any interest payable on a mixed trust account to be paid to the Law Foundation of Ontario.
- A mixed trust account may include a special mixed trust account designated as the Paralegal's Electronic Registration Bank Account (ERBA) for the purposes of Teraview.

Financial Institution Name	Transit Number	Account Number	Branch Address	Account Holder Name
<i>SAMPLE</i>				
<i>Royal Bank of Canada</i>	<i>0652</i>	<i>1234567</i>	<i>123 Main Street Oakville, ON L6J 7M4</i>	<i>Smith Jones LLP</i>

i)	Has this financial institution (at any time) been directed to pay interest on this account to the Law Foundation of Ontario?	<input type="radio"/> Yes <input type="radio"/> No
ii)	Was this account opened during the filing year?	<input type="radio"/> Yes <input type="radio"/> No
	<b>If "Yes" to ii):</b>  Date account was opened:	  ____ / ____ MM / DD
iii)	Was this account closed during the filing year?	<input type="radio"/> Yes <input type="radio"/> No
	<b>If "Yes" to iii):</b>  Date account was closed:	  ____ / ____ MM / DD
iv)	If the account was closed, was the balance of the closed account transferred to the Law Society of Ontario's Unclaimed Trust Fund?	<input type="radio"/> Yes <input type="radio"/> No
v)	Was there at least one transaction in this account during the filing year?	<input type="radio"/> Yes <input type="radio"/> No

**If you are filing your Paralegal Annual Report by paper and you have multiple mixed trust accounts, please contact By-Law Administration Services at [bylawadmin@lso.ca](mailto:bylawadmin@lso.ca) or (416) 947-3315 for an additional form, or enter the information in the space provided at the end of this Section.**


**7. Answer all questions as at December 31, 2018.**

- a) i) What is the total number of mixed\* trust bank accounts referred to in 5(i)?

\_\_\_\_\_

- ii) Of the total mixed\* trust bank account balance recorded in 5(i), what is the estimated value of estate assets?

\$\_\_\_\_\_

- b) What is the total number of separate\* interest bearing trust accounts or income generating trust accounts/investments\* referred to in 5(ii)?

\_\_\_\_\_

**8. Overdrawn Accounts**

- a) During 2018, did your records at any month end disclose overdrawn clients' trust ledger account(s)?

Yes       No

**If "Yes" to a), answer b).**

- b) Were the account(s) corrected by December 31, 2018?

Yes       No

**If "No" to b), answer c) and d).**

- c) The total dollar value of overdrawn clients' trust ledger account(s) as at December 31, 2018 was:

\$\_\_\_\_\_

- d) The total number of overdrawn clients' trust ledger account(s) as at December 31, 2018 was:

\_\_\_\_\_

**9. Outstanding Deposits**

- a) During 2018, did your records at any month end disclose outstanding trust account deposits, not deposited the following business day?

Yes       No

**If "Yes" to a), answer b).**

- b) Were the account(s) corrected by December 31, 2018?

Yes       No

**If "No" to b), answer c) and d).**



- c) The total dollar value of outstanding trust account deposits as at December 31, 2018 was:

\$ \_\_\_\_\_

- d) The total number of outstanding trust account deposits as at December 31, 2018 was:

\_\_\_\_\_

### 10. Unchanged Client Trust Ledger Account Balances

- a) Were there client trust ledger account balances that were unchanged\* (i.e. had no activity) for the entire year?

Yes       No

**If “Yes” to a),** answer b), c) and d).

- b) The total dollar value of these account balances as at December 31, 2018 was:

\$ \_\_\_\_\_

- c) The total number of client trust ledger accounts that remained unchanged\* for the entire year as at December 31, 2018 was:

\_\_\_\_\_

- d) Were any of the unchanged\* client trust ledger account balances for the registration of mortgage discharges?

Yes       No

**If “Yes” to d),** answer e).

- e) The total number of unchanged\* client trust ledger account balances held for the registration of mortgage discharges was:

\_\_\_\_\_

### 11. Unclaimed Client Trust Ledger Account Balances

- a) Of the amounts identified in question 11, were any unclaimed\* for two years or more? (Refer to Section 59.6 of the *Law Society Act*)

Yes       No       N/A

**If “Yes” to a),** answer b) and c).

- b) The total dollar value of the unclaimed\* client trust ledger account balances was:

\$ \_\_\_\_\_

- c) The total number of unclaimed\* client trust ledger accounts was:

\_\_\_\_\_

**12. Additional Information**

**If required, use the area below to provide further information about your Financial Reporting (Section 4), including details of any additional trust or mixed trust accounts.**



## 2018 Paralegal Annual Report

### Section 5 – AREAS OF PRACTICE

#### NOTES ABOUT THIS SECTION:

- Where exact information is not available to respond to the questions under this heading, provide your best approximation.
- Refer to the Guide for definitions.

#### 1. Legal Services – Ontario

a) Did you provide legal services in 2018?

Yes       No

If “Yes” to a), answer b).

b) Indicate the approximate percentage of time you devoted in 2018 to the areas of legal services listed below:

Ontario Court of Justice *Provincial Offences Act* matters \_\_\_\_\_%

Ontario Court of Justice – Summary Conviction offences \_\_\_\_\_%

Worker’s Compensation \_\_\_\_\_%

Small Claims Court matters \_\_\_\_\_%

Property Tax Assessment \_\_\_\_\_%

Statutory Accident Benefits Schedule matters (SABS) \_\_\_\_\_%

Human Rights \_\_\_\_\_%

Landlord and Tenant \_\_\_\_\_%

Other Tribunals – Please specify in the area below \_\_\_\_\_%

**Total** (Question 1 must total 100%): \_\_\_\_\_%

#### 2. In what primary area do you provide legal services? Choose only one.

- Ontario Court of Justice *Provincial Offences Act* matters
- Ontario Court of Justice – Summary Conviction offences
- Worker’s Compensation
- Small Claims Court matters
- Property Tax Assessment



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- Statutory Accident Benefits Schedule matters (SABS)
- Human Rights
- Landlord and Tenant
- Other Tribunals – Please specify in the area below

### 3. Lawyer Supervision

a) Do you work under the supervision\* of a lawyer?

- Yes       No

**If “Yes” to a), answer b).**

b) Indicate the percentage of time you spend in the following areas:

Advocacy\* \_\_\_\_\_ %

Non-advocacy\* \_\_\_\_\_ %

**Total:** \_\_\_\_\_ %

Question 3b) must total 100%.



## 2018 Paralegal Annual Report

### Section 6 – CERTIFICATION AND SUBMISSION

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I am the Paralegal filing this 2018 Paralegal Annual Report. I have reviewed the matters reported and the information contained herein is complete, true and accurate. I acknowledge that it is professional misconduct to make a false or misleading reporting to the Law Society of Ontario.

\_\_\_\_\_  
Signature

\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
DD MM YYYY