



Application for Foreign Legal Consultant – Renewal Permit Under By-Law 14

About Foreign Legal Consultant Permits

By-Law 14 requires lawyers licensed outside of Canada to apply to the Law Society of Ontario (Law Society) for a permit to give legal advice in Ontario respecting the law of a foreign jurisdiction. Applicants must meet the conditions outlined in the By-Law to qualify for a permit and must apply annually to the Law Society to renew their permit.

Required Documents

Please submit the following:

NOTE: If submitting more than one application on behalf of a firm, a separate document is required for each applicant.

1. Complete application form

The Law Society may investigate or verify any information supplied in this application and may require further information from you before the application is approved. **Omissions or inaccuracies in responses may delay processing.**

If the space provided for any answer is insufficient, include a separate sheet that is signed and dated by the applicant with the application.

2. Proof of payment or payment in the form of either:

- A receipt for payment by credit card from the Law Society Store. To pay:
 - **For licensees**, login to the Law Society Portal at <https://portal.lso.ca>. Select “LSO Store” in the left panel and then “Other Fees”. Choose “FLC Permit Application Fee”. **Include the receipt with your application.**
 - **For non-licensees**, visit the Law Society Store at <https://store.lso.ca/flc>. **Include the receipt with your application.**

OR

- A certified cheque or money order in Canadian funds payable to the "Law Society of Ontario".

Item	Amount
Application Fee:	\$250.00
HST: #121712863:	\$32.50
Total:	\$282.50

The application fee is non-refundable and non-transferable.

The Law Society will not process applications submitted without proof of payment or a certified cheque or money order.

3. Certificate(s) of Standing:

Original Certificate(s) of Standing (dated within the last 30 days) from each law society or governing body of the legal profession of which you are or have been a member, inside and outside of Canada.

Certificates of Standing must be forwarded directly from the governing or regulatory body to the Law Society by email or mail (addresses below). Digital versions are acceptable.

NOTES: Your Certificate(s) of Standing must be replaced if it will be more than 60 days old at the time your application is ready to be approved by Complaints & Compliance. Applicants must remain entitled to practice in their home jurisdiction.

Do not submit a Certificate of Standing from the Law Society of Ontario if you are a licensee.

4. Proof of Insurance:

Include proof of professional liability insurance (e.g. Certificate of Insurance) for the giving of legal advice in Ontario respecting the laws of each foreign jurisdiction(s) for which you are applying for a permit, which is at least equivalent to that required of a lawyer who is licensed to practise law in Ontario (currently at least \$1,000,000 CAD per claim and \$2,000,000 CAD in the aggregate).

It is your responsibility to ensure that your insurance is valid for the duration of your Foreign Legal Consultant permit and that it meets the minimum requirements. The current year's coverage requirements can be found at: <https://www.lawpro.ca/your-policy/policy/>.

If your insurance is restricted to a certain practice area(s) or jurisdiction(s) (e.g. only immigration law or federal law), please provide the relevant pages from your policy confirming the restrictions.

5. Supervising Foreign Legal Consultant Letter (if applicable):

Include a letter from the supervising Foreign Legal Consultant who has agreed to supervise you confirming the supervision agreement.

6. Additional relevant documents to comply with specific application requirements.

Questions?

Please direct questions about this application to **Complaints & Compliance** by calling 416-947-3315 or 1-800-668-7380 and asking to be transferred, or emailing lsforms@lso.ca.

Mailing Address

Email or mail original applications and supporting documents to:

lsforms@lso.ca

Law Society of Ontario, Complaints & Compliance
Osgoode Hall, 130 Queen Street West, Toronto, Ontario M5H 2N6

4. a) Governing Body and Membership Information

Make arrangements for an original Certificate(s) of Standing (dated within the last 30 days) from each law society or governing body of the legal profession of which you are or have been a member, inside and outside of Canada, to be forwarded directly from the governing or regulatory body to the Law Society by email or mail to:

lsforms@lso.ca

Law Society of Ontario, Complaints & Compliance
130 Queen Street West, Toronto Ontario, Canada M5H 2N6

NOTE: Do not submit a Certificate of Standing from the Law Society of Ontario if you are a licensee.

Provide the following information for each law society or governing body of the legal profession of which you are now, or have been, a member, if applicable:

Name of Law Society/Governing Body:

Jurisdiction:

Address:

Phone:

Licence Date:

Member/Licence Number:

Status:

Name Licensed Under (if different from personal contact information in Question 1):

Name of Law Society/Governing Body:

Jurisdiction:

Address:

Phone:

Licence Date:

Member/Licence Number:

Status:

Name Licensed Under (if different from personal contact information in Question 1):

Name of Law Society/Governing Body:

Jurisdiction:

Address:

Phone:

Licence Date:

Member/Licence Number:

Status:

Name Licensed Under (if different from personal contact information in Question 1):

4. b) For which foreign jurisdiction(s) do you currently hold a Foreign Legal Consultant Permit in Ontario?

5. a) When you first applied for a Foreign Legal Consultant Permit, did you require a supervisor?

Yes No

If "Yes", answer b):

5. b) Have you been lawfully engaged in the practice of law in the foreign jurisdiction(s) for which you are applying for a permit for at least 3 of the last 5 years immediately before this application?

Yes No N/A (I am licensed to practise law in Ontario as a barrister and solicitor)

If "No", I undertake to be supervised directly by:
who has a current Foreign Legal Consultant Permit from the Law Society, who is authorized to practise law in the same jurisdiction(s) for which I am applying for a permit, and has satisfied the 3 year practice requirement.

6. Are you authorized to practise law in the foreign jurisdiction(s) for which you are applying for a permit?

Yes No

If "No", attach a written explanation.

Part B – Good Character

Applicants for a Foreign Legal Consultant permit are required to answer the following good character questions. If you answer “YES” to any of these questions, you must provide full and detailed particulars in the space below and include any supporting documentation with your application. Failure to do so can cause delays with processing your application.

For additional information about the Good Character requirement, visit <https://lso.ca/becoming-licensed/lawyer-licensing-process/good-character-requirement>.

The Law Society is committed to working toward reconciliation with First Nation, Status, non-Status, Inuit and Métis Peoples. When reviewing permit applications, the Law Society applies the principles established by the Supreme Court of Canada in *R v. Gladue*, [1999] 1 SCR 688 and *R v. Ipeelee*, [2012] 1 SCR 433 and as such considers the unique systemic or background factors that may have played a part in those incidents to which an applicant’s responses refer.

7. Are you currently the subject of criminal proceedings or proceedings for any offence under any statute in Canada or elsewhere?

Yes No

8. Have you ever been found guilty of, or been convicted of, any offence under any statute in Canada or elsewhere?

Please exclude:

- i) speeding and parking tickets;
- ii) offences for which more than one year has passed since you were discharged absolutely or more than three years have passed since you were discharged on conditions prescribed in a prohibition order; and
- iii) convictions or findings of guilt under the *Controlled Drugs and Substances Act* for possession of cannabis not exceeding 30 grams or cannabis resin not exceeding 1 gram that did not include a term of incarceration.

Yes No

9. Has judgment ever been entered against you in an action involving fraud?

Yes No

10. Are there any outstanding civil judgments against you?

Yes No

11. Have you ever disobeyed an order of any court requiring you to do any act or to abstain from doing any act?

Yes No

12. While attending a post-secondary institution, have allegations of misconduct ever been made against you or have you ever been suspended, expelled or penalized by a post-secondary institution for misconduct?
- Yes No
13. Have you ever been refused admission as an applicant or member of any professional/regulatory/governing body?
- Yes No
14. Are you now or have you ever been suspended, disqualified, censured, the subject of a conduct, capacity or competence proceeding or otherwise the subject of discipline in any jurisdiction(s) where you are or were licensed to practise law or provide legal services?
- Yes No
15. Are you now or have you ever been a member of a professional/regulatory/governing body (other than those listed in Question 4. a)) in any jurisdiction?
- Yes No
16. Have you ever been denied a licence or permit, or had any licence or permit revoked for failure to meet good character requirements?
- Yes No
17. Are you now the subject of a prosecution or have you ever been prosecuted, suspended, disqualified, censured, the subject of a conduct, capacity or competence proceeding or otherwise disciplined by any professional organization?
- Yes No
18. Are you aware of any complaint or charge pending against you in your professional capacity, which has not yet come to the attention of your law society or professional/regulatory/governing body?
- Yes No
19. Are you now or have you ever been the subject of an insurance claim alleging fraud or dishonesty under a policy for professional liability insurance?
- Yes No
20. Have you ever been discharged from any employment where the employer alleged there was cause?
- Yes No

21. Have you ever been disciplined by an employer, or been a respondent in proceedings in relation to a violation of the *Human Rights Code* or similar legislation in any jurisdiction (e.g., sexual harassment, racial discrimination)?

Yes No

22. Are you or any company or partnership of which you are or were a director, officer or employee currently subject to a petition or assignment in bankruptcy or a proposal to creditors under the *Bankruptcy and Insolvency Act*, or similar legislation in any jurisdiction and/or have you or any company or partnership of which you are or were a director, officer or employee ever been bankrupt or insolvent, under any statute?

Yes No

23. Are there events, circumstances or conditions, other than those mentioned above, that are potentially relevant to your ability to give legal advice in Ontario respecting the law of a foreign jurisdiction?

Yes No

If you answered "Yes" to any of the Good Character questions in this part, please explain in the box below. If necessary, provide full details on a separate page and include any relevant documents such as orders and/or judgments.

Part C – Details of Insurance (Complete A or B below)

Include proof of your professional liability insurance policy for the giving of legal advice in Ontario respecting the law of the foreign jurisdiction(s) for which you are applying for a permit, which is at least equivalent to that required of a lawyer who is licensed to practise law in Ontario (currently at least \$1,000,000 CAD per claim and \$2,000,000 CAD in the aggregate).

If your insurance is restricted to a certain practice area(s) or jurisdiction(s) (e.g. only immigration law or federal law), please provide the relevant pages from your policy confirming the restrictions.

NOTE: If a firm insurance policy is provided, the per claim and aggregate limits of liability must apply to each Foreign Legal Consultant individually.

While the Law Society reviews your proof of professional liability insurance details to confirm the information we require, it is your responsibility to ensure that your insurance policy meets the requirements of the Law Society's By-Law 14 and is current and valid for the duration of your permit.

The LAWPRO Standard Policy (#001), which is required for all Ontario lawyers in private practice, can be reviewed on the LAWPRO website at <https://www.lawpro.ca/your-policy/policy/>. The Law Society's By-Law 6, Professional Liability Insurance can be reviewed at <http://www.lso.ca>.

A. I have obtained professional liability insurance for the giving of legal advice in Ontario respecting the law of the jurisdiction(s) for which I am applying for a permit (“my home jurisdiction”), which is at least equivalent to that required of a licensee who holds a Class L1 licence for the licensee’s practice of law in Ontario. I have reviewed the LAWPRO Standard Policy (#001) and confirm that the coverage provided by my professional liability insurance is at least equivalent to the coverage required for Ontario lawyers.

Yes No

If "Yes", complete a) through f) below:

a) Name and Address of Insurer:

b) Policy Number:

c) Policy Period:

- d) Limits of Liability:
- i) For each claim arising out of an error or omission (MUST BE AT LEAST \$1,000,000 CAD):
- \$
- ii) Annual aggregate per insured (MUST BE AT LEAST \$2,000,000 CAD):
- \$
- e) Deductible per claim (NOTE: The standard insurance program deductible for Ontario lawyers is \$5,000 CAD):
- \$
- f) Does your insurance policy cover services rendered by you as a Foreign Legal Consultant in Ontario?
- Yes No

You must submit one of the following as your proof of professional liability insurance:

- **A Certificate of Insurance or letter from your insurer, which includes at a minimum confirmation that the policy covers you providing foreign legal advice in Ontario and all of the information set out in the LAWPRO Standard Policy (#001) Declarations page, available at <https://www.lawpro.ca/your-policy/policy/>;**

OR

- **A copy of your full professional liability insurance policy.**

OR

B. I have reviewed the insurance requirements for Ontario lawyers, and have determined that an Ontario lawyer in my position does not require insurance. I am currently employed or will be employed by a single employer as in-house counsel and will only provide legal advice respecting the law of my home jurisdiction for and on behalf of my employer and will not provide legal advice respecting the law of my home jurisdiction other than for or on behalf of my employer. If I am granted a Foreign Legal Consultant Permit, I understand that it will be limited to the provision of legal advice respecting the law of my home jurisdiction only for and on behalf of my employer.

Yes No

Part D – Authorization and Declaration

By signing this application, I declare and agree as follows:

I have read and understand the contents and requirements of this application. I will ensure that all supporting enclosures and applicable fees required by this application are filed and paid in a timely manner and as requested by the Law Society.

I hereby authorize the Law Society to make inquiries of any person or government, any official or body, including, without limitation, any police or academic authority, about my background or character. I will provide any additional specific authorization or any release that is required for the purpose of enabling the Law Society to obtain information related to my background or character. I acknowledge that if I provide any false information to the Law Society in response to any question or inquiry in my application or if I declare under oath or solemnly affirm the contents of my application falsely, the Law Society may commence an investigation and proceeding against me.

I understand that if I am granted a Foreign Legal Consultant Permit in Ontario, I must comply with the *Law Society Act*, the Law Society's by-laws, the *Rules of Professional Conduct*, and all other rules, regulations and requirements of the Law Society. I also understand that a Foreign Legal Consultant may not provide legal advice and/or services with respect to the laws of Ontario or the laws of Canada, unless they are otherwise authorized to do so under the *Law Society Act* or the Law Society's by-laws.

I understand that I must have professional liability insurance coverage for the giving of legal advice in Ontario respecting the law of the foreign jurisdiction(s) for which I am applying for a permit, which is at least equivalent to that required of a licensee who holds a Class L1 licence for the licensee's practice of law in Ontario and that it must be current and valid for the duration of my permit. I have reviewed the LawPRO Standard Policy (#001) and confirm that the coverage provided by my professional liability insurance is at least equivalent to the coverage required for Ontario lawyers.

I understand that I have a continuing obligation to immediately provide written notification of any change to the information that I have provided to the Law Society in connection with this application, including but not limited to any change in my status to practise law in the foreign jurisdiction(s) for which I am applying for a permit, changes to my employment status or information, or changes to my liability insurance coverage. I also understand that I must notify the Law Society immediately if I fail to comply with the continuing legal education requirements of the governing body in the jurisdiction(s) for which I am applying for a permit.

Collection and Use of Personal Information

The Law Society collects personal information only for purposes that are considered necessary and appropriate for the regulation of individuals seeking a permit under the *Law Society Act* and for such other purposes as may be implied by the *Law Society Act*. The Law Society limits the amount and type of personal information it collects, uses, or discloses to that which is necessary to carry out its responsibilities under the *Law Society Act*, its by-laws, and relevant rules, guidelines, and decisions of the Law Society's Convocation.

I acknowledge that the information contained in my application, as well as any information and documentation that subsequently form part of my permit application file, may be shared for purposes consistent with the Law Society's regulatory mandate.

I, _____, declare that all information provided by me with respect to this application, and in the documents provided in connection with this application, is true, current, accurate, and complete.

Date:

Signature of Applicant:

Print Name: