

About Surrender of Licence to Practise Law

Licensees who no longer wish to practise law in Ontario as a barrister and solicitor may apply to the Law Society of Ontario (Law Society) to surrender their licence. Applicants are encouraged to review By-Law 4 for information about surrendering their licence.

The Law Society may not be able to approve your application if you are:

- a) the subject of a complaint, audit, investigation, search or seizure by the Law Society; or
- b) a party to a proceeding under Part II of the *Law Society Act*.

Submitting an application to surrender your licence will not prevent you from being suspended for failing to comply with any administrative or regulatory requirement.

Required Documents

Complete and submit the following:

1. Complete application form

The Law Society of Ontario (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 and include it with the application.

2. Lawyer's Professional Indemnity Company (LAWPRO) release form (Part M)

The Law Society will not be able to approve your application if there are outstanding claims against you in your professional capacity.

3. A. Proof of trust/mixed trust/estate accounts closure (Part D)

This requirement applies to sole practitioners engaged in the practice of law in Ontario during the last 3 years unless they are over the age of 65 and have already been approved by the Law Society to pay the Over 65 (Retired) Annual Fee (10% fee category).

OR

B. Proof of no signing authority over all trust/mixed trust/estate accounts (Part D)

This requirement applies to partners, associates, and employees engaged in the practice of law in Ontario during the last 3 years unless they are over the age of 65

and have already been approved by the Law Society to pay the Over 65 (Retired) Annual Fee (10% fee category).

If this requirement applies to you, please provide letter from the signing partner or your bank.

4. Location of active and/or closed files, wills, powers of attorney, corporate seals and corporate minute books (Part F)

This requirement applies to all licensees who engaged in the practice of law in Ontario unless they are over the age of 65 and approved by the Law Society to pay the Over 65 (Retired) Annual Fee (10% fee category).

5. Outstanding Annual Report Filing(s)

Licensees must complete all outstanding Annual Report Filing(s) through their account on the Law Society Portal before the application may be approved unless they are over the age of 65 and have been expressly exempted on application to the Law Society.

Questions?

Please direct questions about this application to **By-Law Administration Services** by calling 416-947-3315 or 1-800-668-7380 and asking to be transferred, or emailing bylawadmin@lso.ca.

Mailing Address

Email or mail applications and supporting documents to:

bylawadmin@lso.ca

Law Society of Ontario
By-Law Administration Services
Osgoode Hall, 130 Queen Street West
Toronto, Ontario M5H 2N6



Application for Surrender of Licence to Practise Law Under By-Law 4

Part A – Applicant's Information

To be completed by all licensees

1. Personal Information

Applicant's Full Name:

Law Society Number:

2. Home Contact Information

Home Address (street, unit, city, province, postal code):

Telephone/Mobile:

Email:

3. Business Contact Information

Note: Licensees who have been granted an exemption from paying annual fees prior to December 31, 2020 or who have been approved to pay the Over 65 (Retired) Annual Fee (10% fee category) after January 1, 2021 may skip this question and [proceed to Part B](#).

Business/Employer Name and Address (street, unit, city, province, postal code):

Telephone/Mobile:

Fax:

Email:

By-Law 8 requires licensees to notify the Law Society immediately after any change in contact information. Please use the Law Society Portal at <https://portal.lso.ca> for updates.

Part B – Reason for Surrender

Provide the reason(s) why you wish to surrender your licence **(MANDATORY)**:

Part C – Practice History

To be completed by all licensees

Select **ONE** response (**a, b, c or d**):

- a) The Law Society granted me an exemption from paying annual fees and filing the Annual Report prior to December 31, 2020. ([Proceed to Part H](#))
- b) The Law Society granted my application to pay the Over 65 (Retired) Annual Fee (10% fee category) after January 1, 2021. ([Proceed to Part H](#))
- c) I stopped practising law as an Ontario lawyer on the following date (dd/mm/yyyy):

OR

- d) I never practised law as an Ontario lawyer.

Note: If you engaged in the private practice of law as an Ontario lawyer within the last 3 years, a Notice of Intention to Surrender Licence will be published on your behalf in the *Ontario Reports* unless you are (a) over the age of 65 and already exempted by the Law Society from paying fees and filing the Annual Report or (b) over the age of 65 and approved by the Law Society to pay the Over 65 (Retired) Annual Fee (10% fee category).

Part D – Trust Monies and Property

Select **ONE** response (a, b or c) that is most appropriate.

- a) I practised law in Ontario as a sole practitioner within the last three years and (select i), ii) or iii)):
- i) I have accounted for and/or distributed all money and property held in trust (for which I was responsible), including money and property held for estates, to the person(s) entitled to it or to another lawyer entitled to practise law in Ontario.

NOTE: Provide written confirmation from your bank that all open trust/mixed trust/estate accounts have been closed.

OR

- ii) I have not accounted for and/or distributed all money and property held in trust for which I was responsible. **Provide an explanation in Part J.**

OR

- iii) I have **not** been responsible for any money or property held in trust.

- b) I practised law in Ontario as a Partner/Associate/Employee/Counsel within the last three years.

NOTE: Provide a letter from the firm's managing partner confirming that you no longer have signing authority over all trust/mixed trust/estate accounts

- c) I have never engaged in the private practice of law as an Ontario lawyer, or I have not been in private practice within the last three years.

Part E – Client Files, Documents and Property

Select **ONE** response (a, b, c or d) that is most appropriate with respect to your practice as an Ontario lawyer:

- a) I have disposed of client files or arrangements have been made to the satisfaction of my clients to have their files, documents and/or property returned to them.
- b) I have not disposed of client files or made arrangements to have all client files, documents and/or property returned to them to their satisfaction. **Provide an explanation in Part J.**
- c) I have not been responsible for any client matters, files, documents and/or property.
- d) I have transferred all client files, documents and/or property with the client's authorization to another lawyer entitled to practise law. **Provide details in Part F.**

Part F – Client Property and File Information

I have transferred and disposed of my electronic and/or hard copy client files, documents and property as follows:

Active Files

Transferred to and/or location stored (Name, Address)

Contact Name:

Telephone:

Closed Files

Transferred to and/or location stored (Name, Address)

Contact Name:

Telephone:

Wills

Transferred to and/or location stored (Name, Address)

Contact Name:

Telephone:

Powers of Attorney

Transferred to and/or location stored (Name, Address)

Contact Name:

Telephone:

Corporate Minute Books

Transferred to and/or location stored (Name, Address)

Contact Name:

Telephone:

Corporate Seals

Transferred to and/or location stored (Name, Address)

Contact Name:

Telephone:

Part G – By-Law Compliance

1. I confirm that I have completed and filed the Annual Report to the last filing due date required of me.

Yes No

2. I confirm that I have completed and filed all LAWPRO filings to the last filing due date required of me.

Yes No N/A

3. I confirm that I have paid all outstanding LAWPRO premiums, levies and deductibles or have completed the required exemption forms.

Yes No

4. I confirm that my law practice and any trust account(s) I have operated have been wound up, or that I no longer have signing authority over any of my firm's trust/mixed trust/estate accounts.

Yes No N/A

Part H – Regulatory/Claims

Answer **ALL** of the following questions. If you answer "Yes" to any question below provide an explanation in **Part J – Specifics**.

1. Are you aware of a professional liability insurance claim or any other claim against you in either your professional capacity or with respect to your practice?

Yes No

2. Are you the subject of an audit, investigation and/or search or seizure by the Law Society?

Yes No

3. Are you a party to a proceeding under Part II or section 33 of the *Law Society Act*?

Yes No

4. 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

Part I – Professional Corporations

To be completed by all applicants

Are you now, or have you within the last 12 months, been a shareholder, director or officer of a professional corporation or practised law through a professional corporation?

Yes No

If yes, provide the name of the professional corporation:

Part J – Specifics

Part K – Law Society Directory

To be completed by all applicants

Names of licensees who have surrendered their licence continue to appear on the Law Society Directory for a period of three years. Please select one of the following two options for the directory:

Licence Surrendered – Retired

Licence Surrendered – Administrative Surrender of Licence

Part L – Declaration

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

DECLARED BEFORE ME

at _____ ,

on the _____ day of _____ , 20

**Signature of a Commissioner
Taking Affidavits**

Signature of Applicant

Print Name

Print Name

Part M – Lawyers’ Professional Indemnity Company (Release)

I hereby authorize and direct LAWPRO to provide to the Law Society of Ontario any information contained in my LAWPRO records, including, but not limited to, information about my claims, any outstanding premiums, levies, deductibles and/or the status of my filings with LAWPRO.

Date:

Signature of Applicant:

Print Name:

Law Society Number: