

## Competence Task Force Submissions: Paralegals

1. Esparza, Michelle
2. Friel, Ashley
3. Hardy, Jillian
4. Johnson, Renee
5. Nobes-Skinner, Audrey
6. Rose, Jaclyn
7. S C

<b>Please enter your first and last name</b>	Michelle Esparza
<b>Email Address</b>	michelle.esparza76@gmail.com
<b>Please make a selection below</b>	I am a paralegal
<b>Are you representing an organization or association through your participation?</b>	No
<b>What is the setting of your workplace?</b>	Sole practice
<b>Practice area focus:</b>	- Civil Litigation – Plaintiff - Human Rights/Social Justice Law - International Law - Ontario Court of Justice - Provincial Offences Act matters
<b>What is the location of your workplace? If submitting on your own behalf, where do you reside?</b>	East, including Prescott/Russell (L'Orignal/Hawkesbury), Ottawa-Carleton (Ottawa), Renfrew (Pembroke), Stormont/Dundas/Glengarry (Cornwall), Lanark (Perth), Lennox & Addington (Napanee), Frontenac (Kingston), Leeds & Grenville (Brockville), Hastings (Belleville)

#### Working definition of competence

**1. Do you agree with the working definition of competence? Are there any aspects of the definition that you would change?**

To a large degree yes, there are still pieces missing.

#### Principles for an effective competence regime

**2. Do you agree with the five principles for an effective competence regime set out below? Are there principles that should be included or omitted?**

- a) Risk-based - Regulatory activities should ideally be designed to focus on addressing areas of greatest risk to the public based on known outcomes.
- b) Flexible - Obligations should reflect the diverse array of practice areas, practice settings, geographies, practice stages, and other contextual factors that impact the professional circumstances of lawyers and paralegals.
- c) Feasible - Competence requirements should be cost effective and achievable by the regulator and licensees alike and should not impose unreasonable burdens.
- d) Forward-looking - The competence framework should be future-oriented in order to accommodate the fundamental changes taking place in the market for legal services.
- e) Client-centred - Competence requirements should consider the client's needs, goals, and perspective on what constitutes the competent provision of legal services. This would include an awareness of differences in backgrounds, income levels, abilities and cultures that may impact communications with clients and the way in which legal advice and services are provided.  
Yes, but there must be equal input from paralegals and not just from lawyers.

#### Components of continuing competence framework

**3. Do the components of the Law Society's current continuing competence framework listed below adhere to the five principles for an effective competence regime set out in question 2 (i.e., risk-based, flexible, feasible, forward-looking, client-centred)? If not, why not?**

- a) CPD requirement and programs
- b) The Practice Management Helpline
- c) Coach and Advisor Network
- d) Practice assessment programs (practice reviews, spot audits, and practice audits)
- e) Certified Specialist Program
- f) Legal information and research supports (Great Library and LIRN)

No it is not enough. By way of example, special designations and specialization for core competence needs to be an option for paralegals as well as lawyers. By way of example, privacy Law in Ontario is both civil and quasi criminal. It requires alot of self study at this time and experience. However, there is no CPD for it. Specialization alerts the public, and clients that the legal professional has the know how and alerts legal professionals of proficeny.

#### Renewing the Law Society's continuing competence framework

**4.1. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**CPD**

- a) Should the CPD requirement be changed to target the development and maintenance of certain competencies?
- b) Should the CPD requirement be tied to the licensee's practice area(s), experience level, or identified areas of risk?
- c) Should licensees complete their CPD requirement over the course of two calendar years rather than annually?
- d) Should CPD programs be more stringent or interactive to help ensure that licensees are engaged and learning?
- e) Should the CPD requirement remain as is, be enhanced, or be eliminated altogether?
- f) **As an alternative to the CPD requirement, should licensees be required to conduct a self-assessment to identify their learning and training needs and then create and execute their own unique professional development plan?**

No changes other than to cost, enhancement of social competence, encouraging socialization with others. By way of an example, not only should a licensee be able to claim 6 hours as a mentor, but how about 6 hours for representing underserved populations. Literally get to know the public that is intended to be served.

**4.2. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Enhanced practice support and training**

- g) Should the Law Society provide enhanced support for sole practitioners and small firms, such as courses on the business of law, law firm management and financial record-keeping?
- h) Should licensees be required to complete a training course related to a set of core competencies, such as practice management or client communications? If so, should the course be mandatory for:
  - i. all licensees,
  - ii. new licensees,
  - iii. licensees in sole or small firm practice,
  - iv. licensees transitioning to sole practice?

Licensees transitioning to sole practice as it is a different skill set then for those coming from a firm. Most of the things are done for legal professionals in a firm, it is a culture shock to do everything yourself if the licensee has not been doing things that way all along.

**4.3. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Peer-based initiatives**

- i) Should the Law Society require or encourage licensees to enter into a mentoring relationship, either as a mentor or mentee?
- j) Should the Law Society introduce peer assessments as a mechanism for improving competence? If so, how should they be structured?
- k) Are you aware of the Coach and Advisor Network? Have you participated in it and if so, did you find it helpful?
- l) **Should the Coach and Advisor Network remain as is, be enhanced, or be eliminated altogether?**

I have sought out mentors on my own and never heard of the mentor program.

**4.4. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Practice assessments**

- m) Are you aware of practice assessments (i.e., practice reviews, spot audits, and practice audits)? Have you ever received one and if so, did you find it helpful?
- n) Should the Law Society increase the number of practice assessments that it performs? If so, who should these additional practice assessments target?
- o) **Should the practice assessment program remain as is, be enhanced, or be eliminated altogether?**

Audit should occur when you receive multiple complaints. It indicates systemic errors and should be a red flag for competency or other potential problems that puts clients at risk.

**4.5. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Certified Specialist Program**

- p) Are you aware of the Certified Specialist Program? Have you participated in it and if so, did you find it useful?
- q) **Should the Certified Specialist Program remain as is, be modified, or be eliminated altogether?**

Yes. Im not allowed to, which I think is completely unfair that I cannot alert the public and other professionals of the highly specialized areas I am extremely competent in. So modify it and bring the annual costs down to encourage it, it serves the public good and assists other professionals.

**4.6 Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

#### **Technological competence**

**r) Are there basic technological skills that the Law Society should require all licensees to have? If so, what are the skills and how should the Law Society verify or ensure that licensees have them?**

**s) In order to prepare licensees for the rapidly changing future, should the Law Society require or encourage licensees to take courses to enhance their technological competence?**

No. That is over regulation. A phone is the most important tool a licensee has.

**4.7. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

#### **Encouraging excellence**

**t) Should the Law Society incentivize licensees to strive for excellence? If so, how?**

Recognize paralegals and their contributions to the legal community. Most of your focus is on Lawyers only creating a divide. An "us and "them" mentality. Incentives should be for collaboration. Financial encouragement should be a reduction in fees and CPD for those who are willing to take cases on a sliding scale or no funds at all. A small cut of the intellectual property for those who participating in the creation and development of CPD.

#### **Additional aspects of competence regime**

**5. Is there anything else that should be included in the competence framework or that you would like to comment on with respect to continuing licensee competence?**

Reach out once and awhile to senior paralegals and lawyers once and awhile, they can see systemic problems long before you can within their area of practice. E.G legal aid, practice and procedure, high number of SRL.

<b>Please enter your first and last name</b>	Michelle Esparza
<b>Email Address</b>	michelle.esparza76@gmail.com
<b>Please make a selection below</b>	I am a paralegal
<b>Are you representing an organization or association through your participation?</b>	No
<b>What is the setting of your workplace?</b>	Sole practice
<b>Practice area focus:</b>	- Administrative Law - Civil Litigation – Plaintiff - Human Rights/Social Justice Law - Ontario Court of Justice - Provincial Offences Act matters - Poverty Law - Tribunals
<b>What is the location of your workplace? If submitting on your own behalf, where do you reside?</b>	East, including Prescott/Russell (L'Orignal/Hawkesbury), Ottawa-Carleton (Ottawa), Renfrew (Pembroke), Stormont/Dundas/Glengarry (Cornwall), Lanark (Perth), Lennox & Addington (Napanee), Frontenac (Kingston), Leeds & Grenville (Brockville), Hastings (Belleville)

### Working definition of competence

**1. Do you agree with the working definition of competence? Are there any aspects of the definition that you would change?**

Not entirely, when a legal representation is incompetent, it can have serious consequences for the profession and adds to the lack of belief in the institution of justice itself.

### Principles for an effective competence regime

**2. Do you agree with the five principles for an effective competence regime set out below? Are there principles that should be included or omitted?**

- a) Risk-based - Regulatory activities should ideally be designed to focus on addressing areas of greatest risk to the public based on known outcomes.
  - b) Flexible - Obligations should reflect the diverse array of practice areas, practice settings, geographies, practice stages, and other contextual factors that impact the professional circumstances of lawyers and paralegals.
  - c) Feasible - Competence requirements should be cost effective and achievable by the regulator and licensees alike and should not impose unreasonable burdens.
  - d) Forward-looking - The competence framework should be future-oriented in order to accommodate the fundamental changes taking place in the market for legal services.
  - e) Client-centred - Competence requirements should consider the client's needs, goals, and perspective on what constitutes the competent provision of legal services. This would include an awareness of differences in backgrounds, income levels, abilities and cultures that may impact communications with clients and the way in which legal advice and services are provided.
- I agree, access to justice is a major issue as well as social positioning.

### Components of continuing competence framework

**3. Do the components of the Law Society's current continuing competence framework listed below adhere to the five principles for an effective competence regime set out in question 2 (i.e., risk-based, flexible, feasible, forward-looking, client-centred)? If not, why not?**

- a) CPD requirement and programs
- b) The Practice Management Helpline
- c) Coach and Advisor Network
- d) Practice assessment programs (practice reviews, spot audits, and practice audits)
- e) Certified Specialist Program
- f) Legal information and research supports (Great Library and LIRN)

No. Children in and from care face serious barriers, ability, race, classism. There is nothing for the separate rights of children which are enhanced with respect to the UNCRC. Mental health for children, different laws than adults, Youth Justice is completely different than the adult criminal justice system and there have been public calls for the defence bar to have "special training and be trauma informed."

### Renewing the Law Society's continuing competence framework

**4.1. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**CPD**

- a) Should the CPD requirement be changed to target the development and maintenance of certain competencies?
- b) Should the CPD requirement be tied to the licensee's practice area(s), experience level, or identified areas of risk?
- c) Should licensees complete their CPD requirement over the course of two calendar years rather than annually?
- d) Should CPD programs be more stringent or interactive to help ensure that licensees are engaged and learning?
- e) Should the CPD requirement remain as is, be enhanced, or be eliminated altogether?
- f) As an alternative to the CPD requirement, should licensees be required to conduct a self-assessment to identify their learning and training needs and then create and execute their own unique professional development plan?

CPD needs to be advanced for highly specialized areas of law with respect to children. Privacy Law, mental health, civil mental health law and criminal (youth justice) child welfare law has drastically changed. This is the most marginalized population, children's lawyer is a limited resource. (OCL)

**4.2. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Enhanced practice support and training**

- g) Should the Law Society provide enhanced support for sole practitioners and small firms, such as courses on the business of law, law firm management and financial record-keeping?
- h) Should licensees be required to complete a training course related to a set of core competencies, such as practice management or client communications? If so, should the course be mandatory for:
  - i. all licensees,
  - ii. new licensees,
  - iii. licensees in sole or small firm practice,
  - iv. licensees transitioning to sole practice?

All licences, needs to be fair across the board and career changes can happen, especially now with COVID.

**4.3. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Peer-based initiatives**

- i) Should the Law Society require or encourage licensees to enter into a mentoring relationship, either as a mentor or mentee?
- j) Should the Law Society introduce peer assessments as a mechanism for improving competence? If so, how should they be structured?
- k) Are you aware of the Coach and Advisor Network? Have you participated in it and if so, did you find it helpful?
- l) Should the Coach and Advisor Network remain as is, be enhanced, or be eliminated altogether?

If the person is seasoned in a particular area, they would have a wealth of knowledge to share. Let licensees interested sign up for coaching, allow all licensees paralegal and lawyers to specialize.

**4.4. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Practice assessments**

- m) Are you aware of practice assessments (i.e., practice reviews, spot audits, and practice audits)? Have you ever received one and if so, did you find it helpful?
- n) Should the Law Society increase the number of practice assessments that it performs? If so, who should these additional practice assessments target?
- o) Should the practice assessment program remain as is, be enhanced, or be eliminated altogether?

Yes I am aware. I take no position. I have heard stories for years it is scary.

**4.5. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Certified Specialist Program**

- p) Are you aware of the Certified Specialist Program? Have you participated in it and if so, did you find it useful?
- q) Should the Certified Specialist Program remain as is, be modified, or be eliminated altogether?

I cannot participate which is unfortunate as I am a Paralegal. I provide pro bono services to youth from care in regards to Part X of the Child, Youth and Family Services Act.

**4.6 Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Technological competence**

**r) Are there basic technological skills that the Law Society should require all licensees to have? If so, what are the skills and how should the Law Society verify or ensure that licensees have them?**

**s) In order to prepare licensees for the rapidly changing future, should the Law Society require or encourage licensees to take courses to enhance their technological competence?**

In my view that is over regulation and classism. Not all people have access to technology and paid software, especially when doing pro bono work.

**4.7. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Encouraging excellence**

**t) Should the Law Society incentivize licensees to strive for excellence? If so, how?**

Reduction in fees or discount, CPD, for those who wish to share knowledge.

**Additional aspects of competence regime**

**5. Is there anything else that should be included in the competence framework or that you would like to comment on with respect to continuing licensee competence?**

Special designation for Criminal Law counsel with respect to Youth Justice and children's rights for this incredibly marginalized population as well as FN social competence, racialized communities, LGBTQ youth rights and the intersectionality of the colonialist justice system,

<b>Please enter your first and last name</b>	Ashley Friel
<b>Email Address</b>	a.friel@afparalegals.com
<b>Please make a selection below</b>	I am a paralegal
<b>Are you representing an organization or association through your participation?</b>	No
<b>What is the setting of your workplace?</b>	Small firm (2-5 licensees)
<b>Practice area focus:</b>	- Administrative Law - Employment/Labour Law - Human Rights/Social Justice Law - Landlord and Tenant Law - Ontario Court of Justice - Provincial Offences Act matters - Ontario Court of Justice - Summary Conviction Offences - Small Claims Court matters
<b>What is the location of your workplace? If submitting on your own behalf, where do you reside?</b>	Northeast, including Cochrane (Timmins), Algoma (Sault Ste. Marie), Sudbury (Sudbury), Temiskaming (Haileybury), Nipissing (North Bay), Parry Sound (Parry Sound)

#### Working definition of competence

**1. Do you agree with the working definition of competence? Are there any aspects of the definition that you would change?**

Yes.

#### Principles for an effective competence regime

**2. Do you agree with the five principles for an effective competence regime set out below? Are there principles that should be included or omitted?**

- a) Risk-based - Regulatory activities should ideally be designed to focus on addressing areas of greatest risk to the public based on known outcomes.
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- d) Forward-looking - The competence framework should be future-oriented in order to accommodate the fundamental changes taking place in the market for legal services.
- e) Client-centred - Competence requirements should consider the client's needs, goals, and perspective on what constitutes the competent provision of legal services. This would include an awareness of differences in backgrounds, income levels, abilities and cultures that may impact communications with clients and the way in which legal advice and services are provided.

Yes, I agree with the five principles.

#### Components of continuing competence framework

**3. Do the components of the Law Society's current continuing competence framework listed below adhere to the five principles for an effective competence regime set out in question 2 (i.e., risk-based, flexible, feasible, forward-looking, client-centred)? If not, why not?**

- a) CPD requirement and programs
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- c) Coach and Advisor Network
- d) Practice assessment programs (practice reviews, spot audits, and practice audits)
- e) Certified Specialist Program
- f) Legal information and research supports (Great Library and LIRN)

Yes, I believe these components adhere to the five principles.

#### Renewing the Law Society's continuing competence framework

**4.1. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**CPD**

- a) Should the CPD requirement be changed to target the development and maintenance of certain competencies?**
- b) Should the CPD requirement be tied to the licensee's practice area(s), experience level, or identified areas of risk?**
- c) Should licensees complete their CPD requirement over the course of two calendar years rather than annually?**
- d) Should CPD programs be more stringent or interactive to help ensure that licensees are engaged and learning?**
- e) Should the CPD requirement remain as is, be enhanced, or be eliminated altogether?**
- f) As an alternative to the CPD requirement, should licensees be required to conduct a self-assessment to identify their learning and training needs and then create and execute their own unique professional development plan?**
- a) I believe that licensees should be required to complete additional CPD hours, especially for those taking on the responsibility of managing a practice, mentoring a new licensee, or supervising a student placement.
- b) I don't believe that the CPD requirement should be tied to the licensee's specific practice area(s); however, I do believe that it should be tied to the licensee's permitted scope of practice. In the event that there are areas of risk that are identified for a specific licensee, their CPD requirement should be tailored to address that risk, develop and maintain the area of competence that was identified as a risk. It may be beneficial to have CPD's focused on the varying levels of experience, I don't believe that a licensee should be disqualified from taking a CPD program based on their level of experience.
- c) I believe that the CPD requirement should remain an annual obligation imposed upon licensees. It seems that there are many licensees that wait until the last possible second to complete their hour requirement. Additionally, I believe that many only complete the minimum number of hours. I am concerned that someone who waits until the last possible second to complete their hours over a two calendar year period runs the risk of missing important information regarding changes to the profession, procedures, legislation, and case law precedent, which could be detrimental to the public.
- d) I do believe that it would be beneficial for CPD programs to be more interactive to ensure that those taking the programs are taking away as much information and are maximizing their learning. I believe that this has been one of the downsides of remote participation during the COVID-19 pandemic. I understand that we are working with the tools available to us; however, interaction is limited and it's difficult to distinguish between those who are paying attention to the programing and those who are simply turning on the webcast shifting their focus to other things.
- e) I believe that eliminating the CPD requirement would have a negative effect on the quality of service available to members of the public. I truly believe that there are licensees who only complete their CPD hours because it is a requirement, with consequences if not met. While I believe that the majority of licensees will complete CPD program regardless of it being mandatory, I do believe that there are some individuals that will stop taking and participating in CPD programing all together. Those that are not committed to personal and professional growth may not be able to uphold the level of competence that is expected of a licensee, which is a potential risk to the public.
- f) I believe that licensees should conduct a self-assessment to identify their learning and training needs and then create and execute their own unique professional development plan; however, I believe this should be done in addition to the CPD requirement and not as an alternative to the CPD requirement. I believe that this self-assessment would ensure that licensees are selecting and participating in CPD programing and other forms of professional development that target the competencies that they need to develop and maintain.

**4.2. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Enhanced practice support and training**

- g) Should the Law Society provide enhanced support for sole practitioners and small firms, such as courses on the business of law, law firm management and financial record-keeping?**
- h) Should licensees be required to complete a training course related to a set of core competencies, such as practice management or client communications? If so, should the course be mandatory for:**
- i. all licensees,**
  - ii. new licensees,**
  - iii. licensees in sole or small firm practice,**
  - iv. licensees transitioning to sole practice?**
- g) I believe that it would be extremely helpful if the Law Society were to provide enhanced support for sole practitioners and small firms by offering courses and the business of law, law office management, financial record-keeping, among other important topics. While I can't speak for all my colleagues, I can advise that I would take said courses if they were available to me.
- h) I do believe that there should be a training course related to certain core competencies, like practice management. I think it should be mandatory for any new licensee starting out as a sole practitioner, to new licensees that are opening small offices/firms, to those transitioning from being part of an office/firm to being a sole practitioner, and to any licensee that supervises staff, student placements, or who take an active role in the day to day operations of their firm/office. Perhaps there could be an option to either take certain courses or participate in a mentorship program. I believe this option would also help those that learn better in a hands-on environment.

**4.3. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Peer-based initiatives**

**i) Should the Law Society require or encourage licensees to enter into a mentoring relationship, either as a mentor or mentee?**

**j) Should the Law Society introduce peer assessments as a mechanism for improving competence? If so, how should they be structured?**

**k) Are you aware of the Coach and Advisor Network? Have you participated in it and if so, did you find it helpful?**

**l) Should the Coach and Advisor Network remain as is, be enhanced, or be eliminated altogether?**

i) I believe that licensees should be encouraged to enter into a mentoring relationship, either as a mentor or as a mentee. I do believe that everyone should have a mentor during their career; however, not everyone should be a mentor. I fear that making this a requirement would result in individuals becoming mentors that should not be. There are also those that are very experienced but that do not have time or are unable to mentor someone for some other reason. In my opinion, there would have to be additional oversight if this was made a requirement.

j) This may be beneficial in concept; however, I'm unsure as to how it would need to be structured in order to be efficient. The goal is to improve competence, and not for any other purpose. Safeguards would need to be implemented to ensure this process is not abused. Ideally, peer assessments would be conducted by another licensee in one's office, likely the person in charge of practice management for the firm. Perhaps a colleague or mentor could also assist with peer assessments.

k) I have recently become aware of the Coach and Advisor Network. I have not yet participated, but I do intend to do so.

l) Given that I have only recently become aware of the Coach and Advisor network and have not yet been able to participate, I cannot provide feedback.

**4.4. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Practice assessments**

**m) Are you aware of practice assessments (i.e., practice reviews, spot audits, and practice audits)? Have you ever received one and if so, did you find it helpful?**

**n) Should the Law Society increase the number of practice assessments that it performs? If so, who should these additional practice assessments target?**

**o) Should the practice assessment program remain as is, be enhanced, or be eliminated altogether?**

m) I am aware that the Law Society conducts practice assessments periodically. I have never received a practice assessment. Though I have not yet had the experience of a practice assessment, it is my believe that said assessment would be helpful so long as the primary goal is to identify any areas that are in need of improvement and facilitate the development of a plan to achieve that goal.

n) I'm not sure if the Law Society should increase the number of random practice assessments. I do think their should be an option to request a practice assessment. Please see below.

o) I believe that practice assessments should continue to be conducted by the Law Society. I believe that there should be a way for a licensee to request that the Law Society attend and perform a practice assessment of their office/firm. I think that many licensees would find the process less stressful if they were the ones to initiate the process. I also believe this is a way to identify areas of improvement and create a training plan to meet those needs as soon as possible. It's my view that this would support licensees in being successful and would also be a benefit to members of the public.

**4.5. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Certified Specialist Program**

**p) Are you aware of the Certified Specialist Program? Have you participated in it and if so, did you find it useful?**

**q) Should the Certified Specialist Program remain as is, be modified, or be eliminated altogether?**

p) I have heard about the Certified Specialist Program, but have not participated. It's my understanding that as a paralegal, I'm not eligible to participate.

q) I think the program should be modified to include the permitted scope of practice of licensed paralegals and to allow paralegals to be eligible for Certified Specialist designation.

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**Technological competence**

**r) Are there basic technological skills that the Law Society should require all licensees to have? If so, what are the skills and how should the Law Society verify or ensure that licensees have them?**

**s) In order to prepare licensees for the rapidly changing future, should the Law Society require or encourage licensees to take courses to enhance their technological competence?**

r) I think that basic computer and electronic communication skills should be mandatory for all licensees.

s) I believe that all licensees should be encouraged to enhance their technological competence, as things continue to evolve. Especially given the introduction of online submissions and remote hearings. Perhaps there could be some CPD programing aimed at using various software like Zoom, EScribe, Teams, Adobe Connect, Cleo, ULaw, PCLaw, etc.

**Additional aspects of competence regime**

**5. Is there anything else that should be included in the competence framework or that you would like to comment on with respect to continuing licensee competence?**

I believe that the hour requirement for the paralegal field placement should be increased above 125hours. I do not believe that 125hours is sufficient time to ensure that a licensee is knowledgeable and has the skills that are needed to efficiently and effectively serve clients. It should be more comparable to the length of time spent by law students during their articling.

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<b>Please enter your first and last name</b>	Jillian Hardy
<b>Email Address</b>	jhardy4122@gmail.com
<b>Please make a selection below</b>	I am a paralegal
<b>Are you representing an organization or association through your participation?</b>	No
<b>What is the setting of your workplace?</b>	Small firm (2-5 licensees)
<b>Practice area focus:</b>	- Ontario Court of Justice - Provincial Offences Act matters - Ontario Court of Justice - Summary Conviction Offences - Small Claims Court matters
<b>What is the location of your workplace? If submitting on your own behalf, where do you reside?</b>	Toronto (GTA)

#### Working definition of competence

**1. Do you agree with the working definition of competence? Are there any aspects of the definition that you would change?**  
Yes I agree with the definition.

#### Principles for an effective competence regime

**2. Do you agree with the five principles for an effective competence regime set out below? Are there principles that should be included or omitted?**

- a) Risk-based - Regulatory activities should ideally be designed to focus on addressing areas of greatest risk to the public based on known outcomes.
- b) Flexible - Obligations should reflect the diverse array of practice areas, practice settings, geographies, practice stages, and other contextual factors that impact the professional circumstances of lawyers and paralegals.
- c) Feasible - Competence requirements should be cost effective and achievable by the regulator and licensees alike and should not impose unreasonable burdens.
- d) Forward-looking - The competence framework should be future-oriented in order to accommodate the fundamental changes taking place in the market for legal services.
- e) Client-centred - Competence requirements should consider the client's needs, goals, and perspective on what constitutes the competent provision of legal services. This would include an awareness of differences in backgrounds, income levels, abilities and cultures that may impact communications with clients and the way in which legal advice and services are provided.  
Relevant - the obligations should be relevant to the role and area of practice the licensee is working in. Right now we can do all our CPD hours in whatever area of law we want, even if it has nothing to do with the area of law we work in. In this way, the CPD requirements are not ensuring the licensee is competent.

#### Components of continuing competence framework

**3. Do the components of the Law Society's current continuing competence framework listed below adhere to the five principles for an effective competence regime set out in question 2 (i.e., risk-based, flexible, feasible, forward-looking, client-centred)? If not, why not?**

- a) CPD requirement and programs
- b) The Practice Management Helpline
- c) Coach and Advisor Network
- d) Practice assessment programs (practice reviews, spot audits, and practice audits)
- e) Certified Specialist Program
- f) Legal information and research supports (Great Library and LIRN)

CPD courses are often very expensive. There are many free ones available, but often they are for professional or EDI hours, not substantive. Substantive hours are really what keeps a licensee competent in their areas of practice.

There are not many CPD courses offered by the LSO directed to paralegals. This is true especially for POA and criminal matters, which is disappointing considering this is one of the major areas of law paralegals work in.

There is an underrepresentation of paralegals in many administrative tribunals. More paralegals in areas such as Human Rights Tribunal, etc. would increase access to justice for Ontarians. Providing more (and affordable) CPD courses would help paralegals looking to expand their areas of practice develop competency in those areas. The underrepresentation of paralegals means there is a mentorship gap in these areas of law because there are few paralegals to act as mentors and few opportunities to do placements there, etc. More CPD courses covering different administrative tribunals would also cover the mentorship gaps that exists.

The Coach and Advisor Network is a great idea in theory, but when I tried to use the services they did not have many paralegal coach on the roster. I was offered a lawyer coach (which was fine) but not ideal.

#### Renewing the Law Society's continuing competence framework

**4.1. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**CPD**

- a) Should the CPD requirement be changed to target the development and maintenance of certain competencies?**
- b) Should the CPD requirement be tied to the licensee's practice area(s), experience level, or identified areas of risk?**
- c) Should licensees complete their CPD requirement over the course of two calendar years rather than annually?**
- d) Should CPD programs be more stringent or interactive to help ensure that licensees are engaged and learning?**
- e) Should the CPD requirement remain as is, be enhanced, or be eliminated altogether?**
- f) As an alternative to the CPD requirement, should licensees be required to conduct a self-assessment to identify their learning and training needs and then create and execute their own unique professional development plan?**

a) Yes I think certain competencies should be mandatory. Awareness of Indigenous issues and issues faced by racialized defendants comes to mind when dealing with criminal and POA matters.

b) The CPD requirement should have some requirement related to the areas of practice a licensee works in. Currently I could do all 9 of my substantive hours in employment law even though I work in POA and summary Criminal matters. There is nothing in the current requirement for the CPDs to be relevant to the area of practice.

c) No, one calendar year is easier to keep track.

d) More interactive would be a good idea. Or licensees have to upload their notes of the CPD course to the portal to show their engagement with the material.

e) Enhanced. Definitely do not eliminate.

f) This is a cool idea. Seems like a lot of work. Perhaps if it was combined with CAN or licensees had access to a Coach for guidance in the development of their plan.

**4.2. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Enhanced practice support and training**

- g) Should the Law Society provide enhanced support for sole practitioners and small firms, such as courses on the business of law, law firm management and financial record-keeping?**
- h) Should licensees be required to complete a training course related to a set of core competencies, such as practice management or client communications? If so, should the course be mandatory for:**
  - i. all licensees,**
  - ii. new licensees,**
  - iii. licensees in sole or small firm practice,**
  - iv. licensees transitioning to sole practice?**

The LSO should provide enhanced support for solo and small firms, especially in developing leadership, management and communication skills. Being a good lawyer/paralegal does NOT mean you will be a good manager or supervisor. Improving the quality of managers/supervisors in small offices will create better cultures, help with stress, and ensure they are training staff properly. All of these would benefit the public.

I think the LSO should consider enhanced supports for new licensees. There is a gap between the colleges and working as a paralegal. Paralegal placements are quite short (usually 4 weeks) and it is not enough time to become fully competent. New licensees face a mentorship gap.

The LSO should make it easier to learn what is expected of you by the LSO once you become a licensee. No one taught me how to use the LSO Portal. Additionally, I had to spend HOURS on the LSO website looking at deadlines for insurance, CPDs & annual reports, CPD requirements, and acceptable CPD activities. I was so scared I was going to miss something and it added a lot of stress for no reason. The LSO could easily put an hour long course together to walk new licensees through their obligations. The course should also cover the resources available to licenses - MAP, Discrimination & Harassment Counsel, Great Library, etc.

**4.3. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Peer-based initiatives**

- i) Should the Law Society require or encourage licensees to enter into a mentoring relationship, either as a mentor or mentee?**
- j) Should the Law Society introduce peer assessments as a mechanism for improving competence? If so, how should they be structured?**
- k) Are you aware of the Coach and Advisor Network? Have you participated in it and if so, did you find it helpful?**
- l) Should the Coach and Advisor Network remain as is, be enhanced, or be eliminated altogether?**

i) Yes, licensees should be encouraged to be mentors and mentees. Mentorships are so important in the legal profession but it can be hard to find a good mentor.

k) The Coach and Advisor Network is a great idea in theory, but when I tried to use the services they did not have many paralegal coach on the roster. I was offered a lawyer coach (which was fine) but not ideal. The lawyer Coach treated it as an Advisor call. Seems like he didn't know what was expected of him.

l) Get more paralegals on the roster.

**4.4. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Practice assessments**

**m) Are you aware of practice assessments (i.e., practice reviews, spot audits, and practice audits)? Have you ever received one and if so, did you find it helpful?**

**n) Should the Law Society increase the number of practice assessments that it performs? If so, who should these additional practice assessments target?**

**o) Should the practice assessment program remain as is, be enhanced, or be eliminated altogether?**

I have never been a part of a practice assessment so I have no comment on this.

**4.5. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Certified Specialist Program**

**p) Are you aware of the Certified Specialist Program? Have you participated in it and if so, did you find it useful?**

**q) Should the Certified Specialist Program remain as is, be modified, or be eliminated altogether?**

I am not aware of the Certified Specialist Program and have no comment on this.

**4.6 Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Technological competence**

**r) Are there basic technological skills that the Law Society should require all licensees to have? If so, what are the skills and how should the Law Society verify or ensure that licensees have them?**

**s) In order to prepare licensees for the rapidly changing future, should the Law Society require or encourage licensees to take courses to enhance their technological competence?**

r) Yes! All licensees should know email and Zoom.

s) Yes. Licensees will need to keep up with the modernization of the courts. It's about time the public sector kept pace with the private sector.

**4.7. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Encouraging excellence**

**t) Should the Law Society incentivize licensees to strive for excellence? If so, how?**

I'm not sure how the LSO would determine criteria for achieving excellence. I think it's great to encourage licensees to go beyond the minimum. Incentives could be access to LinkedIn learning or CPD courses, etc. Discounts in LSO fees or insurance premiums would also be nice.

**Additional aspects of competence regime**

**5. Is there anything else that should be included in the competence framework or that you would like to comment on with respect to continuing licensee competence?**

No, nothing else to add. I gave all my opinions in the above sections.

Thank you for taking the time to read them and consider them. I hope you have a great day. Stay safe.

<b>Please enter your first and last name</b>	Renee Johnson
<b>Email Address</b>	rrmjarvis@gmail.com
<b>Please make a selection below</b>	I am a paralegal
<b>Are you representing an organization or association through your participation?</b>	No
<b>What is the setting of your workplace?</b>	Sole practice
<b>Practice area focus:</b>	- Small Claims Court matters - currently not practicing hoping to re start practice later in year when courts re open
<b>What is the location of your workplace? If submitting on your own behalf, where do you reside?</b>	Toronto (GTA)

**Working definition of competence**

**Principles for an effective competence regime**

**Components of continuing competence framework**

**3. Do the components of the Law Society's current continuing competence framework listed below adhere to the five principles for an effective competence regime set out in question 2 (i.e., risk-based, flexible, feasible, forward-looking, client-centred)? If not, why not?**

- a) CPD requirement and programs
- b) The Practice Management Helpline
- c) Coach and Advisor Network
- d) Practice assessment programs (practice reviews, spot audits, and practice audits)
- e) Certified Specialist Program

**f) Legal information and research supports (Great Library and LIRN)**

For paralegals not enough cpd courses. In addition, training provided for Provincial Offences was not sufficient to be able to work in the field after graduation.

**Renewing the Law Society's continuing competence framework**

**4.2. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Enhanced practice support and training**

**g) Should the Law Society provide enhanced support for sole practitioners and small firms, such as courses on the business of law, law firm management and financial record-keeping?**

**h) Should licensees be required to complete a training course related to a set of core competencies, such as practice management or client communications? If so, should the course be mandatory for:**

- i. all licensees,
- ii. new licensees,
- iii. licensees in sole or small firm practice,
- iv. licensees transitioning to sole practice?

No, paralegal already take these courses and and required to do 120 hours co- op. The co-op needs to be longer and better opportunities i.e court experience.

**4.3. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Peer-based initiatives**

**i) Should the Law Society require or encourage licensees to enter into a mentoring relationship, either as a mentor or mentee?**

**j) Should the Law Society introduce peer assessments as a mechanism for improving competence? If so, how should they be structured?**

**k) Are you aware of the Coach and Advisor Network? Have you participated in it and if so, did you find it helpful?**

**l) Should the Coach and Advisor Network remain as is, be enhanced, or be eliminated altogether?**

Yes, paralegals need mentorship after graduation and beginning of their careers. Mentorship should be free. There is a trend now for coaches to set up organizations and charge paralegals to be members of these organizations. If one is just starting out (solo practice) this can become costly when on factors in insurance and membership fees and other start up costs of starting a business. It take time to build a practice so I experienced too much money going out on expenses and no cash flow coming in. Thus, I was not able to keep practice going thus when I started receiving calls I was no longer insured and not able to assist people with their legal issues.

**4.4. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Practice assessments**

**m) Are you aware of practice assessments (i.e., practice reviews, spot audits, and practice audits)? Have you ever received one and if so, did you find it helpful?**

**n) Should the Law Society increase the number of practice assessments that it performs? If so, who should these additional practice assessments target?**

**o) Should the practice assessment program remain as is, be enhanced, or be eliminated altogether?**

Yes, aware of practice adults. No, I have not had one since currently not practicing.

**4.5. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Certified Specialist Program**

**p) Are you aware of the Certified Specialist Program? Have you participated in it and if so, did you find it useful?**

**q) Should the Certified Specialist Program remain as is, be modified, or be eliminated altogether?**

Not aware of Certified Specialist Program.

**4.6 Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Technological competence**

**r) Are there basic technological skills that the Law Society should require all licensees to have? If so, what are the skills and how should the Law Society verify or ensure that licensees have them?**

**s) In order to prepare licensees for the rapidly changing future, should the Law Society require or encourage licensees to take courses to enhance their technological competence?**

Yes, technology competent is important. Courses took in school didnt prepare me for work after graduation. I had to pay for accounting program and learn on my own. In addition with AI coming it is important for paralegals know about how this technology is going to effect how solo practitioners may not be able to compete with larger firms that can and are already using AI for legal research

**Additional aspects of competence regime**

**5. Is there anything else that should be included in the competence framework or that you would like to comment on with respect to continuing licensee competence?**

Needs to be more support and opportunities after graduation. Most law firms want 3 to 5 years experience. How does one get experience if they just graduated.

<b>Please enter your first and last name</b>	Audrey Nobes-Skinner
<b>Email Address</b>	paralegalservices411@gmail.com
<b>Please make a selection below</b>	I am a paralegal
<b>Are you representing an organization or association through your participation?</b>	No
<b>What is the setting of your workplace?</b>	Sole practice
<b>Practice area focus:</b>	- Landlord and Tenant Law - Ontario Court of Justice - Provincial Offences Act matters - Ontario Court of Justice - Summary Conviction Offences
<b>What is the location of your workplace? If submitting on your own behalf, where do you reside?</b>	Southwest, including Huron (Goderich), Perth (Stratford), Oxford (Woodstock), Middlesex (London), Lambton (Sarnia), Elgin (St. Thomas), Kent (Chatham), Essex (Windsor)

#### Working definition of competence

##### 1. Do you agree with the working definition of competence? Are there any aspects of the definition that you would change?

Just to encompass more that licensees should get more benefit of the doubt with client complaints because sometimes the venue that you are providing the services could produce some perceptions that were not intended; for example, social media can sometimes lose the intent or tone and be perceived as otherwise, sometimes not meeting clients face-to-face and on-line can produce a "disconnect" and therefore not be as personal nor as invested as in-person and could produce problems with that venue that may not occur with a personal one-on-one type of business relationship or the services being provided. I think a little more filtering at the end of the law society would help support the licensees, considering the risk and consequences we face if our license is suspended or in jeopardy when it was a smaller issue that can be resolved versus saving the resources and time for those who blatantly don't follow the rules, practices, and policies.

#### Principles for an effective competence regime

##### 2. Do you agree with the five principles for an effective competence regime set out below? Are there principles that should be included or omitted?

- a) Risk-based - Regulatory activities should ideally be designed to focus on addressing areas of greatest risk to the public based on known outcomes.
- b) Flexible - Obligations should reflect the diverse array of practice areas, practice settings, geographies, practice stages, and other contextual factors that impact the professional circumstances of lawyers and paralegals.
- c) Feasible - Competence requirements should be cost effective and achievable by the regulator and licensees alike and should not impose unreasonable burdens.
- d) Forward-looking - The competence framework should be future-oriented in order to accommodate the fundamental changes taking place in the market for legal services.
- e) Client-centred - Competence requirements should consider the client's needs, goals, and perspective on what constitutes the competent provision of legal services. This would include an awareness of differences in backgrounds, income levels, abilities and cultures that may impact communications with clients and the way in which legal advice and services are provided.

Mostly yes

#### Components of continuing competence framework

##### 3. Do the components of the Law Society's current continuing competence framework listed below adhere to the five principles for an effective competence regime set out in question 2 (i.e., risk-based, flexible, feasible, forward-looking, client-centred)? If not, why not?

- a) CPD requirement and programs
- b) The Practice Management Helpline
- c) Coach and Advisor Network
- d) Practice assessment programs (practice reviews, spot audits, and practice audits)
- e) Certified Specialist Program
- f) Legal information and research supports (Great Library and LIRN)

Mostly yes

#### Renewing the Law Society's continuing competence framework

**4.1. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**CPD**

- a) Should the CPD requirement be changed to target the development and maintenance of certain competencies?
- b) Should the CPD requirement be tied to the licensee's practice area(s), experience level, or identified areas of risk?
- c) Should licensees complete their CPD requirement over the course of two calendar years rather than annually?
- d) Should CPD programs be more stringent or interactive to help ensure that licensees are engaged and learning?
- e) Should the CPD requirement remain as is, be enhanced, or be eliminated altogether?
- f) As an alternative to the CPD requirement, should licensees be required to conduct a self-assessment to identify their learning and training needs and then create and execute their own unique professional development plan?

Two years to do CPD's would be a nice break and more budget friendly especially to newer practicing licensees (second-third year licensee for example)

Eventhough the discount for new licensee helps a lot, I know I appreciated it immensely when I first started out.

A/ no B/no C/yes D/no and eliminate E/no F/no and eliminate

**4.2. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Enhanced practice support and training**

- g) Should the Law Society provide enhanced support for sole practitioners and small firms, such as courses on the business of law, law firm management and financial record-keeping?
- h) Should licensees be required to complete a training course related to a set of core competencies, such as practice management or client communications? If so, should the course be mandatory for:
  - i. all licensees,
  - ii. new licensees,
  - iii. licensees in sole or small firm practice,
  - iv. licensees transitioning to sole practice?

G/ yes H/ Only for new licensees for the next few years; considering the schools are pumping out more graduates, saturating the profession, and lowering the overall status and professionalism expected from and for licensees of the Law Society of Ontario. Also, it will be especially important for the groups of those on placement that had Covid hindering their full exposure to a real practice and or firm.

I would like though to see instead courses/training that are a little less in price overall for the core competencies as a sole practitioner so that I may have refreshers, learn, and know the new requirements as they unfold, to keep myself versed in this area and take something every 2 years to ensure I am well versed, knowledgeable, and practicing fully these core competencies in my practice and also so I represent the Law Society as a true professional licensee of this great society.

**4.3. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Peer-based initiatives**

- i) Should the Law Society require or encourage licensees to enter into a mentoring relationship, either as a mentor or mentee?
- j) Should the Law Society introduce peer assessments as a mechanism for improving competence? If so, how should they be structured?
- k) Are you aware of the Coach and Advisor Network? Have you participated in it and if so, did you find it helpful?
- l) Should the Coach and Advisor Network remain as is, be enhanced, or be eliminated altogether?

I love this program. It is to newer licensees because there is lots of stuff that you don't get at the academic level. Absolutely, more encouragement for licensees to participate. I am wanting to become a mentor myself and wish I still could access that program as a licensee at any time during my career, especially if I am changing my scope of practice.

**4.4. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Practice assessments**

- m) Are you aware of practice assessments (i.e., practice reviews, spot audits, and practice audits)? Have you ever received one and if so, did you find it helpful?
- n) Should the Law Society increase the number of practice assessments that it performs? If so, who should these additional practice assessments target?
- o) Should the practice assessment program remain as is, be enhanced, or be eliminated altogether?

Should just remain as is. and or be done less often.

**4.5. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Certified Specialist Program**

- p) Are you aware of the Certified Specialist Program? Have you participated in it and if so, did you find it useful?
- q) Should the Certified Specialist Program remain as is, be modified, or be eliminated altogether?

Wish paralegals could do this, so that our profession could have specialist in areas that the public could utilize such as specialist in LTB matters.

**4.6 Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Technological competence**

**r) Are there basic technological skills that the Law Society should require all licensees to have? If so, what are the skills and how should the Law Society verify or ensure that licensees have them?**

**s) In order to prepare licensees for the rapidly changing future, should the Law Society require or encourage licensees to take courses to enhance their technological competence?**

Not require but please offer

**4.7. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Encouraging excellence**

**t) Should the Law Society incentivize licensees to strive for excellence? If so, how?**

By having courses available and or credit given in some type of form for taking additional courses or programs at Osgoode Hall for example. Will have to think about some other ways that this could become a way to motivate and recognize initiative.

**Additional aspects of competence regime**

**5. Is there anything else that should be included in the competence framework or that you would like to comment on with respect to continuing licensee competence?**

Let Paralegals who specialize become certified specialist.

Let Paralegals who are specialized the ability to do or have the opportunity to do legal aid certificates as part of the Access to Justice plight.

Please enter your first and last name	Jaclyn Rose
Email Address	Jaclyn.rose4@gmail.com
Please make a selection below	I am a paralegal
Are you representing an organization or association through your participation?	No
What is the setting of your workplace?	Other
Practice area focus:	- Family /Matrimonial Law - Immigration Law - Small Claims Court matters - Wills, Estates, Trusts Law
What is the location of your workplace? If submitting on your own behalf, where do you reside?	Central East, including Muskoka (Bracebridge), Victoria & Haliburton (Lindsay), Simcoe (Barrie), Durham (Whitby), Peterborough (Peterborough), Northumberland (Cobourg)

#### Working definition of competence

1. Do you agree with the working definition of competence? Are there any aspects of the definition that you would change?

Yes

#### Principles for an effective competence regime

2. Do you agree with the five principles for an effective competence regime set out below? Are there principles that should be included or omitted?

- a) Risk-based - Regulatory activities should ideally be designed to focus on addressing areas of greatest risk to the public based on known outcomes.
- b) Flexible - Obligations should reflect the diverse array of practice areas, practice settings, geographies, practice stages, and other contextual factors that impact the professional circumstances of lawyers and paralegals.
- c) Feasible - Competence requirements should be cost effective and achievable by the regulator and licensees alike and should not impose unreasonable burdens.
- d) Forward-looking - The competence framework should be future-oriented in order to accommodate the fundamental changes taking place in the market for legal services.
- e) Client-centred - Competence requirements should consider the client's needs, goals, and perspective on what constitutes the competent provision of legal services. This would include an awareness of differences in backgrounds, income levels, abilities and cultures that may impact communications with clients and the way in which legal advice and services are provided.

Agree

#### Components of continuing competence framework

3. Do the components of the Law Society's current continuing competence framework listed below adhere to the five principles for an effective competence regime set out in question 2 (i.e., risk-based, flexible, feasible, forward-looking, client-centred)? If not, why not?

- a) CPD requirement and programs
- b) The Practice Management Helpline
- c) Coach and Advisor Network
- d) Practice assessment programs (practice reviews, spot audits, and practice audits)
- e) Certified Specialist Program
- f) Legal information and research supports (Great Library and LIRN)

Yes

#### Renewing the Law Society's continuing competence framework

4.1. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:

##### CPD

- a) Should the CPD requirement be changed to target the development and maintenance of certain competencies?
- b) Should the CPD requirement be tied to the licensee's practice area(s), experience level, or identified areas of risk?
- c) Should licensees complete their CPD requirement over the course of two calendar years rather than annually?
- d) Should CPD programs be more stringent or interactive to help ensure that licensees are engaged and learning?
- e) Should the CPD requirement remain as is, be enhanced, or be eliminated altogether?
- f) As an alternative to the CPD requirement, should licensees be required to conduct a self-assessment to identify their learning and training needs and then create and execute their own unique professional development plan?

CPD should be eliminated altogether. We are professionals, it should be a personal onus to ensure we are competent and self learning when required.

**4.2. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Enhanced practice support and training**

**g) Should the Law Society provide enhanced support for sole practitioners and small firms, such as courses on the business of law, law firm management and financial record-keeping?**

**h) Should licensees be required to complete a training course related to a set of core competencies, such as practice management or client communications? If so, should the course be mandatory for:**

- i. all licensees,**
- ii. new licensees,**
- iii. licensees in sole or small firm practice,**
- iv. licensees transitioning to sole practice?**

Training should be optional for licensees who believe they can benefit, to avoid being redundant for professionals that don't require additional training.

**4.3. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Peer-based initiatives**

**i) Should the Law Society require or encourage licensees to enter into a mentoring relationship, either as a mentor or mentee?**

**j) Should the Law Society introduce peer assessments as a mechanism for improving competence? If so, how should they be structured?**

**k) Are you aware of the Coach and Advisor Network? Have you participated in it and if so, did you find it helpful?**

**l) Should the Coach and Advisor Network remain as is, be enhanced, or be eliminated altogether?**

I was not aware of the coach and advisor network

**4.4. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Practice assessments**

**m) Are you aware of practice assessments (i.e., practice reviews, spot audits, and practice audits)? Have you ever received one and if so, did you find it helpful?**

**n) Should the Law Society increase the number of practice assessments that it performs? If so, who should these additional practice assessments target?**

**o) Should the practice assessment program remain as is, be enhanced, or be eliminated altogether?**

Eliminated. It should be each licensees responsibility to ensure they are providing the best services possible.

**4.5. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Certified Specialist Program**

**p) Are you aware of the Certified Specialist Program? Have you participated in it and if so, did you find it useful?**

**q) Should the Certified Specialist Program remain as is, be modified, or be eliminated altogether?**

It should be available to paralegals as well

**4.6 Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Technological competence**

**r) Are there basic technological skills that the Law Society should require all licensees to have? If so, what are the skills and how should the Law Society verify or ensure that licensees have them?**

**s) In order to prepare licensees for the rapidly changing future, should the Law Society require or encourage licensees to take courses to enhance their technological competence?**

I feel the current technical requirements are sufficient.

**4.7. Should any, some or all of the key components of the competence regime set out in question 3 be modified, restructured or terminated? If so, how? Some examples are:**

**Encouraging excellence**

**t) Should the Law Society incentivize licensees to strive for excellence? If so, how?**

This should be the employers or sole proprietor's responsibility

**Additional aspects of competence regime**

Please enter your first and last name	S C
Email Address	shredsonshreddington@gmail.com
Please make a selection below	I am a paralegal
Are you representing an organization or association through your participation?	No
What is the location of your workplace? If submitting on your own behalf, where do you reside?	Toronto (GTA)

#### Working definition of competence

#### Principles for an effective competence regime

2. Do you agree with the five principles for an effective competence regime set out below? Are there principles that should be included or omitted?

- a) Risk-based - Regulatory activities should ideally be designed to focus on addressing areas of greatest risk to the public based on known outcomes.
- b) Flexible - Obligations should reflect the diverse array of practice areas, practice settings, geographies, practice stages, and other contextual factors that impact the professional circumstances of lawyers and paralegals.
- c) Feasible - Competence requirements should be cost effective and achievable by the regulator and licensees alike and should not impose unreasonable burdens.
- d) Forward-looking - The competence framework should be future-oriented in order to accommodate the fundamental changes taking place in the market for legal services.
- e) Client-centred - Competence requirements should consider the client's needs, goals, and perspective on what constitutes the competent provision of legal services. This would include an awareness of differences in backgrounds, income levels, abilities and cultures that may impact communications with clients and the way in which legal advice and services are provided.

Consistency in delivery of the initial paralegal college-level program is important given the sensitivity of certain under-taught skills to teacher quality. At least some colleges are also just not fit to administer the foundation of a paralegal education, due to:

- (a) their failure to ensure that a given instructor has specific experience and competency in all the courses they teach;
- (b) their failure to attract/reward/retain experienced and dedicated professionals with full-time work, as well as the flexibility required for a practicing legal professional;
- (c) a basic curriculum that has neither the breadth, depth, or rigour required to give a solid foundation to a legal professional (and yet encourages them to start their own business for it!);
- (d) low bar to entry into the program/achieving a passing mark, resulting in a low standard for student achievement and quality/rigour of instruction;
- (e) a focus on increasing student enrolment to the detriment of quality of education; and,
- (f) a focus on reducing costs to the detriment of quality of education.

#### Components of continuing competence framework

#### Renewing the Law Society's continuing competence framework

#### Additional aspects of competence regime

5. Is there anything else that should be included in the competence framework or that you would like to comment on with respect to continuing licensee competence?

For paralegals, it is more important to look at how the initial paralegal college-level foundational program is administered (i.e. focus on baseline competence before continuing competence); this is especially true given that we have not been licensing paralegals for that long. As it stands, it would be better for a working group to prepare a rigorous curriculum delivered via pre-recorded lectures and electronic materials, and vetted by experienced, competent professionals and instructors (and not from people who read from slides and don't understand the material). This is the only cost effective, sustainable way to ensure a consistent high standard of education across Ontario. Colleges can then focus on delivering in-person learning and interaction where it is needed the most, and truly become places of practical learning (as they were meant to be).