

Application for Lawyer Licence Following Revocation or Permission to Surrender Under Sections 27 and 30 of the *Law Society Act* and Parts II and III of By-Law 4

About Licensing Following Revocation or Permission to Surrender Licence

Former Law Society of Ontario (Law Society) lawyers who were permitted to surrender their licence, or whose licence was revoked, may apply for licensing under the *Law Society Act* and By-Law 4 as follows:

- Licensing: *Law Society Act* s.27
- Surrender of Licence: *Law Society Act* s.30
- Issuance of Licence: By-Law 4 Part II
- Surrender of Licence: By-Law 4 Part III

Required Documents

Please submit the following:

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, visit the Law Society Store at <https://store.lso.ca/licensing>. **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:	\$300.00
HST: #121712863:	\$39.00
Total:	\$339.00

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. Required Documents:

Submit additional relevant documents to comply with specific application requirements – see **PART C** for details. Documents must not be older than 60 days.

Additional Information

By-Law 4, Part II

In accordance with Part II of By-Law 4, lawyers will be required to sign an Affidavit for Taking the Oath to be licensed to practise law in Ontario, which will be sent to you by email.

Private Practice Re-entry Requirement

On April 24, 2008, Convocation approved a private practice re-entry requirement for lawyers re-entering private practice.

The Law Society requires lawyers who are returning to private practice as sole practitioners, or in a firm of five or fewer lawyers, after an absence of 48 months over the past five years, to undergo a practice management review within 12 months of establishing their practice.

Lawyers returning to private practice will receive a package of materials designed to assist them in establishing their practices. The package includes educational tools and guides based on the Practice Management Guidelines, self-assessment tools, and The Lawyer's Bookkeeping Guide.

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

Application for Lawyer Licence Following Revocation or Permission to Surrender Under Sections 27 and 30 of the *Law Society Act* and Parts II and III of By-Law 4

Part A – Applicant's Information

1. Personal Information

First Name:

Middle Name:

Last Name:

Date of Birth (dd/mm/yyyy):

Place of Birth (city and country):

2. Home Contact Information

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

Phone 1: Home Mobile

Phone 2: Home Mobile

Email:

3. Business Contact Information

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

Phone 1: Business Mobile

Phone 2: Business Mobile

Fax:

Email:

Which is your preferred contact? Choose one: Home Business

Please notify the Law Society immediately after any change in contact information.

4. Law Society of Ontario Information

Law Society Number:

Provide the date you were called to the Bar in Ontario (dd/mm/yyyy):

Provide the date you ceased to be a member of the Law Society (dd/mm/yyyy):

The reason you ceased to be a member of the Law Society is due to (select one):

Revocation of Licence

Permission to Surrender Licence

5. Canadian Law Society Membership Information

List any Canadian law societies you are or have been a member of, other than the Law Society of Ontario, if applicable:

Name of Law Society:

Licence Date:

Member/Licence Number:

Status:

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

Name of Law Society:

Licence Date:

Member/Licence Number:

Status:

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

6. Law Society Membership Information – Outside of Canada

List any law societies outside of Canada you are or have been a member of, if applicable:

Name of Law Society:

Licence Date:

Member/Licence Number:

Status:

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

Name of Law Society:

Licence Date:

Member/Licence Number:

Status:

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

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.

NOTE: 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.

Do not submit a Certificate of Standing from the Law Society of Ontario.

7. Proof of Legal Name

All applicants must register on the Rolls of the Law Society using their full legal name. Proof of legal name must accompany this application and is a requirement for the Call to the Bar in Ontario. Please do not provide original documents as they will not be returned.

The documents supporting your legal name and what you have selected below must be submitted with this application and must be certified as a true photocopy of the original(s) by a Notary Public.

Have you used another name or changed your name by court order, marriage, or other means?

Yes No

If "Yes", provide one of the following:

- a) Official Canadian Name Change Certificate
- b) Marriage Certificate

(Need only be submitted by those candidates adopting a spousal surname.)

8. Law Degree

Do you have a bachelor of laws or juris doctor degree from a law school in Canada that was an accredited law school at the time you graduated?

Yes No

If "Yes", specify your degree (select one):

LL.B. J.D.

Graduation Year:

Name of Law School:

9. Future Work Intentions

Indicate the work that you plan to perform upon being licensed (select one):

- A. Sole practitioner in a law firm
- B. Partner in a law firm
- C. Employee/associate in a law firm
- D. Employed in education
- E. Employed in government
- F. Employed other (provide details):

- G. Practising law outside of Ontario
- H. Employed other outside of Ontario (provide details):

- I. Other (provide details):

10. Work History

- a) Set out in full chronological order your work history from the date you were called to the Ontario Bar to the date you were permitted to surrender your licence or your licence was revoked.

Employer/Firm Name:

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

Date From (dd/mm/yyyy):

Date To (dd/mm/yyyy):

Describe your position:

Reason(s) for leaving:

Employer/Firm Name:

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

Date From (dd/mm/yyyy):

Date To (dd/mm/yyyy):

Describe your position:

Reason(s) for leaving:

Employer/Firm Name:

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

Date From (dd/mm/yyyy):

Date To (dd/mm/yyyy):

Describe your position:

Reason(s) for leaving:

- b) Set out in full chronological order your business or employment activities from the date you were permitted to surrender your licence or your licence was revoked to the present.

Employer/Firm Name:

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

Date From (dd/mm/yyyy):

Date To (dd/mm/yyyy):

Describe your position:

Reason(s) for leaving:

Employer/Firm Name:

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

Date From (dd/mm/yyyy):

Date To (dd/mm/yyyy):

Describe your position:

Reason(s) for leaving:

Employer/Firm Name:

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

Date From (dd/mm/yyyy):

Date To (dd/mm/yyyy):

Describe your position:

Reason(s) for leaving:

11. List all addresses where you have resided (inside and outside of Canada) since you were permitted to surrender your licence or your licence was revoked.

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

Date From (dd/mm/yyyy):

Date To (dd/mm/yyyy):

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

Date From (dd/mm/yyyy):

Date To (dd/mm/yyyy):

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

Date From (dd/mm/yyyy):

Date To (dd/mm/yyyy):

NOTE: A civil court search, bankruptcy search, personal property security act search, credit report, execution search, and criminal records search (or equivalents) are required from each jurisdiction named in question 11. See Part C for a complete list of documents required.

12. References

Include references from at least two persons whom you have had direct personal association with in the course of business or employment during the period between the date you were permitted to surrender your licence or your licence was revoked to the present, expressing their opinions that you are a fit and proper person to engage in the practice of law.

Each statement should indicate that the person tendering the statement is prepared to appear at a hearing if requested and they are fully aware of the circumstances which resulted in the termination of your licence.

Provide the names, positions and contact information for your two references:

i) Name of Reference:

Position/Title:

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

Phone:

ii) Name of Reference:

Position/Title:

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

Phone:

Part B – Good Character

Applicants for licensing 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.

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

Yes No

- 14.** 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

- 15.** Has judgment ever been entered against you in an action involving fraud?

Yes No

- 16.** Are there any outstanding civil judgments against you?

Yes No

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

Yes No

- 18.** 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
- 19.** Have you ever been refused admission as an applicant or member of any professional/regulatory/governing body?
- Yes No
- 20.** 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
- 21.** Are you now or have you ever been a member of a professional or regulatory or governing body (other than a Canadian law society) in any jurisdiction?
- Yes No
- 22.** 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
- 23.** 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
- 24.** 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 or regulatory or governing body?
- Yes No
- 25.** Are you now or have you ever been the subject of an insurance claim under a policy for professional liability insurance?
- Yes No
- 26.** Have you ever been discharged from any employment where the employer alleged there was cause?
- Yes No

27. 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

28. 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

29. Are there events, circumstances or conditions, other than those mentioned above, that are potentially relevant to your ability to practise law?

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 – Required Documents

Complete the following and include all required documents with your application, unless you have indicated that the section/item does not apply to you where that option is available.

All required documents must not be older than 60 days.

1. Proof of Payment (receipt from the Law Society Store) or Payment

2. Outstanding Law Society Fees:

Any outstanding Law Society fees owing from the time you were permitted to surrender your licence, or it was revoked, must be paid prior to re-licensing. If you are not certain if you owe fees, you can contact Membership Services for confirmation. **You can contact Membership Services by calling 416-947-3315 or 1-800-668-7380 and asking to be transferred, or emailing records@lso.ca.**

Outstanding annual Law Society fees owing from the time you were permitted to surrender your licence or your licence was revoked, in the amount of

\$ _____ have been paid in full.

OR

You have confirmed that, to the best of your knowledge, there are no outstanding annual fees owing from the time you were permitted to surrender your licence or your licence was revoked.

3. Current Annual Law Society Fees:

Law Society annual fees for the year in which you apply to be licensed will be payable upon licensing. Contact Membership Services for information on current fees payable. **You can contact Membership Services by calling 416-947-3315 or 1-800-668-7380 and asking to be transferred, or emailing records@lso.ca.**

4. Costs:

By submitting this application, you acknowledge that you are aware that pursuant to Rule 15 of the *Rules of Practice and Procedure*, the Law Society might seek costs and expenses which it incurs. Refer to the *Rules* for further information.

5. Publication in the Ontario Reports:

You are responsible for arranging the publishing of two consecutive Notices of Application for Licensing in the Ontario Reports at your own cost. To have your Notices of Application for Licensing published, contact the Advertising Account Manager of LexisNexis Canada:

Tel: 905-415-5881

Toll Free: 1-800-387-0899

Fax: 905-479-2826

Email: anne.yu@lexisnexis.ca

Submit copies of both Ontario Reports publications.

6. Bankruptcy, PPSA, Credit Bureau Searches:

Search results from the Office of the Superintendent of Bankruptcy Canada, *Personal Property Security Act*, and a credit bureau search are required. If applicable, include searches for all other jurisdictions outside of Canada where you resided since you were permitted to surrender your licence or your licence was revoked. If applicable provide supporting documentation.

7. Letter from a Qualified Medical Practitioner:

If the permission to surrender your licence or the revocation of your licence was attributable directly or indirectly to physical or mental illness or other disability, which had interfered with your practice, a certificate of a duly qualified medical practitioner stating that you no longer suffer from such illness or disability or have it under control is required to be submitted with your application.

I am including medical information with my application.

OR

This section does not apply to me.

8. Legal Aid History:

Please select if you have ever provided legal aid services through Legal Aid Ontario (LAO).

Contact LAO and request that LAO send a statement about your membership history with LAO to the Law Society that includes:

- your membership history with LAO;
- the date and circumstances under which your authorization to provide legal aid services was removed by LAO;
- whether you owe funds or other debt to LAO; and
- information, if any, following your removal that LAO determines should be sent to the Law Society.

Make arrangements for LAO to provide the statement directly to the Law Society by email to lsforms@lso.ca.

OR

I confirm I have never provided legal services through LAO.

9. Law Society Compensation Fund:

Provide satisfactory evidence that the Law Society Compensation Fund has been reimbursed for payments made on your behalf. **The Law Society Compensation Fund can be contacted at 416-947-3343.**

Repayment of any money paid out of the Law Society Compensation Fund will not be an absolute prerequisite to being licensed. However, whether or not there has been

repayment of the Compensation Fund will still be an important factor to consider. Any former lawyer seeking licensing who is unable to repay the Compensation Fund before making an application must include a Financial Statement as evidence of an inability to repay.

- 10. LAWPRO Claims History and Premiums/Fees, Deductibles, Levies, Filings:**
Submit an original letter from LAWPRO with respect to the status of your Errors & Omissions Claims History, and confirmation that Premiums/Fees, Deductibles, and/or Levies have been paid and applicable filings have been submitted.

NOTE: Complete and fax the enclosed Request and Consent for LAWPRO Information form.

- 11. Canadian Criminal Records Search:**
Submit an original Canadian Police Information Centre (C.P.I.C.) report issued within the last 60 days from a Canadian police service (a municipal or regional police force, the Ontario Provincial Police or the Royal Canadian Mounted Police).

- 12. Criminal Conviction Details:**
Submit criminal conviction details from any jurisdiction in which you have resided since you were permitted to surrender your licence or your licence was revoked.

NOTE: If you have been convicted or found guilty of a criminal offence, you must provide a certified copy of the information and/or indictment along with a transcript of the Guilty Plea and Sentencing Proceedings. In the event the matter proceeded by way of a trial, provide a transcript of the Judge's Reasons for Judgment and Sentencing. In the event the courts made an Order(s) of Restitution, provide evidence that the Order(s) has/have been satisfied.

I have included criminal conviction details with my application.

OR

This section is not applicable to me.

- 13. Foreign Criminal Search:**
Submit a criminal record search from each foreign jurisdiction outside of Canada where you have resided since you were permitted to surrender your licence or your licence was revoked.

I have or will provide criminal record search results from each applicable foreign jurisdiction.

OR

I have not resided outside of Canada.

- 14. Pardon Details:**
If you obtained a pardon from a criminal conviction, the Law Society will require adequate information by way of court records or transcripts in order to make an appropriate

assessment as to whether the pardoned conviction adversely impacts the application for licensing.

Pardon information regarding any criminal conviction has been included with my application, or will be provided.

OR

I have never received a pardon.

15. Certificate(s) of Standing:

Make arrangements for an original Certificate(s) of Standing or equivalent from each law society of which you are or have been a member, inside and outside of Canada (excluding the Law Society of Ontario) and/or other professional regulatory body of which you are or have been a member/licensee, to be forwarded directly from the governing or regulatory body to the Law Society by email or mail.

I confirm I have made the requests to all law societies inside and outside of Canada, and/or any professional regulatory bodies where I have been a member.

OR

I am not a member of any such organizations.

16. Name Change:

If you have used another name or changed your name by court order or marriage, attach a notarized or certified copy of that Court Order or Canadian Marriage Certificate or Canadian Name Change Certificate.

OR

I have never used another name or changed my name.

17. Civil Action Search and Execution Search:

Submit search result(s) from civil courts for each jurisdiction in which you have resided since you were permitted to surrendered your licence or your licence was revoked and, if applicable, copies of the related Statement(s) of Claim, Statement(s) of Defence, Court Order(s), or Judgment(s). If the matter is ongoing, provide a copy of the Statement of Claim and if applicable, your Statement of Defence. If the matter is completed, provide a copy of the Judgment, Order, or a copy of the Minutes of Settlement.

NOTE: Searches can be obtained from each court office.

For jurisdictions that do not provide a civil court search, an equivalent will be accepted.

18. Character References:

References are required from at least two persons whom you have had direct personal association with in the course of business or employment during the period between the date you were permitted to surrender your licence or your licence was revoked to the

present, expressing their opinions that you are a fit and proper person to engage in the practice of law. **Each such statement must indicate that the person tendering the statement is prepared to appear at a hearing if requested and they are fully aware of the circumstances which resulted in the termination of your licence.**

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 licensed in Ontario, I must comply with the *Law Society Act*, by-laws, the *Rules of Professional Conduct*, and all other rules, regulations and requirements of the Law Society.

I understand that I have a continuing obligation to notify the Law Society immediately of any change to the information that I have provided in this application.

I acknowledge that my application for a licence shall be deemed to have been abandoned by me immediately if I fail to:

- provide to the Law Society, at the time that I submit my completed application, all documents and information specified by the Law Society on the application form relating to the requirement that I be of good character; or
- provide to the Law Society, by the time specified by the Law Society, all additional documents and information specified by the Law Society relating to the requirement that I be of good character.

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 licensure 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 licensing file, may be shared for purposes consistent with the Law Society's regulatory mandate.

I, _____, declare under oath (solemnly affirm) 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 for
Taking Affidavits/Notary**

Signature of Applicant

Print Name

Print Name

Obtaining Your LAWPRO Claims History

Fax or mail this page directly to **LAWPRO** using the contact information below:

**3101 - 250 Yonge Street
P.O. Box 3
Toronto, ON M5B 2L7**

Request that LAWPRO mail the information directly to you. Once received, forward the original letter and claims history, along with your completed application package to the Law Society's Complaints & Compliance department.

All questions about this page should be directed to LAWPRO by calling 416-598-5899 or 1-800-410-1013 or emailing service@lawpro.ca.

NOTE: Do not submit an email response about your claims history.

An original letter not older than 60 days is required.

ATTENTION: LAWYERS' PROFESSIONAL INDEMNITY COMPANY

Fax #: 416-599-8341 or 1-800-286-7639

From:

Law Society Number:

Applicant's Mailing Address:

RE: Request and Consent for LAWPRO Information

Using the mailing address provided above, I hereby direct the Lawyers' Professional Indemnity Company to provide me with a report on my claims history since I was called to the bar on (Month/Day/Year): _____, and information about any outstanding Errors & Omissions, Premiums/Fees, Deductibles, Levies, and/or Filings.

In addition I hereby authorize Law Society staff to review all of my open and closed claim files.

This consent is valid only for the purpose of the processing of my application for licensing to the Law Society of Ontario.

Date:

Signature of Applicant:

Print Name: