



TAB 2

Report to Convocation February 22, 2018

Professional Development & Competence Committee

Committee Members

Peter Wardle (Chair)
Jacqueline Horvat (Vice-Chair)
Anne Vespy (Vice-Chair)
Jack Braithwaite
Christopher Bredt
Dianne Corbiere
Teresa Donnelly
Howard Goldblatt
Joseph Groia
Michelle Haigh
Barbara Murchie
Andrew Spurgeon
Catherine Strosberg
Sidney Troister

Purpose of Report: Decision and Information

**Policy Division
Margaret Drent (416-947-7613)**

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COMMITTEE PROCESS

1. The Professional Development & Competence Committee (“the Committee”) met on January 25, 2018. Peter Wardle, (Chair), Jacqueline Horvat (Vice-Chair), Anne Vespry (Vice-Chair), Jack Braithwaite, Christopher Bredt, Teresa Donnelly, Howard Goldblatt, Joseph Groia, Michelle Haigh, Barbara Murchie, Andrew Spurgeon, Catherine Strosberg, and Sidney Troister attended the meeting. The Treasurer, Paul B. Schabas, and benchers Heather Zordel also attended the January 25 meeting.
2. Law Society staff members Diana Miles, Cara-Marie O’Hagan, Sheena Weir, Priya Bhatia, Annette Diamond, and Margaret Drent also participated in the January 25 meeting.
3. On February 8 and February 9, the following benchers attended sub-committee meetings: Jacqueline Horvat (Vice-Chair), Anne Vespry (Vice-Chair), Jack Braithwaite, Christopher Bredt (by telephone), Dianne Corbiere, Teresa Donnelly, Joseph Groia (by telephone), Michelle Haigh, Barbara Murchie, Andrew Spurgeon, Catherine Strosberg, and Sidney Troister.
4. The following Law Society staff members attended the February 8 and 9 meetings: Cara-Marie O’Hagan, Priya Bhatia, and Margaret Drent.

FOR DECISION

RYERSON UNIVERSITY APPLICATION FOR APPROVAL OF A PROPOSED LAW SCHOOL PROGRAM

MOTION

5. **That Convocation endorse the recommendation of the Federation of Law Societies of Canada that Ryerson University's proposed common law degree program fulfills the National Requirement. Individuals who hold a Ryerson common law degree should be permitted to apply for admission to the Law Society of Ontario on the following conditions:**
 - i. **issuance by the appropriate governmental authority of such approvals as are necessary for the Ryerson University Law Degree Program to come into existence;**
 - ii. **full implementation to the satisfaction of the Federation of Law Societies of Canada's Canadian Common Law Approval Committee of the undertakings and representations made by Ryerson University in its submission to the Committee;**
 - iii. **ongoing compliance with such measures as may be established by the Federation for the purpose of ensuring that Ryerson University Law Degree Program continues to meet the National Requirement.**

Background

6. The Federation of Law Societies of Canada (FLSC) Canadian Common Law Approval Committee granted preliminary approval of a proposed new law school program at Ryerson University in December 2017. The Approval Committee has a mandate to determine whether a proposed new law school program would produce graduates that may be considered for lawyer licensing by Canadian Law Societies according to criteria set out in the National Requirement.¹
7. Law societies have delegated responsibility to the FLSC to consider new law program applications in the first instance and make recommendations to law societies as to

¹ The members of the Approval Committee are Steve Raby, Q.C., Chair (Federation Council member representing the Law Society of Alberta); Morgan Cooper (Federation Council member representing the Law Society of Newfoundland and Labrador); Cori Ghitter (Director of Professionalism and Access, Law Society of Alberta); Edward Iacobucci (Dean, Faculty of Law, University of Toronto); Sébastien Label-Grenier (Dean, Faculté de droit, Université de Sherbrooke), and Lorna Turnbull (former Dean, Faculty of Law, University of Manitoba). Ross Earnshaw represents the Law Society of Ontario on the Approval Committee.

whether they should be approved. This approach ensures a consistent national standard and enhances inter-jurisdictional mobility.

8. In 2010 Convocation approved the FLSC Common Law Approval Report that established the National Requirement. The National Requirement specifies the required competencies that graduates must have attained and the law school academic program and learning resource requirements that law schools are required to have in place to enable candidates to be considered for Law Society licensing. The National Requirement applies to both new and existing Canadian common law programs. It also applies to internationally-educated candidates whose qualifications are assessed by the National Committee on Accreditation.
9. In 2011, Convocation approved the mechanism of an FLSC Approval Committee to determine whether current and proposed law programs meet the National Requirement. Law Societies have therefore delegated responsibility to the FLSC to consider new law program applications in the first instance and to make recommendations as to whether they should be approved.

Discussion

10. The National Requirement may be accessed online at <http://docs.flsc.ca/National-Requirement-ENG.pdf> and is set out at **Tab 2.1.1**. The National Requirement includes both competency requirements and other criteria relating to both the academic program and the learning resources available.
11. The FLSC Approval Committee found that the proposed Ryerson program satisfied the following skills competency requirements:
 - i) problem-solving
 - ii) legal research; and
 - iii) oral and written communication.
12. The National Requirement provides that a proposed program should ensure that graduates have an awareness and understanding of the ethical dimensions of the practice of law in Canada and an ability to identify and address ethical dilemmas in a legal context. The Approval Committee found that the Ryerson proposal satisfied the National Requirement's expectations regarding ethics and professionalism.
13. The third broad category in the National Requirement relates to substantial legal knowledge. Applicants must demonstrate that they have an understanding of core legal concepts in the following areas:
 - i.) Foundations of Law;
 - ii) Public Law of Canada; and
 - iii) Private Law Principles.

14. The final component of the National Requirement is referred to as “learning resources”, and includes consideration of whether the program has appropriate numbers of properly-qualified academic staff, adequate physical resources to permit effective student learning, adequate information and communication technology to support the academic program, and a law library that will permit the law school to attain its teaching, learning and research objectives.

Concerns Identified by the FLSC Approval Committee

15. The complete FLSC report on Ryerson’s application is available at [FLSC Report](#). The report without appendices is at [Tab 2.1.2](#). The Approval Committee identified the following three concerns with the proposed Ryerson program. In this context, a “concern” means that the institution is required either to address the issue or note it in the following year’s report to the Approval Committee, indicating why the concern has not been addressed.
 - i.) Resources – Proposed Student to Faculty Ratio: In the course of its review, the Approval Committee noted that the proposal did not include a target student-to-faculty ratio.
 - ii.) Resources – Ability to Secure Provincial Funding: The Ryerson proposal was based on a projected \$20,000 per year tuition fee and escalating provincial funding during the period 2018-2021. The Approval Committee noted that a denial of provincial funding would result in the program being unsustainable. Ryerson responded to this concern by indicating that should provincial funding not be made available, the University would cover the discrepancy by increasing tuition fees. Ryerson also indicated that it would provide the FLSC with a revised budget in the event that this were to occur.
 - iii.) Physical Resources: One of the National Standards relates to whether the law school has adequate physical resources for both faculty and students to permit effective student learning. The proposal contemplates housing the law school in existing space at Ryerson, which would be adapted to temporarily accommodate the first three cohorts of students in 2018-19, 2019-20, and 2020-21. The Approval Committee was of the view that while the existing physical resources were adequate, any additional changes (planned or unforeseen) could impede the student learning experience. The Committee indicated that it would be monitoring this issue as in the Committee’s view it had the potential to escalate to a deficiency. Ryerson indicated that if this happened the University would find temporary space in other buildings until a permanent solution could be found.
16. The National Requirement also contains a standard relating to library resources. The Approval Committee noted that Ryerson had not distinguished between Law Faculty resources and library resources in its application and asked Ryerson to provide this information separately in its 2018 law school report. Although the Approval Committee did not view the absence of a separate proposed library resource budget as a concern, the

Committee noted that both should be submitted as part of the assessment process. Ryerson agreed to provide this information separately in its 2018 law school report.

17. The Approval Committee concluded that subject to the concerns noted above, Ryerson's proposed law school program would meet the National Requirement if implemented as proposed, and granted preliminary approval to the program.
18. The Committee notes that the FLSC's Approval Committee's decision is only one step in the process. A program such as this one would require the support of the Ontario Minister of Advanced Education and Skills Development. In addition to academic and financial considerations, the Minister would take into consideration the value or appropriateness of permitting the establishment of a new law school in Ontario.
19. The Committee has considered the application, and the Approval Committee's recommendations. The Committee agrees that Ryerson's proposed application should be approved, subject to the conditions outlined in the motion at paragraph 5 above.

*Federation of Law Societies
of Canada*



*Fédération des ordres professionnels
de juristes du Canada*

National Requirement

January 1, 2018

*Federation of Law Societies
of Canada*



*Fédération des ordres professionnels
de juristes du Canada*

National Requirement

A. STATEMENT OF STANDARD

1. Definitions

In this standard,

- a. "bar admission program" refers to any bar admission program or licensing process operated under the auspices of a provincial or territorial law society leading to admission as a lawyer in a Canadian common law jurisdiction;
- b. "competency requirements" refers to the competency requirements, more fully described in section B, that each student must possess for entry to a bar admission program; and
- c. "law school" refers to any educational institution in Canada that has been granted the power to award an LL.B. or J.D. degree by the appropriate provincial or territorial educational authority.

2. General Standard

An applicant for entry to a bar admission program ("the applicant") must satisfy the competency requirements by either;

- a. successful completion of an LL.B. or J.D. degree that has been accepted by the Federation of Law Societies of Canada ("the Federation"); or
- b. possessing a Certificate of Qualification from the Federation's National Committee on Accreditation.

B. COMPETENCY REQUIREMENTS

1. Skills Competencies

The applicant must have demonstrated the following competencies:

1.1 Problem-Solving

In solving legal problems, the applicant must have demonstrated the ability to:

- a. identify relevant facts;
- b. identify legal, practical, and policy issues and conduct the necessary research arising from those issues;
- c. analyze the results of research;
- d. apply the law to the facts; and
- e. identify and evaluate the appropriateness of alternatives for resolution of the issue or dispute.

National Requirement

1.2 Legal Research

The applicant must have demonstrated the ability to:

- a. identify legal issues;
- b. select sources and methods and conduct legal research relevant to Canadian law;
- c. use techniques of legal reasoning and argument, such as case analysis and statutory interpretation, to analyze legal issues;
- d. identify, interpret and apply results of research; and
- e. effectively communicate the results of research.

1.3 Oral and Written Legal Communication

The applicant must have demonstrated the ability to:

- a. communicate clearly in the English or French language;
- b. identify the purpose of the proposed communication;
- c. use correct grammar, spelling and language suitable to the purpose of the communication and for its intended audience; and
- d. effectively formulate and present well reasoned and accurate legal argument, analysis, advice or submissions.

2. Ethics and Professionalism

The applicant must have demonstrated an awareness and understanding of the ethical dimensions of the practice of law in Canada and an ability to identify and address ethical dilemmas in a legal context, which includes:

2.1 Knowledge of:

- a. the relevant legislation, regulations, rules of professional conduct and common or case law and general principles of ethics and professionalism applying to the practice of law in Canada. This includes familiarity with:
 1. circumstances that give rise to ethical problems
 2. the fiduciary nature of the lawyer's relationship with the client;
 3. conflicts of interest;
 4. the administration of justice;
 5. duties relating to confidentiality, lawyer-client privilege and disclosure;
 6. the importance of professionalism, including civility and integrity, in dealing with clients, other counsel, judges, court staff and members of the public; and
 7. the importance and value of serving and promoting the public interest in the administration of justice.

National Requirement

- b. the nature and scope of a lawyer's duties including to clients, the courts, other legal professionals, law societies, and the public;
- c. the range of legal responses to unethical conduct and professional incompetence; and
- d. the different models concerning the roles of lawyers, the legal profession, and the legal system, including their role in the securing access to justice.

2.2 Skills to;

- a. identify and make informed and reasoned decisions about ethical problems in practice; and
- b. identify and engage in critical thinking about ethical issues in legal practice.

3. Substantive Legal Knowledge

The applicant must have undertaken a sufficiently comprehensive program of study to obtain an understanding of the complexity of the law and the interrelationship between different areas of legal knowledge. In the course of this program of study the applicant must have demonstrated a general understanding of the core legal concepts applicable to the practice of law in Canada, including as a minimum the following areas:

3.1 Foundations of Law

The applicant must have an understanding of the foundations of law, including:

- a. principles of common law and equity;
- b. the process of statutory construction and analysis; and
- c. the administration of the law in Canada.

3.2 Public Law of Canada

The applicant must have an understanding of the principles of public law in Canada, including:

- a. the constitutional law of Canada, including federalism and the distribution of legislative powers, the Charter of Rights and Freedoms, human rights principles and the rights of Aboriginal peoples of Canada;
- b. Canadian criminal law; and
- c. the principles of Canadian administrative law.

3.3 Private Law Principles

The applicant must demonstrate an understanding of the principles that apply to private relationships, including:

- a. contracts, torts and property law; and
- b. torts
- c. property law

National Requirement

C. APPROVED CANADIAN LAW DEGREE

The Federation will accept an LL.B. or J.D. degree from a Canadian law school as meeting the competency requirements if the law school offers an academic and professional legal education that will prepare the student for entry to a bar admission program and the law school meets the following criteria:

1. Academic Program

- 1.1 The law school's academic program for the study of law consists of three full-time academic years or equivalent, which is 90 course credits.
- 1.2 The course of study consists primarily of in-person instruction and learning and/or instruction and learning that involves direct interaction between instructor and students.
- 1.3 Holders of the degree have met the competency requirements.
- 1.4 The academic program includes instruction in ethics and professionalism in a course dedicated to those subjects and addressing the required competencies.
- 1.5 Subject to special circumstances, the admission requirements for the law school include, at a minimum, successful completion of two years of post-secondary education at a recognized university or CEGEP.

2. Learning Resources

- 2.1 The law school is adequately resourced to enable it to meet its objectives, and in particular, has appropriate numbers of properly qualified academic staff to meet the needs of the academic program.
- 2.2 The law school has adequate physical resources for both faculty and students to permit effective student learning.
- 2.3 The law school has adequate information and communication technology to support its academic program.
- 2.4 The law school maintains a law library in electronic and/or paper form that provides services and collections sufficient in quality and quantity to permit the law school to foster and attain its teaching, learning and research objectives.

Federation of Law Societies
of Canada



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de juristes du Canada

CANADIAN COMMON LAW PROGRAM APPROVAL COMMITTEE

Report on Application by Ryerson University for Approval of Proposed Law School Program

Introduction

1. The Canadian Common Law Program Approval Committee (the “Approval Committee” or “the Committee”) is responsible for determining whether existing and proposed common law programs meet the National Requirement set by law societies. The requirement outlines the learning resources required of law schools, as well as the knowledge and competencies that all graduates must possess in order to gain entry into the bar admission programs in the Canadian common law jurisdictions.

2. In October 2016 the Approval Committee received a Letter of Intent from Ryerson University (“Ryerson”) for a new law school program, followed in April 2017 by an official proposal. The Approval Committee has reviewed Ryerson’s application and has determined that, subject to the concerns and comments described below, if the program is implemented as proposed, it will meet the National Requirement. The Committee’s detailed analysis, as well as the iterative process that led to preliminary approval of the program, are set out in this report and corresponding Appendix “A”.

3. The Approval Committee’s decision is only one step in the process. Pursuant to the Ontario *Post-secondary Education and Excellence Act, 2000*, the proposed program must be approved by the Ontario Minister of Colleges and Universities. In addition to academic and financial considerations, it is the Minister’s responsibility to determine the value or appropriateness of permitting the establishment of a new law school within the province.

Background: Canadian Common Law Program Approval Committee

4. The Approval Committee was established in 2012. Its core function is to determine whether law school programs, existing or proposed, comply with the Federation’s National Requirement, which came into effect in 2015. The Committee’s mandate is attached as Appendix “B”.

5. The Approval Committee is composed of seven members, including three current or former law deans or law school administrators, one law society CEO or designate, and three lawyers with experience in law society regulation. All members of the Approval Committee are appointed by the Council of the Federation. The current members of the Committee are:

- Steve Raby (Chair), Q.C., Federation Council member representing the Law Society of Alberta
- Morgan Cooper, Federation Council member representing the Law Society of Newfoundland and Labrador
- Ross Earnshaw, Federation Council member representing the Law Society of Upper Canada
- Cori Ghitter, Director, Professionalism and Policy, Law Society of Alberta
- Ed Iacobucci, Dean, Faculty of Law, University of Toronto
- Sébastien Lebel-Grenier, Dean, Faculté de droit, Université de Sherbrooke
- Lorna Turnbull, former Dean, Faculty of Law, University of Manitoba

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6. All existing law school programs are subject to an annual evaluation process to determine whether they comply with the National Requirement. The Approval Committee currently assesses twenty law schools across Canada, offering a total of 92 common law programs. In addition, Trinity Western University in British Columbia has preliminary approval for a new law school program. With the inclusion of Ryerson, this total increases to 22 law schools and 94 common law programs.

Program Evaluation Process

7. The Approval Committee's assessment of a law school program includes a detailed examination of the proposed curriculum and learning resources to determine whether the program complies with the provisions of the National Requirement. The process is an iterative one that may involve many exchanges between the Approval Committee and the institution, continuing until the Approval Committee has all of the information it needs to properly assess the program.

8. Assessments of newly proposed law programs can result in one of two outcomes: *preliminary approval* or *not approved*. In granting preliminary approval the Committee may make comments or express concerns about certain aspects of the proposal that it will continue to monitor. Once a new program has received *preliminary approval* it will undergo an annual review process in the same manner as existing law school programs. A program that is compliant with the National Requirement will only be eligible for full *program approval* once it graduates, or is about to graduate, its first class.

Assessment Terminology

9. The Approval Committee uses four terms to communicate its assessment of a program's compliance with the individual elements of the National Requirement: requirement met, comment, concern and deficiency.

10. As the term suggests, *requirement met* indicates compliance with the element of the National Requirement.

11. A *comment* signifies that, although a requirement has been met, the Approval Committee requires the school to address a missing detail or question, or submit additional information in the following year's report.

12. Similarly, a *concern* indicates that although a requirement has been met, it is at a minimum level that could deteriorate to become a deficiency. Where a concern is noted, the school is to take note of the issue and either act to address it or note in the following year's report to the Approval Committee why the concern has not been addressed. If the latter occurs, the Committee will indicate in its response to the school's report what further action, if any, is required to ensure the concern does not become a deficiency.

13. If a *deficiency* is noted, it signifies non-compliance with one or more elements of the National Requirement.

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Ryerson Law Program: General Description

14. Located in downtown Toronto, Ontario, Ryerson University was established in 1948 and was recognized by the government of Ontario as a degree-granting institution in 1971 when it was then known as Ryerson Polytechnic Institute. Ryerson currently has a student body of approximately 43,000 students, and offers more than 100 undergraduate and graduate programs, including nursing (MN), engineering (MEng, PhD), and business (MBA).

15. Ryerson University will be the third school in the Greater Toronto Area (“GTA”) to offer a Juris Doctor program. In the covering letter to its proposal (attached as Appendix “C”), Ryerson identified a number of key advantages to starting a new program at this time:

It would be located at the centre of the GTA, a population cluster that has grown significantly over the last generation while admissions to the GTA’s two law schools have remained static. Our new law school would address access to justice issues for consumers as well as equity, diversity and inclusion within the profession [...] A strong emphasis on the development of technological proficiency will ensure that our graduates will be in a position to serve their communities at a lower cost using the latest tools available to the legal profession.

16. Ryerson also emphasizes its experience as a provider of career-based education and legal innovation, noting the (English) Law Practice Program and its Legal Innovation Zone as core contributing factors to its strength and preparedness as a new law school.

17. In describing its program, Ryerson proposes to create a “different kind of law school that trains lawyers differently”.¹ It emphasizes a program that has an “innovation-focused approach”² that will equip graduates with real-world skills and competencies required to meet the present and future needs of consumers of legal services. In the Executive Summary of the proposal, Ryerson outlines four pillars on which the law school will be based:

- Increasing access to justice for Ontarians and Canadians;
- Innovation and entrepreneurship;
- Equity, Diversity and Inclusion; and
- Sound academic grounding with innovative pedagogy.

18. The proposal contemplates a first year class of 150 students, with similar numbers admitted each year. Ryerson has advised the Committee that it does not intend to increase enrollments in the near future.

Proposed Program: Courses and Structure

19. The foundational courses and competencies to be offered in the program are equivalent to existing programs at other schools, with the majority being completed in first year. However, the proposed structure of the program differs significantly.

¹ Ryerson University, Proposal for a Juris Doctor Program, at p. 21

² *Ibid* at p. 19

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20. To start, two and a half of the three years of the curriculum will be mandatory (as compared with the traditional model of a mandatory first year and select upper year courses). The courses that students will be required to take are:

First Year (Semesters 1 & 2)	
<ul style="list-style-type: none"> • Legal Research and Writing • Contract Law • Torts Law • Property Law • Ethics and Professionalism 	<ul style="list-style-type: none"> • Foundation of Law & Legal Methods • Criminal Law • Constitutional Law • Administrative and Regulatory Law • Indigenous Law of Canada
Second Year (Semesters 3 & 4)	
<ul style="list-style-type: none"> • The Business of Lawyering • Business Law • Family Law • Civil Procedure • Social Innovation and the Law 	<ul style="list-style-type: none"> • Advocacy and ADR • Wills and Estates • Legal Innovation • Intellectual Property and Privacy • Access to Justice Solutions
Third Year (Semesters 5 & 6)	
<ul style="list-style-type: none"> • Professional Placement 	<ul style="list-style-type: none"> • Electives

21. First year courses will be taught over 11 weeks, instead of 12 (which is the typical length of a semester). Students will also be required to take mandatory one-week bootcamps at the beginning of each semester, for a total of five. These will be discussed in more detail below. In each semester, three courses will be taught in a classroom lecture format, while the remaining two will be taught via a combination of lectures and group-work.³

22. The second year courses will be taught in a two-week intensive format for a total of 36 hours per course. Of these 36 hours, 30 will be completed in class (i.e. five days x six hours a day) while the remaining six will be completed through online modules (two days x three hours a day). The course-based component is divided between a morning session in traditional lecture format, and an afternoon session where students will be separated into seven-member “student law firms” where they will engage in practice-based assignments. The afternoon sessions will be overseen by mentors.

23. As mentioned above, the mandatory curriculum includes one-week bootcamps at the beginning of each semester in first and second year, and one bootcamp in third year. Students will spend a total of 30 hours (i.e. 5 days x 6 hours a day) in each bootcamp. According to Ryerson, the rationale for incorporating this alternative pedagogy into the curriculum is to teach students subject matter that is essential to professional success in the practice of law:

- *Ryerson Law School Bootcamp*: focuses on career planning, networking, mentoring, leadership and personal development
- *Technology Innovation Bootcamp*: focuses on the current edge of legal technology, including data analytics, artificial intelligence, and quantitative legal prediction, etc.
- *Financial Bootcamp*: focuses on accounting, taxation and financial analysis

³ *Ibid* at p. 23.

- *Coding Bootcamp*: introduces students to HTML, cascading style sheet computing and Python, while requiring them to apply data analytics to devise a solution to a specific legal problem
- *Emotional Quotient/Cultural Quotient (EQ/CQ) Bootcamp*: includes an implementation project that aligns with recent shifts in thinking about the core competencies required of licensees in Ontario

24. In their third year of study students will be required to complete a professional placement in a legal clinic run by Ryerson, or in government, a law firm, non-governmental organization, corporation, not-for-profit organization, or other appropriate organization. The professional placement will permit students to undertake legal work under supervision.

25. The third year class will be split in two, with half the class doing their professional placement in the first semester and the other half doing it in the second semester. Students will complete the EQ/CQ bootcamp and electives in whichever semester they are not completing the professional placement. Elective courses will be completed over an 11-week period.

Review of Ryerson's Proposal: Process

26. In determining whether Ryerson's proposed law school would, if implemented as proposed, satisfy the National Requirement, the Approval Committee had before it the following documents:

- Ryerson's October 2016 Letter of Intent (Appendix "D")
- Ryerson's April 2017 Proposal for a Juris Doctor Program and accompanying cover letter (Appendix "C")
- Ryerson University law report form (Appendix "E")

27. Ryerson also provided the Approval Committee with supplementary materials and information throughout the iterative process.

28. The Approval Committee discussed Ryerson's letter of intent at its in-person meeting in January 2017. Consideration of the complete proposal continued over a one day in-person meeting dedicated to reviewing all law school reports, and three teleconferences between June and October 2017.

29. The Approval Committee began its assessment by reviewing Ryerson's April 2017 proposal, a comprehensive document detailing the proposed law school program, including a significant amount of market research on changes in the legal profession and labour market demand for a new law school, as well as Ryerson's objectives, proposed curriculum, admission and graduation requirements, course descriptions, library plans, facilities plans and finances.

30. Following the initial review the Committee sought additional information from Ryerson on its proposed ethics and professionalism curriculum, the credit hours for each proposed course, the teaching loads for full-time and contract faculty, and the "special admissions" category. To assist the Committee in its review of the proposed program, Ryerson was asked to complete the law school report form used for existing programs.

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31. The iterative process continued through late September as the Approval Committee sought and received additional information and clarification on the calculation of credit hours for certain key courses, the proposed law school facilities, the expected full-time faculty complement, and the proposed budget for the program and the law school's library.

Analysis

32. To assess whether Ryerson's proposed school of law would meet the National Requirement, the Approval Committee analyzed the proposal and supplementary information against each individual element of the requirement. The final analysis is reflected in the report attached as Appendix "A".

33. For the most part this was a straightforward task. The proposal is comprehensive and is designed to ensure that students acquire each competency included in the National Requirement. At the completion of the iterative process, the Approval Committee was satisfied, subject to the concerns and comments that are outlined below, that Ryerson's proposed program will meet the National Requirement.

34. The Approval Committee identified three concerns about the proposal and one matter on which it wished to make a comment. The three concerns relate to 1) the faculty complement, 2) the law school budget, and 3) the proposed physical resources for the faculty and students. There was a single comment repeated in two separate sections of the final report relating to the law school and library budgets.

Concerns

35. While there is no defined minimum faculty to student ratio, the members of the Approval Committee are concerned that the proposed tenured-track faculty complement is low in comparison to the proposed enrollment. The Committee expressed concern that any (planned or unforeseen) changes to the teaching load, student enrollment, or faculty (i.e. absences, vacancies) would significantly impact Ryerson's ability to effectively deliver the program as proposed. In response, Ryerson indicated that they would respond to change by modifying the faculty complement if necessary, and would provide the Approval Committee a full accounting of developments on this issue once the program is in operation.

36. Ryerson's financial projection for learning resources is based on a \$20,000 tuition fee and escalating provincial funding between 2017/18 and 2020/21. The Approval Committee expressed concern that a denial of provincial funding would result in the program being unsustainable. The Committee is of the view that if Ryerson is unable to secure provincial funding, or is unable to demonstrate a sufficient alternative revenue source to offer a J.D. program, that these concerns would escalate to a deficiency and the program will be denied approval. Ryerson indicated that should provincial funding not be secured, the University will finance the difference by increasing the tuition fees. Ryerson will provide a revised budget should this occur.

37. Law schools are required to demonstrate that they have sufficient physical resources to accommodate both the faculty and student body and promote effective student learning. Ryerson is proposing to utilize existing building space for the law school until such time as it can incorporate the eventual law faculty in new, appropriately fitted space, a process for which Ryerson states it has had significant experience and success. In reviewing the proposed

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classroom and “free” spaces available to students, the Approval Committee was of the view that the physical resources are adequate, but that any additional pressures or changes (planned or unforeseen) on these spaces would not permit effective student learning. The Committee will be monitoring this issue as it has the potential to escalate to a deficiency, especially if a new law faculty space does not go forward as planned. In response, Ryerson indicated that should such pressures occur the University will utilize transitional spaces in other buildings until a permanent space in immediate proximity to the law campus can be arranged. Ryerson also stated that if space pressures continue in the long term, the arrangements will be adjusted accordingly.

Comment

38. The Approval Committee made one comment, in two separate sections of the final report, relating to financial resources. While Ryerson provided an estimated financial plan, it did not distinguish between law faculty resources and library resources. The Approval Committee requires law schools to submit both as part of the assessment process. The Approval Committee has requested that Ryerson provide this information in the relevant parts of the law school report form in 2018. Ryerson agreed to provide this information separately in its 2018 law school report.

Conclusion

39. The Approval Committee has concluded that, subject to the concerns expressed above, Ryerson’s proposed school of law will meet the National Requirement if implemented as proposed. The proposed program is given preliminary approval.



FOR INFORMATION

**PROFESSIONAL DEVELOPMENT & COMPETENCE DIVISION
ANNUAL RESOURCE AND PROGRAM REPORT**

20. The Professional Development & Competence Division (PD&C) Annual Resource and Program Report is set out at [TAB 2.2.1: Annual Report](#) for Convocation's information.
21. Providing an annual report to the Committee and Convocation enables benchers to see, at a glance, the operational effect of their approved PD&C policies and the work done within the PD&C Division.



Professional Development and Competence Department

Program and Resource Report 2017

FOR INFORMATION ONLY

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Professional Development and Competence Operations Report 2017

February 2018

2017

2,191 LAWYERS LICENSED

1,053 PARALEGALS LICENSED

53,872 CPD REGISTRANTS

127,436 ACCESSCLE VISITS

20,082 LEGAL RESEARCH QUESTIONS

8,043 PRACTICE MANAGEMENT QUESTIONS

550 MATCHES WITH A COACH OR ADVISOR

486 LAWYER PRACTICE REVIEWS

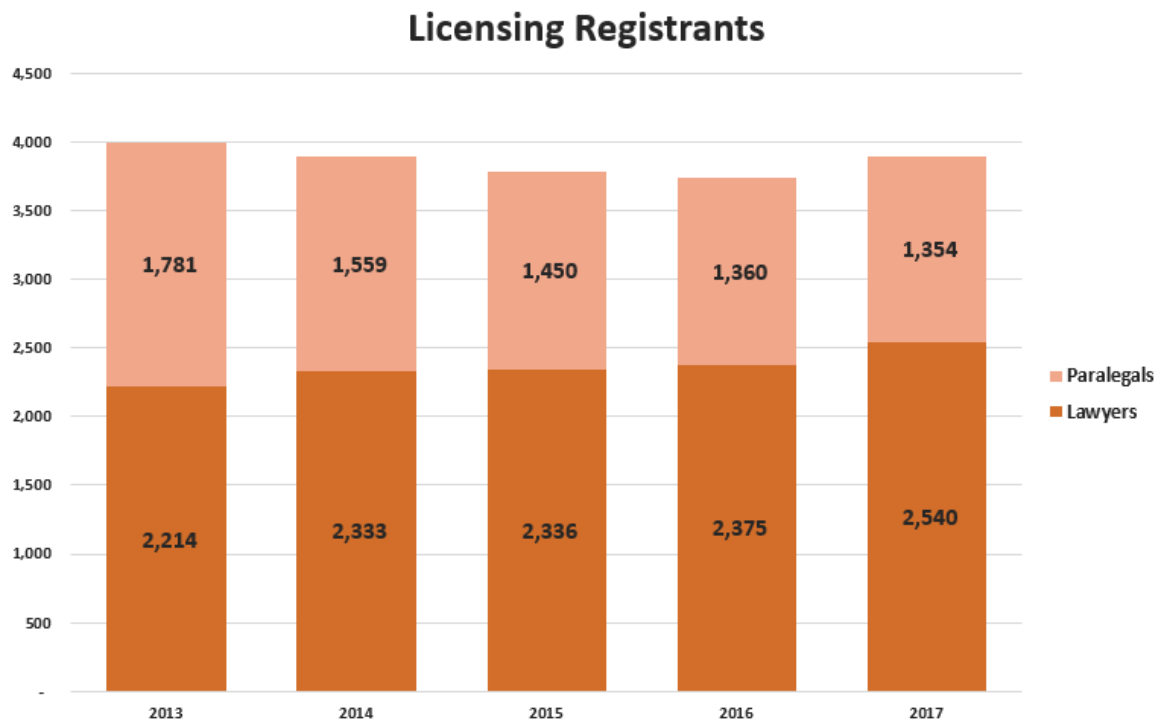
191 PARALEGAL PRACTICE AUDITS

1,400 SPOT AUDITS

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Licensing

The licensing cycle begins each year on May 1 and a registered lawyer candidate must be called to the bar within three years of their entry in a licensing year. Paralegals must also complete licensing requirements within three years, but the paralegal licensing year begins on June 1. In 2017, approximately 70% of new lawyer registrants graduated from Canadian JD programs and 30% had completed the National Committee of Accreditation (NCA) equivalency process. Canadians comprised over approximately 40% of NCA registrants. U.K., Australia, and the U.S. are the three top source countries of NCA candidates. A significant percentage of these candidates are Canadian.



Experiential Training

There were a total 2,065 articling placements in 2017 and 1,884 were traditional 10-month, full-time articles. 94% of Articling principals filed a training plan and 93% filed reports on the articling experience and candidate performance. 94% of candidates have filed reports on their articling experience. 218 candidates selected the 2017-2018 Law Practice Program, a decrease from the 257 candidates selecting the program in the 2016-2017 program year.

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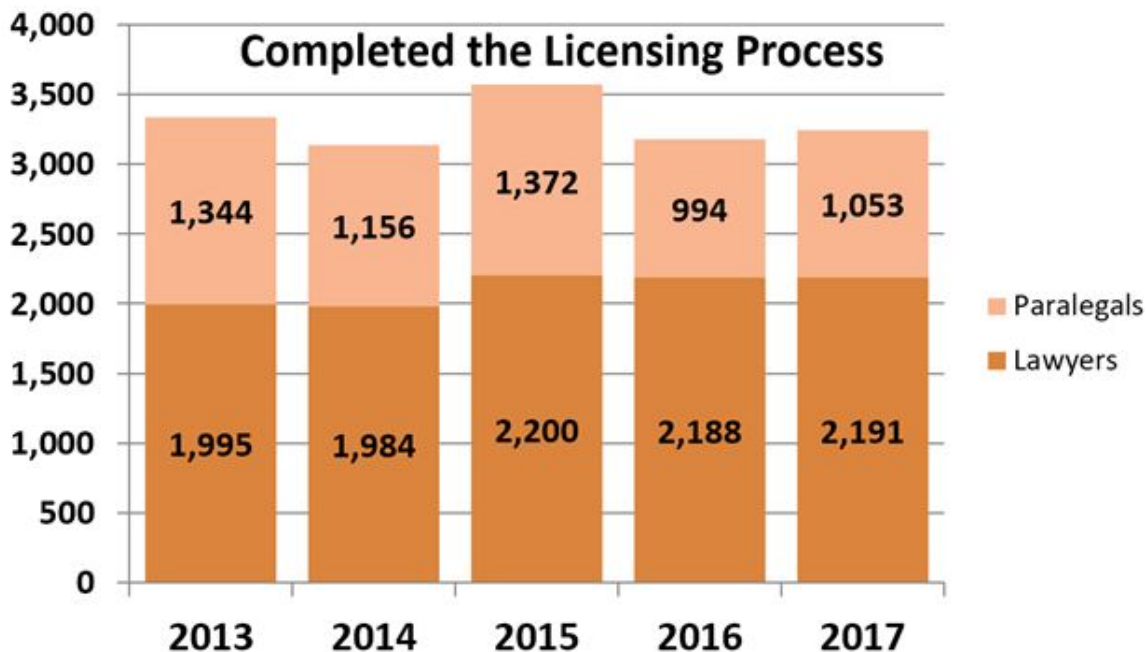


Strategic Plan: ENGAGE STAKEHOLDERS AND THE PUBLIC WITH RESPONSIVE COMMUNICATIONS

In 2017, the Law Society engaged in the Dialogue on Licensing to foster constructive engagement with the profession in a discussion of the realities, challenges and opportunities of lawyer licensing in Ontario. Over 300 individuals and 30 organizations participated in 15 dialogue sessions held across the province.

New Licensees

The vast majority of licensees complete the standard licensing process. In 2017, roughly 6% of lawyer licensees have entered as licensees through the national mobility process.



Certified Specialists

Certified Specialists continue to account for about 2% of practising lawyers. 800 lawyers have achieved 825 specialist designations. The highest numbers of specialists are in the areas of civil litigation, criminal law, family law, and citizenship and immigration law.

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Coach and Advisor Network

Since inception in the fall of 2016, the Coach and Advisor Network (CAN) has recruited 190 volunteer lawyers and paralegals who have responded to over 550 requests from individuals seeking time with a coach or advisor. Top requests for time with a coach have pertained to the following areas: Opening a Practice - 35%, Client Service - 17%, and Financial Management - 11%. 59% of requests for time with an advisor have related to a client file, with an even split between substantive and procedural inquiries.



“

I just wanted to send an email to note what a useful service this is. I have used the advisor program twice, and it has been incredibly helpful to me. As a lawyer practicing in a northern community, now in my own practice, I don't have a lot of colleagues to discuss tricky legal issues that come up. Just being able to bounce ideas off seasoned practitioners is incredibly helpful. I'm going into my 7th year of practice, but it still helps me to be able to talk things through with another lawyer when I don't have that kind of access otherwise.

”

Lawyers and paralegals who have connected with CAN have found that coaching and advising is a powerful tool for positive change in their practice. CAN's volunteers provide a new perspective, helping lawyers and paralegals to develop best practices and to resolve client issues. Participants have reported that it is a critical support for sole practitioners and those practising in more remote areas.

“

My advisor was very helpful. In fact he provided me with pointers and information that helped me explore and research very creative ways of handling my file.

”

To enable responsive and effective coaching and advising interactions, CAN has introduced a variety of volunteer training programs including: The Introduction to the Coaching Model In-person Workshop, the Best Practices for Coaches and Advisors Webcast, and a series of online

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demonstration videos. The programs were attended by 129 licensees in 2017 and will continue to provide training opportunities for coaches and advisors going forward. Based on survey feedback from workshop attendees, the training is seen to be value-added and 100% of the respondents report they will be able to apply what they learned.



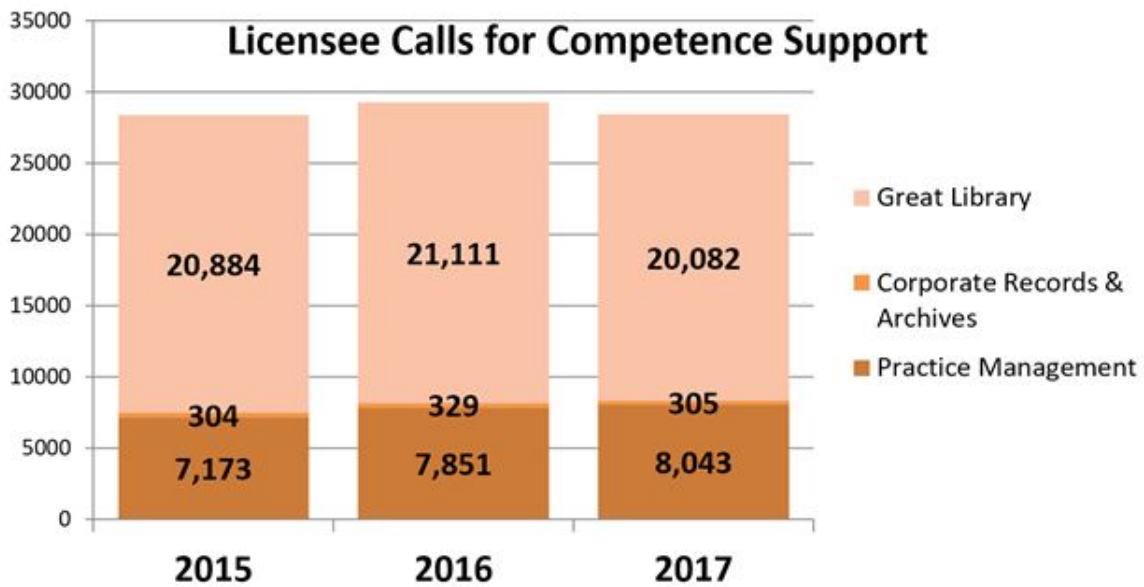
Given my positive experience, I am unable to come up with ideas for improvement; on the contrary, the very flexibility this program affords to tailor the sessions to one's specific needs and questions renders the program a uniquely useful tool for professional improvement on a personal level. I can only hope that this program continues in the future...



Competence Supports

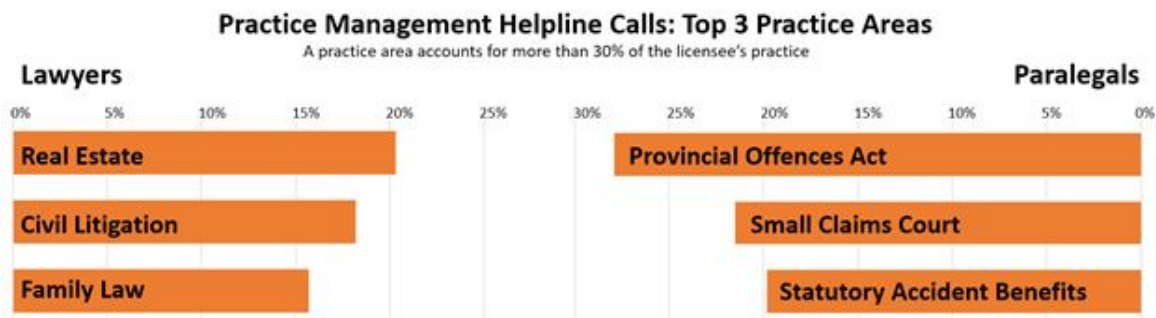
Numerous supports exist for Law Society licensees to receive assistance to enable them to competently practise law.

Licensees access professional staff for help with their needs. Lawyers discuss ethical issues on the Practice Management Helpline (PMH). Research staff answer reference questions relating to legal research and corporate knowledge.



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Practice Management Helpline calls often deal with conflicts of interest and trust accounts, two of the top topics for both lawyers and paralegals. Those two topics account for roughly 20% of lawyer calls, while scope of practice is the main area of interest for paralegals at 15.7% of calls.



PMH also develops practice management resources to address new professional obligations and emerging issues. Resources developed in 2017 included: enhancements to the Personal Management Guideline reflecting mental health and addiction awareness and referral fee tools for practitioners.



I have [made] two calls [to the Helpline] on thorny ethical issues. Both times I was given clear and very helpful advice.



In April 2017, PMH introduced a survey to assess user experiences and preferences. The response rate was 62%. Overall, survey respondents were very satisfied with the Helpline’s response time (78%) and the assistance provided (83%). Most survey respondents indicated that they were very likely to use the Helpline’s service again (89%).



The service was excellent. My question was resolved and I felt much better...



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Legal Information – Great Library, Corporate Records and Archives

The Legal Information team supports research and information needs of Law Society licensees and staff. Lawyers and paralegals access the Great Library's large print collection, as well as electronic resources accessible from Great Library and licensees' personal computers. While the Great Library is the Law Society's primary legal research resource for paralegals, lawyers also use the Great Library's services through their local law associations.

Blog Reboot

The Great Library has shared information through its blog for more than a year. The Reference team migrated the site to a new service and URL: <https://greatlibrary.blog>. The new service makes the Great Library's blog content easier to find and administer. The blog has already



received positive accolades, winning a 2017 Clawbie – Canadian Law Blog award – for new law blogs.

Remote Access Management

Licensees have free access to HeinOnline, a law journal and primary law resource, from their offices. In November, the Great Library's Technical Services team activated EZProxy, enabling each licensee to use their own personal username and password.

Great Library Province-Wide Support

While the Great Library's Reference team provides nearly 60 hours of reference support each week, it also supports lawyers and paralegals around the province in other ways. Through local law associations, the team loaned 63 books and sent over 5,000 electronic pages in 2017. In addition, they sent over 40,000 electronic pages to licensees directly.

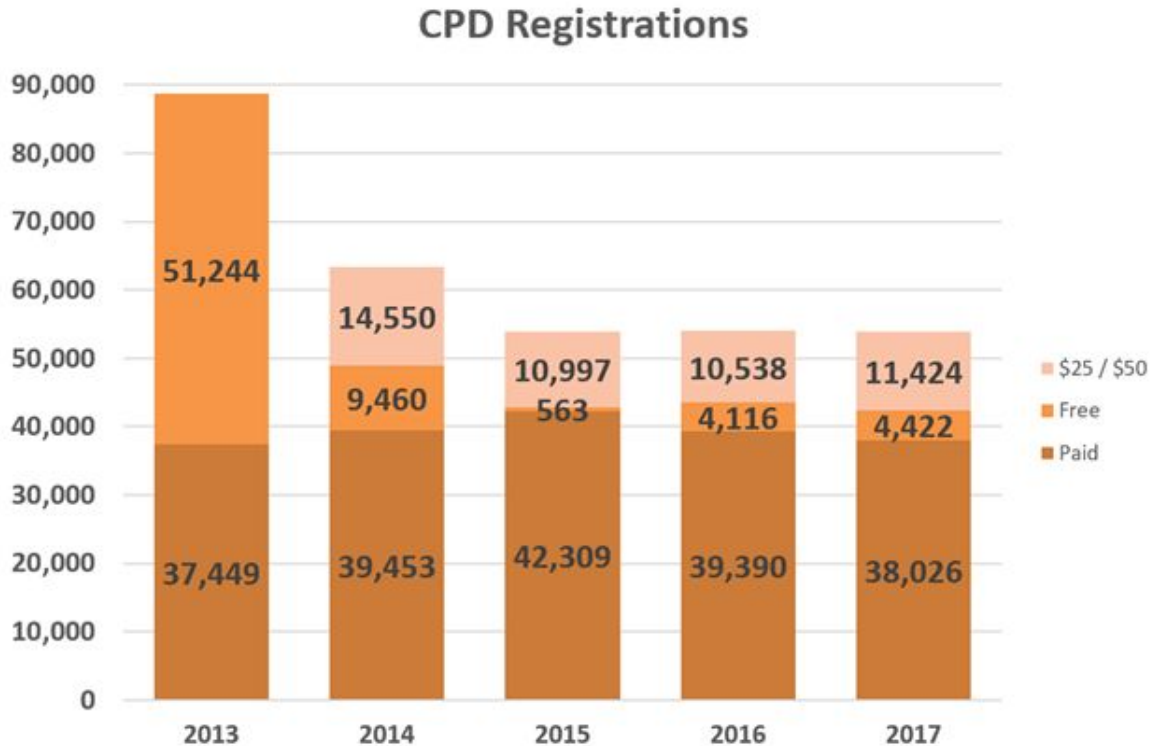
Electronic Records Retention

Corporate Records & Archives lead a project to automate the retention and disposition of closed records stored in the Law Society's SharePoint platform. The selected software uses a workflow driven, rules-based approach and builds on the Law Society's revised records retention policy. The software, to be implemented by Information Technology in 2018, will help Corporate Records & Archives staff better manage the Law Society's information.

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Education

PD&C staff produced 145 CPD programs. Content addressing professional responsibility, practice management and ethics topics is central to Law Society programming. It is offered through stand-alone programs such as “Preparing for a Spot Audit” and “Ethical Issues in Immigration and Refugee Law,” and embedded in flagship programs, such as the Summit series.



In 2017, the CPD department met with Competency Advisory Groups in the areas of estates, family law, real estate law, civil litigation and professional responsibility/practice management. The groups, comprised of practitioners from diverse backgrounds and contexts, met to discuss and validate competencies within their areas for the CPD curriculum.

The Summit and 6-Minute Lawyer programs continue to be among the most popular offerings for registrants. In the 2017 program lineup, 25 were new concepts developed to address feedback and input received from the profession on their continuing education needs, such as “Think Like an Editor: Effective Writing for Paralegals,” “Harassment in the Workplace: Understanding the New Obligations,” and “Recreational Property Transactions.” We also brought back the popular teleseminar format for select fall 2017 programs.

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Continuing a tradition begun in 1943, the Law Society's Special Lectures returned in November 2017. The program, entitled, "Canada at 150: The *Charter* and the *Constitution*" attracted more than 500 registrants over 2 days to hear in-depth analysis on civil and criminal law issues from a distinguished panel of presenters and subject matter experts.



Strategic Plan: PRIORITIZE LIFE-LONG COMPETENCE

[T]his was quite an impressive program. Thoughtfully designed program and a diverse range of perspectives Appreciated the range of ways Indigenous legal systems and the interaction of the common law with Indigenous peoples was woven into both days Congratulations to the organizers on a stimulating two days of excellent offerings.

– 2017 Special Lectures registrant

Quality Assurance

The audit and review programs of the Law Society are an integral part of the Law Society's quality assurance activities in the public interest. The programs make a measurable impact on law practices and legal services practices, significantly improving sole and small firm sustainability. Licensees' feedback on these programs has been very positive.



This was an excellent experience and I learned quite a lot throughout the process.



Spot Audit Program: Law Firms

Spot Audit is a proactive quality assurance program that assesses a law firm's compliance with financial record-keeping requirements. In 2017, the Spot Audit program conducted 1,400 audits. Most law firms had either minor or no books and records' deficiencies (52%) or deficiencies that were readily remediated to the Law Society's satisfaction through our monitoring process (36%).

Lawyers selected for an audit continue to report extremely high approval ratings for both the auditors (~100%) and the overall experience (96%).

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The auditor was very courteous and professional. I have nothing but praise for how she conducted the audit.

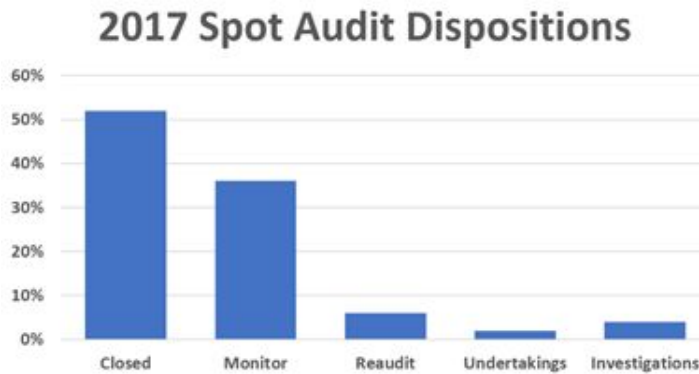


Practice Review Program: Lawyers and Paralegals

A practice review addresses an individual licensee’s practice activities and management, through focused practice reviews for lawyers whose practices are at risk, to re-entry reviews for lawyers returning to practice, and random reviews of lawyer practices within their first 8 years of practice. A practice audit is a combined financial audit and practice management review of a paralegal legal services practice.

In 2017, 486 lawyer practices underwent a practice management review. Approximately, 31% of practices did not meet standards of professional competence and required a follow-up review. There were 191 practice audits of paralegal practices, which included 132 initial audits plus 59 revisits.

Over 97% of lawyers and 98% of paralegals that underwent a practice review responded that they found the process to be constructive and value-added to managing their practice.



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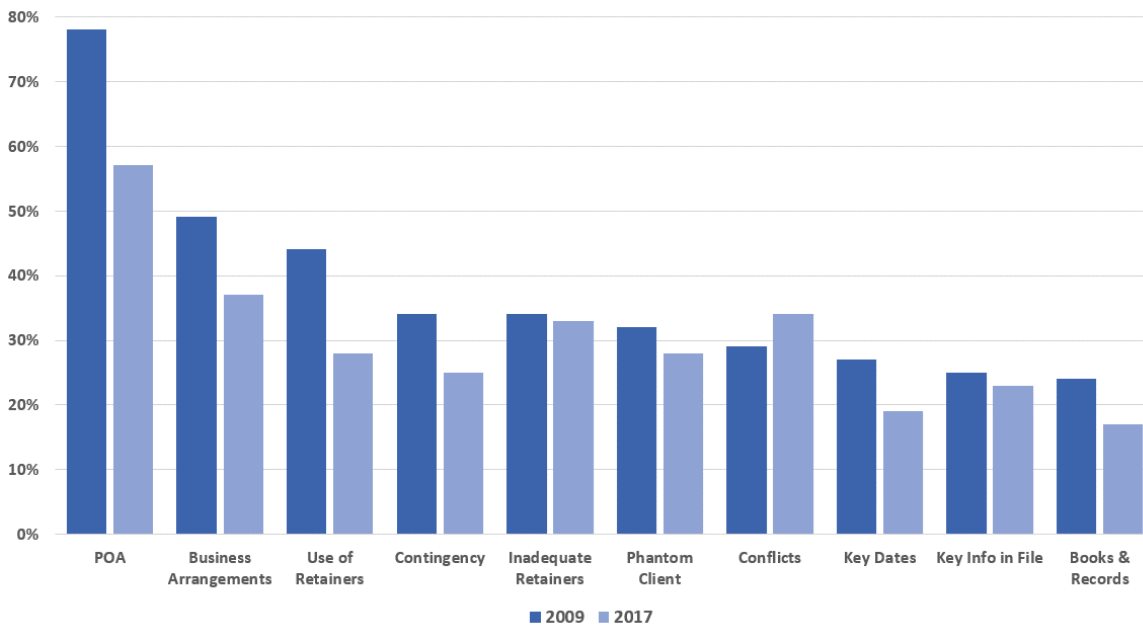
The process has given me invaluable insight into my firm, its management and my practice. I am grateful for the support and resources that have been offered, which have been very helpful and upon which I will continue to rely as I persistently strive to be a better lawyer.



The Quality Assurance team also participates in a number of outreach and education programs across the province to create awareness of effective practice management processes within the professions.

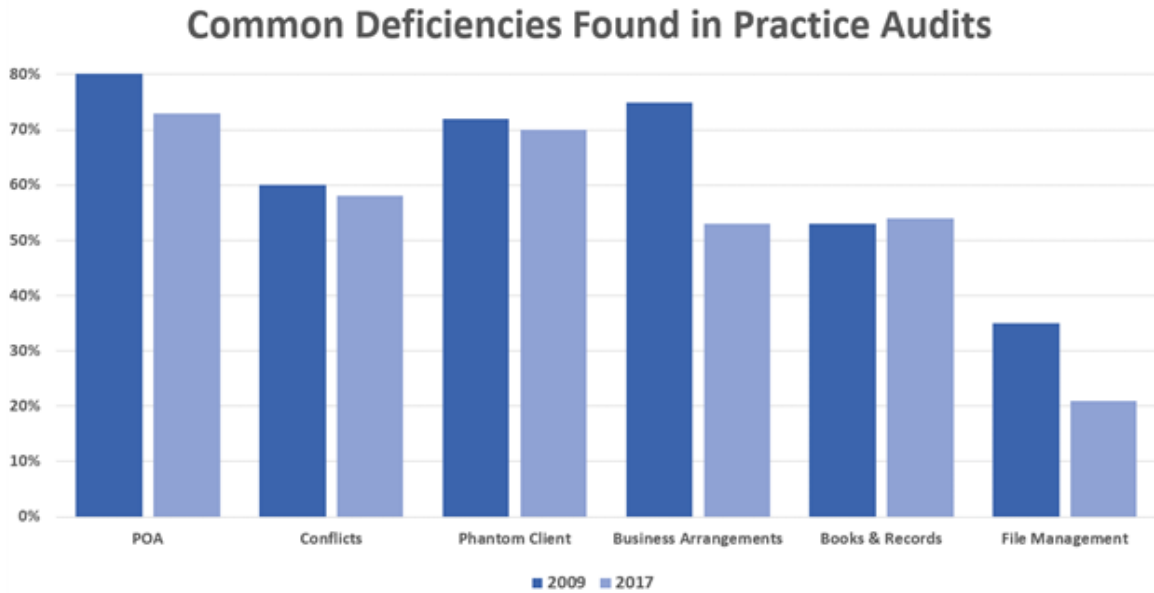
Common practice deficiencies found in practice reviews have declined in the period between 2009 and 2017.

Common Deficiencies Found in Practice Reviews



The types of practice management deficiencies found in paralegal practices are similar to those found in practice reviews of lawyers. The percentage of practice management deficiencies in the majority of these practice areas has also declined over this period.

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Practice reviews have been shown to improve the longevity of law practices, particularly solo law practices. There is a positive correlation between solos who have remained in active practice and had a practice review. Solos who underwent a practice review are between 19-22 % more likely to remain in private practice than their peers.

