

Protocol for the Ontario Court of Justice

This protocol sets out the process by which judges or justices of the peace of the Ontario Court of Justice may refer concerns about the conduct of licensees of the Law Society of Ontario.

Associate Chief Justices may refer such incidents of concern to the Law Society on behalf of judges or justices of the peace. Once an Associate Chief Justice has made a referral, the primary point of contact will be the Office of the Chief Justice.

Referral of Licensee Conduct to the Law Society

The process for referring licensee conduct to the Law Society is as follows:

- Associate Chief Justices submit to the Law Society a written referral that includes,
 1. Extracts of the relevant portions of the transcript reflecting the licensee's conduct and the court's comments thereon,
 2. Any relevant reasons by the judge or justice of the peace, and
 3. Copies of any written submissions or other relevant documents.
- The referrals will be directed via email to CEO@lso.ca , or by mail or courier to the attention of the CEO. Mailing information can be found on the Law Society website (www.lso.ca/contact-us).
- The Law Society will open a case file and send correspondence to the Office of the Chief Justice acknowledging receipt of the referral and providing the assigned case number.
- The Law Society will assign the case file to a staff person to review the allegations.
- The Law Society will consider whether, in the context of the licensee's regulatory history, mentoring might be an appropriate outcome.
- Where the licensee's regulatory history suggests that mentoring is not an appropriate outcome, Law Society staff will review and investigate the allegations.

Communication between the Law Society and the Office of the Chief Justice:

- The Law Society will provide the Office of the Chief Justice with periodic status reports.

- The Law Society may contact the Office of the Chief Justice to obtain any necessary additional information that may be required to proceed.
- If the Law Society wishes to discuss the conduct of concern with a member of the judiciary of the Ontario Court of Justice, such requests will be made to the Office of the Chief Justice and not directly to the judge or justice of the peace.
- The Office of the Chief Justice will be informed of the outcome and disposition of the matter. In cases where the matter proceeds to the hearing process or a regulatory meeting, the Office of the Chief Justice will be advised of the time and date of the hearing / regulatory meeting in the event that a representative of the court wishes to attend.
- The Office of the Chief Justice will keep the judicial officials of the court apprised of the progress and/or outcome.

Mentoring

Where further regulatory action is not warranted, the Law Society may make arrangements for a licensee to be mentored by a senior licensee from mentoring panels.

The mentoring process is as follows:

- The Law Society will report the licensee's conduct to a member of the mentoring panel.
- Arrangements will be made for the member of the mentoring panel to contact the licensee to arrange a mentoring meeting.
- At the mentoring meeting the licensee and mentor will discuss the conduct in question.
- The Office of the Chief Justice will be advised that the matter was referred for mentoring and the matter will then be considered closed.