

Notice to the Professions

MOTION

On March 18, 2021 the Secretary received the following motion to be made at the Annual General Meeting scheduled for May 12, 2021:

WHEREAS the Law Society of Ontario (LSO) has the duty to serve the public trust and act in a way that protects the public and to operate in a timely, open and efficient manner.

WHEREAS By-Law 4 of the Law Society of Upper Canada (LSUC) was made and came into force on May 1, 2007, the same date paralegals first became regulated by LSUC in accordance with the Law Society Act.

WHEREAS a number of exemptions as to who can provide legal services as a paralegal were incorporated into the legislation that established the right of paralegals to provide legal services in 2007.

WHEREAS thirteen years have elapsed since paralegals were licensed and regulated.

WHEREAS the LSO and the former LSUC have been informed of many violations of the Law Society Act and accompanying bylaws and have done nothing to address these egregious violations since 2007.

WHEREAS the general public has and is being exposed to unlicensed people providing legal services who are not insured or trained to do so.

WHEREAS as unlicensed people who provide legal services have been deemed incompetent by the Court.

WHEREAS this issue has been squarely in front of LSO and the former LSUC and nothing has been done to remove the various exemption thereby protecting the public.

WHEREAS there are no exemptions as to who may practice as a Lawyer thereby creating a discriminatory class (Paralegal) under the Law Society Act.

WHEREAS eliminating exemptions would ensure that the public is being served and protected by people licenced to provide legal services or practice law with corresponding continued training, insurance, and accountability.

THEREFORE BE IT RESOLVED:

1. THAT PART V OF BY-LAW 4 - PROVIDING LEGAL SERVICES WITHOUT A LICENCE BE AMENDED AS FOLLOWS:

A. Sections 30.1, 30.2, 30.3 30.4, 30.5, 30.6 30.7, be revoked in their entirety forthwith.

2. That the administration of the LSO be instructed to fully address all complaints of unauthorized practices in a timely and forthright manner immediately and they are to use all Sections of the Law Society Act not just injunctions to ensure the public is protected.

ALL OF WHICH IS RESPECTFULLY SUBMITTED

James Moak

Marie Beaupre

Paula Callaghan

Tony Caruso

Roger Dinner

Shaun Harvey

Daniel Moak

John Robinson

Denis Sabourin

Edward Woods