

*Federation of Law Societies
of Canada*



*Fédération des ordres professionnels
de juristes du Canada*

NATIONAL COMMITTEE ON ACCREDITATION

SYLLABUS

PROFESSIONAL RESPONSIBILITY

JANUARY 2010

PROFESSIONAL RESPONSIBILITY

A COURSE PREPARED FOR THE FEDERATION OF LAW SOCIETIES OF CANADA (“FLSC”¹),
NATIONAL COMMITTEE ON ACCREDITATION (“NCA”²)

COURSE OUTLINE

PART I. INTRODUCTION AND ADMINISTRATION

A. OVERVIEW

This course is designed to cover the fundamental concepts of professional responsibility in the Canadian legal profession. The regulation of lawyers in Canada is a matter primarily within the jurisdiction of the provinces. According to the FLSC:

The legal profession in Canada is governed by the laws, rules and regulations of the law society of which a lawyer is a member. There are 14 law societies in Canada, one for each of the 10 provinces and one for each of the 3 territories. The province of Québec has 2 law societies, thereby respecting the civil law tradition from France that governs the province. The *Chambre des notaires du Québec* governs the notarial profession within Québec, while the *Barreau du Québec* governs the lawyers. The other Canadian provinces and territories are governed by the common law tradition from England. Each law society is established by statute of the legislative assembly of its province or territory. The governing body of the legal profession in each of the common law jurisdictions is called a “law society” in every jurisdiction except in Nova Scotia where it is called a Barristers’ Society.³

Because the “laws, rules and regulations”⁴ that govern lawyers, including professional codes of conduct, are different for each province and territory, this course does not purport to cover (and students are not expected to read) the different regulatory regimes of all of the different provinces. Rather, for purposes of this course, the *Code of Professional Conduct* (“Code”) – including recent amendments – of the Canadian Bar Association (“CBA”)⁵ will be referred to from time to time as the

¹ Online: FLSC <<http://www.flsc.ca/>>.

² Online: FLSC <<http://www.flsc.ca/en/foreignLawyers/foreignLawyers.asp>>.

³ FLSC, “The Practice of Law in Canada: General Introduction”, online: FLSC <<http://www.flsc.ca/en/lawSocieties/lawSocieties.asp>> (hyperlink omitted).

⁴ *Ibid.* For links to these “laws, rules and regulations”, see *e.g.* FLSC, “Acts & Regulations of Law Societies”, online: FLSC <<http://www.flsc.ca/en/lawSocieties/actRegulations.asp>>. See further *ibid.* at “General”, online: FLSC <<http://www.flsc.ca/en/lawSocieties/general.asp>>.

⁵ Adopted by Council, August 2004 and February 2006, online: CBA <<http://www.cba.org/CBA/activities/pdf/codeofconduct06.pdf>>. For recent amendments, see CBA <<http://www.cba.org/CBA/activities/code/docs.aspx>>. For a description of the *Code* and its role vis-à-vis other provincial regulatory frameworks, see *ibid.* at “Preface”.

basic model guide for professional conduct in Canada. It is therefore anticipated that each student, after successfully completing this course (including the course examination) will become very familiar with the “laws, rules and regulations” of the given provincial or territorial jurisdiction in which he or she intends to become a member of the bar.⁶

B. COURSE OBJECTIVES

The course has three main objectives.

1. **Concepts**. The first objective is two-fold: to look at what the landscape of the legal profession in Canada is, can and should be; and then to situate lawyers, their conduct and their dealings with clients and the profession in that landscape. The course also looks more broadly at various aspects of lawyering and the profession, including self-regulation, the nature of the adversary system, demographics, ethical tensions between zealous representation and a commitment to the public interest, special need and special interest clients, access to justice, alternative dispute resolution and globalization. Overall, it is hoped that students will develop a sense of what the profession is about and what lawyers’ professional roles and responsibilities are in the profession.
2. **Skills**. The second objective of the course – with specific reference to the *Code* – is to help students to think about what professional issues arise in practice, how they arise, and how they can – and in some cases must – be dealt with.
3. **Focused Critical Thinking**. The third objective of the course is to encourage students to think critically and imaginatively about the legal profession’s current and future opportunities and challenges. Thinking about what works, what doesn’t and alternatives is encouraged.

C. FORMAT, MATERIALS AND READINGS

1. **Format**. This course is designed to be self-taught. The required readings (see below) provide the basic course materials.
2. **Materials**. This course has two primary sources of materials:
 - (a) Allan C. Hutchinson, *Legal Ethics and Professional Responsibility*, 2d ed. (Toronto: Irwin Law, 2006) (the “Text”); and
 - (b) the *Code*.⁷ When reading the *Code*, students should read both the rules and the relevant commentaries (and amendments). Students should also become familiar with the index to the *Code* and be able to find the various *Code* provisions that might apply to a given issue or problem.
3. **Required Readings**. The required readings for each topic are set out in this course outline (below). These are the readings that students are expected to read and with which they should

⁶ For further information regarding the general bar admission processes in Canada, see *e.g.* FLSC, “The Practice of Law in Canada: Admission to a Law Society”, online: FLSC <<http://www.flsc.ca/en/lawSocieties/lawSocieties.asp#admission>>.

⁷ *Supra* note 5.

- become familiar for purposes of the course examination. From time to time further – publicly available – web-based materials are also included as required readings to supplement the materials in the Text.
4. Issues to Consider. Each topic in this course outline has a list of non-exhaustive “issues to consider” that are included to help focus students’ thinking when going through the various topics and materials. The “problems” included in the Text are also useful tools to assist students when reviewing the materials and studying for the course examination.
 5. Further (Optional) Materials. From time to time further (optional) materials are included in this course outline. These optional materials are included to provide students with further background information on a given topic and to help students who are looking for more assistance, or who want to think further about a given issue. They are not, however, required for purpose of the course examination. As such, they are truly “optional” materials.⁸

D. EVALUATION

Evaluation for this course is based on a 100%, open-book, written examination. Further details about the examination and grading requirements for this course are available from the NCA.⁹

PART II. COURSE OUTLINE AND READINGS

A. THE LEGAL PROFESSION: LAWYERS IN SOCIETY AND A SOCIETY OF LAWYERS

Purpose. This first section of the course – Part A – considers two fundamental and recurring general questions: what is the legal profession and what is the role of the lawyer in the profession? These general questions are designed to get students thinking about what the legal profession is and its relationship with (and difference from) other commercial endeavours in society (*e.g.* business); and the role of the lawyer – specifically including the relevance of personal integrity, morality, honour, etc. – vis-à-vis clients, the profession and the public. To assist with these considerations and when reading the materials, think about where you would place your views on the diagram attached to this course outline as Appendix A.

1. Professions and Professionalism: The Business of Law and Law as a Business

Issues to Consider:

- (a) What is a profession?
- (b) What is the “public interest”?

⁸ For students’ background information, in addition to the course materials, there are several other – again not required – sources of materials on professional responsibility in Canada. For a very useful and comprehensive source, see Gavin MacKenzie, *Lawyers and Ethics: Professional Responsibility and Discipline*, 4th ed. (Toronto: Thomson Carswell, 2006). See further *e.g.* Alice Woolley *et al.*, *Lawyers’ Ethics and Professional Regulation* (Markham: LexisNexis, 2008); Randal N. M. Graham, *Legal Ethics: Theories, Cases and Professional Regulation* (Toronto: Emond Montgomery, 2004); Beverley G. Smith, *Professional Conduct for Lawyers and Judges*, 2d ed. (Fredericton: Maritime Law Book, 2002); Donald E. Buckingham *et al.*, *Legal Ethics in Canada: Theory and Practice* (Toronto: Harcourt Brace, 1996). For a further discussion on Canadian legal ethics literature, see the Text at “Forward to the First Edition”, pp. xi-xv.

⁹ *Supra* note 2.

- (c) The role of lawyers and the profession in legal process and the regulation of society.
- (d) Law as a business and law as a profession: what is the difference? Is there a conflict? Must it be a “one-or-the-other” question? What is at stake in this discussion?
- (e) The power, opportunity and responsibility of lawyers in society.

Required Readings:

- (a) Text: “Preface”, chs. 1-4.
- (b) Code: “President’s Message”, “Preface”, chs. I, II, XV, XXII.

Further (Optional) Materials:

- (a) American Bar Association (“ABA”), *Model Rules of Professional Conduct*, “Preamble and Scope”, online: ABA <<http://www.abanet.org/cpr/mrpc/preamble.html>>.
- (b) The Law Society of Upper Canada (“LSUC”), Committee on Professionalism, “Elements of Professionalism”, LSUC <<http://www.lsuc.on.ca/media/definingprofessoct2001revjune2002.pdf>>.

2. Lawyers and the Lawyer-Client Relationship**Issues to Consider:**

- (a) The lawyer-client relationship: history, foundation, meaning and future.
- (b) Lawyers’ obligations to themselves, clients, the court and society: is there a conflict?
- (c) Lawyers as moral or morally neutral actors: should personal honour, personal morality, etc. play a role in the lawyering process? What are the various arguments on either side of this question? What Code provisions, if any, animate both sides of this question? If there is a conflict, how should it be resolved? Whose morals are we talking about: the lawyer’s, client’s, society’s, other?
- (d) What kind of lawyer are you: moral agent, morally neutral technician or somewhere in between? What difference will it make in practice?

Required Readings:

- (a) Text: chs. 1-5, 11.
- (b) Code: “Preface”, chs. I-IX, XI-XIII, XX.

Further (Optional) Materials:

- (a) Law Society of Alberta (“LSA”), *Code of Professional Conduct*, “Preface”, online: LSA <<http://www.lawsocietyalberta.com/files/code.pdf>>.
- (b) LSUC, *Rules of Professional Conduct*, rr. 1.02 (“client”, “lawyer”), 1.03(1)(a)-(b), 2, 4, online: LSUC <<http://www.lsuc.on.ca/regulation/a/profconduct/>>.
- (c) Law Society of British Columbia (“LSBC”), *Professional Conduct Handbook*, ch. 1, online: LSBC <http://www.lawsociety.bc.ca/publications_forms/handbook/chapter-01.html#1-5>.

- (d) ABA, *Model Rules of Professional Conduct*, “Preamble and Scope”, online: ABA <<http://www.abanet.org/cpr/mrpc/preamble.html>>.

B. ORGANIZATION AND SELF-REGULATION

Purpose. Part B of the course briefly looks at the basic structure and organization of the legal profession.

3. Organization and Self-Regulation

Issues to Consider:

- (a) Structure of the legal profession.
- (b) The source, meaning, opportunity and responsibility of self-regulation.
- (c) Statutory and ethical regimes.
- (d) Education.
- (e) Accountability and the public interest.
- (f) Competence.
- (g) Admission, conduct and discipline.
- (h) Unauthorized practice.
- (i) Good character requirement to practice law.

Required Readings:

- (a) Text: chs. 1, 3-4, 11.
- (b) *Code*: chs. XV, XVII, XXII.
- (c) Briefly skim the basic governing and regulatory materials for one Canadian jurisdiction.¹⁰

Further (Optional) Materials:

- (a) *Constitution Act, 1867* (U.K.), 30 & 31 Vict., c. 3, reprinted in R.S.C. 1985, App. II, No. 5, s. 92.
- (b) FLSC, “The Practice of Law in Canada”, online: FLCS <<http://www.flsc.ca/en/lawSocieties/lawSocieties.asp>>.
- (c) LSUC, “Lawyer Regulation”, online: LSUC <<http://www.lsuc.on.ca/regulation/>>.
- (d) British Columbia *Legal Profession Act*, S.B.C. 1998, c. 9, online: LSBC <http://www.lawsociety.bc.ca/publications_forms/act/lpa_toc.html>.
- (e) Prince Edward Island *Legal Profession Act*, S.P.E.I. 1992, c. 39, online: Province of Prince Edward Island <http://www.gov.pe.ca/law/statutes/pdf/l-06_1.pdf>.

¹⁰ Students should not spend a significant amount of time on this reading assignment. The point is for students simply to become aware of the basic governing and regulatory materials for a given jurisdiction (typically the jurisdiction in which a student plans to practice). For example, if a student were to pick Alberta as the jurisdiction for review, they would link to and skim three sets of materials: the website for the LSA (online: LSA <<http://www.lawsocietyalberta.com/>>), the Alberta *Legal Profession Act*, S.A. 1990, c. L-8 (online: Alberta Queen’s Printer <http://www.qp.gov.ab.ca/documents/Acts/L08.cfm?frm_isbn=0779732790>), and the LSA *Code of Professional Conduct* (online: LSA <<http://www.lawsocietyalberta.com/files/Code.pdf>>). This exercise is not for students to become fully familiar with each of these sets of materials; rather it is for students simply to become aware of some of the primary governing and regulatory materials in a given jurisdiction. For convenient links to some of these various regulatory materials for the various Canadian jurisdictions, see FLSC, “Acts & Regulations of Law Societies”, *supra* note 4.

- (f) *Law Society of New Brunswick v. Ryan*, [2003] 1 S.C.R. 247, 2003 SCC 20 at para. 36, online: <http://scc.lexum.umontreal.ca/en/2003/2003scc20/2003scc20.html>.
- (g) LSUC, Task Force on the Independence of the Legal Profession, online: LSUC <http://www.lsuc.on.ca/news/a/hottopics/task-force-on-the-independence-of-the-legal-profession/>.
- (h) LSUC, “Paralegal Regulation”, online: LSUC <http://www.lsuc.on.ca/paralegals/>.
- (i) FLSC, “Discipline Links of Law Societies”, online: FLSC <http://www.flsc.ca/en/lawSocieties/disciplineLinks.asp>.
- (j) FLSC, “Continuing Legal Education (CLE) and Bar Admission Course (BAC) Links”, online: FLSC <http://www.flsc.ca/en/lawSocieties/cleLinks.asp>.
- (k) Canadian Legal Information Institute (“CANLI”), online: CANLI <http://www.canlii.org/>.

Provincial and Territorial Law Societies (Optional)¹¹:

- (a) LSBC, online: <http://www.lawsociety.bc.ca/>.
- (b) LSA, online: <http://www.lawsocietyalberta.com/>.
- (c) Law Society of Saskatchewan, online: <http://www.lawsociety.sk.ca/>.
- (d) Law Society of Manitoba, online: <http://www.lawsociety.mb.ca/>.
- (e) LSUC, online: <http://www.lsuc.on.ca/>.
- (f) Barreau du Québec, online: <http://www.barreau.qc.ca/>.
- (g) Chambre des notaires du Québec, online: <http://www.cdnq.org/>.
- (h) Law Society of New Brunswick, online: <http://www.lawsociety-barreau.nb.ca/>.
- (i) Nova Scotia Barristers’ Society, online: <http://www.nsbs.ns.ca/>.
- (j) Law Society of Prince Edward Island, online: <http://www.lspei.pe.ca/>.
- (k) Law Society of Newfoundland & Labrador, online: <http://www.lawsociety.nf.ca/>.
- (l) Law Society of Yukon, online: <http://www.lawsocietyyukon.com/>.
- (m) Law Society of the Northwest Territories, online: <http://www.lawsociety.nt.ca/>.
- (n) Law Society of Nunavut, online: <http://lawsociety.nu.ca/>.

C. THE ADVERSARY SYSTEM

Purpose. Part C of the course – picking up on the general themes developed in Part A – looks at the adversary system and some of the basic professional issues arising in the context of that system. It also looks at some of the professional issues that arise in the context of specific practice areas, as well as in alternative dispute resolution.

4. The Adversary System and Lawyers as Advocates

Issues to Consider:

- (a) The adversary system and its impact on professional obligations.
- (b) Lawyers as advocates.
- (c) Lawyers as counselors.
- (d) Truth and rights.

¹¹ These optional links are provided simply for students’ information regarding regional regulatory policies and requirements. See further *supra* note 4.

- (e) Candour.
- (f) Zealous representation.
- (g) Duties to clients, opposing counsel, the court and society.
- (h) Civility.
- (i) Document production.
- (j) Trial tactics, evidence and disclosure.
- (k) Witness preparation, conduct and perjury.

Required Readings:

- (a) Text: chs. 5-6.
- (b) Code: chs. III-VII, IX, XII-XIII, XV-XVI, XIX, “Appendix”.

5. Confidentiality**Issues to Consider:**

- (a) Obligations of confidentiality: sources and extent.
- (b) Justifications.
- (c) Who is your client?
- (d) Types of privilege.
- (e) Privilege v. confidentiality: what are they and what is the difference?
- (f) Exceptions and disclosure obligations: ethical and legal obligations.
- (g) In-house counsel and outside counsel.
- (h) Whistle-blowing: what is it? What would you do?
- (i) Withdrawal and other obligations.
- (j) Where can you go for help?

Required Readings:

- (a) Text: chs. 5 (pp. 84-85), 6-7, 9 (p. 172), 10 (pp. 183-189).
- (b) Code: chs. IV, IX, XII.
- (c) *Blank v. Canada (Minister of Justice)*, [2006] 2 S.C.R. 319, 2006 SCC 39, online: <<http://scc.lexum.umontreal.ca/en/2006/2006scc39/2006scc39.html>>.

6. Conflicts of Interest**Issues to Consider:**

- (a) Origins of conflicts of interest.
- (b) Sources and types of conflicts of interest: ethical, legal, economic.
- (c) Client loyalty.
- (d) Changing firms: potential conflicts involving law students and lawyers.
- (e) Avoiding conflicts.
- (f) Remedies.
- (g) Is the current balance – largely framed for example by the Supreme Court of Canada in the *Martin*, *Neil* and *Celanese* cases – fair? Efficient?

Required Readings:

- (a) Text: ch. 8.
- (b) Code: chs. V-VII, X.
- (c) *Celanese Canada Inc. v. Murray Demolition Corp.*, [2006] 2 S.C.R. 189, 2006 SCC 36, online:
<<http://scc.lexum.umontreal.ca/en/2006/2006scc36/2006scc36.html>>.

7. Some Specific Practice Areas

Issues to Consider:

- (a) Ethics in criminal matters.
- (b) Ethics in civil matters.
- (c) In-house lawyers.
- (d) Government lawyers.
- (e) Is there a difference from an ethical perspective? Should there be? Does the Code adequately contemplate all practice situations?

Required Readings:

- (a) Text: chs. 5-6, 9-10.
- (b) Code: ch. IX.

Further (Optional) Materials:

- (a) *Krieger v. Law Society of Alberta*, [2002] 3 S.C.R. 372, 2002 SCC 65, online:
<<http://scc.lexum.umontreal.ca/en/2002/2002scc65/2002scc65.html>>.
- (b) *R. v. Murray* (2000), 48 O.R. (3d) 437, 144 C.C.C. (3d) 289 (S.C.J.).
- (c) LSUC, Special Committee on Lawyer's Duties with Respect to Property Relevant to a Crime or Offence, "Report to Convocation" (21 March 2002), online: LSUC
<http://www.lsuc.on.ca/media/convmay02_propertyrelecrime.pdf>.
- (d) Austin M. Cooper, Q.C., "The 'Good' Criminal Law Barrister", online: LSUC
<http://www.lsuc.on.ca/media/austin_cooper_good_criminal_lawyer_mar0504.pdf>.

8. Ethics and Alternative Dispute Resolution

Issues to Consider:

- (a) Lawyer as negotiator, mediator and arbitrator.
- (b) Disclosure obligations.
- (c) Lies, misrepresentations and misleading truths: is there a difference?
- (d) Conflicts of interest.
- (e) Confidentiality.
- (f) Are adversarial rules helpful?
- (g) Expanding nature of legal services.
- (h) Collaborative lawyering.

Required Readings:

- (a) Text: ch. 10 (pp. 189-196).

- (b) *Code*: chs. I, III, V, IX, XXI.

Further (Optional) Materials:

- (a) LSUC, *Rules of Professional Conduct*, rr. 1.02 (“tribunal”), 2.02(2)-(3), (5) 4.07, online: LSUC <<http://www.lsuc.on.ca/regulation/a/profconduct/>>.
- (b) LSA, *Code of Professional Conduct*, chs. 9(16), 11, online: LSA <<http://www.lawsocietyalberta.com/files/code.pdf>>.
- (c) *Desputeaux v. Éditions Chouette (1987) inc.*, [2003] 1 S.C.R. 178, 2003 SCC 17 at para. 41, online: <<http://scc.lexum.umontreal.ca/en/2003/2003scc17/2003scc17.html>>.
- (d) Trevor C. W. Farrow, “The Negotiator as Professional: Understanding the Competing Interests of a Representative Negotiator” (2007) 7 *Pepperdine Dispute Resolution Law Journal* 373 (a draft version of which is available online: Social Science Research Network <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=967495>).

D. DELIVERY OF LEGAL SERVICES

Purpose. Part D of the course looks at the delivery of legal services. Specific issues include diversity in the profession, clients with special needs, clients with special interests (including both public interest issues as well as unpopular clients), and the cost of and access to the system. Students should specifically consider various access problems, potential remedies and the role of lawyers and the profession with regard to issues of access.

9. Diversity in the Legal Profession

Issues to Consider:

- (a) Demographics, pluralism and diversity.
- (b) Culture, gender, sexual orientation and other potential sources of biases and barriers.
- (c) Changing roles in a changing society.
- (d) Opportunities and responsibilities for change: what role should the legal profession play? What role should you play?
- (e) Does the *Code* provide adequate direction?

Required Readings:

- (a) Text: chs. 3, 11.
- (b) *Code*: ch. XX.
- (c) CBA, Standing Committee on Equity, online: CBA <<http://www.cba.org/CBA/Equity/main/default.aspx>>. ¹²

Further (Optional) Materials:

¹² Students should simply skim the various materials and links collected on this web page to become aware of some of the problems and potential policies and initiatives. Students are not required to read all of these documents in significant detail.

- (a) Former Governor General Adrienne Clarkson, “Her Excellency the Right Honourable Adrienne Clarkson Speech on the Occasion of an Honorary Doctorate of Laws Degree from the Law Society of Upper Canada” (27 February 2003), online: Governor General of Canada <<http://www.gg.ca/media/doc.asp?lang=e&DocID=1091>>.
- (b) LSUC, “Promoting Equity and Diversity”, online: LSUC <<http://www.lsuc.on.ca/about/b/equity/>>.
- (c) The Right Honourable Beverley McLachlin, P.C., Chief Justice of Canada, “Why We Need Women Judges” (May 2006), online: International Association of Women Judges <<http://www.iawj.org/what/Session4BMcLachlin.doc>>.

10. Special Need and Special Interest Clients

Issues to Consider:

- (a) The diversity of clients, their needs and “best interests”.
- (b) Representing clients with disabilities, children, and clients with other special needs.
- (c) Access to legal services.
- (d) Public awareness and public interest advocacy.
- (e) Taking on your client’s cause.
- (f) Lawyers and the press.
- (g) Unpopular clients.
- (h) Is any client “typical”?

Required Readings:

- (a) Text: chs. 3, 4 (p. 72), 5 (pp. 75-79, 90-91), 10 (pp. 196-201).
- (b) Code: chs. IX, XVIII, XX.

Further (Optional) Materials:

- (a) LSUC, *Rules of Professional Conduct*, rr. 4.01, 4.06, 5.04, 6.06, online: LSUC <<http://www.lsuc.on.ca/regulation/a/profconduct/>>.

11. Funding and Access to Justice

Issues to Consider:

- (a) Access to legal services.
- (b) Who should pay: clients, their lawyers and/or society?
- (c) What are the problems and possible solutions?
- (d) *Pro bono* obligations.
- (e) Legal aid.
- (f) Community clinics.
- (g) Legal fees.
- (h) Insurance and pre-paid legal regimes.
- (i) Contingency fees.
- (j) Paralegals.
- (k) Class actions.

Required Readings:

- (a) Text: chs. 5, 10 (pp. 196-201, 203-205), 11.
- (b) Code: chs. XI, XIV.
- (c) CBA, “Legal Aid”, online: <<http://www.cba.org/CBA/Advocacy/legalAid/>>.¹³

Further (Optional) Materials:

- (a) CBA, “Pro Bono”, online: CBA <<http://www.cba.org/cba/groups/probono/>>.
- (b) LSUC, “Access to Justice”, online: LSUC <<http://www.lsuc.on.ca/news/a/fact/access-to-justice/>>.

E. FUTURE DIRECTIONS

Purpose. In this last part of the course, students are encouraged to think about alternative, future and global directions for lawyers and the legal profession.

12. Globalization, Law and the Future of the Legal Profession**Issues to Consider:**

- (a) What is globalization?
- (b) How does it affect and/or how is it affected by law and the legal profession?
- (c) Lawyers’ roles in an era of discontented democracies.
- (d) National and international clients and disputes.
- (e) Do localized legal and ethical regimes continue to make sense in a globalized economy?
- (f) Lawyer mobility.
- (g) Ethics and information technology.

Required Readings:

- (a) Text: chs. 3 (pp. 37-41), 11.
- (b) FLSC, “Mobility of Lawyers in Canada”, online: FLSC <<http://www.flsc.ca/en/committees/mobility.asp>>.
- (c) FLSC, “National Mobility Agreement”, online: FLSC <http://www.flsc.ca/en/pdf/mobility_agreement_aug02.pdf>.

Further (Optional) Materials:

- (a) LSUC, *Rules of Professional Conduct*, rr. 1.02 (“interprovincial law firm”), 3.07, online: LSUC <<http://www.lsuc.on.ca/regulation/a/profconduct/>>.
- (b) LSA, *Code of Professional Conduct*, “Preface”, online: LSA <<http://www.lawsocietyalberta.com/files/code.pdf>>.
- (c) CBA, “Futures”, online: CBA <<http://www.cba.org/CBA/futures/Main/>>.

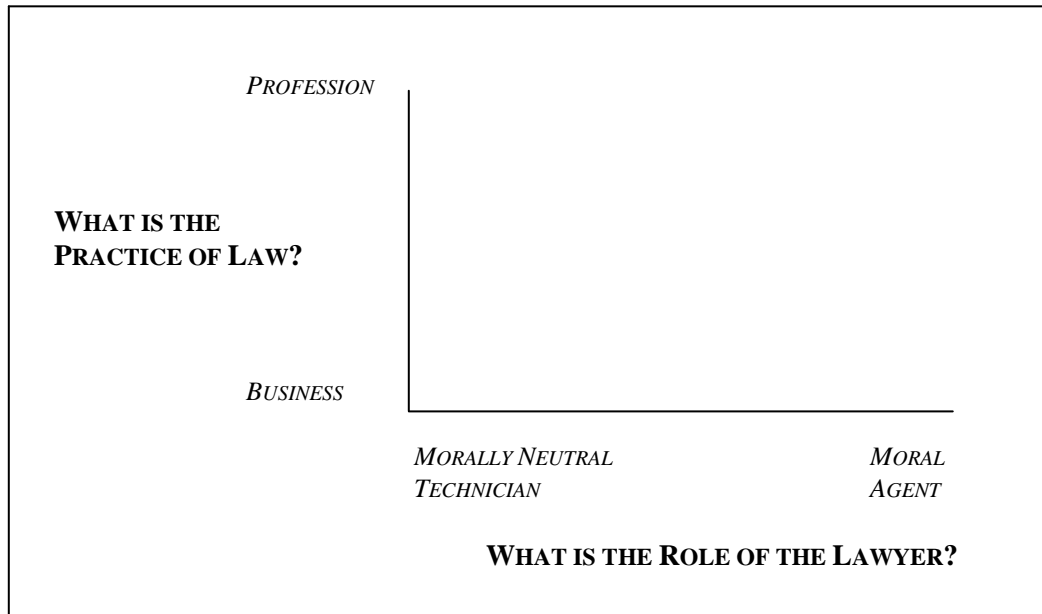
¹³ Students should simply skim the various materials and links collected under the heading “CBA Position on Legal Aid” to become aware of some of the problems and potential policies and solutions. Students are not required to read all of these documents in significant detail.

- (d) CBA, “International Development Program”, online: CBA
<<http://www.cba.org/CBA/IDP/InterDev/>>.

- END OF COURSE -
[PLEASE TURN OVER FOR APPENDIX A]

APPENDIX A

“LAW AS A BUSINESS – LAW AS A PROFESSION”



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Access to Quicklaw (Lexis Nexis)

Please contact the Lexis Nexis Customer Service Department at: service@lexisnexis.ca or call 1-800-387-0899 for a free account. You must provide your NCA File Number which will be used as a student number (CS will contact me directly for further verification). You will be able to get an immediate response to requests evenings and on weekends. CS also offers immediate research and/or technical assistance.

Internet Sites for Provincial Legislation

www.canlii.org

This is a listing for all the provinces and is highly recommended

Ontario:

<http://www.attorneygeneral.jus.gov.on.ca/english/legis/>

British Columbia (Queen's Printer):

<http://www.bclaws.ca/>

Alberta (Queen's Printer):

<http://www.qp.alberta.ca/>

Supreme Court Judgments:

<http://scc.lexum.umontreal.ca/en/index.html>