



Resolution on Mobility

National Mobility Task Force
August 16, 2002

WHEREAS the Federation of Law Societies (the “Federation”) established the National Mobility Task Force (the “Task Force”) in August 2001 to examine full mobility rights and conditions for lawyers and Quebec notaries in Canada;

WHEREAS in accordance with its terms of reference the Task Force surveyed all law and barristers’ societies, the Barreau du Québec and the Chambre des Notaires du Québec, compiled the information received, and provided it to all jurisdictions;

WHEREAS the unique circumstances of the Chambre des Notaires du Québec, and the Law Societies of the territories of the Yukon, Northwest Territories and Nunavut, necessitate special considerations that could not be undertaken within the time frame prescribed in the Task Force’s terms of reference, but should be undertaken in the future;

WHEREAS in May 2002 the Task Force filed with the Federation its report addressing how full mobility might be implemented for consideration by each applicable governing body;

WHEREAS a multi-lateral National Mobility Agreement reflecting the Task Force’s report has been presented to the Federation for ultimate signing by those jurisdictions that wish to participate in the mobility regime;

AND WHEREAS continued analysis of mobility issues and, where appropriate, development of mobility provisions with respect to jurisdictions outside of Canada is in the public interest.

THEREFORE BE IT RESOLVED

THAT the Task Force Report dated May 8, 2002 be accepted.

THAT the National Mobility Agreement presented to the Federation at the Annual Meeting in Niagara-on-the-Lake in August 2002 be distributed to affected member governing bodies for their approval as to participation.

THAT the Task Force be authorized to establish working groups to address implementation issues with respect to mobility including, but not limited to those related to,

- Defalcation Compensation Funds
- Professional Liability Insurance
- Arbitration Provisions
- A Draft Model Rule

THAT the Task Force be authorized to continue to explore and, where appropriate, develop recommendations for mobility with respect to members of the Chambre des Notaires du Québec and the Law Societies of the territories of the Yukon, Northwest Territories and Nunavut, as well as to lawyers in jurisdictions outside of Canada.

AND THAT the Task Force provide an interim report on its ongoing work to the May 2003 Federation meeting.

Mobility Resolution

Moved by:

Sarah A.E. Kay, Law Society of the Northwest Territories

Seconded by:

George Hunter, Law Society of Upper Canada

ADOPTED unanimously on August 16, 2002
Niagara-on-the-Lake, Ontario