

MINUTES

COMMITTEE: Ethics Committee

DATE: October 5, 2000

**13. CHAPTER 12, RULES 4 TO 9 AND CHAPTER 14, RULE 10: USE OF TERM
“LEGAL ASSISTANT”**

A law firm requested the Ethics Committee to consider whether the term “paralegal” is a more appropriate one than “legal assistant” in Chapters 12 and 14. If it is a more appropriate term, the firm would like the Committee to consider recommending a change in the rules to the Benchers to give effect to it.

It was the Committee’s view that the term “legal assistant” is descriptive of the duties of a number of staff that assist lawyers, including staff who may be described as “paralegals” or “secretaries,” and staff who may have a mix of duties in a firm. In this sense “legal assistant” may have a somewhat wider meaning than “paralegal,” although the Committee recognized that the terms are often used interchangeably. For this reason, the Committee did not consider that a change in the rules is appropriate.

The Committee noted that Chapter 14, Rule 10 stipulates that a lawyer must not list non-lawyers on any letterhead or marketing activity unless the person listed is described as holding one of the non-lawyer positions designated in the rule. However, the Committee was of the opinion that it would not be contrary to the rule for a lawyer to describe a non-lawyer by a designation generally understood to be the equivalent of a designation set out in the rule, such as “paralegal” in place of “legal assistant,” or “student-at-law” in place of “articled student.”

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