

MEMBER'S MANUAL

The Law Society
of British Columbia



AMENDMENT PAGES

2008: No. 4 December

Highlights

Law Society Rules: New client identification and verification rules will take effect on December 31, 2008 (Rules 3-91 to 3-102: pp. 94.1-94.6); the definition of “professional conduct record” is updated (p. 10); 2009 fees and assessments are set out in Schedules 1, 2 and 3 (pp. 129-132). **Professional Conduct Handbook:** Rules concerning a lawyer’s professional responsibility to respect human rights laws are made consistent with recent changes to the *BC Human Rights Code* (Chapter 2, Rules 3 to 6: pp. 5-6.1).

Filing: Please file the enclosed sheet in your *Member’s Manual* as follows:

Manual section	Existing pages to be removed	Amendment pages to be inserted
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Professional Conduct Handbook	5 – 6	5 – 6, 6.1– 6.2

After filing, insert this sheet at the front of the *Manual* for reference.

Updates: This amendment package updates the *Member’s Manual* to **November 25, 2008**. The previous amendment package was 2008: No. 3 October.

To check that your copy of the *Manual* is up to date, please consult the contents checklist on the back of this filing sheet. If you have further questions about updating your *Manual*, contact Robin Pollak in the Law Society Communications Department: telephone 604-697-5821 or toll-free in BC 1-800-903-5300, by telefax 604-646-5913 or by email to communications@lsbc.org.

Website: The *Legal Profession Act*, Law Society Rules and *Professional Conduct Handbook* can be accessed in the Publications & Forms section of the Law Society website at lawsociety.bc.ca in both HTML (for online use) and in PDF (for printout, including printout of *Member’s Manual* replacement pages).

MEMBER'S MANUAL CONTENTS CHECKLIST

Updated to November 25, 2008

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DEFINITIONS

“insolvent lawyer” means a lawyer who

- (a) is the respondent of a petition for a receiving order under section 43,
 - (b) has made an assignment of all his or her property for the general benefit of the lawyer’s creditors under section 49,
 - (c) has made a proposal under section 50 or 66.11,
 - (d) has filed a notice of intention to make a proposal under section 50.4, or
 - (e) has applied for a consolidation order under section 219
- of the *Bankruptcy and Insolvency Act*, S.C. 1992, c. 27;

“inter-jurisdictional law firm” means a firm carrying on the practice of law in British Columbia and in one or more other Canadian or foreign jurisdictions, unless all lawyers in all offices of the firm are practising lawyers;

“inter-jurisdictional practice” includes practice by a member of the Society in another Canadian jurisdiction;

“investigate” includes authorizing an investigation and continuing an investigation in progress;

“law clerk” means a law clerk employed by a judge appointed under section 96 of the *Constitution Act, 1867*, or a judge of the Supreme Court of Canada, the Federal Court of Canada or the Tax Court of Canada;

“lawyer” means a member of the Society;

“limited liability partnership” or **“LLP”** means a limited liability partnership under Part 6 of the *Partnership Act*, including an extraprovincial limited liability partnership registered under that Part;

“net interest” means the total interest earned on a pooled trust account, minus any service charges and transmittal fee that the savings institution charges to that account;

“officer” means the Executive Director, a Deputy Executive Director or other person appointed as an officer by the Benchers;

“Ombudsperson” means a person appointed by the Executive Director to provide confidential dispute resolution and mediation assistance to lawyers, articulated students, law students and support staff of legal employers, regarding allegations of harassment or discrimination by lawyers on the basis of race, national or ethnic origin, colour, religion, sex, sexual orientation, marital or family status, disability or age, and includes anyone employed by the Ombudsperson to assist in that capacity;

“panel” means a panel established in accordance with Part 5;

“practice review” means an investigation into a lawyer’s competence to practise law ordered under Rule 3-12(3)(d) or 3-13(1);

“practice year” means the period beginning on January 1 and ending on December 31 in a year;

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“practitioner of foreign law” means a person qualified to practise law in a country other than Canada or in an internal jurisdiction of that country, who gives legal advice in British Columbia respecting the laws of that country or of the internal jurisdiction in which that person is qualified;

“principal” means a lawyer who is qualified to employ and employs an articulated student;

“professional conduct record” means a record of all or some of the following information respecting a lawyer:

- (a) an order under Rule 2-30(4), prohibiting the lawyer from acting as a principal for an articulated student;
- (b) any conditions or limitations of practice or articles accepted or imposed under the Act or these Rules;
- (c) a decision by a panel or the Benchers to reject an application for enrolment, call and admission or reinstatement;
- (c.1) a decision by the Credentials Committee to reject an application for an inter-jurisdictional practice permit;
- (c.2) any suspension or disbarment under the Act or these Rules;
- (d) recommendations made by the Practice Standards Committee under Rule 3-14;
- (d.1) to (f) [rescinded 11/08]
- (g) an admission accepted by the Discipline Committee under Rule 4-21;
- (h) an admission and consent to disciplinary action accepted by a hearing panel under Rule 4-22;
- (i) any Conduct Review Subcommittee report delivered to the Discipline Committee under Rule 4-9, and any written dispute of that report considered by the Committee;
- (j) a decision made under section 38(4)(b) or (c) of the Act;
- (k) an action taken under section 38(5), (6) or (7) of the Act;
- (l) an action taken by the Benchers under section 47 of the Act;
- (m) and (n) [rescinded 11/08]
- (o) a payment made under section 31 of the Act on account of misappropriation or wrongful conversion by the lawyer;
- (p) an order for costs made against the lawyer under Part 5;
- (p.1) any failure to pay any fine, costs or penalty imposed under the Act or these Rules by the time that it is to be paid;
- (q) the outcome of an application made by the lawyer under the *Judicial Review Procedure Act* concerning a decision taken under the Act or these Rules, including a predecessor of either;
- (r) the outcome of an appeal taken by the lawyer under section 48 of the Act;
- (s) any disciplinary or remedial action taken by a governing body or body regulating the legal profession in any other jurisdiction;

[amended 10/06; 09/07; 04/08; 11/08]

Division 11 – Client Identification and Verification

Definitions

3-91 In this Division,

“client” includes

- (a) another party that a lawyer’s client represents or on whose behalf the client otherwise acts in relation to obtaining legal services from the lawyer, and
- (b) in Rules 3-95 to 3-98, an individual who instructs the lawyer on behalf of a client in relation to a financial transaction;

“control” has the same meaning as in section 2 of the *Business Corporations Act*;

“financial institution” means

- (a) an authorized foreign bank within the meaning of section 2 of the *Bank Act* (Canada) in respect of its business in Canada or a bank to which the *Bank Act* applies,
- (b) a co-operative credit society, savings and credit union or caisse populaire that is regulated by a provincial Act,
- (c) an association that is regulated by the *Cooperative Credit Associations Act* (Canada),
- (d) a company to which the *Trust and Loan Companies Act* (Canada) applies,
- (e) a trust company or loan company regulated by a provincial Act,
- (f) a department or agent of Her Majesty in right of Canada or of a province where the department or agent accepts deposit liabilities in the course of providing financial services to the public, or
- (g) an entity controlled by a financial institution;

“financial transaction” means the receipt, payment or transfer of money on behalf of a client or giving instructions on behalf of a client in respect of the receipt, payment or transfer of money;

“money” means cash, currency, securities and negotiable instruments or other financial instruments that indicate the person’s title or interest in them;

“organization” means a body corporate, partnership, fund, trust, co-operative or an unincorporated association;

“public authority” means

- (a) a department or agent of Her Majesty in right of Canada or of a province or territory,
- (b) a municipality or regional district or a municipal body incorporated under the law of another province or a territory, or an agent of any of them,
- (c) a college, institute, university or school district,
- (d) an organization that operates a public hospital and that is designated by the Minister of National Revenue as a hospital authority under the *Excise Tax Act* (Canada) or an agent of the organization,

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- (e) a body incorporated under an Act of Canada or of a province or territory for a public purpose, or
- (f) an entity controlled by a public authority;

“public company” means a corporation that has minimum net assets of \$75 million on its last audited balance sheet and whose shares are traded on a Canadian stock exchange or a stock exchange designated under subsection 262(1) of the *Income Tax Act*, and operates in a country that is a member of the Financial Action Task Force on Money Laundering;

“securities dealer” means a person or entity that is authorized under provincial legislation to engage in the business of dealing in securities or any other financial instruments or to provide portfolio management or investment advising services.

[added 11/08, effective December 31/08]

Application

- 3-92** (1) Subject to subrule (2), this Division applies to a lawyer who is retained by a client to provide legal services.
- (2) Rules 3-93 to 3-101 do not apply when a lawyer provides legal services
- (a) on behalf of his or her employer,
 - (b) that do not involve a financial transaction in the following circumstances:
 - (i) as part of a duty counsel program sponsored by a non-profit organization;
 - (ii) in the form of pro bono summary advice, or
 - (c) if another lawyer who has complied with Rules 3-93 to 3-101
 - (i) engages the lawyer to provide legal services to the client as an agent, or
 - (ii) refers a matter to the lawyer for the provision of legal services.
- (3) In this Division, the responsibilities of a lawyer may be fulfilled by the lawyer’s firm, including members or employees of the firm conducting business in another Canadian jurisdiction.

[added 11/08, effective December 31/08]

Client identification

- 3-93** (1) A lawyer who is retained by a client to provide legal services must make reasonable efforts to obtain and, if obtained, record all of the following information that is applicable:
- (a) the client’s full name, business address and business telephone number;
 - (b) if the client is an individual, the client’s home address, home telephone number and occupation;
 - (c) if the client is an organization, the name, position and contact information for individuals who give instructions with respect to the matter for which the lawyer is retained;

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- (d) if the client is an organization other than a financial institution, public authority or public company,
 - (i) the general nature of the type of business or activity engaged in by the client, and
 - (ii) the organization's incorporation or business identification number and the place of issue of its incorporation or business identification number.
- (2) When a lawyer has obtained and recorded the information concerning the identity of a client under subrule (1), the lawyer is not required subsequently to obtain and record that information about the same individual or organization.

[added 11/08, effective December 31/08]

Exemptions

3-94 Rules 3-95 to 3-99 do not apply when a lawyer

- (a) pays money to or receives money from
 - (i) a financial institution,
 - (ii) a public authority, or
 - (iii) a public company,
- (b) pays money to another lawyer in trust, on the direction of the client,
- (c) receives money paid from the trust account of another lawyer,
- (d) receives money from a peace officer, law enforcement agency or other public official acting in an official capacity,
- (e) pays or receives money
 - (i) pursuant to a court order,
 - (ii) to pay a fine or penalty,
 - (iii) as a settlement of any legal or administrative proceeding, or
 - (iv) for professional fees, disbursements, expenses or bail.

[added 11/08, effective December 31/08]

Verification

- 3-95** (1) When a lawyer provides legal services in respect of a financial transaction, including a non-face-to-face transaction, the lawyer must take reasonable steps to verify the identity of the client using what the lawyer reasonably considers to be reliable, independent source documents, data or information.
- (2) For the purposes of subrule (1), independent source documents may include
 - (a) if the client is an individual, valid original government-issued identification, including a driver's licence, birth certificate, provincial or territorial health insurance card, passport or similar record,

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- (b) if the client is an organization such as a corporation or society that is created pursuant to legislative authority, a written confirmation from a government registry as to the existence, name and address of the organization, including the names of its directors and officers, such as
 - (i) a certificate of corporate status issued by a public authority,
 - (ii) a copy obtained from a public authority of a record that the organization is required to file annually under applicable legislation, or
 - (iii) a copy of a similar record obtained from a public authority that confirms the organization's existence, and
- (c) if the client is an organization that is not registered in any government registry, such as a trust or partnership, a copy of the organization's constating documents, such as a trust or partnership agreement, articles of association, or any other similar record that confirms its existence as an organization.

[added 11/08, effective December 31/08]

Identifying directors, shareholders and owners

3-96 When a lawyer provides legal services in respect of a financial transaction for a client that is an organization referred to in Rule 3-95(2)(b) or (c), the lawyer must make reasonable efforts to obtain, and if obtained, record

- (a) the name and occupation of all directors of the organization, other than an organization that is a securities dealer, and
- (b) the name, address and occupation of all persons who own 25 per cent or more of the organization or of the shares of the organization.

[added 11/08, effective December 31/08]

Client identification and verification in non-face-to-face transactions

3-97 (1) This Rule applies when a lawyer provides legal services in respect of a financial transaction for a client who is an individual not physically present before the lawyer.

(2) If the client is present elsewhere in Canada, the lawyer must verify the client's identity by obtaining an attestation from a commissioner of oaths for a jurisdiction in Canada, or a guarantor in Canada, that the commissioner or guarantor has seen one of the documents referred to in Rule 3-95(2)(a).

(3) For the purpose of subrule (2), an attestation must be produced on a legible photocopy of the document and must include

- (a) the name, profession and address of the person providing the attestation,
- (b) the signature of the person providing the attestation, and
- (c) the type and number of the identifying document provided by the client.

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- (4) For the purpose of subrule (2), a guarantor must be a person engaged in one of the following professions in Canada:
- (a) dentist;
 - (b) medical doctor;
 - (c) chiropractor;
 - (d) judge;
 - (e) magistrate;
 - (f) lawyer;
 - (g) notary (in Quebec);
 - (h) notary public;
 - (i) optometrist;
 - (j) pharmacist;
 - (k) professional accountant (Chartered Accountant, Certified General Accountant, Certified Management Accountant, Accredited Public Accountant, Public Accountant or Registered Public Accountant);
 - (l) professional engineer;
 - (m) veterinarian.
- (5) If the client is not present in Canada, the lawyer must rely on an agent to obtain the information required to verify the identity of the client under Rule 3-95, which may be attested to in a form similar to that described in this Rule, provided the lawyer and the agent have an agreement or arrangement in writing for this purpose.
- (6) A lawyer who enters into an agreement or arrangement referred to in subrule (5) must obtain from the agent the information obtained by the agent under that agreement or arrangement.

[added 11/08, effective December 31/08]

Timing of verification for individuals

- 3-98** (1) At the time that a lawyer provides legal services in respect of a financial transaction, the lawyer must verify the identity of a client who is an individual.
- (2) When a lawyer has verified the identity of an individual, the lawyer is not required subsequently to verify that same identity if the lawyer recognizes that person.

[added 11/08, effective December 31/08]

Timing of verification for organizations

- 3-99** (1) A lawyer must verify the identity of a client that is an organization within 60 days of engaging in a financial transaction.
- (2) When a lawyer has verified the identity of a client that is an organization and obtained and recorded information under Rule 3-96, the lawyer is not required subsequently to verify that identity or obtain and record that information.

[added 11/08, effective December 31/08]

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Record keeping and retention

- 3-100** (1) A lawyer must obtain and retain a copy of every document used to verify the identity of any individual or organization for the purposes of Rule 3-95(1).
- (2) The documents referred to in subrule (1) may be kept in a machine-readable or electronic form, if a paper copy can be readily produced from it.
- (3) A lawyer must retain a record of the information and any documents obtained for the purposes of Rules 3-93 and 3-96 and copies of all documents received for the purposes of Rule 3-95(2) for the longer of
- (a) the duration of the lawyer and client relationship and for as long as is necessary for the purpose of providing services to the client, and
 - (b) a period of at least 6 years following completion of the work for which the lawyer was retained.

[added 11/08, effective December 31/08]

Existing matters

- 3-101** Rules 3-92 to 3-100 do not apply to matters for which a lawyer was retained before December 31, 2008, but they do apply to all matters for which he or she is retained after that time, regardless of whether the client is a new or existing client.

[added 11/08, effective December 31/08]

Criminal activity

- 3-102** (1) If, in the course of obtaining the information and taking the steps required in Rule 3-93, 3-95(2) or 3-96, or while retained by a client, a lawyer reasonably suspects that he or she is or would be assisting a client in dishonesty, fraud, crime or illegal conduct, the lawyer must withdraw from representation of the client.
- (2) This Rule applies to all matters for which a lawyer is retained before or after this Division comes into force.

[added 11/08, effective December 31/08]

SCHEDULE 1 – 2009 LAW SOCIETY FEES AND ASSESSMENTS

A. Annual fee	\$
1. Practice fee set by members (Rule 2-70)	1,384.00
2. Special Compensation Fund assessment (Rule 2-70)	150.00
3. Liability insurance base assessment (which may be increased or decreased in individual cases in accordance with Rule 3-22(1)):	
(a) member in full-time practice	1,400.00
(b) member in part-time practice	700.00
4. Liability insurance surcharge (Rule 3-26(2))	1,000.00
5. Late payment fee for practising members (Rule 2-72(3))	100.00
6. Retired member fee (Rule 2-4(3))	75.00
7. Late payment fee for retired members (Rule 2-72(4)).....	nil
8. Non-practising member fee (Rule 2-3(2))	300.00
9. Late payment fee for non-practising members (Rule 2-72(5)).....	25.00
10. Administration fee (Rule 2-75(3))	50.00
 A.1 Trust administration fee	
1. Each client matter subject to fee (Rule 2-72.2(1))	10.00
 B. Special assessments	
 C. Articled student fees	
1. Enrolment in admission program (Rules 2-27(3)(e) and 2-33(1)(b))	250.00
2. Temporary articles fee (Rule 2-42(1)(c))	125.00
3. Temporary articles (legal clinic) fee (Rule 2-42(1)(c))	25.00
4. Training course registration (Rule 2-44(4)(a))	2,250.00
5. Remedial work (Rule 2-45(7)):	
(a) for each piece of work	50.00
(b) for repeating the training course	3,500.00
 D. Investigation and examination fees	
1. Transfer from another Canadian province or territory – investigation fee (Rule 2-49(1)(f))	1,125.00
2. Transfer or qualification examination (Rules 2-49(6) and 2-58(2))	300.00
 E. Call and admission fees	
1. After enrolment in admission program (Rule 2-48(1)(d))	200.00
2. After transfer from another Canadian province or territory (Rule 2-49(1)(f))...	200.00
 F. Reinstatement fees	
1. Following disbarment, resignation or other cessation of membership as a result of disciplinary proceedings (Rule 2-52(1)(b))	600.00
1.1 Following 3 years or more as a former member (Rule 2-52(1)(b))	500.00
2. All other cases (Rule 2-52(1)(b))	415.00

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G. Application fees	\$
1. Application to become retired member (Rule 2-4(2)(b))	30.00
2. Application to become non-practising member (Rule 2-3(1)(b))	60.00
3. Non-practising or retired member applying for practising certificate (Rule 2-56(b))	60.00
H. Inter-jurisdictional practice fees	
1. Original application for permit (Rule 2-11(2)(b))	500.00
2. Renewal of permit (Rule 2-11(2)(b))	100.00
I. Corporation and limited liability partnership fees	
1. Permit fee for law corporation (Rule 9-4(c))	300.00
2. New permit on change of name fee (Rule 9-6(4)(c))	75.00
3. LLP registration fee (Rule 9-15(1))	300.00
J. Practitioners of foreign law	
1. Permit fee for practitioners of foreign law (Rule 2-18(1)(b))	600.00
2. Permit renewal fee for practitioners of foreign law (Rule 2-22(2)(c))	125.00
3. Late payment fee (Rule 2-22(6))	100.00
K. Late filing fees	
1. Trust report (Rule 3-74(2))	200.00
2. Professional development (Rule 3-18.4(1)(c))	200.00

Note: The federal goods and services tax applies to Law Society fees and assessments.

SCHEDULES – LAW SOCIETY FEES AND ASSESSMENTS

**SCHEDULE 2 – 2009 PRORATED FEES AND ASSESSMENTS
FOR PRACTISING MEMBERS**

	Law Society fee	Special Compensation Fund	Liability insurance fee	
			Payable prior to call	Payable by June 30
Full-time insurance				
January	1,384.00	150.00	700.00	700.00
February	1,268.67	137.50	583.33	700.00
March	1,153.33	125.00	466.67	700.00
April	1,038.00	112.50	350.00	700.00
May	922.67	100.00	233.33	700.00
June	807.33	87.50	116.67	700.00
July	692.00	75.00	700.00	0.00
August	576.67	62.50	583.33	0.00
September	461.33	50.00	466.67	0.00
October	346.00	37.50	350.00	0.00
November	230.67	25.00	233.33	0.00
December	115.33	12.50	116.67	0.00
Part-time insurance				
January	1,384.00	150.00	350.00	350.00
February	1,268.67	137.50	291.67	350.00
March	1,153.33	125.00	233.33	350.00
April	1,038.00	112.50	175.00	350.00
May	922.67	100.00	116.67	350.00
June	807.33	87.50	100.00	350.00
July	692.00	75.00	350.00	0.00
August	576.67	62.50	291.67	0.00
September	461.33	50.00	233.33	0.00
October	346.00	37.50	175.00	0.00
November	230.67	25.00	116.67	0.00
December	115.33	12.50	100.00	0.00

Note: The federal goods and services tax applies to Law Society fees and assessments.

**SCHEDULE 3 – 2009 PRORATED FEES
FOR NON-PRACTISING AND RETIRED MEMBERS**

	Non-practising members	Retired members
	Fee	Fee
January	300.00	75.00
February	275.00	68.75
March	250.00	62.50
April	225.00	56.25
May	200.00	50.00
June	175.00	43.75
July	150.00	37.50
August	125.00	31.25
September	100.00	25.00
October	75.00	18.75
November	50.00	12.50
December	25.00	6.25

Note: The federal goods and services tax applies to Law Society fees and assessments.

CHAPTER 2

INTEGRITY

Dishonourable conduct

1. A lawyer must not, in private life, extra-professional activities or professional practice, engage in dishonourable or questionable conduct that casts doubt on the lawyer's professional integrity or competence, or reflects adversely on the integrity of the legal profession or the administration of justice.¹

[amended 09/94]

Duty to meet financial obligations

2. The lawyer has a professional duty, quite apart from any legal liability, to meet professional financial obligations incurred or assumed in the course of practice, such as agency accounts, obligations to members of the profession, fees or charges of witnesses, sheriffs, special examiners, registrars, reporters and public officials when called upon to do so.

Discrimination

3. A lawyer has a special responsibility to respect the requirements of human rights laws.

[added 09/94; amended 10/08]

- 3.1 A lawyer must not refuse to employ or refuse to continue to employ a person or discriminate against a person regarding employment or any term or condition of employment because of the race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation or age of that person or because that person has been convicted of a criminal or summary conviction offence that is unrelated to the employment or to the intended employment of that person.

[added 10/08]

4. Rule 3.1 does not apply
 - (a) as it relates to age, to a bona fide scheme based on seniority,
 - (b) as it relates to marital status, physical or mental disability, sex or age, to the operation of a bona fide retirement, superannuation or pension plan or to a bona fide group or employee insurance plan, whether or not the plan is the subject of a contract of insurance between an insurer and an employer, or

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- (c) to a refusal, limitation, specification or preference based on a bona fide occupational requirement.

[added 09/94; amended 10/08]

4.1 A lawyer must not, without a bona fide and reasonable justification,

- (a) deny to a person or class of persons any service customarily available to the public, or
- (b) discriminate against a person or class of persons regarding any service customarily available to the public

because of the race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation or age of that person or class of persons.

[added 10/08]

5. A lawyer must not engage in any form of harassment, including sexual harassment,² based on the prohibited grounds in Rule 3.1.

[added 09/94; amended 10/08]

6. Rules 3.1 and 4.1 do not preclude any program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups.

[added 09/94; amended 10/08]

FOOTNOTES:

1. A lawyer must not exploit the relationship between solicitor and client to the lawyer's own advantage. An intimate relationship between a lawyer and a client, such as a sexual one, may constitute exploitation.

An intimate relationship with a client is also likely to affect a lawyer's professional judgement, which could cast doubt on a lawyer's ability to represent the client competently. A lawyer owes each client a duty to provide objective legal advice and perform services in a professional manner. The lawyer must not permit any personal interest to interfere with that objectivity.

[added 06/95]

INTEGRITY

2. This reflects the Supreme Court of Canada's decision in *Janzen v. Platy Enterprises Ltd.*, [1989] 1 SCR 1252. The Court discusses the issue at pp. 1276-1291. Chief Justice Dickson said:

Common to all of these descriptions of sexual harassment is the concept of using a position of power to import sexual requirements into the workplace thereby negatively altering the working conditions of employees who are forced to contend with sexual demands. (at p. 1281)

Sexual harassment is not limited to demands for sexual favours made under threats of adverse job consequences should the employee refuse to comply with the demands ... Sexual harassment also encompasses situations in which sexual demands are foisted upon unwilling employees or in which employees must endure sexual groping, propositions, and inappropriate comments, but where no tangible economic rewards are attached to involvement in the behaviour. (at p. 1282)

He concluded:

... sexual harassment in the workplace may be broadly defined as unwelcome conduct of a sexual nature that detrimentally affects the work environment or leads to adverse job-related consequences for the victims of the harassment. (at p. 1284)

While the *Janzen* case dealt with sexual harassment in an employment situation, these Rules cover more than lawyers' conduct as employers or employees. They also deal with relations among counsel, among partners, between lawyers and clients and between lawyers and court personnel.

[renumbered 06/95; amended 10/08]

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