

Reductions in the Articling Term and Exemption from PLTC

Can I receive credit in the Law Society Admission Program for clerking, articling or practising elsewhere?

In order to be called to the British Columbia bar, applicants are required to complete the Law Society Admission Program (LSAP). A student enrolled in LSAP must work in the office of his or her principal for nine months, and attend the 10-week Professional Legal Training Course (PLTC).

The regular nine-month articling term can be reduced by the completion of:

- a clerkship at the Supreme Court of Canada, BC Court of Appeal or Supreme Court, Federal Court of Canada, or the Tax Court of Canada;
- a clerkship at a superior court in another Canadian jurisdiction;
- articles in another Canadian jurisdiction; or
- practice experience in a common law jurisdiction outside Canada.

An applicant may be eligible for a maximum reduction of five months in the nine-month articling term, resulting in a minimum articling period of four months.

An applicant may also apply for an exemption from all or portions of PLTC if he or she has:

- completed a bar admission course in another Canadian jurisdiction; or
- engaged in the active practice of law in a common law jurisdiction outside of Canada for at least five full years.

I'm completing a clerkship. How do I request a reduction of the articling term?

A student who has completed a clerkship of not less than eight months may request a reduction of the nine-month articling term by an amount of time equal to one-half of the time served as a law clerk, to a maximum reduction of five months: see Law Society Rule 2-63.

To apply for a reduction of the articling term for time served as a clerk, you must submit to the Law Society:

- a written request for a reduction of the articling term, setting out your proposed articling period; the request should be made by submitting the completed form Application for Reduction in Articling Term;

- written confirmation that your principal has agreed to the reduction; and
- a report completed by your supervising judge stating:
 - the period of your clerkship;
 - the nature of your duties as a clerk; and
 - the judge's assessment of your performance.

Please contact the Law Society to obtain the form of report for the judge's completion.

Note that this application may be made only after completion of your employment as a law clerk.

I'm completing a clerkship. What does this mean for my registration in PLTC?

Law clerks, like all articulated students, are required to attend PLTC for 10 weeks. The deadlines for registration in PLTC for law clerks are listed on the Application: Professional Legal Training Course Registration form. These deadlines are set by PLTC in order that clerks may be accommodated in their desired PLTC enrolment date. If you have any questions concerning deadlines for PLTC registration, please contact PLTC directly. PLTC applications for registration must be submitted directly to PLTC. See the information sheet Law Society Admission Program for further details.

I've completed articles elsewhere in Canada. How do I request a reduction of the articling term?

A student who has served a period of articles in another Canadian jurisdiction immediately before or after the period of articles in BC may request a reduction in the nine-month articling term by an amount of time equal to the time served in articles in the other jurisdiction, to a maximum reduction of five months: see Law Society Rule 2-64.

To apply for a reduction of the articling term for time served as an articulated student in another Canadian jurisdiction, you must submit to the Law Society:

- a written request for a reduction of the articling term, setting out your proposed articling period;
- written confirmation that your principal has agreed to the reduction;
- written confirmation from the law society in the other jurisdiction of the period of articles you completed; and
- a letter from your former principal confirming the period of your articles, the nature of your duties and the principal's assessment of your performance.

I've completed a bar admission course elsewhere in Canada. How do I request an exemption from PLTC?

If you have completed a bar admission course in another Canadian jurisdiction and wish to be exempted from all or portions of PLTC, you must submit to the Credentials Committee at the Law Society:

- a written request for an exemption from PLTC, specifying the portions of PLTC from which you wish to be exempted; and
- confirmation from the bar admission course of the content of the course you completed and your marks. To obtain more information on PLTC, please see the information sheet Law Society Admission Program.

I'm a lawyer qualified in a foreign country. How do I request a reduction of the articling term?

The Law Society Rules permit a reduction in the regular nine-month articling term for lawyers who have qualified in a common law jurisdiction outside Canada and are seeking call to the bar in BC.

A lawyer who holds professional legal qualifications in a foreign common law jurisdiction and has been in the active practice of law in that jurisdiction for at least one full year may apply for a reduction in the articling term: see Law Society Rule 2-65.

The articling term may be reduced by up to one month for each full year of active practice experience in another jurisdiction. The maximum reduction is five months; accordingly, the minimum articling period for any lawyer receiving a reduction is four months.

To apply for a reduction of the articling term, you must submit to the Law Society:

- a written request for a reduction of the articling term, setting out your proposed articling period;
- written confirmation that your principal has agreed to the reduction;
- an original certificate of good standing (issued within the last six months), forwarded directly from your home law society; and
- original letters from employers, colleagues or judges verifying your precise periods of legal employment and detailing in full, with specific examples, the type of practice experience obtained.

Upon receipt of the above, the Law Society will notify you in writing as to whether your request for a reduction has been approved and, if so, the amount of the reduction.

I'm a lawyer qualified in a foreign country. How do I request an exemption from PLTC?

The Law Society Rules also permit lawyers from foreign common law jurisdictions to apply for exemption from all or portions of PLTC.

Pursuant to Law Society Rule 2-72(7), applicants who have engaged in the active practice of law in a common law jurisdiction outside of Canada for at least five full years may apply to the Credentials Committee for exemption from all or portions of PLTC.

To apply for an exemption, you must submit to the Credentials Committee at the Law Society:

- a written request for exemption from some or all of PLTC, specifying the portions of PLTC you wish to be exempted from;
- written confirmation that your principal agrees to the exemption;
- an original certificate of standing from your home law society or governing body;
- original letters from employers, colleagues or judges verifying your practice periods of legal employment and detailing in full, with specific examples, the type of practice experience obtained; and
- confirmation of whether you completed a bar admission course in your home jurisdiction and if so, the content of the course you completed and your marks.

Upon receipt of the above, your request will be placed before the Credentials Committee for consideration at one of its regularly scheduled monthly meetings. You will be notified in writing of the Committee's decision.

How does a reduced articling term affect vacation time during articles?

In proposing a term of reduced articles, you should consider whether you may wish to take vacation time during your articles. If your principal allows you to take a holiday during articles:

- the holiday can not exceed 10 working days;
- the holiday will NOT count as part of the articling period; and
- in accordance with the grant of license process, once you have completed the minimum four months of articles, you may immediately become licensed for practice and would be eligible to attend the next call ceremony.

How can I learn more about applying for LSAP?

Applications for enrolment in the Law Society Admission Program must be received at the Law Society offices at least 30 days before the applicant wishes to commence his or her enrolment. For details on how to apply for LSAP, see the information sheet Law Society Admission Program.

How can I obtain more information?

If you have any questions on the LSAP, please contact:

Registration & Licensee Services
Law Society of British Columbia
8th Floor, 845 Cambie Street
Vancouver, BC V6B 4Z9

Tel.: 604.605.5311
BC Toll-free: 1.800.903.5300
Fax: 604.687.0135
Email: registration@lsbc.org

The information in this package is based on the Law Society Rules as they exist at this time. You must comply with the Rules that are in effect at the time you apply to the Law Society Admission Program and with any changes in the Rules that may occur while you are enrolled in LSAP. If you have any questions about LSAP, contact Registration & Licensee Services at the Law Society of British Columbia.

LAW SOCIETY RULES

Articling term

- 2-59** (1) Unless the articling period is changed under Rules 2-59 to 2-65, an articulated student must work in the office of his or her principal for a period of not less than 9 months.
- (2) Unless otherwise permitted in this division, the articling term must be continuous, except that this period may be interrupted by
- (a) attendance at the training course,
 - (b) annual vacation of up to 10 working days at the discretion of the principal, or
 - (c) a leave of absence as permitted under Rule 2-69 [Leave during articles].
- (3) Any time taken for matters referred to in subrule (2) must not be included in the calculation of the articling term.
- (4) The articling term must not be reduced by more than 5 months under any other rule or the combined effect of any rules.
- (5) The Credentials Committee may increase the articling term to not more than 2 years if
- (a) the articulated student's performance has been unsatisfactory,
 - (b) the articulated student has not completed his or her obligations under the articling agreement, or
 - (c) other circumstances justify an increase.
- (6) If it would result in the articulated student qualifying for call and admission within 2 years of the student's first enrolment start date, a student enrolled for a second time is entitled to credit for
- (a) successful completion of the training course, and
 - (b) time spent in articles.
- (7) If an articulated student is enrolled for a second or subsequent time, the Credentials Committee may grant credit for successful completion of the training course and some or all time spent in articles when the articulated student was previously enrolled.

Law clerks

- 2-63** (1) An articulated student who has been employed as a law clerk for not less than 8 months may apply in writing to the Executive Director for a reduction in the articling term by an amount of time equal to half of the time served as a law clerk.
- (2) An articulated student whose application under this rule is accepted must article to his or her principal for a period of time and according to a schedule approved by the Executive Director.
- (3) An application under this rule must be accompanied by
- (a) a written report on the student's character and competence from the judge to whom the articulated student clerked, and
 - (b) other documents or information that the Credentials Committee may reasonably require.

Law school faculty

- 2-78** (1) A full-time lecturer in a faculty of law of a university in Canada who has the academic qualifications required under Rule 2-54 [Enrolment in the admission program] may apply for call and admission without completing the admission program.
- (2) On an application under this rule, the Credentials Committee may approve the application subject to the condition specified in subrule (3).
- (3) A lawyer called and admitted under this rule who ceases to be a full-time lecturer in a faculty of law of a university in Canada must complete the admission program unless the Credentials Committee otherwise orders.
- (4) The Benchers may require a lawyer who fails to comply with subrule (3) to resign from the Society.

Articles in another Canadian jurisdiction

- 2-64** An articulated student or applicant for enrolment who has served a period of articles in another Canadian jurisdiction immediately before or after the student's period in articles in British Columbia, may apply in writing to the Executive Director for a reduction in the articling term by an amount of time equal to the time served in articles in the other jurisdiction.

Practice experience in a common law jurisdiction outside Canada

- 2-65** (1) An articulated student or applicant for enrolment who holds professional legal qualifications obtained in a common law jurisdiction outside Canada and has been in the active practice of law in that jurisdiction for at least one full year, may apply in writing to the Executive Director for a reduction in the articling term.
- (2) The Executive Director may reduce an articling term under this rule by up to one month for each full year of active practice of law in another jurisdiction.