PURPOSE AND CURRENCY OF LIST

This list sets out notable updates from the Law Society of British Columbia meant to assist lawyers in observing their professional obligations. It is designed to be used with the CLIENT IDENTIFICATION, VERIFICATION, AND SOURCE OF MONEY (A-1) checklist, the CLIENT FILE OPENING & CLOSING (A-2) checklist, as well as the practice area-specific checklists. It is current to **September 1, 2026**.

LAW SOCIETY RULES

- *Trust Administration Fee*. The Law Society Rules were amended so that the trust administration fee is payable for each client matter where a lawyer receives trust funds in an aggregate amount greater than $10,000 (Rule 2-110) (January 2026).
- *Practice Advisors and Equity Advisor.* The Law Society Rules were amended to provide clarity around the confidentiality of communications with Practice Advisors and the Equity Advisor (definitions of "Equity Advisor" and "Practice Advisor" and Rule 10-2.1) (April 2025).

CODE OF PROFESSIONAL CONDUCT FOR BRITISH COLUMBIA

- *Future harm/public safety exception to confidentiality*. Amendments were made to clarify when a lawyer should reach out for guidance in connection with the disclosure of confidential information to prevent death or serious bodily harm (*Code of Professional Conduct for British Columbia* (the "*BC Code*") rule 3.3-1, commentary [4]) (May 2026).

DISCIPLINE ADVISORIES

- *Knowing your obligations before accepting cash.* The Law Society issued an update to the Discipline Advisory originally issued on November 8, 2013. The Law Society has consistently recognized that the legal profession must take steps to prevent money laundering and, since 2004, has had a rule limiting the amount of cash that lawyers can accept. See Law Society Rules 3-59 (Cash transactions) and 3-70 (Records of cash transactions) and this advisory for more information (September 3, 2026).
- *A bright line rule: Rule 3-58.1 – Trust account only for legal services.* This Discipline Advisory highlights a decision of the Review Board in relation to the application of Rule 3-58.1(1) and the repercussions for lawyers if they allow their trust accounts to be used improperly. The Law Society takes its role in combatting money laundering and other illegal activity seriously. Review this advisory for more information (March 20, 2025).
- *Client ID & Verification.* The Law Society Rules in Part 3, Division 11 (Rule 3-98 to 3-110) (the "CIV Rules") require client identification, verification, source of money, and monitoring procedures to be followed when providing legal services. Compliance with these rules is required whether or not suspicious circumstances are present. The due diligence obligations set out in the CIV Rules reduce the risk of being used to facilitate dishonesty or illegal activity while providing legal services. These rules, along with *BC Code* rule 3.2-7 (Dishonesty, fraud by client) and Rule 3-58.1 (Trust account only for legal services), are a key part of the Law Society's efforts to combat money laundering and terrorist financing. A breach of the CIV Rules may result in disciplinary action, including the imposition of an administrative penalty under Part 4,

Division 6. Citations issued for breaches of the CIV Rules have resulted in findings of professional misconduct (*Re Wilson*, 2019 LSBC 25; *Re Huculak*, 2022 LSBC 26; *Re Guo*, 2023 LSBC 28). Review this advisory for more information (August 6, 2024).

- *Advisories.* See the Discipline Advisories webpage for more advisories on conduct that may lead to discipline, with topics including: fixed fee arrangements; Rule 10-4 (security of records) reports; self-represented/unrepresented litigants; country/geographic risk; withdrawal under a contingency fee arrangement; securities fraud: micro-cap stocks; private lending; and lawyers are gatekeepers.

OF NOTE

- *Client ID & Verification and Anti-Money Laundering Risk Management*. See the Client ID & Verification and Anti-Money Laundering Risk Management webpage for new resources, including Notice to real estate lawyers: Title insurers report to FINTRAC from October 1, 2025 (August 2025), Anti-money laundering and counter-terrorist financing updates (July 2025), Anti-money laundering: settlement agreements (February 2025), and 2024 Anti-Money Laundering Measures Program (an online course to help lawyers comply with the Law Society's rules regarding anti-money money laundering, the proper use of a trust account, cash transactions, and client identification and verification). Also see the FAQs, Top 10 tips (updated March 2025), the Client Identification, Verification and Source of Money Checklist (A-1) in the Practice Checklists Manual, and guidance for virtual verification of your client's identity using government-issued photo ID and technology (updated April 2026).

- *Fraud prevention.* Maintain an awareness of the scams that commonly target lawyers, including the cheque printing scam, the bad cheque scam, fraudulent payment instructions (e.g., through the client's email or a similar looking email address), value fraud, fake law firms and lawyers, and employee theft. Be vigilant about client identification and verification, the source of money when there is a financial transaction, and the restrictions on cash (Law Society Rules 3-59 and 3-70). While criminals may target law firms at any time, keep in mind that cybercriminals like to target law firms during vacation periods. Implement appropriate supervision of your practice at all times and ensure you have appropriate coverage while away. For more information, see Protecting your firm from employee theft (2025), Top Ten Tips for Lawyers Supervising Staff (August 2024); the *Benchers' Bulletin* articles Real estate transactions—know your client primer (summer 2021), p. 12, Fraud 101 for lawyers (fall 2021), p. 10, Forming companies and other structures—managing the risk (spring 2021), p. 8; Don't let your guard down! Funds transfer frauds continue (August 15, 2023) and Client ID & Verification and Anti-Money Laundering Risk Management webpage; and the Fraud Prevention webpage on Lawyers Indemnity Fund website.

- *Anti-money laundering and terrorist financing online programs.* The Law Society of British Columbia and the Federation of Law Societies of Canada both have online anti-money laundering education programs for legal professionals. They are Anti-money laundering measures webinar (July 2020), 2024 Anti-Money Laundering Measures Program (August 2024), and Anti-Money Laundering and Terrorist Financing in the Canadian Legal Profession (April 2024). All three programs can be accessed through the Client ID & Verification and Anti-Money Laundering Risk Management webpage.

- *Ethics Advisories*. In 2025, the Law Society published nine (9) Ethics Advisories on a variety of topics including undertakings, billing contract lawyer fees, law firm names, lawyer as witness, use of recording devices, and more, intended to assist lawyers as they navigate specific ethical and practice-related issues. Ethics Advisories can be found on the Law Society's Practice Resources webpage. Each Ethics Advisory is also hyperlinked in the annotated *BC Code* and is associated with the relevant *BC Code* rule(s).

- *Wills and estates practice resources*. See Top Ten Tips for Lawyers drafting wills and administering estates and Navigating requests for your deceased client's file, intended to assist lawyers with navigating various ethical and practice-related issues that commonly arise in estate planning and estate administration, and to provide lawyers with guidance on handling requests for legal files of deceased clients in the context of estate litigation (September 2025).

- *Apology Guidelines for Law Society Professional Conduct and Disciplinary Matters.* The guidelines apply to the Law Society's investigation and discipline processes, and were created to help lawyers and legal professionals apologize to clients for conduct that may occur in the practice of law (April 2025).

- *Information for lawyers on border searches and electronic devices.* In 2026 United States travel advice, the Canadian government urged Canadians to "expect scrutiny" when crossing the border with the United States. Customs and Border Protection agents are permitted under United States law to demand passwords to unlock electronic devices during inspections. Travellers who refuse the demand could have their electronics confiscated. These circumstances pose particular risk to lawyers travelling across the border with phones or computers containing information relating to their law practice and client information. Read updated advice for lawyers crossing the border with the United States (April 2025).

- *Lawyer Well-Being Hub.* In order to help improve mental health and well-being in the legal profession, the Law Society has gathered resources available to legal professionals through the Lawyer Well-Being Hub. The hub provides a central access point for supports and resources for lawyers and their families, including how to contact counsellors through TELUS Health and the Lawyers Assistance Program of BC.

- *New resources available through the Advice Decision-Making Assistant.* Resources available through the Law Society's Advice Decision-Making Assistant ("ADMA") are regularly updated and expanded. Each resource page has been updated to include a high-level summary to provide context at a glance, and new content provides legal professionals with more mental health support in the form of problem-solving tools (see "Lawyer Well-Being"). The new category "Tackling Challenges in Your Practice" suggests steps for proactively solving common challenges in legal practice and offers options for connecting with mentorship within the legal community.

QUESTIONS

- Feel welcome to contact a Law Society Practice Advisor for ethics and practice management questions. Practice Advisors can be contacted by email at practiceadvice@lsbc.org, by phone at 604.443.5797, or through booking an appointment in Advice Decision-Making Assistant (ADMA). For questions about trust accounting, including cash, contact Trust Assurance at trustaccounting@lsbc.org or 604.697.5810.