Resolution 1: Benchers' Resolution regarding the Appointment of Law Society Auditors for 2026

Resolution:

BE IT RESOLVED that PricewaterhouseCoopers be appointed as the Law Society auditors for the year ending December 31, 2026.

Resolution 2: Benchers' Resolution to authorize the Benchers to amend the Rules to provide for the removal of a Bencher, so as to be in compliance with section 12(1)(c) of the Legal Profession Act

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Resolution:

BE IT RESOLVED to authorize the Benchers to amend the Rules to provide for the removal of a Bencher, so as to be in compliance with section 12(1)(c) of the *Legal Profession Act*.

Note:
Section 12 of the *Legal Profession Act* requires the approval of two-thirds of members voting in a general meeting or referendum to permit the Benchers to make rule changes with respect to the removal of a bencher.

Commentary*:*
Section 12(1) of the *Legal Profession Act* states that the Benchers "must make rules respecting the following…(c) the removal of the president, first vice-president, second vice-president or a bencher." While a process for the removal of a President or Vice-President is provided for in Rule 1-6, and Rule 1-7 provides a process for the resignation of a Bencher, currently there is no rule that provides a process for the removal of a Bencher, should one be needed. This Bencher Resolution would provide Benchers with the authority to set out a process for the removal of a Bencher, consistent with the *Act* and in alignment with the best practices of other law societies and regulatory bodies.

Resolution 3: Member Resolution - Climate Competent Legal Practice | submitted by Hasan Alam and Catherine Boies Parker

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Resolution:

WHEREAS climate change will affect legal practice by creating a new and evolving set of impacts, risks, and opportunities for clients in many areas of law;

WHEREAS law societies in Canada and around the world have recognized this reality by passing climate resolutions and commitments;

WHEREAS the mandate of the Law Society of British Columbia under section 3 the *Legal Profession Act*, SBC 1998, c 9 is to uphold and protect the public interest in the administration of justice, including by:

> (a) protecting rights and freedoms,
>
> (b) ensuring the competence and integrity of lawyers, and
>
> (c) establishing standards for the education, professional responsibility, and competence of lawyers;

WHEREAS the competence of lawyers includes being a climate competent legal practitioner;

WHEREAS climate change disproportionately threatens future generations and the impacts mentioned in this resolution will be even greater for future generations of lawyers;

BE IT RESOLVED THAT:

1. The Law Society establish a standing Climate Advisory Committee representing diverse perspectives to study, discuss, and develop calls to action about:

> (a) what it means to be a climate competent legal practitioner;
>
> (b) what actions the Law Society can take, within its mandate, to ensure legal practitioners are climate competent;

(c) how professional and educational standards can promote climate competence;

(d) what role lawyers can play in addressing climate change; and

(e) any other climate-related issues that are relevant and within the mandate of the Law Society.

2. The Climate Advisory Committee will issue an annual report of its activities, recommendations, and progress on implementation that will be distributed to Law Society members and publicly available online.

Statement in Support:

The LSBC has a mandate to protect the public interest, including by ensuring lawyers are competent.

The Law Society of British Columbia's ("LSBC") mandate is set out by section 3 of the *Legal Profession Act*, SBC 1998, c 9. The LSBC must uphold and protect the public interest, including by ensuring the competence and integrity of lawyers, and protecting the rights and freedoms of all persons.

Climate change is a matter of professional competency.

Climate change already impacts multiple areas of legal practice. In business law, lawyers will need to advise corporate directors and officers on their duties to address climate-related risks. In immigration law, lawyers will need to advise clients facing complex climate-related displacement. In insurance law, climate change is creating new physical, litigation, and transition risks of which lawyers need to be aware. Many more areas of practice are affected.

Climate change is a matter of public interest and protecting rights and freedoms.

Climate change is also relevant to the LSBC's mandate to pursue the public interest by preserving and protecting rights and freedoms. The Supreme Court of Canada found in *References re Greenhouse Gas Pollution Pricing Act,* 2021 SCC 11, that climate change is real and "a threat of the highest order to the country, and indeed to the world" [167]. Climate change disproportionately impacts the rights of Indigenous peoples, as well as future generations, arctic communities, and coastal communities.

This proposal aligns with previous actions the LSBC has taken.

The LSBC has set up four existing advisory committees on critical issues that are relevant to the Law Society's Mandate: (1) the Access to Justice Advisory Committee, (2) the Equity,

Diversity and Inclusion Advisory Committee, (3) the Ethics and Lawyer Independence Advisory Committee, and (4) Truth and Reconciliation Advisory Committee.

This resolution also aligns with steps that over 15 peer bar associations have taken to investigate and address how climate change will impact legal practice.

The LSBC should act promptly on this issue.

It is possible BC's legal regulator will change imminently. The new *Legal Professions Act* (Bill 21) contains no provisions that guarantee members will be able to bring resolutions at annual general meetings. As a result, this mechanism to ensure climate competent legal practice in BC may not be available at future meetings.

Law Society
of British Columbia

Resolution 3: Executive Director Statement

For the purposes of assisting those persons entitled to vote on the AGM resolutions, I am providing the following background information relevant to the member resolution.

The mandate of the Law Society is to protect the public interest in the administration of justice by, among other requirements, ensuring the competence of lawyers and establishing standards and programs for the education and competence of lawyers. The Law Society meets this obligation by passing a comprehensive set of Rules governing the obligations and conduct of competent lawyers.

With respect to the competencies needed for entry to legal practice, in 2024 the Law Society adopted the competencies set out in the Western Canada Competency Profile (WCCP), which was developed in collaboration with the law societies of Alberta, Saskatchewan, and Manitoba. The WCCP identifies the knowledge, skills, and other attributes necessary to perform the essential duties expected of, and entrusted to, lawyers in BC. Climate competence is not currently a required competency under the WCCP.

In imposing rules to protect the public interest in the administration of justice, the Law Society focuses on those requirements that are essential for the competence of all lawyers. Depending on their specific areas of practice, there will be additional areas of knowledge and understanding that individual lawyers will require in order to competently advise and assist their clients.

Resolution 4: Member Resolution - Transparency of Government-Regulator Communications Concerning Regulatory Policy | submitted by Kyla Lee and Paul Doroshenko, KC

Resolution:

WHEREAS the independence of the Bar from the executive branch of government is a foundational principle of the rule of law and is recognized by the Supreme Court of Canada as essential to the administration of justice;

WHEREAS the members of the Law Society of British Columbia have a legitimate interest in understanding the nature, frequency, and substance of communications between their regulator and the executive branch of government on matters of regulatory policy;

WHEREAS the introduction and passage of the Legal Professions Act (Bill 21), which received Royal Assent on May 16, 2024, was preceded by communications between government and the Law Society that were not contemporaneously disclosed to the membership, and members have since expressed that earlier disclosure would have permitted more meaningful engagement with the legislative process;

WHEREAS the Law Society continues to interact with the Ministry of the Attorney General, the Transitional Board, the Transitional Indigenous Council, and other government bodies on matters of substantial regulatory significance during the transition to Legal Professions British Columbia;

WHEREAS transparency in the relationship between the regulator and government is consistent with, and does not derogate from, the protection of solicitor-client privilege, litigation privilege, settlement privilege, personal privacy, or confidential information about ongoing investigations or specific complaints;

WHEREAS delayed disclosure mechanisms — under which sensitive communications are released after a fixed period rather than contemporaneously — are an established tool used by governments and public institutions to balance the need for candid deliberation with the public interest in accountability;

BE IT RESOLVED THAT the members of the Law Society of British Columbia, in Annual General Meeting assembled, request that the Benchers:

1. **Adopt a policy of delayed disclosure** under which formal written correspondence between the Law Society (including its President, Executive Director, and senior officers) and the Ministry of the Attorney General, the Office of the Attorney General, or any other branch of the executive government of British Columbia, on matters of regulatory policy, governance, or proposed legislation affecting the legal profession, shall be published on the Law Society's website not later than six (6) months after the date of the communication;

2. **Define "matters of regulatory policy"** broadly to include, at minimum: proposed or actual legislative or regulatory changes affecting the legal profession; the structure, governance, or independence of the regulator; the scope of practice of lawyers, notaries, or regulated paralegals; trust account regulation; discipline; admissions; and access to legal services;

3. **Provide for narrow, principled exceptions** to disclosure, limited to: information protected by solicitor-client privilege, litigation privilege, or settlement privilege; personal information the disclosure of which would constitute an unreasonable invasion of privacy under applicable privacy legislation; information concerning ongoing investigations or specific disciplinary matters; and information the disclosure of which is prohibited by law, with any redactions identified and the basis for redaction stated on the face of the published document;

4. **Apply this policy retrospectively** to all such correspondence dating from January 1, 2022, with publication of the historical record to occur on a rolling basis as resources permit and in any event not later than six (6) months from the date of this resolution;

5. **Recommend the adoption of an equivalent policy** to Legal Professions British Columbia, and instruct the Law Society's appointees to the Transitional Board to advocate for the inclusion of a substantively similar transparency mechanism in the rules and operating policies of the successor regulator; and

6. **Report to the membership annually**, in the Annual Report or by separate publication, on the operation of this policy, including the number of communications disclosed, the number withheld in whole or in part, and the categories of exceptions invoked.

BE IT FURTHER RESOLVED THAT nothing in this resolution shall be construed to require disclosure of any information the disclosure of which would prejudice the Law Society's position in current or reasonably anticipated litigation, including any appeal of the decision in Law Society of British Columbia v. British Columbia (29 April 2026), provided that such information shall be disclosed in accordance with this policy upon the conclusion of that litigation.

Law Society
of British Columbia

Resolution 4: Executive Director Statement

For the purposes of assisting those persons entitled to vote on the AGM resolutions, I am providing the following background information relevant to the member resolution.

The resolution proposes the adoption of a retroactive policy of delayed disclosure of formal written correspondence between the Law Society and government on matters of regulatory policy, governance, or proposed legislation affecting the legal profession. The recitals focus particularly on the introduction and passage of the BC *Legal Professions Act* (Bill 21), which received Royal Assent on May 16, 2024.

Members are aware that the Law Society challenged the constitutionality of the *Legal Professions Act* during a summary trial before Chief Justice Skolrood in the Supreme Court of BC in 2025. As the legislation was recently found to be constitutional by Chief Justice Skolrood, the Law Society has filed a notice of appeal.

The Law Society provides updates to the profession and the public on these matters via a dedicated page on our website regarding the single legal regulator: Updates and timeline: Single legal regulator legislation. In addition, records held by the Law Society can be accessed in accordance with the provisions of the BC *Freedom of Information and Protection of Privacy Act*.

Resolution 5: Member Resolution – To Amend the Code to allow for disclosure when threats have been made | submitted by Leena Yousefi and Ari Wormeli

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Resolution:

BE IT RESOLVED THAT the membership seeks the Law Society to amend section 3.3 of the *Code of Professional Conduct for British Columbia* by adding a new rule and commentary, or by otherwise amending Rule 3.3-3 and its commentary, to:

Permit a lawyer or law firm to disclose confidential information regarding a client's status as a client or former client, along with any name, address, contact information, or other information allowing the client or former client to be located, to police, law-enforcement authorities, court security, other persons responsible for public safety, or to a skip tracer, process server or court for the purposes of service where the lawyer believes on reasonable grounds that:

- A client or former client has made threats or engaged in threatening conduct towards their law firm or an employee of their law firm, or
- Engaged in criminal harassment or stalking of the lawyer, law firm or the law firm's staff;
- Engaged in harassing or defamatory conduct, and the lawyer reasonably believes that disclosure is reasonably necessary to locate or contact the individual making the threat, engaging in the harassment, or engaging in the defamatory conduct.

Statement in Support:

Lawyers and law firms in British Columbia occasionally receive threatening communications from clients or former clients.

In the context of family or criminal law where many clients may exhibit or have mental disorders, threats, stalking, harassment and defamation can be extreme, persistent and dangerous to the safety lawyers or staff at a law firm.

In the recent years, our law firm has been subject to the following:

Example 1:

- A former female client began pursuing one of our lawyers romantically. When the lawyer exercised his ethical obligations in disengaging from assisting her, she began:
    - calling our office and asking to set up a paid consult with the lawyer to see him, sent him and our employees Christmas presents,
    - threatened to show up at our office unannounced,
    - targeted other lawyers and staff including the owner of the law firm,
    - began leaving insistent and persistent online commentary and reviews relaying both positive and negative false and defamatory information under her own name and many other fake accounts;
    - began going on other law firm's websites and left positive and negative reviews about those law firms and our law firm.
- Her behaviour became extreme and unpredictable on a daily basis and continues to pose physical safety risks for the lawyer and the rest of our staff.
- We called the police, but also received advice that we could not give them any information regarding the former client's whereabouts or contact information that we had obtained as a result or in the course of our representation.

Example 2:

- A client began harassing and threatening one of our lawyers inside the courthouse while being represented by that lawyer.
- He began following her around, breathing over her neck and relaying racist and sexist remarks towards her during the court break.
- The sheriff observed the threatening behaviour and asked the lawyer for some details or whether the lawyer was OK. The lawyer called the law society and was informed she could not relay any information about the identity of the client, his whereabouts or the incident to the sheriffs due to confidentiality and that she must continue representing and advocating for the client despite the safety risks because she was not in imminent risk of 'death or serious bodily harm'.

Example 3:

- A client and his spouse walked into our office unannounced and accused staff and lawyers of theft, began yelling, using profanity and engaged in threatening behaviour.

Example 4:

> Earlier in the year, we had an incident where a former client called up and made threatening remarks. We called the police, but also received advice that we could not give them any information regarding the former client's whereabouts or contact information that we had obtained as a result or in the course of our representation.

The above are distressing and difficult, particularly for non-lawyer front-line staff who are the first person to greet or encounter anyone walking into the firm. It makes them feel less safe, and it is burdensome for the lawyers who feel unable to properly protect the safety of their colleagues.

The interest in maintaining the confidence of simple contact information—complete name, address, e-mail address, phone number—is far outweighed by the compelling interest in assuring people's safety even where it is unclear that statements trigger the prevention of imminent death or serious bodily harm exception.

The Current Rules:

Rule 3.3-1 imposes a strict duty of confidentiality, broader than solicitor-client privilege, owed to every client without exception, surviving the professional relationship and continuing indefinitely. Rule 3.3-2 prohibits the use or disclosure of confidential information of a client or former client to that person's disadvantage.

Rule 3.3-3 contains a narrow future-harm exception permitting disclosure where the lawyer believes on reasonable grounds that there is an imminent risk of death or serious bodily harm and disclosure is necessary to prevent the death or harm. The commentary expressly states that such situations are extremely rare, and identifies factors including seriousness, likelihood, imminence and the absence of other feasible means.

Rule 5.6-3 requires a lawyer who has reasonable grounds to believe that a dangerous situation is likely to develop at a court facility to inform those responsible for security at the facility, but its commentary directs the lawyer back to the confidentiality provisions where client information is involved.

Rule 3.3-3, as currently framed, focuses on the prevention of imminent death or serious bodily harm. That is appropriate as far as it goes, but the threshold is difficult to apply in real time when a threat has been received and police are seeking the information they need to assess whether the risk is, in fact, imminent, and whether it is clearly a threat in respect of death or serious bodily harm. Threats to lawyers, staff, clients, families, court personnel and

the public will commonly require police assessment and timely safety planning before the imminence and seriousness thresholds in Rule 3.3-3 can be confidently evaluated.

Proposed amendment:

This resolution asks the Benchers to adopt a limited safety-related exception, to be added to section 3.3 (either as a new Rule 3.3-3.1 or as an addition to Rule 3.3-3 and its commentary), addressing disclosure to police, law-enforcement authorities, court security, and other persons responsible for public safety. The proposed exception, set out in Schedule "A":

a) preserves the core duty of confidentiality in Rule 3-3.1 and the prohibition in Rule 3.3-2 against use or disclosure to a client's or former client's disadvantage for any tactical, collection, or reputational purpose;

b) permits disclosure only where the lawyer believes on reasonable grounds that a client or former client has made threats or engaged in conduct creating a credible risk to the physical safety of the lawyer, law firm personnel, another client, a family member, court personnel, or any other person, or where the client or former client has engaged in behaviour that is harassing or defamatory and efforts are being made to address that behaviour through the justice system;

c) limits the recipients to police, law-enforcement authorities, court security, other persons responsible for public safety, skip tracers, process servers, and the relaying of that information to the court for the purposes of obtaining alternative service;

d) limits the content of disclosure to the minimum reasonably necessary to permit the recipient to assess, prevent, or respond to the risk or harassment, expressly including, where necessary, the client's or former client's current or last-known address, location, telephone number, email address, identifying information, and other contact or location information obtained in the professional relationship;

e) encourages the lawyer, where practicable and consistent with safety, to seek ethical advice from the Society, a Practice Advisor, or another lawyer before disclosing;

f) expressly preserves solicitor-client privilege, authorizing no disclosure beyond what is required or permitted by law.

Purpose of the amendment:

The amendment fills a real and recurring gap. It allows members to do what the public reasonably expects of them when faced with a credible threat: provide police with the limited contact and location information needed to keep people safe, without compromising the

broader duty of confidentiality or the integrity of solicitor-client privilege. It is consistent with the spirit of Rule 3.3-3 and Rule 5.6-3, but is calibrated to the realities of threat response, where imminence and seriousness can rarely be assessed by the lawyer alone and ordinarily require police involvement. Further, when it comes to issues such as harassment and online bullying, lawyers should not be made to be uniquely vulnerable and have to wait longer for remedies than anyone else dealing with these individuals and in possession of their contact information.

Lawyers should be equipped with the tools necessary to secure their emotional and psychological safety as well, so they can continue carrying out their duties without being emotionally or physically at risk.

Schedule "A"

3.3-3.1 Safety-related disclosure to law enforcement and public-safety authorities

A lawyer may disclose confidential information, but must not disclose more information than is reasonably required, to police, law-enforcement authorities, court security, other persons responsible for public safety, skip tracers, process servers, or the Court where the lawyer believes on reasonable grounds that:

a. a client or former client has made threats directed at the lawyer, law firm personnel, the physical grounds of the law firm itself, or is engaging in pattern of harassing or defamatory conduct;
b. the disclosure is made for the purpose of permitting the recipient or public safety officers to assess, prevent, or respond to that risk; and
c. the information disclosed is limited to information the lawyer reasonably believes is necessary for that purpose, including, where necessary, the client's or former client's current or last-known address, location, telephone number, email address, identifying information, or other contact/location information obtained in the course of the professional relationship.

Proposed commentary:

1. The rule does not permit disclosure for a tactical purpose, to obtain a litigation advantage, to collect fees, or to embarrass a client or former client. Disclosure should be made only to the extent reasonably necessary, and ordinarily only to a person or agency with responsibility for public safety, or a process server, skip tracer or the court for purposes of locating and effecting service of court documents in relation to allegations of harassment, including threats, or defamation.

2. Where practicable and consistent with safety, the lawyer should seek ethical advice from the Society, a Practice Advisor, or another lawyer before disclosure.
3. Nothing in this rule is intended to abrogate solicitor-client privilege or to authorize disclosure beyond what is required or permitted by law. The duty of confidentiality in Rule 3.3-1 and the prohibition in Rule 3.3-2 against use or disclosure of a client's or former client's confidential information to that person's disadvantage continue to apply except to the limited extent permitted by this rule

Law Society
of British Columbia

Resolution 5: Executive Director Statement

For the purposes of assisting those persons entitled to vote on the AGM resolutions, I am providing the following background information relevant to the member resolution.

The *Code of Professional Conduct* rule 3.3-1 requires a lawyer to hold in strict confidence all information concerning the business and affairs of a client. There are exceptions to this requirement in *Code* 3.3-3 where the lawyer believes, on reasonable grounds, that there is an imminent risk of death or serious bodily harm, and disclosure is necessary to prevent the death or harm.

The resolution proposes to extend the exception to circumstances where the client or former client has made threats or engaged in threatening conduct, engaged in criminal harassment or harassing or defamatory conduct towards the lawyer, law firm or an employee of their law firm and the disclosure is reasonably necessary to locate or to contact the individual making the threat, engaging in the harassment, or engaging in the defamatory conduct.

The Supreme Court of Canada has made it clear that solicitor-client privilege "is a principle of fundamental justice and a civil right of supreme importance in Canadian law" and that it "must remain as close to absolute as possible to retain its relevance" (*Lavallee, Rackel and Heintz v. Canada (Attorney General)* 2002 SCC 61). This is why disclosure of confidential information about a client or former client is one of the most challenging ethical circumstances for a lawyer.

Given the important role that lawyers play in a free and democratic society, a potential *Code* amendment to reduce the threat of harm or criminal harassment to lawyers or their staff could be the subject of further consideration by the Law Society.

Resolution 6: Member Resolution - Respecting Mature-Applicant Pathways to the Admission Program of the Law Society of British Columbia | submitted by Leena Yousefi and Ari Wormeli

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Resolution:

BE IT RESOLVED THAT the members of the Law Society of British Columbia, recognizing that admission to a Canadian common law faculty of law is governed by the universities and their faculties of law and not by the Law Society, request that the Benchers, through the Credentials Committee acting under Rule 2-52(1)(e) of the Law Society Rules, (a) issue a public statement, and (b) communicate with the common law faculties of law in British Columbia, encouraging the development and broader recognition of mature-applicant pathways under which an applicant who is at least 30 years of age and who has accumulated not less than 7 years of substantial supervised legal or paralegal work experience, including not less than five years of such experience in British Columbia, may be considered for admission to the law degree program without a fixed prerequisite of a completed bachelor's degree or a fixed minimum number of undergraduate credits, provided that any such applicant must still complete an approved law degree, the admission program (including PLTC and articles), and satisfy the good character, fitness, academic-qualification and all other requirements of the Law Society Rules before call to the Bar and admission as a member of the Society.

Statement in Support:

Madison Orge is a paralegal with 10 years of full-time experience. Those who work with her will attest and confirm that she now functions at the level of a junior lawyer. She knows how to handle clients, knows how to bill, will draft memorandums and opinions on specific legal issues, has helped craft opening and closing statements in their substantive form and leads a group of legal assistants and paralegals.

Madison comes from a difficult background where she had barriers and disadvantages as she tried to pursue education while living independently at the age of 17. She had no financial backing or family support to pursue undergraduate education and instead had to begin working right away to afford her living. She had no choice but to give up university education and instead qualify as a legal assistant and began working right away to keep a roof over her head. She did not lack the ability — she lacked the financial means and support.

Over a decade of dedicated service, she earned the trust of lawyers, clients, and colleagues alike. She developed judgment, professionalism, and legal acumen through real practice.

When we broached the subject of financially supporting her to complete a legal degree and to become a lawyer, she was extremely thankful and excited. For the first time, a path forward seemed possible.

However what followed was a daunting, discouraging and ultimately prohibitive process that left her without options:

- The university she was accepted at to pursue an undergraduate degree would not transfer any of her paralegal certificate courses as credits towards an undergraduate degree, despite a decade of legal education and practice;
- Most schools did not allow her to enroll on a part-time basis and if they did, just obtaining an undergraduate degree would have taken her roughly 6-8 years to complete;
- The NCA requires either a two year of in-person instruction or as little as one year if the programme meets a number of stringent requirements, making an online degree impractical, especially given the impact on ability to work during both the online portion and the years of full-time attendance.
- Obtaining a law degree oversees was both exponentially more expensive and prohibitive because she could not even move out of town to attend a foreign law school due to family responsibilities.
- After months and years of trying to find a way to make things work, she had no realistic option but to give up
    - It would have taken her around 6 to 8 years to finish an undergraduate degree part time while working;
    - Another 3 years of fulltime law school which would cost;
    - Around $200,000 in tuition and fees and living expenses.

In sum, a person who already has a significant skills, knowledge, and experience would need to spend over a decade and six figures to earn the title — not because she lacks the competence, but because the current pathway assumes a linear progression from family support, to undergraduate education, to law school. Paralegals know the field, and they know what is involved in it and staying in it for several years, as opposed to law school graduates or articled students who may find some fields of law, particularly family law, very challenging to continue being part of. These requirements do not protect the public — they exclude exactly the kind of person the public would benefit from.

While Madison is but one specific example, she is far from alone in being a qualified paralegal who can already do work that is superior to many articling students, particularly in

the practical realities of day-to-day client management and offering real world advice, and in the skills that are so hard to teach: empathy, judgment, and resilience. These are people who have proven themselves in practice but are denied the opportunity to prove themselves in title. The Law Society has the power to suggest a different path — not by lowering standards, but by recognizing that competence can be demonstrated in more than one way, and that the current requirements measure access, not ability.

Rigid pre-law requirements, while a useful general signal of academic capacity, can operate as an unintended barrier to otherwise highly qualified mature applicants whose practical legal training has been acquired in the workplace under the supervision of lawyers.

The result is that the profession is, in some measure, deprived of candidates who have already demonstrated the very competencies a law degree and admission program are designed to develop: the ability to apply judgment to legal problems, to draft, to manage clients with care, and to exercise practical common sense within an ethical framework. This is particularly acute in family law, where a substantial portion of unmet legal needs in this province lies.

Current undergraduate-degree prerequisites operate as a barrier not to those who lack ability, but to those whose early circumstances — whether economic necessity, family obligation, geographic remoteness, or the absence of financial support in early adulthood — required them to enter the workforce rather than pursue post-secondary education on a conventional timeline. The current pathway assumes a linear progression from family support to undergraduate education to law school, a progression that, while common, is neither universal nor a reliable proxy for professional competence. Experienced paralegals who entered the workforce out of necessity rather than choice represent an untapped source of proven ability. Broadening the pathway does not lower standards; it ensures that standards measure capability rather than circumstance, and that the profession is not deprived of those whose demonstrated merit was forged in practice rather than in privilege

The object and duty of the Law Society, as recognized in the introduction to the Code of Professional Conduct for British Columbia and in the *Legal Profession Act*, is to uphold and protect the public interest in the administration of justice. Rule 5.6-1 of the BC Code requires lawyers to encourage public respect for and try to improve the administration of justice.

The commentary observes that lawyers, by their training, opportunity and experience, are positioned to observe the workings, strengths and weaknesses of laws and legal institutions and should lead in seeking improvements through bona fide and reasoned proposals.

Access to justice in British Columbia is constrained by, among other things, the supply of practitioners, particularly in family law, and by the diversity, life experience and economic background of those entering the profession.

The Law Society's Role in Legal Education:

The Law Society does not control admission to British Columbia's law schools. The universities and their faculties of law govern their own admissions criteria.

However, it is both within the Law Society's competence and consistent with its public-interest mandate to express a reasoned view to the law schools regarding pathways into legal education, while leaving the universities to make their own admission decisions:

- The Law Society sets the academic qualifications for entry into the admission program. Rule 2-54(1) requires an applicant for enrolment in the admission program to provide proof of academic qualification.
- Rule 2-54(2) recognizes as academic qualification the successful completion of an LLB or equivalent degree from an approved common law faculty of law in a Canadian university.
- Rule 2-54(3) provides that a common law faculty is approved if approved by the Federation of Law Societies of Canada unless the Benchers adopt a resolution declaring otherwise.
- Rule 2-52(1)(e) provides that the Credentials Committee may review, investigate and report to the Benchers on all aspects of legal education leading to call and admission.

The Case for Broader Applicant Pathways:

Rigid pre-law undergraduate-degree requirements, while a useful general signal of academic capacity, can operate as an unintended barrier to otherwise highly qualified mature applicants whose practical legal training has been acquired in the workplace under the supervision of lawyers. The result is that the profession is, in some measure, deprived of candidates who have already demonstrated the very competencies a law degree and admission program are designed to develop: the ability to apply judgment to legal problems, to draft, to manage clients with care, and to exercise practical common sense within an ethical framework. This is particularly acute in family law, where a substantial portion of unmet legal needs in this province lies.

The Demonstrated Competence of Experienced Paralegals:

The BC Code recognizes the central role of paralegals in the delivery of legal services.

Rule 6.1-2 defines a paralegal as a non-lawyer trained professional working under the supervision of a lawyer, and a designated paralegal as an individual permitted under Rule 6.1-3.3 to give legal advice and represent clients before a court or tribunal.

Rule 6.1-3.2 permits a lawyer to employ as a paralegal a person who possesses adequate knowledge of relevant substantive and procedural law, the practical and analytic skills necessary to carry out delegated work, and who performs that work competently and ethically; the commentary requires the lawyer to be satisfied that the paralegal has sufficient knowledge, skill, training, experience and good character. Rule 6.1-3.3 permits a designated paralegal, where they have the necessary skill and experience, to give legal advice, to represent clients before certain courts and tribunals, and to represent clients at family law mediation.

Appendix “D” to the Code states that paralegal supervision depends on factors including whether the paralegal has demonstrated a high degree of competence, has relevant work experience or education, the complexity of the matter, and client risk; lawyers are directed to test a paralegal's ability to identify relevant issues, risks and opportunities for the client, to ensure best practices for client communication and file management, and to facilitate continuing legal education. The family-law materials in Appendix B and Appendix D recognize family law as a unique area in which many other areas of law intersect, where clients often face emotional stress and family violence, and where considerable skill is required to represent a client effectively at family law mediation. In short, the Law Society has already accepted, in the design of its own regulatory framework, that years of supervised paralegal practice can produce a high degree of professional competence.

The fact is that the treatment of a law degree as a kind of graduate degree or in any event one requiring further education places barriers in front of those who have the grit, the judgment, and the character to be lawyers.

It is difficult to imagine a 30 year-old paralegal, who’s been a paralegal for more than a decade, but has no other education and nothing transferable, due to the vagaries of transfer credits or other reasons, into a degree programme, managing to do even the bare minimum two years required plus law school, all the while solely supporting themselves, never mind a four year programme plus law school.

The amount of time this takes in years and the interference with their very full-time jobs which they have to maintain, particularly in a place as expensive to live as the GVRD, makes that prohibitive.

While it would be up to the schools whether to do anything with this at all or what other procedures they might require (an entrance exam and a letter of recommendation, for

example), removing these barriers would promote inclusion in the field, potentially expand the pool of lawyers, and promote access to justice.

80% of the practice of law, at least in family law, has very little to do with academic rigour and what was learned in school. It is client management. It is listening to people who are vulnerable. It is thinking beyond their vulnerabilities and their pain, their anger, and their fear to come up with a way of navigating the legal system to make their lives, at the end of the day and bearing in mind the expense and stress of the litigation process, better in the long run.

Being a lawyer is hard. It can also be incredibly rewarding. For those who have the knowledge, the aptitude, and the fortitude, we should not foreclose the possibility of becoming one from those whose life circumstance led them to take a different path. As lawyers who appreciate quality, it is frustrating to see those who have the skill and the ability struggle with barriers to providing clients meaningful and good service as a lawyer, and being acknowledged as a person who can exercise judgment in client matters in their own right.

The purpose of this resolution:

This Resolution does not seek to amend the Law Society Rules. It does not propose any change to the academic-qualification requirements set out in Rule 2-54, to the admission program, to the Professional Legal Training Course, to articles, or to the good character and fitness requirements. Every applicant admitted by way of any mature-applicant pathway must still complete an approved law degree and satisfy in full the requirements of the Law Society for call and admission. The Resolution asks only that the Law Society, acting within its proper role, signal to the law schools of this province that suitably experienced applicants ought not be excluded from consideration solely by reason of the absence of a completed undergraduate degree.

Specifically, we ask that the Law Society:

1. Acknowledge publicly that admission to law school is governed by the universities and their faculties of law, and that this Resolution is not a direction to those institutions but an expression of the considered view of the membership of the Law Society on a matter of legal education and access to justice;
2. Through the Credentials Committee, exercising its authority under Rule 2-52(1)(e) to review and report to the Benchers on all aspects of legal education leading to call and admission, examine and report on the experience of mature-applicant pathways in other Canadian common law jurisdictions and on the suitability of such pathways in British Columbia;

3. Within six months, communicate with each common law faculty of law in British Columbia, encouraging each faculty to develop, maintain or expand a mature-applicant pathway under which an applicant who is at least 30 years of age and who has accumulated not less than 7 years of substantial supervised legal or paralegal work experience (including not less than five 5 years of such experience in British Columbia) may be considered for admission without a fixed prerequisite of a completed bachelor's degree or a fixed number of undergraduate credits; and
4. Reaffirm that any candidate so admitted must complete an approved law degree, the admission program (including PLTC and articles), and satisfy the good character, fitness, academic-qualification and all other requirements of the Law Society Rules before call to the Bar.

This Resolution is offered in good faith, in furtherance of the duty of every lawyer of this Province to seek improvements in the administration of justice, and with due respect for the autonomy of the universities and the law faculties of British Columbia.

Law Society
of British Columbia

Resolution 6: Executive Director Statement

For the purposes of assisting those persons entitled to vote on the AGM resolutions, I am providing the following background information relevant to the member resolution.

The resolution proposes that the Law Society encourage faculties of law to develop and recognize alternative pathways for admission based on certain prerequisites, including a period of substantial supervised legal or paralegal work experience. The proponents note that their resolution does not seek to amend the Law Society Rules or propose any change to the current Law Society admission program. It proposes that the Law Society signal to BC law schools that suitably experienced applicants ought not to be excluded from admission solely by reason of the absence of a completed undergraduate degree.

In April 2024, the Benchers adopted the Western Canada Competency Profile (WCCP), which is a set of common competencies to be demonstrated at entry to legal practice. The WCCP serves as a foundational document that represents the first stage of a much larger set of potential changes to the system of lawyer licensing in BC. This work is in alignment with the Law Society's Strategic Plan for 2026-2028, which includes the introduction of alternative pathways to enter the legal profession as a strategic objective.

Currently, the Law Society's Innovation Sandbox program increases access to legal services by providing individuals with the opportunity to obtain an exception to the unauthorized practice of law and provide legal advice and assistance within specific areas of practice. The Law Society also continues to support the licensing of paralegals, which would see an expanded and regulated scope of practice for paralegals in BC.

Resolution 7: Member Resolution - Establishing a Law Society Technology Certification and Guidance Program for AI and Software Used in Legal Practice | submitted by Leena Yousefi and Ari Wormeli

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Resolution:

BE IT RESOLVED THAT the membership requests that the Benchers of the Law Society of British Columbia establish, and report to the profession on, a Technology Certification and Guidance Program (the "Program") for software and digital services commonly used in the practice of law in British Columbia, on the following terms:

1. Scope: The Program will address categories of software and digital services used in the practice of law, including, without limitation:

    a) generative artificial intelligence and AI agents (for example, Harvey, ChatGPT, Claude, and Grok);

    b) productivity, document, and collaboration software (for example, Microsoft 365, and Google Workspace, including Google Docs);

    c) email services (for example, Microsoft Outlook and Gmail);

    d) cloud storage, document management, and records-storage services;

    e) client identity verification and authentication services; and

    f) related cybersecurity, backup, and practice-management services.

2. Non-exclusive certifications and guidance: The Program will provide non-exclusive certifications or recommendations of products or services that the Law Society determines are acceptable for use by British Columbia lawyers for legal-practice purposes, together with accompanying guidance. A certification will mean that a lawyer who uses the certified product or service for the certified purpose, and in accordance with any published conditions or limitations, will not be found in breach of the lawyer's duties to maintain privilege, confidentiality, or custody and control of client or practice data merely by reason of using that product or service. The Program will not require lawyers to use any particular product or limit lawyers to an approved

list, and it will not displace the lawyer's responsibility for how the lawyer configures, supervises, and uses technology in compliance with the *Legal Profession Act*, the Law Society Rules, and the Code of Professional Conduct for British Columbia.

3. Published assessment criteria: The Program will publish the criteria used to assess software and services, which may include criteria addressing: confidentiality and privilege; custody, control, and ownership of records; data residency and cross-border transfers; access, copying, and destruction of records; security controls and incident response; vendor contractual terms; training data and model behaviour for AI tools; auditability and logging; and accessibility.

4. Periodic updates: The Program will be reviewed and updated on a regular schedule, and on an interim basis as significant changes in technology, vendor practices, product versions, service terms, or legal requirements warrant. Any certification may be limited, suspended, or withdrawn if the Law Society determines that changed circumstances affect the basis on which the certification was granted.

5. Process for review of products, services, or categories: The Program will include a transparent process by which members, the public, vendors, and other stakeholders may request that a particular product, service, vendor, or category of services be reviewed, certified, declined for certification, modified, suspended, or removed from the published guidance.

6. Scope of certification and preservation of professional obligations: All Program materials will state expressly the scope, conditions, limitations, expiry or review date, and basis of any certification, including whether it applies to a particular product, version, configuration, subscription tier, data-processing arrangement, or legal-practice purpose.

7. No safe-option determinations: If the Law Society determines that no product or service in a category can safely be certified for a particular legal-practice purpose, the Program will publish that determination, identify the relevant purpose or category, and provide plain language reasons and practical guidance so that members are aware that there may be no safe software option for that purpose at that time. The Program will also set out any changes to the *Act*, Rules, or Code that might allow at least some products to be used in a manner which is compliant, and any potential drawbacks to those changes.

8. Consultation: In developing and maintaining the Program, the Law Society may consult with those with expertise in privacy, cybersecurity, and information governance.

9. Reporting and implementation: The Law Society will report to the profession on the design, governance, and resourcing of the Program, and on a proposed implementation plan, within 8 months of the passing of this resolution, and will publish the first set of certifications, non-certification determinations where applicable, and guidance materials as soon as reasonably practicable thereafter.

Statement in Support:

Lawyers in British Columbia, and especially sole practitioners and lawyers in small firms, are now required to make complex decisions about AI, software and digital services that directly affect their ability to deliver competent legal services, protect client confidentiality and privilege, maintain custody and control over practice records, and provide affordable access to justice. They do so with little or overly generalized advice and guidance from the Law Society.

Their decisions they make, and the time, cost, and risk burdens involved in those decisions, directly affects their ability to deliver competent legal services, protect client confidentiality and privilege, maintain custody and control over practice records, and provide affordable access to justice.

The pace of change in artificial intelligence, cloud computing, and authentication technology has accelerated and increased the burden of these decisions and made them more consequential.

The Law Society of British Columbia exists to uphold and protect the public interest in the administration of justice, and to ensure that lawyers identify and maintain the highest standards of ethical conduct. That public-interest mandate is now closely tied to the safe and competent use of technology in legal practice.

The BC Code already requires lawyers to be technologically competent:

- Rule 3.1-2 requires a lawyer to perform legal services to the standard of a competent lawyer, and the definition of competence in rule 3.1-1 expressly includes adapting to changing professional requirements, standards, techniques, and practices.
- The Commentary makes clear that, to maintain competence, lawyers should develop an understanding of, and the ability to use, technology relevant to their practice and responsibilities, and should understand the benefits and risks associated with that technology.

At the same time, lawyers must hold all information concerning the business and affairs of their clients in strict confidence, and must take reasonable care to prevent the unauthorized disclosure or use of that information by anyone whose services they engage.

Lawyers must also retain custody and control over their practice records, ensure that storage providers maintain those records securely and in accordance with the lawyer's instructions, and protect all practice records and information with reasonable security arrangements against loss, destruction, and unauthorized access, use, or disclosure.

These obligations apply with full force whether the lawyer uses an AI agent to draft correspondence, a cloud productivity suite to collaborate on documents, a hosted email service to communicate with clients, a cloud document management system to store files, or a third-party service to verify a client's identity.

The technology choices a lawyer makes therefore shape, in a very practical sense, whether the lawyer is able to meet the minimum standards set by the Law Society.

Unfortunately, given the proliferation of tools and complexity thereof, identifying useable ones is more difficult and time-consuming than ever.

It was frustrating to read in the April 2026 e-brief by the Law Society where it was stated DIACC's Certified Service Providers Authoritative Trust Registry may be a useful starting place for authentication services, even while declining to endorse, vet, or certify those vendors.

It essentially says, "This service is probably okay, but I'm not actually going to tell you, and if it turns out it's not, well, I guess that's on you."

This potential gotcha assists neither lawyers nor the public. If the Law Society, with all its institutional machinery is unable to determine in advance what software or services are compliant with its own Rules and Code, what hope do sole practitioners and smaller firms have? And, more importantly, why is that burden being off-loaded and therefore duplicated amongst the profession?

Why a Certification and Guidance Program is needed now:

a) Sole practitioners and small firms are reinventing the wheel. Each firm is independently evaluating the same vendors against the same Law Society Rules and BC Code requirements. This duplication is wasteful, inconsistent, and disproportionately burdensome on smaller practices, contrary to the public interest in a healthy and accessible legal profession.

b) Lawyers are being asked to be technology and privacy experts. Competent assessment of an AI agent, a cloud storage provider, or an authentication service requires technical, security, and privacy expertise that most lawyers do not have and cannot reasonably be expected to acquire on their own.

c) The cost is passed to clients and to access to justice. Time spent on technology procurement, contract negotiation, and ongoing vendor monitoring is time not spent serving clients, and the resulting cost is ultimately borne by clients and by the public who depend on affordable legal services.

d) A blanket reluctance to certify acceptable use no longer serves the public. A coherent, transparent, and regularly updated certification and guidance program would better serve members and the public by identifying software that is acceptable for specified legal-practice purposes, and by identifying categories where no safe option can presently be certified.

e) To be clear, having hundreds or thousands of amateurs running around trying to figure these things out does not further the goal of protection of the public. A single body organization, like the Law Society, is best equipped to determine what software is or is not in compliance with its own Rules. If no software is compliant, then it is important that this be drawn to the attention of the profession, because a decision will have to be made, balancing competing interests, about whether it makes sense to relax or reframe a rule or go without a given service.

Purpose of the resolution:

This resolution would allow the Law Society to certify, where it is prepared to do so, that a given product or service is acceptable for specified uses in legal practice, such that a lawyer who uses it for those specified purposes and in accordance with published conditions would not be found in breach of the lawyer's duties to maintain privilege, confidentiality, or custody and control of client or practice data merely through that use.

It does not suggest that the Law Society limit lawyers to an approved list, guarantee vendor performance, assume responsibility for misuse or misconfiguration, or relieve lawyers of professional obligations arising from how they use technology in a particular matter.

This resolution also recognizes that the Law Society may determine that there are no safe software options for a given purpose or category.

In that event, the public interest is better served by telling the profession clearly that no product or service can presently be certified for that purpose than by leaving each lawyer or firm to reach that conclusion, or miss it, independently, and what changes might be necessary.

For example, if no e-mail programmes were actually useable under present guidance, it seems clear that the current guidance would have to change (though others might disagree).

The Program would help lawyers, particularly sole and small-firm practitioners, meet their existing duties of competence, confidentiality, and records protection more efficiently, more consistently, and at lower cost to clients and the public.

The proposed Program advances each of the Law Society's core mandates:

a) Protecting the public interest, by raising the baseline of safe and competent technology use across the profession, reducing the risk of confidentiality breaches and records-control failures, and giving lawyers regulator-issued notice when no safe software option can presently be certified for a particular purpose.

b) Setting and supporting standards of professional conduct, by giving lawyers practical, regulator-informed certifications and guidance for meeting their existing duties of competence and confidentiality.

c) Promoting access to justice, by reducing duplicative work and freeing lawyers to spend more time and resources on serving clients in the areas of their actual expertise, particularly in sole and small-firm practices that are critical to access to justice in British Columbia.

For these reasons, we respectfully ask the membership to support this resolution and the Benchers to implement it.

Law Society
of British Columbia

Resolution 7: Executive Director Statement

For the purposes of assisting those persons entitled to vote on the AGM resolutions, I am providing the following background information relevant to the member resolution.

This resolution proposes that the Law Society establish a technology certification and guidance program for evaluating and accrediting software and digital services. The proponents of the resolution suggest that the program will provide non-exclusive certifications or recommendations of products or services that the Law Society determines are acceptable for use by BC lawyers, together with accompanying guidance.

The Law Society's Strategic Plan for 2026-2028 includes an objective to assess the opportunities and challenges that artificial intelligence (AI) creates. This work includes developing a clear understanding of how AI is expected to affect the legal system as well as adopting responsive regulatory processes, training, and education. The desired outcome is to have effective tools in place to support the appropriate use of AI by the legal profession, to reduce practice infractions related to AI, and to increase the public's access to legal services.

A robust software certification program, covering a broad range of technologies beyond AI, would likely require significant Law Society resources in order to develop, implement, and maintain such a program.

Resolution 8: Member Resolution - Unlocking Responsible Investment and Access to Justice in the Legal Profession | submitted by Daniel Hayes Griffith and Mike C. Stewart, P. Eng.

Resolution:

WHEREAS the current regulatory framework in British Columbia substantially restricts non-lawyer ownership of, and direct equity investment in, law firms;

WHEREAS the traditional lawyer-only ownership model was designed to protect important public-interest values, including lawyer independence, loyalty to clients, confidentiality, avoidance of conflicts, competent service, and the proper administration of justice;

WHEREAS the aforementioned values are fundamental and must be preserved, but they do not require a categorical prohibition on every form of non-lawyer investment, provided that appropriate safeguards, licensing requirements, ownership controls, disclosure obligations, and regulatory oversight are in place;

WHEREAS British Columbia continues to face a serious access-to-justice problem, with many individuals and small businesses unable to obtain timely, affordable, and practical legal assistance;

WHEREAS the cost of delivering legal services is affected not only by lawyers' time, but also by the need for investment in technology, intake systems, automation, cybersecurity, compliance, accounting, marketing, client communication, staff training, and modern practice infrastructure;

WHEREAS small and medium-sized law firms, sole practitioners, rural practices, and firms serving individuals and small businesses often lack the capital necessary to invest in new service models that could reduce costs, improve efficiency, expand capacity, and serve clients at lower or more predictable prices;

WHEREAS responsible access to outside capital could help law firms develop fixed-fee services, limited-scope services, document automation, multilingual client tools, legal triage systems, after-hours client support, and other innovations that may make legal assistance more accessible to the public;

WHEREAS non-lawyer investment may also assist with succession planning, particularly

for sole practitioners and small-firm owners, thereby helping to preserve continuity of service in communities that may otherwise lose local legal capacity;

WHEREAS other common-law jurisdictions, including Australia as well as England and Wales, have implemented alternative business structure regimes under which non-lawyers may own, manage, or invest in regulated legal service providers;

WHEREAS those jurisdictions have treated alternative business structures as one regulatory tool for improving innovation, competition, consumer choice, and access to legal services, while maintaining professional regulation and client-protection safeguards;

WHEREAS evidence from England and Wales indicates that alternative business structures have been associated with increased innovation, broader service offerings, and new forms of investment in legal services, although such structures are not, by themselves, a complete solution to the access-to-justice crisis;

WHEREAS the experience of Australia and England and Wales demonstrates that non-lawyer ownership and investment can be regulated through licensing, suitability screening, compliance officers, trust-account rules, insurance requirements, audit powers, disclosure duties, and discipline powers;

WHEREAS British Columbia should not adopt any foreign model uncritically, but should carefully study whether a British Columbia-specific alternative business structure regime could improve access to justice, encourage innovation, support small and medium-sized firms, and preserve the independence of the bar;

BE IT RESOLVED that the membership calls upon the Law Society of British Columbia to establish a committee of benchers, or another appropriate committee, to study and report on whether British Columbia should permit regulated non-lawyer investment in law firms, including through an Australian-style or other alternative business structure model;

BE IT FURTHER RESOLVED that the committee's mandate should include consideration of:

1. whether regulated non-lawyer investment could improve access to justice by supporting lower-cost, fixed-fee, limited-scope, online, rural, multilingual, or technology-enabled legal services;
2. whether alternative business structures could improve competition, consumer choice, technology adoption, succession planning, and the financial sustainability of small and medium-sized law firms;

3. the potential risks to lawyer independence, confidentiality, conflicts of interest, client protection, public confidence, and the administration of justice;
4. safeguards used in jurisdictions such as Australia and England and Wales, including licensing, suitability requirements for owners, restrictions on investor control over legal judgment, compliance officers, disclosure obligations, trust-account protections, audit powers, discipline powers, and insurance requirements;
5. whether British Columbia should consider a pilot project, regulatory sandbox, limited licence, staged implementation model, or practice-area-specific approach before adopting any broader reform; and
6. any legislative, rule, or policy changes that would be required to implement such a system.

BE IT FURTHER RESOLVED that the committee report its findings and recommendations to the membership within no more than six months of the passage of this resolution.

Statement in Support:

British Columbia has a well-documented access-to-justice problem. Many people cannot afford a lawyer. Many small businesses delay or avoid getting legal advice because the cost is uncertain or disproportionate to the problem. Many communities are underserved. At the same time, many law firms - especially small and medium-sized firms - are expected to modernize, adopt new technology, comply with increasing regulatory and cybersecurity obligations, recruit and retain staff, and deliver services more efficiently, all while operating under ownership rules that limit their ability to raise outside capital.

The purpose of this resolution is not to weaken professional regulation. It is to ask whether better regulation could allow the profession to attract capital for the benefit of clients and the public.

Access to justice requires more than goodwill. It requires infrastructure. A law firm that wants to offer lower-cost services often needs to invest first: in document automation, online intake, client portals, scheduling systems, plain-language materials, multilingual tools, artificial intelligence, secure data systems, standardized workflows, and trained non-lawyer staff. These investments can reduce the cost of serving clients, but many firms cannot fund them out of current cash flow.

A carefully regulated alternative business structure regime could help address that problem. Outside investment could allow firms to build tools and systems that make legal services more affordable, predictable, and scalable. It could support fixed-fee and limited-scope retainers. It could help firms serve clients remotely. It could make it easier to develop

technology-assisted services for routine legal problems. It could support firms that serve individuals, families, small businesses, and rural communities. It could also help retiring lawyers transition their practices in a way that preserves client service and community access.

Other jurisdictions have already tested this idea. England and Wales permit alternative business structures in which non-lawyers may own or manage regulated legal service providers. Australia permits incorporated legal practices and has allowed more flexible ownership and business models than those traditionally permitted in Canada. These jurisdictions have not abandoned professional regulation. They regulate the entity, impose compliance obligations, supervise trust money, require proper professional controls, and preserve the duties owed by lawyers to clients and the courts.

The evidence from other jurisdictions should be stated fairly. Alternative business structures have not solved access to justice on their own. No ownership model can replace legal aid, court reform, pro bono work, public legal education, or broader justice-system funding. But the experience of England and Wales supports the conclusion that alternative business structures can encourage innovation, broaden service offerings, and attract investment into legal services. Those are access-to-justice benefits worth studying.

The central issue is whether British Columbia can design a model that permits investment without allowing investors to control legal judgment. That is a regulatory design question, not a reason to avoid the issue altogether. A proper model could prohibit investor interference in legal advice, require disclosure of ownership, impose fitness requirements on investors, appoint compliance officers, preserve trust-account safeguards, require insurance, and give the regulator audit, investigation, discipline, and licence-revocation powers.

This resolution does not ask the Law Society to immediately authorize non-lawyer ownership of law firms. It asks the Law Society to study the issue and report back. That is a modest and responsible first step.

Law Society
of British Columbia

Resolution 8: Executive Director Statement

For the purposes of assisting those persons entitled to vote on the AGM resolutions, I am providing the following background information relevant to the member resolution.

This resolution proposes that the Law Society establish a committee to study and report on whether the Law Society should permit regulated non-lawyer investment in law firms, including through an Australian-style or other alternative business structure model. The proponents suggest that a carefully regulated alternative business structure regime could help address access to justice by allowing firms to build tools and systems that make legal services more affordable, predictable, and scalable.

The opportunity proposed in the resolution is already under consideration by the Law Society. In 2023, the Benchers approved a recommendation in principle, from the Access to Justice Advisory Committee, which would permit alternative business structures in BC, subject to the determination of safeguards necessary to preserve lawyer independence and to promote access to justice. The Advisory Committee is undertaking further analysis over the course of this year. This work is also included in the Law Society's Strategic Plan for 2026-2028.

Currently, the Law Society's Innovation Sandbox program enables the testing of innovative legal services, technologies and alternative business structures to improve access to justice and address regulatory barriers to innovation.