



SERVING
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INTEREST

ARTICLING MANUAL

For Students and Principals

2010 - 2011

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FORWARD

This Manual is intended to assist students in understanding the requirements for becoming a student-at-law, for successful completion of the articling process and the Canadian Centre for Professional Legal Education (CPLED) Program, and for being admitted as a member of the Law Society. It is also intended to assist principals in understanding the requirements for becoming a principal and the obligations that arise when taking a student.¹

Both students and principals need to develop enough familiarity with applicable reference material to be aware of obligations and issues that may arise.² Some of this material is available on the Law Society website,³ while other parts are available on the Legal Education Society of Alberta website (LESA delivers the CPLED Program in Alberta on behalf of the Law Society of Alberta).⁴

If you are unable to find the answers to your questions in this Manual and the resources referred to above, contact the Law Society for questions about becoming a student-at-law, articling, or becoming a member,⁵ or the Deputy Director of the CPLED Program for questions about the Program.⁶

DEADLINES AND CALENDAR

Principals - before you decide whether to hire an articling student, ensure that you qualify.

- (i) Familiarize yourself with the eligibility requirements (Rule 55). Active members of the Law Society of Alberta who have been actively engaged in the practice of law within Alberta for not less than 4 years immediately preceding the date on which the articles will commence are eligible to act as a principal.
- (ii) If you require an exception to the eligibility requirements, apply for one before you hire a student.
- (iii) Familiarize yourself with matters that may raise suitability concerns (see Rule 55(5)). Contact the Law Society to address any possible suitability issues.

Before you decide on an articling commencement date consider the requirements (i) for obtaining credit towards the required articling term, and (ii) being authorized to provide legal services. Students cannot provide legal services, nor obtain credit towards the required articling term, until they are approved as a student-at-law. They cannot be approved until The Law Society of Alberta has received documentation that they have obtained their law degree. In Canada, this generally doesn't happen until early June.

The standard documentation required for proof of a law degree is an original transcript. A temporary exception may be made for students who start articling before a transcript indicating conferral of a degree is available. In those cases a letter from the law school confirming that the student has earned a Canadian common law degree is accepted instead (with transcripts to follow). The law school itself will be in the best position to advise as to when such a letter will be available. The Law Society's experience is that such letters are often unavailable until early May.

¹ The requirements themselves are set out in the *Legal Profession Act* (Part 2), the Rules of the Law Society of Alberta (Part 2), the Articling Handbook, Law Society Forms and CPLED Policies.

² Namely this Manual, Part 2 of the Rules of the Law Society of Alberta, the Articling Handbook and CPLED Policies.

³ www.lawsociety.ab.ca – Rules, Handbook and this Manual.

⁴ www.lesa.org – CPLED Program information, application forms and policies.

⁵ The Law Society of Alberta, Membership Group, (403) 229-4781, 1-800-661-9003, or membership@lawsocietyalberta.com.

⁶ Deputy Director, CPLED Program in Alberta, (780) 420-1987, 1-800-282-3900.

Until the Law Society has been provided with proof that a law degree has been obtained (original transcripts, or a letter from the law school where transcripts are not yet available) and the student has been approved, the student is not authorized to provide legal services and will not be given credit for time spent working with the firm.

At least 10 weeks before the anticipated articling commencement date, both student and principal should start to arrange for all admission requirements to be met. All of the required documentation and fees must be received by the Law Society at least 30 days before the proposed articling commencement date (Rule 51(2)). The documentation requires the involvement of the student, the principal, and others.

In early 2010, students should apply for registration in the CPLED Program. This application is separate from the application to become a student-at-law. It is made to CPLED, not to the Law Society. Application forms are available at www.lesa.org.

The earlier the application is received, the better chance a student will have of being registered in their preferred session.

CPLED:

The CPLED Program is one of the cornerstones of the qualification process in Alberta. The Program depends on the integrity of the student. Students must maintain the highest standards of integrity in meeting the CPLED Program requirements, including full compliance with CPLED's Professional Integrity Policy.⁷

Students must review and ensure that they understand the CPLED Program Professional Integrity Policy and Rules 60 and 61 of the Rules of the Law Society of Alberta.

Principals are required to certify to the Law Society in writing that they have reviewed the policy with the student and made best efforts to ensure that the student understands the policy. If articles begin before the student's participation in the CPLED Program, this must be done before the CPLED Program begins. If articles begin after the student's involvement in the CPLED Program begins, this should be done at the commencement of articles (unless the student has already successfully completed the CPLED Program).

Principals are also required to foster and facilitate the student's complete compliance with the policy. **During the CPLED Program the student must be allowed sufficient time to attend, participate, and to complete assignments, competency evaluations and examinations.**⁸

Students are required to certify in writing that they have acted in accordance with the Professional Integrity Policy.⁹

⁷ Available at www.lesa.org.

⁸ Sample certificate attached.

⁹ Certificate will be provided by LESA when available.

Calendar

Application package for admission as student-at-law should be obtained	At least three months prior to commencement of articles
Application for admission, fees and supporting documents must be received by The Law Society of Alberta	At least 30 days before your proposed articling commencement date
Application for CPLED Program	Early 2010 (choice of session is influenced by how early the application is received)
Payment for 1st CPLED Session	TBD
First offering of the CPLED Program	TBD
Payment for 2nd CPLED Session	TBD
Second offering of the CPLED Program	TBD

WHAT MOST STUDENTS NEED TO DO TO GET STARTED - IN A NUTSHELL

Before students can provide legal services they must receive the approval of the Law Society (Rules 52 and 53). **Time spent working prior to approval does not qualify towards the required articling term.**

Backlogs arise when the Law Society receives hundreds of applications in a short period of time. The earlier the required documentation and fees are provided, the smoother the application process will be. In any event, the fees and all necessary documentation **must be provided at least 30 days before the proposed articling commencement date** (Rule 51):¹⁰

- Application for Admission as a Student-at-Law (Form 2-1);
- Two Certificates of Character (Form 2-4); (the Law Society requests that your Certificate of Character forms be completed by two people that have known you for two years or longer.)
- Articles of Clerkship (Form 2-8 for lawyers; Form 2-9 for Judges – **one copy only**);
- Education Plan (Form 2-5 for lawyers; Form 2-6 for Judges – **one copy only**);
- Original law school transcripts, including conferral of law degree (submit proof with your application that you have asked your law school to send your original transcripts directly to the Law Society) OR
- A letter from the law school confirming that the student has met the requirements of a Canadian common law degree;
- The fee (\$577.50, inclusive of GST), payable to the Law Society (CPLED Program fees are in addition to this – see below);
- Last page of Articling Manual completed by Principal regarding CPLED course;
- For students who are or have been a member of a governing body, a Certificate of Standing from that body; and

¹⁰ The Executive Director may abridge the 30 day requirement: (i) for proof of a law degree for the period during which that proof is unavailable; and (ii) for other matters where exceptional circumstances led to an inability to comply with the 30 day requirement (see rule 51(3)).

Completion of the Application for Admission, Articles of Clerkship and Education Plan require the involvement of both student and principal. The forms are available on the Law Society website at <http://www.lawsociety.ab.ca/membershipservices/studentinfo.cfm>

Only official law school transcripts or a letter from the law school will be accepted and must be sent directly to the Law Society from the institutions in which undergraduate work was completed and a law degree was obtained. Notarized copies will not be accepted.

Applicants without a Canadian common law degree must follow other procedures outlined below (see “Other Matters”, below).

Two Certificates of Character and Reputation are required. Relatives (including in-laws) may not complete a Certificate and only one member of the applicant’s law school graduating class may complete a Certificate.

If application for admission is made with a name other than that appearing on the student’s degree or birth certificate, proof of change of name must be provided. In the case of marriage, a notarized copy of a marriage certificate is sufficient.

GETTING ADMITTED

Q. How do I qualify?

A. The basic requirements are a Canadian common law degree and good character and reputation (section 40(1) of the *Legal Profession Act*). If your law degree was obtained more than three years before the Law Society receives your application to become a student-at-law you can only be admitted with the approval of the Executive Director (Rule 50 – contact the Membership Department).

Q. What documents are required?

- A. The following documents must be provided at least 30 days prior to the proposed articling commencement date (Rule 51).
- (a) an application in Form 2-1;
 - (b) two certificates of character and reputation in Form 2-4;
 - (c) an original transcript or a letter from the law school confirming receipt of a Canadian common law degree, sent directly from the law school to the Law Society (if you do not have a Canadian common law degree, see below under “Other Matters”);
 - (d) an education plan (Form 2-5 for lawyers; Form 2-6 for most courts);
 - (e) articles of clerkship (Form 2-8 for lawyers; Form 2-9 for courts);¹¹
 - (f) payment of the prescribed application fee and prescribed admission fee; and
 - (g) a Certificate of Standing from each governing body of which the student is, or has been, a member, including any governing body outside of Canada.

Q. What does the Education Plan require?

A. The Education Plan describes the proposed articling experience the principal intends to provide to the student. Five of the seven practice areas listed on the Education Plan must be included, or

¹¹ Forms available at <http://www.lawsociety.ab.ca>.

four of the listed areas and one proposed alternative area. Please ensure that you have checked every box indicating “yes” or “no”. If the principal’s firm is unable to provide a rounded set of articles from its areas of practice alone, the principal should make arrangements to second the student to another firm. These arrangements must be detailed on the Education Plan.

Included in the Education Plan are the undertakings of both principal and student to send a signed Evaluation Certificate (Form 2-7) to the Law Society six months after the commencement of articles. The objective here is to ensure that effective performance review is conducted. A sample evaluation guideline is available at <http://www.lawsociety.ab.ca>.

Q. What are the fees?

A. The fees for students-at-law are:

- \$160.00 + GST application fee (to be paid on application);
- \$390.00 + GST admission fee (to be paid on approval of application);
- TBD CPLED Program fee.

Q. What are the deadlines?

A. The required documents and application fee must be paid at least 30 days prior to your proposed articling commencement date.

Q. What if I cannot meet the deadlines?

A. For those students who intend to commence articles very shortly after completing law school, an exception can be made for the period of time after the degree has been granted and before transcripts are available. **Articles will not commence any earlier than when the law school is able to confirm to the Law Society in writing that the student has earned the degree (Rule 51(3)(a)).**

An exception may also be made in other cases where there was an inability to meet the 30 day requirement and that inability arose from exceptional circumstances (Rule 51(3)(b)). In these cases the applicant must make a written application for abridgement and the applicant and the proposed principal must certify, in writing, the nature of the exceptional circumstances.

Q. What is the required articling term?

A. The standard articling term is 12 months. Those articling with the courts are generally required to article 10 months with the courts and five months with an active member of the Law Society of Alberta. Other situations are dealt with below, under “Other Matters” (Rule 56(1)).

Q. What’s taking so long?

A. The Law Society of Alberta receives approximately 400 student-at-law applications each year. Most of these applications are received around the same time. Processing of the applications takes time and some applications require more time than others. Examples include those who have not completed their forms properly, those who do not have a Canadian common law degree, those with character issues, and those whose proposed principal is not clearly eligible and/or suitable.

ONCE YOU'RE IN

Q. What work can I do?

- A. The legal services that students-at-law are authorized to provide are set out in the Rules (Rules 52 and 53).

Q. Can I commission and notarize documents?

- A. Upon admission as a student-at-law, the status of Notary Public and Commissioner for Oaths is acquired. As long as membership with the Law Society continues, other than an honorary membership, the status of Notary Public and Commissioner for Oaths is retained.

In addition to reviewing the *Notaries Public Act*, R.S.A. 2000, c. N-6 and the *Commissioners for Oaths Act*, R.S.A. 2000, c. C-20, students-at-law should familiarize themselves with:

- the law and practice regarding oaths, affidavits, statutory declarations and guarantees;
- the appropriate forms of jurats; and
- the need for consistency and care in the practice as a Commissioner for Oaths and Notary Public.

Q. What are my obligations to the Law Society while I am articling?

- A. The professional obligations of students and principals are summarized in the Articling Handbook. In addition to those obligations, there is an obligation to provide a performance evaluation certificate (Form 2-7) at the six month mark, and certificates at the conclusion of the articles (Forms 2-11, 2-12 and 2-13).

A student-at-law must be identified as such:

- (a) in any law related promotional material that names the student-at-law; and
- (b) in any matter where the student-at-law is involved in providing legal services and that involvement is apparent to anyone outside of the student's firm (Rule 52(6)).

The student-at-law and the principal must promptly notify the Law Society of any circumstances where the student-at-law is no longer working in an approved working arrangement (as defined in Rule 52(1)), except where:

- (a) the student-at-law is on a leave of absence with the approval of the principal;
- (b) both the student-at-law and the principal expect that the student-at-law will resume working with the principal upon the conclusion of the leave of absence;
- (c) the student-at-law will not be providing legal services of any type during the leave of absence; and
- (d) the reason for the leave of absence does not in any way reflect on
 - (i) the integrity, or
 - (ii) the competence, as that term is defined in Chapter 2 of the *Code of Professional Conduct*,

of the student-at-law (Rule 57.1).

Q. Does the Law Society allow articles to be done on a part-time basis?

A. Yes. Where a firm is prepared to allow part-time articles, the only relevant Law Society requirement is that the required articling term be completed within the two-year period immediately preceding receipt of your application for enrolment as a member of the Law Society (Rule 56(2), subject to approval of an extension). Please contact the Membership Department to discuss your arrangement and how to track your hours.

Q. Can I take a break in my articles?

A. Yes, provided that the employer approves. The general requirement is that the required articling term be completed within the two-year period immediately preceding receipt of your application for enrolment as a member of the Law Society (Rule 56(2)). If a student takes a break, the principal and student need to advise the Law Society unless:

- (a) the student-at-law is on a leave of absence with the approval of the principal;
- (b) both the student-at-law and the principal expect that the student-at-law will resume working with the principal upon the conclusion of the leave of absence;
- (c) the student-at-law will not be providing legal services of any type during the leave of absence; and
- (d) the reason for the leave of absence does not in any way reflect on
 - (i) the integrity, or
 - (ii) the competence, as that term is defined in Chapter 2 of the *Code of Professional Conduct*,

of the student-at-law (Rule 57.1).

*If you take a break of 12 months or more from working as an articling student you will require approval before being allowed to provide legal services.*¹²

*Also, registration as a student-at-law is automatically terminated three years from the approved articling commencement date unless the student-at-law has obtained an extension from Executive Director.*¹³

Q. Can I continue to work after I have completed my required articling term and before I have been called to the bar?

A. Yes, on certain conditions. Where the student provides legal services as an employee at the same law firm or department in which the student was serving under articles when the articling term ended and the services are performed during the 90-day period following the end of the articling term, nothing further is required. In all other cases, additional conditions must be met.¹⁴ *Registration as a student-at-law is automatically terminated three years from the approved articling commencement date unless the student-at-law has obtained an extension from Executive Director.*

¹² See Rule 115(1)(d). Reinstatement application required. Fee charged. Possibility of referral to one or more committees (Rule 118). Possibility of denial or imposition of conditions (Rule 118).

¹³ Rule 58.1(1).

¹⁴ See Rule 52(3)-(5).

CPLED PROGRAM

Q. What role does the Law Society play in the CPLED Program?

- A. The Law Society sets the requirements for successful completion of the CPLED Program. The Legal Education Society of Alberta delivers the CPLED Program on behalf of the Law Society of Alberta.

Persons who are not students-at-law or otherwise under the jurisdiction of the LSA are not permitted to enroll in CPLED. This is necessary for jurisdictional purposes in individual cases where the LSA is required to exercise its regulatory powers in respect of a CPLED student.

An applicant under section 40(1) of the Act shall be admitted as a student-at-law as of the commencement date determined under rule 54(1) of the Rules of the Law Society of Alberta.

Q. What are principals required to do in relation to the CPLED Program?

- A. The CPLED Program is one of the cornerstones of the qualification process in Alberta. The Program depends on the integrity of the student. Principals are in an ideal position to foster that integrity.

Principals are required to certify to the Law Society in writing that they have reviewed the CPLED Professional Integrity Policy with the student and made best efforts to ensure that the student understood the Policy. Principals are also required to foster and facilitate the student's complete compliance with the Policy. **During the CPLED Program the student must be allowed sufficient time to attend, participate, and to complete assignments, competency evaluations and examinations.**¹⁵

Q. What are the CPLED professional integrity requirements for students?

- A. The CPLED Program is one of the cornerstones of the qualification process in Alberta. The Program depends on the integrity of the student. Students must maintain the highest standards of integrity in meeting the CPLED Program requirements, including full compliance with CPLED's Professional Integrity Policy. Students must review and ensure that they understand the CPLED Program Professional Integrity Policy and Rules 60 and 61 of the Rules of the Law Society of Alberta. They are required to certify in writing that they have acted in accordance with the Professional Integrity Policy.

Q. How much does the CPLED Program cost?

- A. The 2010/2011 CPLED fee is TBD.

Q. How is the CPLED Program delivered?

- A. The CPLED Program combines on line and in class learning. Additional information may be found in CPLED publications at www.lesa.org.

Q. How will I find the time to article and do the CPLED Program at the same time?

- A. Principals are required to ensure that students have sufficient time to attend, participate, and to complete assignments, competency evaluations and examinations. In practice, students will need to exercise time management skills. Students and principals will need to remain aware of competing demands and work collaboratively to resolve those matters. They may find it worthwhile to be proactive about these matters, meeting regularly to identify upcoming deadlines (both practice and CPLED deadlines) and to discuss how to meet (or adjust) those deadlines.

¹⁵ Sample certificate attached.

Q. What do I have to do to successfully complete the CPLED Program?

A. Successful completion of the CPLED Program requires attendance, participation, professional behaviour, completion of all Program requirements with professional and academic integrity, and the demonstration of competence in *all* required elements of the Program.¹⁶

Q. If I don't pass a requirement, can I make a supplemental attempt?

A. Yes, within limits. Course requirements may include assignments, competency evaluations, and examinations. The number of supplemental attempts allowed depends on the nature of the requirement, as noted below.

- (a) the maximum number of supplemental attempts on mandatory assignments is one supplemental per assignment;
- (b) the maximum number of supplemental attempts on competency evaluations is one supplemental per competency evaluation;
- (c) the maximum number of supplemental attempts for all of the competency evaluations combined is a total of three; and
- (d) the maximum number of supplemental attempts on examinations is one supplemental per examination,

subject to any right the student may have to repeat the CPLED program.

If, after the maximum number of supplemental attempts, there are still required elements in which the student has not demonstrated competence, the student has failed to meet the requirements for successful completion of the CPLED Program.¹⁷

Q. Can I ask to have my performance re-marked?

A. Yes. A student who receives a grade of "competency not yet demonstrated" on a Program requirement may apply for a re-marking in accordance with the Articling Handbook.¹⁸

Q. Can I repeat the program?

A. Yes, within limits. A student who has not demonstrated competency in all assignments, competency evaluations and examinations may repeat the CPLED program once.¹⁹

¹⁶ Rule 60.
¹⁷ Rules 62(3) & (4) and 63.
¹⁸ Rule 62(2) and the Articling Handbook.
¹⁹ Rules 62(5) and 63(2).

Q. Can I appeal?

A. Yes, in limited circumstances. There is no appeal if you still have the option of making a supplemental attempt. You can only appeal where you have run out of supplemental attempts and are required to repeat the CPLED Program. Even then, there are limitations. There is no appeal from the marking of a required element. Appeals are restricted to matters of current policy or procedure where, because of special or unusual circumstances, the application of a policy or Rule has been unfairly or unreasonably applied to the student.²⁰

Appeals must be submitted within 14 days of the later of:

- the date the student's Statement of Grades is issued to the student; or
- the date the results, following a paid reread, are issued to the student (Rule 64.5(1)).

A student wishing to file an appeal, must provide a written notice of appeal, a sworn affidavit setting out any facts relied on and a non-refundable fee of \$100.00 within the prescribed timelines to the Executive Director of the Law Society of Alberta. The student must also provide a copy of the notice of appeal and affidavit to the Legal Education Society of Alberta.

A form of notice of appeal and affidavit are available from The Law Society.

Bar Admission Course appeals are addressed in the Rules of the Law Society of Alberta (Rules 64 to 64.10) and in the Guidelines for Bar Admission, Transfer and Reinstatement Examination Appeals, which are available from the Membership Group of the Law Society. It is incumbent on students considering or undertaking an appeal to review and understand those materials.

Q. Will my principal know how I am doing in the program?

A. Principals are advised of their student's grades (Rule 63.2(1)).

BECOMING A MEMBER

Q. How do I qualify?

A. The basic requirements for enrolment as a member of the Law Society of Alberta (as they apply to students who have articulated in Alberta) are:

- (a) completion of articles (the entire term must be completed within the two year period immediately preceding receipt of the application for enrolment);²¹
- (b) successful completion of the CPLED Program (within the two year period immediately preceding enrolment as a member);²²
- (c) good character and reputation.²³

²⁰ See Rules 62(6), 64.1 and 64.3.

²¹ Rules 65(1)(a) and 56.

²² Rules 65(1)(b) and 60(3).

²³ Section 40(2) of the Act.

Q. What documents are required?

A. The required documents are:

- (a) an Application Form (Form 2-14);
- (b) the documents and payments that must accompany the application in accordance with the "Instructions to the Applicant" following Form 2-14;
- (c) Certificate of Student (Form 2-11) and
- (d) Certificate of Principal from each principal (Form 2-12 or 2-13).²⁴

Q. What are the fees?

A. Please refer to our website at www.lawsociety.ab.ca.

Q. What else do I need to do?

A. As it is compulsory for every member of the Law Society in active private practice to be covered by the Law Society's group professional liability insurance, an application for coverage must be completed with the admission application. Once admitted, members must advise the Law Society of any change in practising status.

Once the Law Society issues admission documents, students must make the arrangements with the Courts for their calls to the Bar. Students may be admitted to the Bar by Judges of the Provincial Court of Alberta, as well as Justices of the Court of Queen's Bench and of the Court of Appeal. In Alberta, individual admission ceremonies are held for each applicant.

- In Edmonton, contact Cara Desaulniers or Tracy Andrews, Court of Queen's Bench (780)422-2492.
- In Calgary, contact Monica Landry, Court of Queen's Bench (403) 297-3864.
- In Red Deer, Edmonton and northern Alberta, contact Barbara Dickson, Provincial Court of Alberta, at 780-442-4733.
- South of Red Deer and Calgary, contact Darlene McNeil, Provincial Court of Alberta, at 403-297-6761.

It is usually possible to schedule Bar Admission ceremonies on any business day.

Q. How long will this take?

A. Once the completed application for admission and fees are received, the Law Society requires 30 days to process the application and issue admission documents. Given the large number of applications received during the summer months, the Law Society cannot guarantee admission documents will be available on a specific date. Once the Law Society completes its work, more time is required for the court to deal with its part of the process.

²⁴ The forms are available at <http://www.lawsociety.ab.ca>.

Q. I am interested in going inactive. What do I need to know?

- A. If a lawyer does not wish to practise after admission to the Bar, he or she may make application to go on the inactive list for a nominal fee. Lawyers should bear in mind, however, that a reinstatement application is required to return to the practice of law. Furthermore, if they do not practise law for periods aggregating more than 12 months out of the previous 48, their application for reinstatement will be referred to the Credentials and Education Committee of the Law Society for a determination of whether examinations are required as a condition of reinstatement.²⁵

OTHER ISSUES

Q. I will be articling in the NWT. What else do I need to know?

- A. You must submit a letter from the Law Society of the Northwest Territories confirming your enrolment as a student-at-law in that jurisdiction with your application documents.

You must also contact LESA directly to determine how the CPLED Program requirements may differ for NWT students.

Q. I don't have a Canadian common law degree. What do I do?

- A. Applicants with a civil law degree from a Canadian university or a law degree from a non-Canadian university must have their academic credentials evaluated by the Federation of Law Societies National Committee on Accreditation (NCA).

The NCA may require applicants to pass examinations in specified areas of Canadian law, take further education at a Canadian law school with a specified program of studies or complete a Canadian common law degree.

Once the applicant has met the NCA's requirements, the NCA will issue a "Certificate of Qualification" which confirms that the applicant has the education and training equivalent to a graduate of an approved Canadian law school. The Certificate of Qualification and transcript of marks attained must be provided to the Law Society.

Application forms for the NCA are available from its office or on its website. The completed application form must be forwarded directly to the NCA at:

National Committee on Accreditation
Federation of Law Societies of Canada
World Exchange Plaza
1810 – 45 rue O'Connor Street
Ottawa, ON CANADA K1P 1A4

Phone: 613-236-7272

Fax: 613-236-7233

Website: http://www.flsc.ca/english/foreign_lawyers/foreignlawyers.htm

Q. What else do I need to know if I am articling with the courts?

- A. In order to have time spent with the Courts qualify toward the articling requirement in Alberta, a student must be registered as a student-at-law in Alberta prior to commencing a clerkship with the Courts.

²⁵ Rules 115 and 118; reinstatement application fee required; possibility of a referral to one or more committees; possibility of denial or imposition of conditions.

You must submit a second Education Plan and Articles of Clerkship for approval before commencing the second stage of your articles.

If you are articling with a court that is not identified in the *Legal Profession Act*,²⁶ your required articling term will have to be set by the Executive Director.²⁷

Q. Can I get credit for time spent articling in another province?

A. Yes, within limits and provided that certain conditions are met. The period served under articles in another province may count toward the Alberta articling requirement to a maximum of six (6) months. To receive this credit, students must make application to the Executive Director.

Q. Can a student change principals?

A. Yes. The student and principal, subject to approval by the Executive Director, may assign the articles to another principal during the course of the articling term. Once arrangements with the new principal are made, the student should contact the Law Society to make the appropriate arrangements. A new Education Plan and an Assignment of Articles must be submitted to the Law Society for approval (both are available on the website).

Q. Is Law Society approval required for termination of articles?

A. Yes. Where the student and principal make a joint application, the Executive Director has the authority to grant the application. Where the application is not joint, the Executive Director may terminate articles of clerkship on the application of either the principal or student-at-law but with notice by the applicant to the other, or after an investigation, or after a hearing, or in such other circumstances as the Executive Director considers reasonable.²⁸ If either principal or student is considering a termination of articles, advice from Membership Services of the Law Society should be obtained.

²⁶ A court other than the Alberta Court of Appeal, the Alberta Court of Queen's Bench, the Chief Judge of the Provincial Court, the Supreme Court of Canada, the Federal Court of Canada, or the Tax Court of Canada.

²⁷ Rule 56(1)(c).

²⁸ Rule 57.3.



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Law Society of Alberta

www.lawsociety.ab.ca

I, _____ (principal), certify that:

- I understand that the CPLED Program is one of the cornerstones of the qualification process in Alberta; that the Program depends on the integrity of the student; and that students must maintain the highest standards of integrity in meeting the CPLED Program requirements, including full compliance with CPLED's Professional Integrity Policy.
- I personally reviewed the CPLED Program Professional Integrity Policy with _____ (student-at-law) on _____ (date).
- On _____ (date) I personally made my best efforts on to ensure that my student understands the Policy.
- I will foster and facilitate my student's complete compliance with the Policy.
- I will ensure that my student is allowed sufficient time to attend and participate in the CPLED Program, and to complete the assignments, competency evaluations and examinations.

Signature

Date

The personal information collected in this form will be used by the Law Society for one or more purposes contemplated by the *Legal Profession Act*, the Rules of the Law Society, the *Code of Professional Conduct*, or a resolution of the Benchers and will be accessible to all departments of the Law Society, including the Alberta Lawyers Insurance Association. The information may be used or disclosed by the Law Society, now or in the future, for regulatory purposes, including Law Society investigations and proceedings. We may contact you to obtain additional information, or to obtain clarification on the information you provided. Should you have any questions about the collection, use or disclosure of this information, please contact the Privacy Officer, at (403) 229-4700.

