

(b) may be appointed as active members of any committee.

[Rule 111 amended March 27, 1992 & September 17, 1993]
[Rule 111(1) amended; new (2) & (3) added, changing numbering; item (8)(a) & (b) amended,
February 13, 2015]

Duties

112. A committee shall, in addition to the duties assigned to it by the *Act* and these Rules, perform any duties assigned by the Benchers.

Quorum

113. (1) At a meeting of any committee other than the Discipline Committee, a majority of members constitutes a quorum.

(2) In determining whether a quorum exists, the President and Vice-President shall be counted only if they are active members of the committee.

[Rule 113(1) and (2) amended February 13, 2015]

Majority Decisions

114. Unless the *Act* or these Rules state to the contrary, a committee may act by majority decision.

Procedures

115. Unless the *Act* or these Rules state to the contrary, a committee may set its own practice and procedures.

[Rule 133 deleted December 8, 1994]
[Rule 126 Annual Meetings Committee deleted December 7, 2007]
[Rule 131 Finance Committee deleted December 7, 2007]
[Rules 135 Libraries Committee and 136 Equity/Diversity Committee deleted December 7, 2007]
[Rule 134 Legislation & Policy Committee deleted Nov. 28, 2014]
[Rule 125, A & E Committee; Rule 127, PSC Committee; Rule 128, Discipline Committee; Rule 129, Ethics Committee; Rule 130, Executive Committee; Rule 132, Insurance Committee; deleted in their entirety February 13, 2015]

[next Rule is Rule 135]

B. Standing Committees

Discipline Executive Committee

135. (1) The Discipline Executive Committee is a sub-committee of the Discipline Committee, which has been delegated the authority of the Discipline Committee in accordance with section 7.1 of the *Act* to perform any duties assigned to the Discipline Committee by section 36(3) of the *Act*.

[Rules 135 – 138 added May 2, 2014, effective July 1, 2014]
[Rule 135(1) amended; (2) deleted, February 13, 2015]

[Rule 136, with minor amendments, relocated to Part 8, PSC and Discipline, as Rule 403(2) February 13, 2015]

[Rule 137, Conduct Investigation Committee and Rule 138, Conduct Investigation Panel relocated to Part 8, PSC and Discipline, as Rules 398.1 and 398.2 February 13, 2015]

[next rule is Rule 149]

PART 7

Membership and Practice Privileges

Definitions

149. In this Part,
“Admissions Panel” means a Panel appointed pursuant to sections 23 and 24 of the *Act* and Rule 190 for the purpose of conducting a review of an application for admission as a Student-at-law or a Lawyer.
“Committee” means the Admissions & Education Committee.
“Executive Director” includes a person designated by the Executive Director to perform any of the duties assigned to the Executive Director in this Part;
“Hearing Panel” means a Panel appointed by the Chair of the Committee pursuant to Rule 177 for hearing applications under this Part.
“Lawyer” means an Active Member.
“Student-at-law” means a person admitted to the Society pursuant to Rule 151.
“Suitability to Practise” means honesty, governability, financial responsibility and respect for the rule of law and the administration of justice and **“suitable to practise”** has a corresponding meaning.

A. Categories of Membership

150. In this part:

- (1) **“Active Member”** means a person with a valid practising certificate in accordance with *The Legal Profession Act* and Rule 166 and therefore entitled to practise law.
- (2) **“Canadian Legal Advisor”** means a member admitted pursuant to Rule 208.
- (3) **“Disqualified Member”** means a member who has been disqualified in accordance with Rule 162, 168 or Rule 171. A Disqualified Member has none of the rights of membership and is not entitled to practise law for the period of the disqualification.
- (4) **“Former Member”** means a person who was a member, but who has resigned, has been appointed to the judiciary or has been disbarred. A Former Member has none of the rights of membership and is not entitled to practise law.
- (5) **“Inactive Member”** means a person that has qualified in all respects to be admitted as a Lawyer but has elected not to maintain a practising membership. An Inactive Member has all the rights and duties of membership in the Society, but is not permitted to practise law.
- (6) **“Law Professor Member”** means an Active Member permitted to practise in accordance with Rule 163.
- (7) **“Pro Bono Member”** means an Active Member permitted to practise in accordance with Rule 164.
- (8) **“Retired Member”** means a person who has been granted retired membership status pursuant to Rule 173. A Retired Member is not permitted to practise law.
- (9) **“Senior Life Member”** means a person who has been granted a senior life membership by the Benchers prior to December 31, 2017.
- (10) **“Suspended Member”** means a person that has been suspended pursuant to Rule 399, 420 or 450. A Suspended Member has none of the rights of membership and is not entitled to practise law during the period of the suspension.

[Rule 150(9) amended December 1, 2017]

B. Students-at-Law

Admission as a Student-at-Law

151. A person applying for admission as a Student-at-law shall submit:

- (a) an application for admission in a form approved by the Committee;
- (b) original or notarial copies of certified government issued documentation, such as a driver's license, birth certificate or passport, verifying the applicant's identity;

- (i) sign the Law Society Roll; and
 - (ii) take an oath or affirmation in a form approved by the Benchers.
- (2) Each person who has complied with subrule (1) is thereby admitted to membership in the Society as a Lawyer and shall have their name entered on the Law Society Roll.
- (3) Upon the expiration of the time referred to in subrule (1), the Executive Director may:
- (a) upon application, extend the time to comply with subrule (1); or
 - (b) require the person to submit a new application for admission.

[Rule 162(1)(a) amended, (i) and (ii) added February 19, 2016]

Law Professor Members

163. (1) An Active Member who is a tenured or tenure-track member of the University of Saskatchewan College of Law may apply for a change of status to a Law Professor Member.
- (2) An applicant under this Rule must deliver to the Executive Director:
- (a) an application for change of status in a form approved by the Committee;
 - (b) an undertaking, satisfactory to the Executive Director, to only engage in the practise of law in a limited manner, including a description of their practice (“**Undertaking**”); and
 - (c) any other information and documents required by the *Act* or these Rules, or requested by the Executive Director.
- (3) A member may apply to be reinstated as a Law Professor Member by:
- (a) submitting an application under Rule 175; and
 - (b) delivering an Undertaking.
- (4) A member granted Law Professor Membership is entitled to practise in a limited manner consistent with the Undertaking required under subrule (2)(b).
- (5) A practising certificate shall be issued to a person admitted as a Law Professor Member, and each year upon receipt of an Undertaking, and shall be endorsed with the words “Law Professor Membership.”
- (6) The membership of a person admitted under this Rule ceases:
- (a) for the time during which the person is on leave from the University of Saskatchewan College of Law; or
 - (b) on the date that the person ceases to be a full-time tenured or tenure-track member of the University of Saskatchewan College of Law.

[Rule 163(2)(b) and (c), (4) and (6) amended February 19, 2016]

Pro Bono Member

164. (1) An Active Member may apply for a change of status to a Pro Bono Member.
- (2) A member may apply to be reinstated as a Pro Bono Member on the same terms and conditions as required under Rule 175 for reinstatement to Active Membership but will be exempt from the fee provided in Rule 175(2)(b).
- (3) All applications for Pro Bono Membership shall include an undertaking to restrict practice to legal services provided through pro bono organizations approved by the Society.
- (4) Each year Pro Bono Members are required to file the following:
- (a) a letter from an approved pro bono agency, certifying that the Pro Bono Member continues to be actively serving the approved pro bono organization; and
 - (b) an Annual Practice Declaration.
- (5) Pro Bono Members are exempt from paying the annual fee, the annual insurance levy and any registration fees for Continuing Professional Development programs provided by the Society.

Senior Life Member

165. (1) *Repealed.*
- (2) Senior Life Members are not required to pay the annual fee applicable to their category of membership but have all of the remaining rights and duties of membership and may practise law if they maintain professional liability insurance pursuant to Rule 605 and otherwise comply with these Rules and the *Act*.

[Rule 165(1)(a) - (c) deleted, December 1, 2017]

D. Membership Duties

Practising Certificate

166. (1) A member requires a valid practising certificate to be entitled to practise.
- (2) The Executive Director shall, in respect of each practise year, issue a practising certificate to an Active Member who, before the commencement of that practise year:
- (a) has paid the fees fixed under Rule 800;
 - (b) has filed an Annual Practice Declaration in a form approved by the Benchers;
 - (c) has complied with the *Act*, these Rules and all requirements made under them; and
 - (d) is otherwise in good standing.
- (3) The practising certificate of a Disqualified or Suspended Member becomes invalid for the duration of the period of disqualification or suspension, as the case may be.

Liability Insurance

167. Unless exempted by these Rules, payment of all insurance premiums, surcharges and deductibles pursuant to Rule 605 is a condition of the practice of law in Saskatchewan.

Continuing Professional Development Policy

168. (1) All members shall comply with the Continuing Professional Development Policy approved by the Committee (the “**CPD Policy**”).
- (2) The Executive Director may, with respect to any member who fails to comply with the CPD Policy:
- (a) refer the member to Complaints Counsel;
 - (b) disqualify the member; or
 - (c) notify the member that he or she will be disqualified within 30 days, or such further period as may be determined by the Executive Director.
- (3) A member who has been disqualified due to non-compliance with the CPD Policy may apply to the Executive Director for reinstatement by:
- (a) certifying compliance with the CPD Policy in a form approved by the Committee; and
 - (b) submitting the fee required in Rule 871.

Notification of Proceedings

169. (1) A member, Student-at-law, applicant for admission or re-admission, or a lawyer practicing in Saskatchewan pursuant to Rules 192-204 shall immediately report to the Executive Director:
- (a) particulars of charges and any disposition of the charges laid under the following:
 - (i) an offence under any law in force in Canada where the offence was prosecutable either as an indictable offence or as a summary conviction offence;
 - (ii) the *Securities Act* of any province of Canada;
 - (iii) an offence committed outside Canada and similar to any of the kinds of offences described in clauses (a) or (b);

(2) Subject to Rule 450, a hearing committee appointed pursuant to section 47 of the *Act* shall consist of not more than three persons and may include:

- (a) Benchers;
- (b) former Benchers and members, as needed; and
- (c) any other persons who have reached the age of majority and have had appropriate tribunal hearing training or experience, as needed.

(3) Where possible, the Chairperson of a hearing committee appointed in accordance with section 47 of the *Act* shall be a Bencher;

(a) If for any reason it is not possible to appoint a Bencher as a Chairperson of a hearing committee, a former Bencher or member may be appointed as the Chairperson of the hearing committee.

(4) Where possible, one member of any hearing committee appointed in accordance with section 47 of the *Act* should be a public representative Bencher.

(5) In the absence of a member of a hearing committee appointed pursuant to section 47 of the *Act* and this Rule:

- (a) the Chairperson of the Discipline Committee may fill a vacancy; or
- (b) the hearing committee may continue in the absence of that member.

(6) A hearing committee appointed pursuant to section 47 of the *Act* and this Rule is not a committee within the meaning of section 7.1 of the *Act* and the duties of the Chairperson of a hearing committee to hear and determine a formal complaint shall not be delegated to any other person.

[Rule 403 amended; 403 (a) and (b) deleted June 17, 2010]

[Rule 403 Heading amended; Rule 403 changed to 403(1); new Rule (2) inserted from Part 6, Committees February 13, 2015]

[Rule 403(3) amended and (a) added, December 1, 2017]

Notification of Parties

404. The Chairperson of the Discipline Committee shall promptly notify the member and the complainant, in writing, of the appointment of a Hearing Committee under Rule 403.

[Rule 404 amended June 17, 2010]

Confidentiality

405. (1) Any:

- (a) information and documents considered;
- (b) decisions made or action taken; and
- (c) reports prepared, other than publication of anonymous Conduct Review Reports as per 401(3)(a)

prior to the appointment of a Hearing Committee under Rule 403 and service of a formal complaint on the member under Rule 430(1) shall be kept confidential and, unless otherwise ordered by the Chairperson of the Discipline Committee, or otherwise set out in the Rules, shall not be disclosed except for the purpose of complying with the objects of the *Act* or in responding to an enquiry made for the purpose of a potential judicial appointment.

(2) A discipline matter shall be public as soon as a Hearing Committee is appointed under Rule 403 and a formal complaint has been served on the member under Rule 430(1).

(3) Notwithstanding subsection (1), the Executive Director, in his or her sole discretion may, at any time, disclose to a law enforcement authority any information about possible criminal activity on the part of a member that is obtained during an investigation or audit pursuant to the *Act*.

[Rule 405 amended April 14, 2011]

[Rule 405(c) amended October 21, 2011]

[Rule 405 amended and also re-numbered to read 405.(1); 405(2) added September 28, 2012]

[Rule 405(3) added December 1, 2017]

[next rule is Rule 420]

Interim Suspension

420. (1) Subject to subrule (2), a Conduct Investigation Committee shall, before suspending a member under section 45 of the *Act*:

- (a) notify the member that consideration is being given to his or her suspension, for the reasons specified in the notice; and
- (b) give the member a reasonable opportunity to make representations to the Conduct Investigation Committee respecting the suspension.

(2) A Conduct Investigation Committee may act under section 45(1) of the *Act* without complying with subrule (1) if it is satisfied that such action is necessary to protect the public or the member's clients, or both.

(3) If a Conduct Investigation Committee orders an oral hearing:

- (a) the hearing shall be in private, unless the Committee orders otherwise; and
- (b) the proceedings shall be recorded by a court reporter and any person may obtain, at his or her expense, a transcript of any part of the hearing which he or she was entitled to attend.

(4) If a Conduct Investigation Committee concludes that a member should be suspended under section 45(1) of the *Act*, the Committee shall promptly advise:

- (a) the member in writing that he or she is suspended and the reasons for it, and that the member has the right to request a review of the suspension under section 45(3) of the *Act*, and
- (b) the Deputy Minister of Justice under section 54(1) of the *Act*.

[Rule 420(1), 420(1)(b), (2), (3) and (3)(b) and (4) amended; (4)(a) and (b) added;
(5) and (6) deleted June 17, 2010]

Review of Interim Suspension

421.(1) A notice under section 45(3) of the *Act* requesting a review of a suspension shall be in writing, addressed to the Chairperson of the Discipline Committee.

(2) A review hearing shall be conducted:

- (a) by one or more Benchers appointed as Review Committee by the Chairperson of the Discipline Committee, none of whom are under subrule (3), disqualified from hearing the review; and
- (b) as soon as practicable and in any event not later than 7 days after the date on which the request was received by the Chairperson of the Discipline Committee, unless the member consents to a longer time.

(3) The Chairperson of the Discipline Committee, and any other Bencher who was:

- (a) a member of the Conduct Investigation Committee which suspended the member under section 45(1) of the *Act*;
- (b) a member of a Conduct Review Committee which reviewed the matter; or
- (c) a member of a Complainants' Review Committee which reviewed the matter

shall not participate as a panelist in a review under this Rule.

(4) A review of the suspension under this Rule shall be conducted in private, unless the Review Committee orders otherwise.

(5) All proceedings at a review under this Rule shall be recorded by a court reporter and any person may obtain, at his or her expense, a transcript of any part of the hearing which he or she was entitled to attend.

(6) The Review Committee appointed under subsection 2(a) shall determine the practice and procedure to be followed at the hearing.

[Rule 421(2)(a), (3)(a), (4) (5) and (6) amended June 17, 2010]
[Rule 421(3)(b) amended October 21, 2011]

[next rule is Rule 430]

Schedule 1 LAW SOCIETY FEES AND ASSESSMENTS

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

| | |
|---|----------------------------------|
| A. Active Member Annual Fee | \$ |
| 1. Practice fee | 1,875 |
| 2. Special Fund assessment (included in Practice fee) | 100 |
| 3. Late payment fee | 75/wk or part thereof |
| 4. Quarterly payment administration fee | 100 |
| B. Inactive Member Fees | |
| 1. Inactive member annual fee | 150 |
| C. Liability Insurance Assessment | |
| 1. Annual Assessment | 1,280 |
| 2. Late payment fee | 75/wk or part thereof |
| 3. Insurance deductible reimbursement late payment fee | 100 |
| D. Student-at-Law Fees | |
| 1. Student-at-law application fee | 175 |
| 2. Articling fee | 175 |
| 3. Articling assignment fee | 175 |
| 4. Bar Admission Program fee | 2,700 |
| 5. Competency Evaluation re-read fee, per competency evaluation | 100 |
| E. Admission as a Lawyer Fees | |
| 1. Lawyer admission application fee | 175 |
| 2. Lawyer enrollment fee | 175 |
| 3. Admission on transfer application fee (Lawyer or Canadian Legal Advisor) | 175 |
| 4. Admission on transfer enrollment fee (Lawyer or Canadian Legal Advisor) | 750 |
| F. Interjurisdictional Practice Permit | |
| 1. Interjurisdictional Practice Permit | 175 |
| 2. Interjurisdictional Practice Permit Renewal | 175 |
| G. Reinstatement Fees | |
| 1. By former member, following disbarment | 2,000 |
| 2. By disqualified member becoming an active or inactive member | 175 plus fee for year of default |
| 3. All other applications for reinstatement | 175 |
| H. Certificate of Standing Fee | 100 |
| I. License and Permit Fees | |
| 1. Foreign legal consultant permit fee | 500 |
| 2. Foreign legal consultant renewal fee | 150 |
| J. Waiver of Rules | |
| 1. First application | 100 |
| 2. Each subsequent application respecting the same Rule | 250 |
| K. Professional Corporation | |
| 1. Application for registration of Professional Corporation | 200 |
| 2. Application for registration of Limited Liability Partnership | 200 |
| 3. Annual renewal for Professional Corporation | 200 |

L. Continuing Professional Development

| | | |
|----|---|-----|
| 1. | Approval of remedial CPD plan | 500 |
| 2. | Appeal of decisions | 100 |
| 3. | Reinstatement fee payable by member disqualified for failing to comply with the CPD Policy | 100 |

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

[Part K added September, 2001]
 [Part D(4) amended February 5, 2004]
 [Part C 4. added Oct., 2007]; [Amended Dec. 7, 2007]
 [Part F amended December 5, 2008]
 [Part D(4) amended May 1, 2009]
 [Part A(3), C(1) and (2) amended; Part L added September 17, 2009]
 [Part K (1), (2) and (3) amended February 11, 2010]
 [Part D (4) amended April 15, 2010]
 [Part A (1) and C (1) amended June 17, 2010]
 [Part C(1) amended; C(4) deleted April 14, 2011]
 [Part A(2) amended October 21, 2011]
 [Part C(1) amended April 27, 2012]
 [Part A(1) amended October 26, 2012]
 [Part C(1) amended April 25, 2013]
 [Part E amended to remove duplicate categories of law professors, November 1, 2014]
 [Part A(1) and (2); Part K(1), (2) and (3); and Part L(1) amended, October 16, 2015]
 [Part D, E, F, G and L amended, February 19, 2016]
 [Part C(1) amended April 29, 2016]
 [Parts A, D, E, F, G, I and J amended Dec 2, 2016]
 [Part A (1) and (2) amended December 1, 2017]