

Law Clerks

154. (1) A student-at-law who, during the 24-month period immediately following the articling start date, serves for not less than 12 months as a law clerk to a Justice of the Court of Appeal of Saskatchewan, of the Saskatchewan Court of Queen's Bench or a Judge of the Provincial Court of Saskatchewan and, during that time:

- (a) serves for not less than 2 consecutive months as a student-at-law to a qualified principal described in subrule 152(4)(a); or
- (b) serves for not less than one continuous month as a student-at-law to each of:
 - (i) a qualified principal described in subrule 152(4)(a); and
 - (ii) the Saskatchewan Department of Justice or the Saskatchewan Legal Aid Commission;

is not required to comply with Rule 153.

(2) In calculating the 12-month period referred to in subrule (1), any time spent serving as a law clerk before the clerkship position referred to in Rule 156(1) was confirmed shall not be considered.

(3) A student-at-law who, during the 24-month period immediately following the articling start date, serves as a law clerk to a Justice of the Supreme Court of Canada, the Federal Court of Appeal, the Federal Court, the Tax Court of Canada or any other person approved by the Benchers receives one month's credit toward the 12-month articling requirement set in Rule 153 for each month served as a law clerk in excess of 3 months, up to a maximum credit of 9 months.

[Rule 154(1)(a) and (b) amended June, 2001; Rule 154(1) amended May, 2002]

[Rule 154(3) amended June, 2004]

[Rule 154(1)(b)(i) amended September, 2006]

[Rule 154(1)(a) and (3) amended December 7, 2007]

Transfer into Saskatchewan during Articles

155. (1) A student-at-law from another Canadian Province or Territory wishing to transfer into Saskatchewan to complete his or her articles must apply to be admitted as a student-at-law pursuant to Rule 150.

- (2) The Executive Director shall consider the applicant's qualifications including:
 - (a) time spent by the applicant articling or clerking;
 - (b) time spent in a bar admission program and the form and content of such program; and
 - (c) any other information or documents the Executive Director may require.
- (3) The Executive Director may:
 - (a) grant credit toward the twelve-month articling requirement set in Rule 153;
 - (b) reduce or modify the requirements for admission as a lawyer pursuant to Rule 171; or
 - (c) refer the application to the Committee.
- (4) The Committee may, in its discretion, make any enquiry and investigation considered necessary, make a decision on a review of the record, or conduct a Hearing pursuant to Rule 230.

[Rule 155(1)(b)(i) amended December 9, 1993]

[Rule 155(1)(b) amended December 8, 1994]

[Rule 155(1)(a) and (b) reversed and amended December 7, 2007]

[Rule 155 amended in its entirety April 15, 2010]

Proof of Entry into Articles

156. (1) A student-at-law shall:

- (a) before commencing to article to a qualified principal, execute with the principal an articling agreement in a form approved by the Benchers; or
 - (b) before commencing service as a law clerk, request that the supervising Justice confirm to the Society in writing the student-at-law's clerkship position.
- (2) A student-at-law shall, not more than 30 days after executing an agreement or requesting the written confirmation under subrule (1), deliver to the Executive Director:
- (a) a copy of the agreement or written confirmation;
 - (b) satisfactory evidence that the student-at-law:
 - (i) has successfully completed the requirements for a Bachelors degree from a common law faculty of law in a Canadian university approved by the Benchers; or
 - (ii) holds a Certificate of Equivalency issued by the National Committee on Accreditation appointed by the Federation of Law Societies of Canada and the Committee of Canadian Law Deans; and

- (c) the student-at-law articling fee fixed by the Benchers under subrule 820(2).
- (3) The Executive Director may, in special circumstances, extend the time set in subrule (2).
- (4) A student-at-law who paid the articling fee when commencing service as a law clerk is not required to pay a second articling fee when commencing to article to a qualified principal.

[Rule 156(2)(b)(i) amended December 9, 1993]
 [Rule 156(3) amended December 8, 1994]
 [Rule 156(2)(b)(ii) and (3) amended December 7, 2007]

Secondment of Articles

157. (1) A principal may permit his or her articled student to work in the office of another member qualified to act as a principal, for a period or periods not exceeding in total 8 weeks of the student-at-law's articling period.

(2) The Executive Director may permit a student-at-law to work in the office of a member other than that student-at-law's principal for a period or periods exceeding 8 weeks of the student-at-law's articling period.

(3) The Executive Director may set appropriate conditions under subrule (2).

[Rule 157(2) and (3) amended December 8, 1994]
 [Rule 157(2) and (3) amended December 7, 2007]

Assignment of Articles

158. (1) The articles of a student-at-law may be assigned from one principal to another qualified principal if the student-at-law, the previous principal and the new principal all execute an assignment of articles in a form approved by the Committee.

(2) The student-at-law shall, not more than 30 days after the assignment referred to in subrule (1) was executed, deliver to the Executive Director:

- (a) a copy of the assignment; and
 - (b) the student-at-law articling assignment fee fixed by the Benchers under subrule 820(3).
- (3) The Executive Director may, in special circumstances, extend the time set in subrule (2).

[Rule 158(3) amended December 8, 1994]
 [Rule 158(1) amended May 24, 2000]
 [Rule 158(1) and (3) amended December 7, 2007]

Bar Admission Program

159. (1) The form and content of the Bar Admission Program for Saskatchewan shall be set by the Canadian Center for Professional Legal Education (CPLLED) and the Bar Admission Program Director in consultation with the Committee.

(2) Administrative policies for the Bar Admission Program shall be approved by the Committee and published in a Bar Admission Program Handbook.

(3) An applicant for admission to the Bar Admission Program must:

- (a) be admitted to the Law Society as a student-at-law;
- (b) hold a Bachelors degree from a common law faculty of law in a Canadian university or a certificate of equivalency from the National Committee on Accreditation;
- (c) have complied with all administrative requirements set out in the Bar Admission Program Handbook, including payment of the prescribed fee, as fixed by the Benchers under subrule 820(4).

(4) The Bar Admission Program Director has authority to discipline or suspend a student-at-law for breach of Bar Admission Program policies or for conduct which is contrary to the rules of the Society or the *Code of Professional Conduct*.

(5) The Bar Admission Program Director's decision to suspend or discipline a student-at-law may be appealed to the Committee. The Committee may, in its discretion, make a decision on a review of the record, make any enquiry and investigation considered necessary, or conduct a Hearing pursuant to Rule 230.

[Rule 159 amended June 8, 1994]

[Rule 159(7) amended December 8, 1994]
 [Rule 159 amended April 28, 1995]
 [Rule 159(3) amended May 24, 2000]
 [Rule 159 amended February 5, 2004]
 [Rule 159(2)(b), (c)(ii) and (d), and (7) amended December 7, 2007]
 [Rule 159 amended in its entirety April 15, 2010]

Bar Admission Program Assessments and Examinations

160. (1) In order to pass the Bar Admission Program, a student-at-law shall:
- (a) attend all face to face sessions and participate fully in all online portions of the Program;
 - (b) submit on time and successfully complete all competency evaluations and assignments;
 - (c) pass any examinations set by the Bar Admission Program Director;
 - (d) comply with the Bar Admission Program Handbook and any additional administrative policies set from time to time by the Society.
- (2) Students-at-law who do not successfully complete the Bar Admission Program will be required to repeat the Program.
- (3) Students-at-law shall have only one opportunity to repeat the Bar Admission Program.
- (4) A student-at-law who has failed to pass the Bar Admission Program may appeal to the Committee. The Committee may, in its discretion, make a decision on a review of the record, make any enquiry and investigation considered necessary, or conduct a Hearing pursuant to Rule 230.

[Rule 160 amended June 8, 1994]
 [Rule 160(5), (6) and (8) amended December 8, 1994]
 [Rule 160(8) amended February 12, 1999]
 [Rule 160 amended February 5, 2004]
 [Rule 160(5) and (6) amended December 7, 2007]
 [Rule 160(2) deleted, changing numbering sequence from (2) – (7) to (2) – (6) September 17, 2009]
 [Rule 160(1)(d) amended; (2) deleted and re-written; (4) and (5) deleted; (6) changed to (3); new (4) added April 15, 2010]

Legal Services Performed by Students-at-Law

161. (1) Subject to section 31(a)(i) and (ii) of the *Act*, subrule (2) and the *Criminal Code* of Canada, a student-at-law may perform any legal service which his or her principal:
- (a) is personally competent to perform;
 - (b) supervises, to the extent necessary in the circumstances; and
 - (c) is satisfied that the student-at-law is, because of the principal's supervision, competent to perform.
- (2) A student-at-law shall not:
- (a) accept a case;
 - (b) fix fees;
 - (c) give or accept a professional undertaking; or
 - (d) settle a contested matter.

[Rule 161(1) amended December 7, 2007]

[next rule is Rule 162]

Admission of Students-at-Law

162. (1) The Executive Director may grant any application or may refer any application under Rules 152, 155, 157, 159 or 160 to the Committee.

(2) The Committee may, in its discretion, make a decision on a review of the record or conduct a Hearing pursuant to Rule 230.

[Rule 162 added December 7, 2007]

[next rule is Rule 171]

B. Lawyers

Admission as a Lawyer

171. (1) To qualify for admission as a lawyer after having enrolled as a student-at-law an applicant must:

- (a) satisfy the Executive Director that the applicant will, prior to formal admission, satisfactorily complete the articling period;
- (b) satisfy the Executive Director that the applicant:
 - (i) will, prior to formal admission, satisfactorily complete the Bar Admission Program; or
 - (ii) has satisfactorily completed the examination on Saskatchewan statute law, court procedure and practice.
- (c) satisfy the Executive Director that the applicant will, prior to formal admission, satisfactorily complete any other requirements of the *Act* or Rules imposed by the Committee or the Benchers; and
- (d) deliver to the Executive Director:
 - (i) a completed application for admission as a lawyer in a form approved by the Benchers;
 - (ii) a completed principal's affidavit or, in the case of a student-at-law who served as a law clerk, a completed affidavit from the supervising Justice, in a form approved by the Benchers;
 - (iii) in the case of an applicant who has completed the Bar Admission Program, an affidavit of attendance of the Program.
 - (iv) the lawyer admission application fee fixed by the Benchers under subrule 830(1); and
 - (v) any other information and documents required by the *Act* or these Rules which is requested.
- (2) To qualify for admission as a lawyer on transfer an applicant must:
 - (a) deliver to the Executive Director:
 - (i) a completed application for admission as a lawyer on transfer, in a form approved by the Committee;
 - (ii) the applicant's birth certificate or, if unobtainable, other satisfactory evidence of the applicant's age;
 - (iii) proof that the applicant is a permanent resident or citizen of Canada;
 - (iv) two testimonials in a form approved by the Committee, from two persons who have each known the applicant for at least 3 years, that the applicant is of good character and repute;
 - (v) proof that the applicant holds either a Bachelors degree from a common law faculty of law in a Canadian university or a Certificate of Equivalency issued

[next rule is Rule 890]

Waiver of Rules

890. A member shall pay, at the time of application for a variation, waiver or suspension of a Rule under Rule 1903, a rules waiver application fee as set out in Schedule 1 following this Part.

[next rule is Rule 900]

Schedule 1
LAW SOCIETY FEES AND ASSESSMENTS

A. Active Member Annual Fee	\$
1. Practice fee	1,170
2. Special Fund assessment	145
3. Late payment fee	75/wk or part thereof
4. Electronic payment fee	100
B. Inactive Member Fees	
1. Inactive member annual fee	150
C. Liability Insurance Assessment	
1. Annual Assessment	600
2. Late payment fee	75/wk or part thereof
3. Insurance deductible reimbursement late payment fee	100
4. Loss prevention surcharge	500
D. Student-at-Law Fees	
1. Student-at-law application fee	100
2. Articling fee	100
3. Articling assignment fee	100
4. Bar Admission Program fee	2,450
5. Bar Examination re-read fee, per examination	50
6. Transfer examination fee	350
7. Transfer examination re-read fee	175
8. Transfer supplemental examination	175
E. Admission as a Lawyer Fees	
1. Lawyer admission application fee	100
2. Lawyer admission fee	100
3. Admission on transfer application fee	100
4. Admission on transfer fee (with articles)	100
5. Admission on transfer fee (no articles)	500
6. Law professor (transfer) admission application fee	100
7. Law professor (transfer) admission fee	100
8. Law professor admission application fee	100
9. Law professor admission fee	100
F. Interjurisdictional Practice Permit	
1. Interjurisdictional Practice Permit	100
G. Reinstatement Fees	
1. By former member, following disbarment or resignation	1,000
2. By former member, in all other cases	200
3. By inactive member becoming active member	100
4. By disqualified member becoming an active or inactive member	100 plus fee for year of default
H. Certificate of Standing Fee	100
I. License and Permit Fees	
1. Foreign legal consultant permit fee	500
2. Foreign legal consultant renewal fee	100
J. Waiver of Rules	
1. First application	50
2. Each subsequent application respecting the same Rule	100
K. Professional Corporation	
1. Application for registration of Professional Corporation	125
2. Application for registration of Limited Liability Partnership	125
3. Annual renewal for Professional Corporation	125

L. Minimum Mandatory Legal Education

1.	Approval of remedial education plan	200
2.	Appeal of decisions	100
3.	Reinstatement fee payable by member suspended for failing to comply with minimum mandatory education requirements	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 13

Accounting

A. Definitions

Definitions

900. In this Part,

“**cash**” means coins referred to in section 7 of the *Currency Act*, and notes issued by the Bank of Canada pursuant to the *Bank of Canada Act*, that are intended for circulation in Canada and coins or bank notes of countries other than Canada;

“**client**” includes a person or unincorporated body on whose behalf a member receives funds in connection with the member’s practice of law;

“**currency**” includes current coins, government or bank notes of Canada or any other country;

“**firm**” means a partnership of members carrying on the practice of law where one set of the books, records and accounts described in this Part is maintained;

“**funds**” means cash, currency, securities and negotiable instruments or other financial instruments or other financial instruments that indicate the person’s title or interest in them;

“**general account**” means an account in a savings institution maintained by a member into which is deposited funds received by the member in connection with the member’s practice of law, which are not trust funds;

“**member**” includes a member of the Law Society as defined in *The Legal Profession Act*;

“**mixed trust account**” means an account referred to in section 78(1) of the *Act*, into which is deposited money received or held in trust for or on account of clients generally;

“**money**” includes cash, cheques, drafts, credit card sales slips, post office orders and express and bank money orders;

“**public body**” means:

- (a) a department or agent of Her Majesty in right of Canada or of a province;
- (b) an incorporated city, town, village, metropolitan authority, township, district, county, rural municipality or other incorporated municipal body or an agent of any of them, or
- (c) an organization that operates a public hospital and that is designated by the Minister of National Revenue as a hospital under the *Excise Tax Act* or an agent of the organization,

“**savings institution**” means:

- (a) the Bank of Canada;
- (b) a bank included in Schedule I or II to the *Bank Act* (Canada) which is insured by the Canada Deposit Insurance Corporation;
- (c) a credit union incorporated, continued or registered under the *Credit Union Act, 1985*; or
- (d) a trust company which:
 - (i) is incorporated under the *Trust Companies Act* (Canada); or
 - (ii) has net assets in excess of \$10,000,000;

“**separate trust account**” means an interest-bearing trust account or a savings, deposit, investment or similar form of account in a savings institution in Saskatchewan;

“**trust funds**” means any monies received by a lawyer, in his/her capacity as a lawyer, which are not intended to immediately become property of the lawyer and include:

- (a) funds from a client for services to be performed or for disbursements to be made on behalf of the client; or
- (b) funds which belong in part to a client and in part to the member, and it is not practicable to split the funds;
- (c) funds received from or held on behalf of a third party which relate to a transaction in which a client is involved, but does not include funds which are to be remitted to any government by way of taxes or employee payroll deductions.

**ARTICLES OF CLERKSHIP
FORM A-2**

(Amended February 18, 2000)
(Amended April 27, 2010)

This Agreement made the _____ day of _____, 20 _____
between

(name in full)

of the _____ of _____ in the Province of Saskatchewan, hereinafter called the
student of the first part, and _____ of the _____ of
_____ in the Province of Saskatchewan, a lawyer in Saskatchewan, hereinafter
called the lawyer, of the second part.

Witnesseth that in consideration of the mutual covenants hereinafter contained.

1. The student hereby contracts to serve as student-at-law to the lawyer from the date _____ for a period of twelve calendar months, or until by notice to the lawyer and to the Law Society he/she abandons his/her intention to be admitted as a lawyer.
2. The lawyer hereby contracts to accept and take the student as his/her student-at-law for the said period.
3. THE STUDENT COVENANTS,
 - (a) At all times to keep the secrets of the lawyer and his/her partner or partners and his/her and their clients;
 - (b) to obey and execute all lawful and reasonable demands;
 - (c) not to absent himself/herself from the service of the lawyer without leave;
 - (d) truly, honestly and diligently to serve the lawyer in accordance with the provisions of *The Legal Profession Act* and the Rules of the Law Society of Saskatchewan at all times during the term hereof;
 - (e) to indemnify the lawyer and make good and reimburse him/her for any damage, injury or loss that the lawyer may suffer through any breach by the student of this contract or any covenant therein.
4. THE LAWYER COVENANTS WITH THE STUDENT
 - (f) to the best of his/her ability to teach and instruct the student in the practice or profession of a lawyer;
 - (g) when the student shall have complied with all other necessary requirements therefor, to offer the student every assistance to be admitted as a lawyer in Saskatchewan.
5. This contract shall enure to the benefit of and be binding upon the executors and administrators of the student and the executors, administrators and assigns of the lawyer.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED)
)
in the presence of) _____ (L.S.)
)
) _____ (L.S.)
)
)
_____)

AFFIDAVIT OF EXECUTION

[Re - Articles of Clerkship]

CANADA:) I, _____
)
 PROVINCE OF SASKATCHEWAN) of the _____ of _____
)
 T O W I T :) in the Province of Saskatchewan,
)
) _____, hereby declare:
) (occupation)

1. THAT I was personally present and did see both _____ and _____ named in the within instrument, who are personally known to be the persons named therein duly sign, seal and execute the same for the purposes therein.
2. THAT the same was executed at the _____ of _____ in the Province of Saskatchewan, on the _____ day of _____, 20____, and that I am the subscribing witness thereto.
3. THAT I know both the said _____ and _____ and they are in my belief the full age of eighteen years.
4. THAT the statements contained in this my Affidavit of Execution are complete and true in every respect and I make this declaration believing it to be true and knowing that it is the same force and effect as if made under oath.

DECLARED before me at the _____
 of _____
 in the Province of _____
 this _____ day of _____
 20_____.

 (Signature of Witness)

 (Commissioner for Oaths or Notary Public)

**APPLICATION FOR REINSTATEMENT
AS AN ACTIVE MEMBER
BY AN INACTIVE MEMBER ON LEAVE
RULE 212 (1)
FORM P-3A**

(Amended February 22, 2000)
(Amended December, 2007)
(Amended February, 2008)
(Amended June, 2010)

PROVINCE OF SASKATCHEWAN
T O W I T :

In the matter of *The Legal Profession Act* and in the matter of Rule 212 of the Rules of the Law Society of Saskatchewan.

I, _____, of the _____ of _____,
in the Province of _____, do solemnly declare:

(1) That I have been an inactive member of the Law Society of Saskatchewan since _____ (date)
and I hereby apply for reinstatement to practice in the Province as of _____ (date).

In support of my application I enclose:

- a) the annual fee;
- b) the professional liability insurance assessment;
- or
- proof of professional liability insurance which provides coverage for services rendered in Saskatchewan; and
- c) the reinstatement fee.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath, and by virtue of *The Canada Evidence Act*.

DECLARED BEFORE ME at the _____)
of _____, in the)
Province of Saskatchewan,)
this ____ day of _____,)
20____.) _____

A COMMISSIONER FOR OATHS in and
for the Province of Saskatchewan.
My Commission expires: _____
(or) Being a solicitor.

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**MEMBER'S COMMENCEMENT REPORT
RULE 1201
FORM P-5**

(Amended March 25, 2010)

NAME: _____

DATE OF ADMISSION: _____

LIST FIRM OR DEPARTMENT OR COMPANY NAME:

MAILING ADDRESS OF FIRM OR DEPARTMENT OR COMPANY:

OFFICE TELEPHONE: _____ E-MAIL: _____

OFFICE FAX: _____

RESIDENCE ADDRESS:

HOME PHONE: _____

MEMBERSHIP IN OTHER LAW SOCIETIES OR BARS:

NAME OF SOCIETY

ADMISSION DATE

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