



AMENDMENTS TO THE *CODE OF PROFESSIONAL CONDUCT* (November 2017):

At September 2017 Convocation, the Benchers approved amendments to the *Code*. Amendments are listed at the end of each Chapter.

The amendments are highlighted below.

3.1-2 Competence, Commentary [8] and [9] – amended to ensure the *Code* provides adequate guidance on the independence of legal opinions.

3.2-7 Dishonesty, Fraud by Client or Others – Amendments in response to a Law Society of Upper Canada decision, where a hearing panel struck an allegation of misconduct due to the alleged misconduct involving a conveyancing company that was not a client and therefore not caught by the previous *Code* section.

3.3-3 Future Harm/Public Safety Exception – In order to remove some redundancy in this section, 3.3-3 was deleted and its commentary moved to 3.3-3A Permitted Disclosure.

3.3-3A Permitted Disclosure – (a) amended; (f) added to remove redundancy in our *Code*.

3.3-5 and 3.3-6 – both deleted to remove redundancy in our *Code*.

3.7-1 Withdrawal from Representation and 3.7-7A Leaving a Law Firm – 3.7-1 Commentary [4] deleted. Rule 3.7-7A and Commentary added. These rules did not sufficiently address issues of client choice of counsel, how a lawyer and law firm should interact when a lawyer departs, or how lawyers should provide notice of their departure to clients.

3.7-9 Manner of Withdrawal – Commentary 5 amended.

5.1-2A, Incriminating Physical Evidence, Commentary [4] and [5] – Commentary [4] and [5] amended to adequately address a lawyer's duties to the client and the administration of justice.