

- (a) complete the applicable requirement; and
- (b) pay the late delivery fee specified in Schedule 1.

(2) A firm that fails to comply with Rules 902, 904, 905 or 906, and that does not remedy such non-compliance in accordance with subrule (1) may be subject to:

- (a) a compliance fine in the amount specified in Schedule 1 if the firm fails to cooperate within 60 days of a written notice of non-compliance of the Executive Director; and
- (b) a revocation, suspension or conditions on use of the firm's trust account if the firm fails to cooperate within 90 days of a written notice of non-compliance of the Executive Director.

(3) Pursuant to Part 16 of these Rules, a firm that fails to comply with Rule 903, may be subject to:

- (a) a fine in the amount specified in Rule 1606; and
- (b) a revocation, suspension or conditions on use of the firm's trust account if the firm fails to cooperate within 90 days of a written notice of non-compliance of the Executive Director.

(4) A firm that fails to comply with Rules 907 or 908 may be subject to:

- (a) a compliance fine in the amount specified in Schedule 1 if the firm fails to cooperate within 60 days following written notice of non-compliance of the Executive Director;
- (b) remedial orders to address deficiencies in practice management systems, including but not limited to, the creation of policies or systems and completing training or continuing professional development;
- (c) a revocation, suspension or conditions on use of the firm's trust account if the firm fails to cooperate within 90 days of a written notice of non-compliance of the Executive Director; and
- (d) disciplinary measures in accordance with Part 11 of these Rules.

## PART 10

### Alternative Legal Services Providers

#### Definitions and Interpretation

**1001** For the purposes of clause 10(p.1) and subsection 30(3) of the Act, “legal information” means the provision of legal information of a general nature about the law and legal procedures to members of the public.

#### Exemptions from the Prohibition Against the Unauthorized Practice of Law

**1002(1)** Subject to subrule (2), for the purposes of clause 10(k.1) and clause 31(i) of the Act:

- (a) the following persons are exempt from the prohibition against the unauthorized practice of law in section 30 of the Act insofar as they are carrying out the functions mentioned in clauses (i) to (xii):
  - (i) a person serving in a neutral capacity as a mediator or conciliator;
  - (ii) a person participating in labour negotiations, arbitrations, conciliations or proceedings respecting collective bargaining rights or agreements;
  - (iii) a person exercising an adjudicative function pursuant to statutory authority;
  - (iv) a person acting as a legislative lobbyist;
  - (v) a public officer acting within the scope of the person’s authority as a public officer;
  - (vi) a person employed by or currently funded through a service agreement or otherwise demonstrably accountable to the government to act as a lay representative before administrative agencies or tribunals;
  - (vii) a notary public exercising the powers conferred on the notary public pursuant to statutory authority;
  - (viii) a person who delivers courtworker services to Aboriginal people through an Aboriginal delivery agency that has contracted with the Government of Saskatchewan or the Government of Canada to deliver courtworker services as part of the Aboriginal Courtworker Program;
  - (ix) a person authorized in accordance with any provincial or federal statute to engage in activities listed in s.29.1 of *The Legal Profession Act, 1990*;
  - (x) an officer or employee of an incorporated or unincorporated organization preparing a document for the use of the organization or for an action or matter to which the organization is a party;
  - (xi) a university law student in respect of services permitted to be provided by that student in accordance with the Rules; and
  - (xii) an individual who is representing a person in an administrative adjudicative proceeding if the administrative tribunal determines that the individual would be of assistance to the person and the tribunal.
- (b) subject to the following, the Executive Director or the Executive Director’s designate may provisionally allow any person not otherwise authorized to provide legal services to do so on a temporary basis, subject to any conditions and restrictions that the Executive Director considers appropriate:

- (i) the Benchers shall review the provisional authorization given by the Executive Director at their earliest opportunity;
- (ii) the Benchers may:
  - (A) confirm the provisional authorization of the Executive Director, subject to any conditions and restrictions that the Benchers consider appropriate, in which case the temporary authorization is deemed to be approved;
  - (B) refuse to confirm the decision of the Executive Director.

(2) Subrule (1)(a)(xii) and (b) do not exempt the following persons from the prohibition against unauthorized practice:

- (a) a former member who has been disbarred and has not been reinstated;
- (b) a member who is under suspension for any reason;
- (c) a person who has been denied admission on the basis that the person is not suitable to practice, as defined in Part 7 or that admission would otherwise be inimical to the best interests of the public;
- (d) a person against whom an injunction has been issued pursuant to section 32 of the Act during the time that the injunction is in effect; or
- (e) a person who charges a fee for the service provided pursuant to subrule (1)(a)(xii), unless explicitly authorized to do so by the governing legislation of the tribunal.

[Rule 1002(1)(a) amended and (xiii) added; 1002(2)(e) amended, February 26, 2021]

[Rule 1002(1)(a)(vi) amended, December 3, 2021]

[Rule 1002(1)(a) and Rule 1002(1)(a) (vii) and (ix) amended; (xiii) deleted, February 18, 2022]

## PART 11

### Professional Responsibility

#### A. Definitions

##### Definitions

**1101** In this Part:

**“competence”** means bringing adequate skill and knowledge to the practice of law including the management of a practice, as more particularly set out in Chapter 3 of the Code;

**“complainant”** means a person who has made a complaint about a member to the Society;

**“complaint”** includes:

- (a) a complaint made by a complainant pursuant to clause 40(1)(a) or (c) of the Act; and
- (b) an allegation of conduct by a member as described in clause 40(1)(b) or (d) of the Act;

**“Designated Complaints Counsel”** means a person designated by the Benchers who has the same investigative powers as Professional Responsibility Counsel, to review the conduct of members where Professional Responsibility Counsel is in a conflict of interest;

**“Designated Representative”** means a member appointed by the firm to act as liaison with the Society pursuant to Part 9 of these Rules;

**“Hearing Committee Roster”** means the pool of persons eligible to be appointed to a Hearing Committee pursuant to Rule 1118;

**“Discipline Counsel”** means the individual assigned to prosecute a Formal Complaint;

**“Formal Complaint”** means the document outlining the allegations against a member of conduct unbecoming served pursuant to subrule 1110(4);

**“Hearing Administrator”** means a person appointed by the Benchers to:

- (a) assist the Benchers in the creation and maintenance of the Hearing Committee Roster;
- (b) develop and deploy programming to train the members of the Hearing Committee Roster including programming needed to maintain necessary competencies over time;
- (c) verify that the members of the Hearing Committee Roster have completed the required training programs or, in exceptional circumstances, verify that a member of the Hearing Committee Roster has obtained appropriate training elsewhere or is appropriately trained by way of practical experience;
- (d) manage the appointment of Hearing Committee Roster members to all Hearing Committees;
- (e) administer the case management process on all discipline matters set for hearing with a view to expediting the hearing process;
- (f) within the case management process, create a forum for settlement discussion between the parties;