



Law Society  
of Saskatchewan

# **Future of Legal Services Initiative Update Report**

**March 1, 2024**



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## Introduction

Through the Future of Legal Services Initiative, the Law Society of Saskatchewan is working to expand access to legal services, implementing thirteen recommendations in the [Final Report](#) of the Legal Services Task Team, a joint project with the Ministry of Justice of the Government of Saskatchewan. The Law Society and the Ministry of Justice share a common interest in improving access to justice for the benefit of the public.

The Law Society is committed to expanding access in a responsible and sustainable manner, balancing the need for ensuring public protection with enhancing legal service accessibility. The Future of Legal Services Initiative is guided by a series of principles:

- Serve the public interest, minimizing risk to the public;
- Promote access to legal services, recognizing different types of expertise and qualifications;
- Address areas of legal need;
- Adopt proportionality between licensing requirements, services and risks; and
- Encourage innovation.

As of March 2024, nine of thirteen recommendations have been implemented. This report provides an update on implementation and outlines next steps for the implementation of the remaining four recommendations.

## Background

In 2016, the Ministry of Justice and the Law Society of Saskatchewan jointly undertook a project to explore whether service providers other than lawyers could be permitted to provide some legal services in Saskatchewan. In 2017, a Task Team was appointed to consider a range of approaches and consultations were undertaken resulting in thirteen recommendations to strengthen the regulation and provision of legal services in the province.

Since 2018, the Law Society has been advancing implementation of the recommendations in collaboration with the Ministry of Justice. **Annex I** details outreach and communication activities undertaken, which have also included efforts to better connect lawyers and consumers of legal services in support of an accessible legal system.

Legal Services Task Team Recommendations		
No.	Recommendation	Status
<b>Government Responsibility</b>		
1	Modernize the legislation regulating the provision of legal services.	Complete
2A	Define “practice of law in the legislation; Provide the Law Society with the authority to define “legal information” in the Law Society Rules.	Complete
5B	Amend the Act to relocate the list to the Rules so that the Law Society can amend the list.	Complete
6A	Amend the Act to allow for the creation of new categories of membership in the Law Society.	<i>Pending - Bill No. 163</i>
7A	Amend the Act to: (i) allow service providers to practise law with a limited license on a case-by-case basis; and (ii) provide the Law Society with licensing authority.	<i>Pending - Bill No. 163</i>
<b>Law Society Responsibility</b>		
2B	Create guidelines to help the public.	Complete
3	Other than the provision of legal information, continue to regulate all other legal services to some degree.	Complete (Ongoing)
4	Examine the restrictions on direct supervision requirements for staff.	Complete
5A	Expand the list of exceptions (exemptions) to the prohibition against practicing law.	Complete (Ongoing)
<b>Joint Responsibility</b>		
6B	Enact subordinate legislation to create new categories of membership.	<i>Pending - Bill No. 163</i>
7B	Enact principles to guide licensing.	Complete
8	Enact Rules, subject to Ministerial approval, to create a limited licensing process with appropriate and proportional licensing requirements.	<i>Pending - Bill No. 163</i>
9	Conduct or support pilot projects to experiment with certain types of limited licenses.	Complete (Ongoing)

Implementation has been advanced in a responsible and sustainable manner in stages.

### 1. Stage 1: Practice of law and exemptions to unauthorized practice (2018-2019)

This stage encompassed legislative and rule changes and notice of a period of discovery to advance recommendations 1, 2A, and 5B. On January 1, 2020, *The Legal Profession Act, 1990*, was amended to include a [definition](#) of the practice of law and to modernize the



legislation regarding legal services to provide more flexibility for future developments related to new categories of legal service providers.

**2. Stage 2: Legal information guidelines and discovery phase (2020-2021)**

This stage focused on developing policy and guidance related to deregulating legal information and introducing [Guidelines](#), adopting a permissive approach to [direct supervision](#), and outlining policy for exemptions from the unauthorized practice of law.<sup>1</sup> Data was documented from the [discovery period](#) to advance recommendations 2B, 3, 4, 5A, and 7B.

**3. Stage 3: Pilot program (2022-2024)**

This stage transitioned individuals identified through the discovery period to exempted status or participation in a [Limited Licensing Pilot](#), which was also opened to other interested stakeholders. Data was documented and reported to implement recommendation 9 and inform the development of a regulatory framework for limited licensing.

**4. Stage 4: Flexible regulatory structure (2024+)**

This stage is pending, following the adoption of rules to create a limited licensing framework with appropriate and proportional licensing requirements. Implementation of this stage addresses recommendations 6A, 6B and 7A and 8.

The remainder of this report outlines what has been learned from the Limited Licensing Pilot to help advance limited licensing in Saskatchewan and implementation of the remaining recommendations from the Legal Services Task Team Final Report.

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<sup>1</sup> In July 2021, the Law Society and Ministry of Justice participated in a joint workshop that reviewed a policy framework for exemptions and agreed that a list of a list of factors / criteria should be considered for exemption, including whether the proposed exemption: addresses specific unmet legal need; demonstrates existence of qualification, experience, or (ongoing) training requirements related to legal services provided; focuses on a limited scope of legal services in terms of activity; manages risks posed by the nature of the legal services, the likelihood the risks may materialize, and any mitigating factors and organizational structure for delivery of the legal services, the likelihood risks may materialize, and any mitigating factors; considers the stability / dynamism of the legal services being provided; considers the intention / capacity of the provider to effectively deliver legal services; offers some form of oversight / supervision; identifies protection / recourse for members of the public for substandard legal service delivery; contemplates whether fees may be charged for services; considers whether conditional terms are necessary; provides an increase in consumer choice; recognizes different types of expertise and qualifications; encourages innovation; or is more suitable for another authorization mechanism (e.g., limited licensing).

## Limited Licensing Pilot

The Limited Licensing Pilot was introduced by the Law Society in January 2022 and extends a limited authorization to practice law to legal service providers not licensed as a lawyer on a case-by-case basis. As recognized in the Legal Services Task Team Final Report, this does not create an entirely new professional group but recognizes that there are context-specific needs that can be served by limited licensees operating within a specific, individualized scope of practice that reflects the education, training, and experience of the individual. As this is a novel approach to legal regulation in Canada, the Pilot and consultation support the development of appropriate rules and regulation.

### *Application to the Pilot*

Through an application form, individuals may apply to the Pilot to request authorization to deliver legal services in a limited scope area of practice. Applications are considered by the Law Society's Future of Legal Services Committee according to a risk-based framework that considers three main criteria:

- 1. Access to legal services:** Is there an identified legal need being met through the services? Does the service fill a gap, providing underserved markets and locations with access to legal services?
- 2. Scope and competency:** What competencies are required to deliver the limited scope of services effectively?<sup>2</sup> How is this addressed by the applicant's education, training and experience, personal history, and capacities as related to the area of practice, type of service, and needed professional development?
- 3. Risk management and consumer protection:** What level of risk is identified for protection of the public interest? How is this addressed by the applicant's intention and capability to comply with regulation, recourse available to the public, and proxy monitoring and oversight for the limited scope services?

**Annex II** outlines these criteria more comprehensively and there are also several qualifications to the Pilot:

- *Non-eligibility:* suspended or disbarred lawyers are not eligible to apply, nor are individuals who have received notice of unauthorized practice by the Law Society of Saskatchewan prior to January 1, 2022. Making false or materially misleading statements in the application is a basis for loss of authorization to practice within the Pilot.

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<sup>2</sup> For commentary and linked research with respect to minimum competence for lawyers, see: Law21, *Defining Lawyer Competence*, 2021, <https://www.law21.ca/2021/08/defining-lawyer-competence/>; and Institute for the Advancement of the American Legal System, *Building a Better Bar: Capturing Minimum Competence*, 2020, <https://iaals.du.edu/projects/building-better-bar-capturing-minimum-competence-bb>.



- *Ongoing duties:* participation in the Pilot does not alter requirements imposed by other regulatory bodies nor does authorization to practice law through the Pilot release entities or individuals from conforming to all other applicable laws and regulations.
- *Capacity / priorities:* the Law Society reserves the right to assess capacity to effectively pilot and monitor the range of services and providers in the public interest with a view to priority needs and services.
- *Agreement:* Pilot participants will enter into an agreement with the Law Society which will set out terms and conditions which may include: maintaining eligibility, scope of legal services, conditions, information disclosure, reporting and monitoring, complaint handling, and duration.

Based on the criteria and parameters, applicants are approved or not approved for participation in the Pilot.

### *Pilot Participation, Monitoring, and Analysis*

Once accepted into the Pilot, a Letter of Agreement is issued to a Pilot participant, detailing the scope of services authorized, any conditions, and maintenance of eligibility, including information disclosure, complaint handling and reporting, and monitoring requirements.

Data has been collected throughout the Pilot to help inform the development of a regulatory structure for limited licensing in Saskatchewan. This includes:

1. reporting directly from Pilot participants;
2. consumer reviews;
3. consultation feedback from stakeholders as related to five themes - education, co-regulation, insurance, professional responsibility, and complaints and recourse; and
4. audit reports from a Practice Advisor.

Additionally, literature continues to be monitored with respect to areas of legal need and access to justice.

### **Data Limitations**

Importantly, while mixed sources and triangulation of data have been considered, there are limitations to the data collected. Direct reporting from Pilot participants is detailed but restricted to ten reporting requirements:

- Number of client inquiries
- Number of clients served
- Geographic location of clients
- Nature of client's legal matters
- Legal outcomes for clients
- Financial outcomes for clients
- Amount clients paid for services
- Approximate length of services to clients
- Number of complaints received and how handled

- Any additional items of relevance for the Pilot (e.g., Continuing Professional Development courses undertaken)

The applicability of reporting across practice areas is mixed and reporting at times requires clarification.

Additionally, consumer reviews are optional and often provide an indication of satisfaction with the services received but do not always provide in depth analysis of the services. Stakeholder feedback from consultations is limited by the engagement of participants and perceptions (as opposed to experience) that at times do not rely on objective data or understanding of risk. Finally, Practice Advisor audits were conducted on only a limited number of Pilot participants that were not part of the discovery period and had areas of practice focused on transactional work.

### *Pilot Data and Insights – Overall*

As of February 1, 2024, there have been 34 applicants to the Pilot and 3,751 clients served across 300 or more geographic locations in Saskatchewan.

Applicants	Participants: Approved	Participants: Not Approved	Participants: Removed	Applications Pending Review
34	24	3	3	4
Client Inquiries	Clients Served	Client Geographic Locations	Consumer Reviews or Feedback: Positive/Neutral	Consumer Reviews or Feedback: Concerns
12,465 <sup>3</sup>	3,751	300+	94 positive (89.5%) 3 neutral (2.8%)	8 negative or potential indication of consumer harm (7.6%)

Applicants approved in the Pilot are authorized to practice in areas that can generally be grouped as:

- Cases before administrative tribunals and Provincial Court such as small claims, traffic matters, and summary conviction matters under the *Criminal Code*
- Family law services limited to separation agreements, uncontested or joint divorce, and parenting arrangements
- Future planning services limited to wills, powers of attorney, guardianship, and health care directives
- Administration of estates not exceeding \$25,000

<sup>3</sup> In some Pilot service contexts, there is a high volume of inquiry regarding legal services, but not all clients will elect or be candidates for services.

- Limited corporate legal services, contracts, and land title transfers and interest registrations and discharges
- Preparing for self-representation in court

### *Pilot Data and Insights – Legal Need and Affordability*

The Legal Services Task Team reviewed the available literature on access to justice issues and referenced key data regarding unmet legal needs and identified common problems that are disruptive and have adverse ripple effects into communities and society at large. From the public survey conducted, respondents indicated that the most common type of service where assistance was needed was with the preparation of documents such as a will, real estate document, or contract. The most common areas of law where assistance was needed were: real estate, wills and estates, family, small claims, criminal, and corporate commercial.<sup>4</sup>

The Task Team further identified priority areas where the supply of legal services does not match demand and the types of legal assistance needed in the areas of:

- administrative law
- consumer and debtor law
- criminal law
- family law
- immigration law
- small claims matters

Participants in the Pilot are contributing to practice in these areas, except for immigration law. However, since the release of the Legal Services Task Team report, there have been important developments in the regulation of immigration matters. In November 2021, the federal College of Immigration and Citizenship Consultants was created, which provides licensing and oversight for the practice of Regulated Canadian Immigration Consultants and Regulated International Student Immigration Advisors in the public interest.<sup>5</sup> In turn, the Government of Saskatchewan provides a linked licensing mechanism for Immigration Consultants and Foreign Worker Recruiters in Saskatchewan.<sup>6</sup>

Following the Task Team report, subsequent studies have also reinforced and expanded earlier findings related to legal needs. In a 2021 provincial report as part of a national study<sup>7</sup> on serious legal problems, Statistics Canada found that 19% of people living in Saskatchewan reported experiencing at least one serious problem in the three years preceding the survey. The top three problems were:

- a large purchase or service;
- housing-related problems; and
- receiving government assistance.

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<sup>4</sup> Legal Services Task Team, *Final Report of the Legal Services Task Team*, 2018, p.105.

<sup>5</sup> College of Immigration and Citizenship Consultants: <https://www.college-ic.ca/>.

<sup>6</sup> Government of Saskatchewan, Immigration Consultant and Foreign Worker Recruiter Licensing and Responsibilities: <https://www.saskatchewan.ca/residents/moving-to-saskatchewan/provide-immigration-services/immigration-consultant-and-foreign-worker-recruiter-licensing-and-responsibilities-licensing-information>.

<sup>7</sup> Statistics Canada, *Experiences of serious problems or disputes in the Canadian provinces*, 2021: <https://www150.statcan.gc.ca/n1/en/pub/85-002-x/2022001/article/00001-eng.pdf>.

Additional areas of priority included: employment, discrimination/harassment, debt, immigration, personal injury, contact with the police, family relationships, and wills.<sup>8</sup>

These findings align with an earlier national study where the authors noted that criminal charges affect very few individuals overall and the most common types of problems experienced by adult Canadians include:

- consumer, debt, and employment issues;
- problems related to neighbors, discrimination and family (relationship) issues; and
- wills, medical treatment, housing, personal injury, disability, and social assistance.<sup>9</sup>

A 2022 provincial study of legal needs identified the top five justice-related problems reported by community organizations and lawyers:<sup>10</sup>

Community Organizations	Lawyers
<ul style="list-style-type: none"> <li>• criminal matters</li> <li>• family (relationship breakdown)</li> <li>• social assistance</li> <li>• housing</li> <li>• money or debt tied with family (other)</li> </ul>	<ul style="list-style-type: none"> <li>• family</li> <li>• criminal</li> <li>• immigration/refugee</li> <li>• housing/residential tenancies</li> <li>• Aboriginal or Indigenous</li> </ul>

Understandings of need and priority are rooted in the realities and experiences of study respondents. Saskatchewan-specific data indicates that only three in ten (28%) people report contacting a lawyer to help resolve their legal problem, leaving many lawyers with a limited view of legal needs.<sup>11</sup> In this same study, lawyer respondents also reported that the eligibility criteria for free, subsidized, or low-cost legal services are too restrictive and there are not an adequate number of services available to support the legal needs of their communities. Community organizations reported that the legal system is difficult to navigate for those looking for legal support for their justice-related problem and communities in which they operated did not offer adequate legal supports and services. They also reported that the five most common reasons it is difficult for individuals to access the legal support(s) they need include:

- limited financial resources for legal representation/accessing legal support (70%);
- limited personal resources to support attendance at legal appointments (66%);
- limited understanding of the formal justice system (63%);
- cultural barriers (63%); and
- limited knowledge of legal rights and responsibilities (61%).

Overall, with some exceptions, priority areas of need are being served by participants in the Pilot to varying degrees. Additionally, Pilot participants are contributing to other areas of need identified in the Legal Services Task Team report. This includes future planning services and corporate

<sup>8</sup> Laura Savage, Canadian Centre for Justice and Community Safety Statistics Statistics Canada, *Experiences of serious problems or disputes in Saskatchewan*, 2021.

<sup>9</sup> Farrow, Trevor C. W. and Currie, Ab and Aylwin, Nicole and Jacobs, Lesley and Northrup, David and Moore, Lisa, *Everyday Legal Problems and the Cost of Justice in Canada: Overview Report*, 2016: [https://www.cfcj-fcj.org/sites/default/files/Everyday\\_Legal\\_Problems\\_and\\_the\\_Cost\\_of\\_Justice\\_in\\_Canada\\_-\\_Overview\\_Report.pdf](https://www.cfcj-fcj.org/sites/default/files/Everyday_Legal_Problems_and_the_Cost_of_Justice_in_Canada_-_Overview_Report.pdf).

<sup>10</sup> Bryce Stoliker, Lisa Jewell et al, *A Legal Needs Survey in the Province of Saskatchewan: Perspectives of Lawyers and Legal and Non-Legal Service Providers*, 2023, <https://law.usask.ca/createjustice/projects/legal-needs-survey-report-final-2023-03-31952.pdf>.

<sup>11</sup> Laura Savage, Canadian Centre for Justice and Community Safety Statistics Statistics Canada, *Experiences of serious problems or disputes in Saskatchewan*, 2021.

legal services which were identified as areas of law requiring legal assistance by the public survey respondents. Pilot participants identify clients in these areas as middle to low-income clients and small business owners who face challenges affording legal fees.

The Future of Legal Services Committee considered another key aspect of the Legal Services Task Team report, advancing consumer choice, when including these areas of practice in the Pilot.

With respect to future planning services and wills specifically, this is a top-ten area of need identified by consumers of legal services. Additionally, stakeholders such as the Ministry of Justice offer a free self-help kit to facilitate access<sup>12</sup> which is indicative of changes in this area of practice. There has been growth of online service providers and accompanying technology-focused regulatory sandboxes<sup>13</sup> to help develop appropriate regulation. Consumers are expressing interest in different forms of access and choice of providers, aligned with their needs.

While there is limited research in Canada targeting small business owners as a group of legal consumers, recent research in the United States identifies that the “majority of Americans and small businesses are being left behind, and a more concerted national effort is needed to address this distinct and alarming access gap.”<sup>14</sup> There are similar concerns in Canada regarding access to justice and affordability.<sup>15</sup>

Data from the Government of Saskatchewan provides additional insight into Saskatchewan realities. In 2022, Saskatchewan’s average weekly earnings were \$1,140, slightly below the national average of \$1,166.<sup>16</sup> Based on data from 2019, lawyers in Western Canada are billing on average \$197-\$439 per hour and 88% of lawyers report using billable hours.<sup>17</sup> An individual earning minimum wage (\$14.00 per hour) would need to work between 14 and 31 hours to afford one hour of legal assistance.

Demographic trends within the province also offer insights. The most recent census reports the population of Saskatchewan is increasing, while the number of active practicing lawyers in Saskatchewan is declining slightly based on 2021 to 2022 data.<sup>18</sup>

Finally, it is noted that the Task Team anticipated that not all legal needs would be addressed through limited licensing, especially without funding support:

*Some of the innovations that could be made possible by the Task Team’s recommendations may require public investment, particularly where the target population for increased access to legal services are unable to afford services in the current*

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<sup>12</sup> Government of Saskatchewan, Wills: <https://www.saskatchewan.ca/residents/justice-crime-and-the-law/answering-legal-questions/wills>.

<sup>13</sup> Law Society of Ontario, Access to Innovation Program, <https://lso.ca/about-lso/access-to-innovation>.

<sup>14</sup> Institute for the Advancement of the American Legal System, Above the Line Network, 2024, <https://iaals.du.edu/projects/above-the-line-network>.

<sup>15</sup> Trevor C.W. Farrow and Lesley A. Jacobs, *The Justice Crisis – The Cost and Value of Accessing Law*, UBC Press, 2020.

<sup>16</sup> Government of Saskatchewan, 2022 Economic Review: <https://publications.saskatchewan.ca/api/v1/products/86384/formats/140950/download>.

<sup>17</sup> Canadian Lawyer, *Legal Fees Survey*, 2019, [https://www.canadianlawyermag.com/staticcontent/AttachedDocs/CL\\_Apr\\_19-survey.pdf](https://www.canadianlawyermag.com/staticcontent/AttachedDocs/CL_Apr_19-survey.pdf).

<sup>18</sup> Law Society of Saskatchewan, Annual and Financial Reports: <https://www.lawsociety.sk.ca/news-media-and-publications/annual-and-financial-reports/>.

marketplace. Presently, the demand for publicly-funded legal services is greater than the supply, and some existing services struggle to maintain funding.<sup>19</sup>

### *Pilot Data and Insights – Access to Legal Services and Consumer Choice*

Pilot participants in a range of practice areas also contribute to other issues raised in the Legal Services Task Team report. The Law Society has monitored whether the Pilot is responding to the range of needs identified by the Legal Services Task Team which focused on several objectives:

1. Access to legal services especially in underserved markets / locations
  - Affordability
  - Rural and remote communities
  - Find a legal service provider willing / able to take on matter
  - Services in own language / culture
2. More consumer choice
  - Range of competent service providers

With consideration for these objectives, a framework for measurement of the Pilot was developed to help assess if the Pilot is contributing to addressing the issues identified. Sources of data include Pilot applications, reporting from Pilot participants, consumer reviews as well as comparison with existing data sources. Reporting information from the Pilot indicates: interest from consumers; a positive impact on affordability of legal services based on average legal fees for Western Canada; reach to locations outside of Regina and Saskatoon; and an overall increase in consumer choice.

Issue Identified	Source(s) and Indicator(s)	Findings from Pilot
Affordability	<i>Reporting:</i> amount client paid for services as reported by Pilot participants as compared to <i>Canadian Lawyer</i> averages for Western Canada as possible. <i>Consumer Reviews:</i> references to lower costs / affordability in a consumer review.	<i>Reporting:</i> Pilot participants identify price ranges from \$0-~\$1,000 which are less than reported averages for lawyers offering similar services. <sup>20</sup> <i>Consumer Reviews:</i> 11 consumer reviews reference more reasonable or affordable billing from Pilot participants.
Rural and remote communities	<i>Applications:</i> the number of applicants approved in the Pilot located outside of Regina / Saskatoon. <i>Reporting:</i> the geographic locations of clients receiving services in the Pilot, especially those outside of Regina / Saskatoon.	<i>Applications:</i> from the number of applicants participating in the Pilot, 17% are from outside of the province, 21% are from Regina, 29% are from locations outside of Regina or Saskatoon, and 33% are from Saskatoon. <sup>21</sup>

<sup>19</sup> Legal Services Task Team, *Final Report of the Legal Services Task Team*, 2018, p. V.

<sup>20</sup> It is important to acknowledge that direct comparison of fees is difficult and Western Canadian averages are the best available proxy indicator in the absence of specific data for Saskatchewan but may be slightly lower or higher depending on context. See: *Canadian Lawyer, Legal Fees Survey*, 2019, [https://www.canadianlawyer.com/staticcontent/AttachedDocs/CL\\_Apr\\_19-survey.pdf](https://www.canadianlawyer.com/staticcontent/AttachedDocs/CL_Apr_19-survey.pdf).

<sup>21</sup> *Geographic Location (Active Lawyers – 2,087) 2021:* Regina – 695 (33%); Saskatoon – 800 (38%); Rest of Province – 376 (18%); and Outside of Province – 216 (10%); and *Geographic Location (Active Lawyers – 2,039) 2022:* Regina – 653 (32%); Saskatoon – 766 (37%); Rest of Province – 383 (19%); and Outside of Province – 237 (12%).



Issue Identified	Source(s) and Indicator(s)	Findings from Pilot
	<i>Consumer Reviews:</i> references to access in a rural or remote community.	<i>Reporting:</i> in part due to the nature of services being provided, geographic locations of clients receiving services are reported for 300+ locations outside of Regina or Saskatoon. <i>Consumer Reviews:</i> one consumer review references accessing legal services in a rural community through the Pilot.
Finding a legal service provider	<i>Reporting:</i> volume of clients inquiring about services or being served as reported by Pilot participants.	<i>Reporting:</i> Pilot participants identify 12,465 inquiries and 3,751 clients served. <sup>22</sup>
Services in own language / culture	Data on Pilot participant diversity has not been collected during the Pilot but will be collected as part of registration and licensing with the Law Society, similar to lawyers.	Not yet available.
Consumer choice	Choice has been increased by the number of participants in the Pilot as well as other regulatory changes under the Future of Legal Services initiative, including exemption categories and providing greater scope for services provided under direct supervision.	The number of participants in the Pilot is 24. There are also 12 categories of exemptions in the <i>Rules of the Law Society of Saskatchewan</i> and approximately 1,370 individuals identifying as paraprofessionals in the 2016 census, indicating increased choice across three categories – limited licensing, exemptions, and paraprofessionals being supervised by lawyers. Whether the increased choice has resulted in greater consumer services is unclear in all contexts, but in the Pilot, the volume of clients inquiring and served is indicative.

As noted, the Law Society also engaged in consultation with stakeholders, inviting feedback and dialogue on issues in contemplation as part of a limited licensing regime: education; intersecting regulatory bodies or professional groups; insurance; professional responsibility (e.g., Code of Conduct); and complaints or recourse.

## Consultation Findings

### Education

Consultation questions included:

- What accredited educational classes/programs exist in Saskatchewan and Canada that can be accessed by limited licensees?
- What types of courses would most support limited licensees?

<sup>22</sup> In some Pilot service contexts there is a high volume of inquiry regarding legal services, but not all clients will elect or be candidates for services.

- What educational institutions in Saskatchewan may be interested in developing new educational opportunities for limited licensees?

Direct outreach occurred with the following educational institutions / groups providing services to or in Saskatchewan:

- Canadian Centre for Professional Legal Education
- College of Law at the University of Saskatchewan
- First Nations University of Canada
- Foundation of Administrative Justice
- Human Justice Studies at the University of Regina
- Saskatchewan Polytechnic
- Saskatoon Business College

Institution	Law-relevant Courses or Programs (Subject to change)
Canadian Centre for Professional Legal Education	<ul style="list-style-type: none"> <li>• Practice Readiness Education Program (PREP)</li> <li>• Accelerated PREP</li> <li>• Legal Research and Writing Course</li> </ul>
First Nations University of Canada	Law-related courses and continuing education program
Foundation of Administrative Justice	<ul style="list-style-type: none"> <li>• Certificate in Tribunal Administrative Justice</li> <li>• Advanced Certificate in Tribunal Administrative Justice Program</li> </ul>
Saskatchewan Polytechnic	Law-related courses <ul style="list-style-type: none"> <li>• Commercial Law (LAW-220)</li> <li>• Conflict Resolution (YCW-285)</li> <li>• Construction Law (LAW-300)</li> <li>• Criminal Justice System (CORR-167)</li> <li>• Health Care Law and Ethics (HINF-262)</li> <li>• Jurisprudence and Ethics (ETHC-184)</li> <li>• Law and Ethics (LAW-100)</li> <li>• Restorative Justice (LEGL-161)</li> <li>• Youth Criminal Justice (SPSY-184)</li> </ul>
Saskatoon Business College	Diploma programs <ul style="list-style-type: none"> <li>• Legal Administrative Assistant</li> <li>• Legal Assistant (Paralegal)</li> </ul>
University of Regina Human Justice Studies	Degree programs and law-related courses
University of Saskatchewan College of Law	Degree program

Feedback was also collected by talking to informal groups of internationally trained lawyers who hold international legal credentials. They identified that limited licensing may be an attractive option to pursue in full or on an interim basis while the National Committee on Accreditation process is pursued.

Overall, educational institutions were interested in supporting limited licensees to achieve their educational goals and identified relevant programs or courses. The institutions identified a mix of courses focused on substantive law as well as legal practice skills (legal drafting, advocacy, etc.). For many institutions, it would be possible to enroll in specific courses, but for several, completion

of the entire degree or certificate program would be required. Developing new or targeted courses was of interest to many of these institutions, while they also noted resource constraints or the need for funding to develop new classes. Finally, some institutions identified a trend towards micro-credentialing or competency identification within specific fields that can help keep course development costs low.

The Law Society of Saskatchewan also identified training within its library of Continuing Professional Development courses that would be relevant for limited licensees and is available in recorded format for purchase. During the Pilot, participants identified taking 18 separate courses offered by the Law Society as well as professional development courses through the Alberta Association of Professional Paralegals and similar continuing professional development for paralegals licensed in Ontario.

Additionally, through the Pilot application process, the Law Society recorded the education and training of applicants:

Institution / Organization	Education / Training Identified
Academy of Learning	Legal Assistant Diploma
ADR Saskatchewan	Certificates in Mediation, Arbitration
ADR Institute of Canada	Courses in Mediation, Arbitration
American Society of Appraisers	Certificate in Personal Property, Gems and Jewelry and Machinery and Technical Specialties
Athabasca University	Bachelor of Science - General
Bow Valley College	Justice Studies, Legal Assistant Diploma
Brock University	Bachelor of Political Science (focus in Public Law)
Canadian Police College	Forensic Identification Specialist
CDI College	Diploma in Paralegal Communications Diploma in Business Administration
CSIC e-Academy	Immigration Practitioner Diploma
Dispute Resolution Office	Resolving Conflict Constructively course
Fanshawe College	Paralegal Studies
Family Mediation Canada	High Conflict course
Foundation of Administrative Justice	Certificate courses
Humber College	Bachelor of Applied Arts in Paralegal Studies
Institute of Corporate Directors and Rotman School of Management	Certificate in Not-for-Profit Governance
Lakeland College	Diploma in Business Administration (specialization in appraisal and Assessment)
Lambton College	Sports and Recreation Management
Legal Coaches Association	Certificate courses
Mount Royal University	Contract Management Extension Certificate
Royal Canadian Mounted Police Depot	Training
Saskatchewan Polytechnic	Certificate in Business Diploma in Financial Services
Saskatoon Business College	Legal Administrative Assistant and Legal Assistant Diplomas
Society of Trust and Estate Practitioners Canada	Trust and Estate Diploma Program
Southern Alberta Institute of Technology (SAIT)	Legal Assistant (Paralegal) Diploma



Institution / Organization	Education / Training Identified
University of British Columbia	Diploma in Urban Land Economics (with a specialization in Assessment) Degree in Business Real Estate (with a focus in Mass Appraisal Assessment) Certificate Program in Real Property Assessment
University of Manitoba	Certificate in Rehabilitation Case Management
University of Regina	Bachelor of Business / Administration Bachelor of Education Human Justice Studies Psychology
University of Saskatchewan Edwards School of Business and Johnson Shoyama Graduate School of Public Policy	Bachelor of Commerce Certificate in Public Sector Governance Certificate in Project Management Education Certificate Environmental Earth Science – Certificate in Geography Master of Public Administration
Vancouver Community College	Corporate Paralegal Program
York University Osgoode Hall Law School	The Osgoode Certificate in Family Law Skills and Practice
Institutions outside of Canada	BZ University (Pakistan) (Bachelor of Social Science) California School of Law (Juris Doctor) India (Masters of Business Administration, General Nursing and Midwifery) Mexico (Business Certificate) Minot State University (Master of Science) University of New Haven (Master of Forensic Science) University of Punjab (Bachelor of Law, Post-graduate Diploma in Labor Law) University of South Asia (Master of Law)
(General) Designations	Certified Financial Planner Designation Risk Management (CRM - Canadian Risk Management) Designation Disability Management (CDMP - Certified Disability Management Professional) Designation Medical Tourism (CMTF - Certified Medical Tourism Professional) Designation Disability Management Program Certified Auditor
(General) Courses / Specializations / Training	Course – Canadian Securities Course – Dealing with Difficult People Course – Mental Health First Aid Course – Mediation and Conflict Course – Mortgage Associate Specializations – fraud, child abuse, arson investigations Training Session – Screening for Intimate Partner Violence Training Session – Anderson v. Anderson and what it means for practice as family dispute resolution professionals Training Session – Refresher course on mediation, property division, and support

Pilot applicants identified a wide range of education and training, both within and supplemental to law. In many instances they also bring supporting specializations to their areas of practice and

demonstrate ongoing training. As some are regulated professionals in other sectors, they must at times meet continuing professional development requirements to maintain licensure or status in a professional association.

Overall, there exist a number of courses and programs in Saskatchewan and across Canada that can assist limited licensees with educational qualifications and ongoing training that are a mix of substantive law and practical skills. Institutions express interest in providing educational opportunities to limited licensees in Saskatchewan, but many identify resource or scaling issues, noting viability increases with the volume of limited licensees.

### *Co-regulation*

Consultation questions included:

- What other regulatory bodies or professional groups intersect with limited licensees?

Through the application process, the Law Society monitors where co-regulation may apply. The following 19 co-regulators or professional associations have been identified:

- ADR Canada / ADR Saskatchewan
- American Society of Appraisers
- Better Business Bureau
- Canadian Securities Institute
- Canadian Society of Professionals in Disability Management
- Claims Association of Manitoba
- Conflict Resolution Saskatchewan
- Early Family Dispute Resolution Office
- Family Mediation Canada
- Financial and Consumer Affairs Authority
- Human Resources Professional Association
- Insurance Council of Saskatchewan
- Law Society of British Columbia
- Law Society of Ontario
- Risk and Insurance Management Society
- Saskatchewan Assessment Appraisers' Association
- Saskatchewan Institute of Agrologists
- Saskatchewan Real Estate Commission
- Society of Trust and Estate Practitioners Canada

While not all Pilot participants are co-regulated or belong to professional associations, a majority do, particularly where there is an overlap in the substantive focus of an area of practice or client base. While this is not a determinative factor and not applicable in all instances, in several of the practice areas which are associated with higher risk, there is an additional layer of risk management or oversight provided through co-regulation.

### *Insurance*

Consultation questions included:

- What professional liability insurance options exist for limited licensees?

Through the Pilot, a risk mitigation measure is consideration for insurance coverage held or obtained for professional negligence or errors and omissions. The Law Society has reviewed the professional liability insurance reported by participants which includes coverage by 16 separate insurance companies or underwriters.

The Canadian Lawyers Insurance Association has also expressed interest in providing coverage for limited licensing and a claims process similar to those already administered for lawyers in four Canadian jurisdictions (Yukon, Northwest Territories, Nunavut and Prince Edward Island). Benefits of insurance provided by the Canadian Lawyers Insurance Association include:

- a mandate in the public interest; and
- ongoing insight into claims allowing for targeted loss prevention and insight into the risks associated with licensing lawyers and limited licensees.

Insurance will be a mandatory requirement for limited licensees and viable options exist both within the current insurance market and through the Canadian Lawyers Insurance Association.

### *Professional Responsibility*

Consultation questions included:

- What scope and application for a Code of Conduct for limited licensees is desirable?

Throughout the Pilot, feedback has been received on ethical issues arising or reported through Consumer Reviews. Additionally, a Working Group of 11 Pilot participants provided insights and contributed to development of a Code of Conduct for Limited Licensees. Expert Brent Cotter, K.C. has provided advice and drafting assistance for a Code of Conduct for Limited Licensees, with particular consideration for two areas – fiduciary duties and solicitor-client privilege. As a result of these participatory exchanges, several conclusions were reached with respect to professional responsibility and limited licensees:

- The Saskatchewan *Code of Professional Conduct* for lawyers provides a primary starting point as limited licensees will be members of the Law Society delivering legal services to the public and engaging in the practice of law within a limited scope.
- For jurisdictions that have developed, or are beginning to develop limited licensing programs, main options have included: to amend the existing Code of Conduct applicable to lawyers so that it applies to limited licensees; or to create a new Code that applies separately to limited licensees.

Ultimately, a hybrid approach was viewed as most beneficial to align ethical conduct in the practice of law in Saskatchewan while recognizing some differentiation with respect to aspects of each licensee's obligations. While a stand-alone Code has been created for limited licensees, it is rooted in the professional ethical obligations of lawyers. This allows for more precise application to each class of licensee and clear expectations as to the standards by which all licensees can be held accountable, building public trust and confidence in the legal services being delivered and regulated.

## Solicitor-Client Privilege

An important question is the degree to which the legal concept of solicitor-client privilege applies to limited licensees. At present, limited licensees do not have legislated solicitor-client privilege, as is the case with courtworkers. The *Justice and Attorney General Act* extends solicitor-client privilege to courtworkers and excludes courtworkers from liability for any of their work performed in good faith.<sup>23</sup>

Analysis from expert Brent Cotter, K.C. identifies that it is likely that the legal duty of solicitor-client privilege will be made applicable to licensee-client communications where the prerequisites for solicitor-client privilege are established, however, this is not absolute as the issue has not been fully considered by courts.

As background, Cotter identifies that Wigmore's historical description of privilege is:

*(1) Where legal advice of any kind is sought (2) from a professional legal advisor, in his capacity as such, (3) the communications relating to that purpose, (4) made in confidence (5) by the client, (6) are at his instance permanently protected (7) from disclosure by himself or by the legal adviser, (8) except the protection be waived.*<sup>24</sup>

Generally, the approach to privilege has been to recognize solicitor-client privilege as a class privilege limited to practicing lawyers. Developments in this area have trended toward an expansion of the scope of privilege derived from privilege being recognized as a constitutionally protected right, and an appreciation that the core justification of privilege is to protect the interests of a client when seeking legal advice. It is on this basis that Adam Dodek argues, in his leading text, *Solicitor-Client Privilege* that privilege extends to independent paralegals:

*The privilege should include communications with regulated paralegals in Ontario because they now clearly constitute "professional legal advisers" under the Wigmore test. Paralegals are now subject to regulation by the Law Society of Upper Canada, including Rules of Professional Conduct that largely parallel those for lawyers in the province. Regulated paralegals in Ontario are subject to the same stringent confidentiality obligations as lawyers. The Legislature of Ontario has explicitly authorized paralegals to provide legal services under the regulation of the Law Society of Upper Canada, which has imposed stringent educational, ethical, competency, and insurance requirements. In short, there is no doubt that in Ontario at least paralegals have become "professional legal advisers". There are many legal practices where clients are now able to choose between retaining the services of a paralegal or a lawyer.*

*If the privilege is meant to inure for the benefit of the client, a client should be able to enjoy its benefits, whether she seeks legal advice from a solicitor or from a paralegal in Ontario. Moreover, all the rationales for the privilege ... also support the extension of the privilege to regulated paralegals in Ontario. A client-centric approach to the privilege mandates that communication with paralegals also be encompassed within the privilege.*<sup>25</sup>

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<sup>23</sup> *The Justice and Attorney General Act*, SS 1983, c J-4.3, ss 13.1-13.2.

<sup>24</sup> John H. Wigmore, *Wigmore on Evidence*, McNaughton rev. ed., Boston: Little Brown, 1961 vol. 8 at s. 2292.

<sup>25</sup> Adam M. Dodek, *Solicitor-Client Privilege*, LexisNexis Canada Inc., 2014 at 87-88.

In an Ontario Superior Court decision, the application of class privilege was found to require “an identifiable group, namely paralegals licensed by the Law Society.”<sup>26</sup> Arguably, individuals licensed by the Law Society of Saskatchewan to deliver a limited scope of legal services meets the identifiable group criterion.

In the referenced decision, one party sought the disclosure of communications between a client and paralegal. The court identified regulated paralegals as an identifiable group to which the analogous class privilege associated with solicitor-client communications would apply. While the paralegal in question was not regulated, the court found that all the elements to support privilege were present and held that the client-paralegal communications should be protected from disclosure.

Similar arguments might be used for a variety of groups including patent agents, with consequences for reporting to tax and financial authorities. However, the extension of class privilege is not yet completely established as there are identifiable groups such as notary publics that have not been viewed as having solicitor-client privilege.

At present, the application of solicitor-client privilege to non-lawyer legal service providers remains not fully decided. Consequently, the benefit of solicitor-client privilege cannot be communicated to clients nor relied on by limited licensees in the same manner as it might be by lawyers. While confirmation of confidentiality is possible, solicitor-client privilege is not as legally certain for limited licensees. The establishment of limited licensees as an “identifiable group” of regulated licensees remains a question open to judicial consideration and determination.

### *Complaints and Recourse*

Consultation questions included:

- What scope and application for complaints and recourse for limited licensees is beneficial?

During the Pilot, consideration was given to recourse for the public in the event of a complaint, dissatisfaction with the services provided, or negligence, as well as when negligence might be discovered. Risk management and consumer protection have been addressed in several ways:

- *Consumer awareness*: the Law Society’s website details the limits on regulation by the Law Society for Pilot participants and encourages consumers and Pilot participants to directly discuss education, training, and experience, professional liability insurance, and fees and rates for services.
- *Application and risk assessment*: applicants to the Pilot are requested to detail how they will manage risks for the public, including any client safeguards (e.g., insurance) as well as how they will respond to consumer complaints. If approved to the Pilot, a participant’s Letter of Agreement provides for disclosure that must be made to clients in writing with respect to limits on Law Society regulation as well as the availability of a Consumer Review process.
- *Reporting*: approved Pilot participants are requested to disclose any consumer complaints received during the reporting period and indicate how they are addressed / handled.

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<sup>26</sup> *Chancey v. Dharmadi*, [2007] O.J. No. 2852, 86 O.R. (3d) 612 (Ont. S.C.J.) at 39.

- *Consumer Review*: a form is available on the Law Society’s website and identifies that a Consumer Review is one source of information that helps to oversee limited licensing. It is noted that the Law Society does not provide individual assistance to consumers seeking resolution of a complaint but will raise issues with Pilot participants and take feedback into account as part of developing a limited licensing framework.

Throughout the Pilot, the Law Society has invited consumer reviews and feedback and these have been monitored to inform the development of a complaints structure. A modified two-stage framework was used during the Pilot to address any complaints or concerns arising. Stage one considered if there was any evidence of consumer harm, where through lack of competency or inappropriate advice by a Pilot participant a consumer had: failed to exercise legal rights/responsibilities; received an inaccurate legal result; or received or purchased unnecessary legal services.

Stage two considered if any established consumer harm was beyond normal risk thresholds and the response and engagement of the Pilot participant. Based on this assessment, three options were available – to suspend or terminate Pilot participation, to continue with conditional Pilot participation, or to continue with regular Pilot participation.

A total of 105 consumer reviews or feedback from other methods have been received.

Total Reviews / Feedback (Forms / emails / letters)	Consumer Review (Positive)	Consumer Review (Neutral or non-specific)	Consumer Review (Negative or with potential indication of consumer harm)	Stakeholder Feedback (Negative or with potential indication of consumer harm)
105	94	3	2	6
100%	89.5%	2.8%	1.9%	5.7%

With respect to the eight negative or potential indications of consumer harm, no complaints were found to be beyond normal risk thresholds or so significant as to lead to removal from the Pilot or inclusion of additional terms and conditions. Overall, the majority of complaints received identified the need for collegiality and civility between Pilot participants and lawyers. The need for guidance through a Code of Conduct was also identified as beneficial.

While complaint matters raised no significant issues for participation in the Pilot, it can be anticipated that limited licensees will require a complaints and discipline mechanism. While there is no evidence that limited licensees will have any greater intersection with complaints and discipline than lawyers, professional responsibility will be a required component of the regulatory framework for limited licensing.

## Regulatory Framework for Limited Licensing

Based on the two-year discovery period, two-year limited licensing Pilot and surrounding consultation, a regulatory framework for limited licensing has been developed with the assistance of expert Mary Ellen Wellsch, K.C., a member of the Legal Services Task Team. This framework has been drafted in alignment with *Bill No. 163 (an Act to amend The Legal Profession Act, 1990)* which invites consideration for:

- the eligibility of persons who are not students-at-law or lawyers to be limited licensees, including the criteria for considering an application for a limited licence and the training or education of an applicant for a limited licence;
- the fees to be paid by an applicant for a limited licence;
- any insurance to be maintained by a limited licensee;
- terms and conditions to which a limited licensee may be subject;
- the eligibility of limited licensees to vote at an election of benchers;
- the eligibility of limited licensees as candidates in an election of benchers; and
- the competency and discipline provisions that apply to limited licensees.

**Annex III** details the rules that have been developed to regulate limited licensing. These will be accompanied by complementary updates to additional sections of the *Law Society of Saskatchewan Rules* for regulatory coherence.

**Annex IV** provides Frequently Asked Questions regarding the limited licensing framework in Saskatchewan and the differences between limited licensees and lawyers are explained in the following chart. Limited licensees and lawyers have different education, training and admission requirements and limited licensees have a limited scope of practice while lawyers do not have limits on their practice.

Saskatchewan Standards	Lawyers (also known as Barristers, Solicitors, or Attorneys)	Limited Licensees (Pending)
Education / work experience	A lawyer must have the following education: Bachelor of Laws (LLB) or Juris Doctor (JD) degree from a faculty of common law at a Canadian university or Certificate of Equivalency issued by the <a href="#">National Committee on Accreditation</a> .	A limited licensee must have the following education or work experience: a degree in justice-related studies from a recognized school; a certificate or targeted courses from a recognized school in the subject area related to the scope of practice; a Bachelor's degree or Juris Doctor from a common law faculty of law in a Canadian university approved by the Federation of Law Societies of Canada or a Certificate of Qualification issued by the National Committee on Accreditation; or a high school diploma and five years of supervised related substantive legal experience.



Training and admission	Completion of the <a href="#">Bar Admissions Course</a> ; 12 months of articles; and suitability to practice determination.	Completion of the mandatory course on the <i>Code of Professional Conduct for Limited Licensees</i> provided by the Society; and suitability to practice determination.
Continuing professional development	12 hours (2 ethics) annually	6 hours (2 ethics) annually
Scope of practice	No limits on practice subject to requirement to perform all legal services undertaken to the standard of a competent lawyer	Limits on scope of practice or permitted services
Ethical standards	Yes - <a href="#">Saskatchewan Code of Professional Conduct for Lawyers</a>	Yes - Saskatchewan Code of Professional Conduct for Limited Licensees
Complaint and discipline process	Yes – <a href="#">Complaint and discipline process</a>	Yes – Same complaint and discipline process as for lawyers
Professional liability insurance	Yes - mandatory through <a href="#">Saskatchewan Lawyers' Insurance Association</a>	Yes – mandatory
Ability to operate a trust account	Yes if in compliance with <a href="#">Law Society of Saskatchewan Rules</a>	No
Regulatory oversight body	Yes - <a href="#">Law Society of Saskatchewan</a>	Yes - <a href="#">Law Society of Saskatchewan</a>

## Conclusion and Next Steps

The Legal Services Task Team report identified thirteen recommendations for implementation and this update report provides information and data to inform implementation of the final four recommendations related to limited licensing.

Overall, implementation has advanced effective regulation of legal services objectives including: greater clarity regarding the unauthorized practice of law, consideration for services not posing a risk to the public, and greater flexibility in regulation and delivery of legal services.

To complete implementation of the recommendations and formalize a flexible regulatory structure, four recommendations (6 (A and B), 7 (A), and 8) remain to be implemented through legislative amendment in line with *Bill No. 163*. This will allow a new category of membership in the Law Society and provide authority to the Law Society to issue limited licenses to practice law on a case-by-case basis. Subsequently, the associated rules can be enacted to create a limited licensing framework with appropriate and proportional licensing requirements.

While implementation of the final four recommendations will formally conclude the Future of Legal Services Initiative, the Law Society will continue with several additional regulatory reforms to allow for new forms of business within the practice of law. Importantly, this is in line with reforms identified to help realize the full potential of those initiated in the Legal Services Task Team report.

The Canadian Bar Association, a national membership and advocacy association for the legal profession identifies that ‘team delivery’ of legal services could enhance access to justice in its report entitled, *Reaching Equal Justice: An Invitation to Envision and Act* at pages 95 and 97:

*Recognizing the value of a continuum of legal services approach means recognizing the importance of increased diversity and specialization among legal service providers and enhanced capacity to provide comprehensive, cost-efficient services through teams of lawyers, other legal service providers (like paralegals) and providers of related services (like social workers). Teams can deliver more comprehensive and holistic services tailored to people’s needs.*

...

*The Committee proposes that as a profession and legal community we increase the diversity and range of services available to clients through the integrated team delivery of legal and related services, so that by 2030 the vast majority, in the range of 80%, of [personal legal] services are provided through a team approach. To smooth the way for team delivery of legal and related non-legal services, licensing, insurance and professional and ethical issues such as confidentiality and solicitor-client privilege, have to be resolved.<sup>27</sup>*

To complement the recommendations in the Legal Services Task Team Report, the Law Society will explore amendments related to alternative business structures and entity regulation. The long-term aim is to create opportunities for lawyers and limited licensees to work in tandem to help meet legal needs and enhance access to justice.

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<sup>27</sup> Canadian Bar Association, *Reaching Equal Justice Report: An Invitation to Envision and Act*, 2013, [https://www.cba.org/CBAMediaLibrary/cba\\_na/images/Equal%20Justice%20-%20Microsite/PDFs/EqualJusticeFinalReport-eng.pdf](https://www.cba.org/CBAMediaLibrary/cba_na/images/Equal%20Justice%20-%20Microsite/PDFs/EqualJusticeFinalReport-eng.pdf).

## Annex I – Outreach and Communications

The Law Society has provided a series of articles and presentations that outline the progress of the Future of Legal Services Initiative:

Communication Content	Available data on reach	
	Total Events	Unique Users
<a href="#">Article</a> – Law Society of Saskatchewan accepts recommendations of Legal Services Task Team (Sep 2018)	150	29
<a href="#">Article</a> – Bill 163, <i>The Legal Profession Amendment Act, 2018</i> (May 2019)	169	66
<a href="#">Article</a> – Legal Information Guidelines Introduced by the Law Society of Saskatchewan (Feb 2021)	103	36
<a href="#">Article</a> – Better connecting consumers of legal services and lawyers (Aug 2021)	132	123
<a href="#">Article</a> – Better connecting consumers of legal services and alternative legal service providers (Nov 2021)	108	99
<a href="#">Article</a> – Better connecting consumers of legal services to paraprofessionals (Dec 2021)	120	114
<a href="#">Presentation</a> – Direct Supervision Requirements (Dec 2021)	39	33
<a href="#">Presentation</a> – Limited Licensing Pilot (Jan 2022)	33	33
<a href="#">Article</a> – Consultation Leads to Code of Conduct Amendments to Better Connect Consumers of Legal Services to Paraprofessionals (Oct 2022)	53	46
<a href="#">Presentation</a> – Limited Licensing Pilot Year 1 (Jan 2023)	96	89
<a href="#">Presentation</a> – Limited Licensing Pilot Year 1.5 (Jun 2023)	23	22
<a href="#">Presentation</a> – Limited Licensing Pilot Year 2 (Jan 2024)	7	7

Additionally, the webpage for the Limited Licensing Pilot has received 11,446 views with 3,444 unique users.

During 2022-2023, the Law Society also met with Bar Associations across the province, to inform and dialogue with lawyers about the Pilot. These meetings were attended by 72 lawyers and highlighted:

- shared concern for the issue of access to legal services / justice but a range of perspectives on the seriousness of this problem and mixed familiarity with existing data;
- support for increased funding for Legal Aid which is consistently viewed as not covering the range of issues those of limited means encounter and not providing support for a wide enough range of incomes;
- important clarifications regarding the existing regulatory structure including exceptions, exemptions, direct supervision, legal information and the definition of the practice of law; and
- interest in the Pilot and targeted dialogue regarding: the volume and education, training and experience of participants; areas of practice and scope; the anticipated regulatory structure and how it will intersect with practice by lawyers; and opportunities for internationally trained lawyers.



The Canadian Bar Association Saskatchewan Branch also undertook consultation and 29 participants shared 12 ideas in a Thought Exchange which received 186 ratings by participants.<sup>28</sup>

Approximately 20 public or legal sector stakeholders also engaged with the Law Society on the Pilot through inquiries or feedback on issues such as sandbox innovations, eligibility, agent activities or impressions on access to justice issues. Two law students wrote and shared papers focused on limited licensing regulation and developments across North America. These insights supplemented the consultations undertaken by the Task Team and 14 inquiries received during the discovery period following outreach through public notices and 174 contacts.

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<sup>28</sup> Canadian Bar Association – Saskatchewan Branch, Thought Exchange, March 2024, <https://my.thoughtexchange.com/scroll/406866131/welcome>.



## Annex II – Risk-Based Framework for Assessment of Pilot Applications

### 1. Need – Access to Legal Services

*Is there an identified legal need being met through the services? Does the service fill a gap, providing underserved markets and locations with access to legal services (reference to Legal Problems Survey, Legal Needs Assessment, Task Team Final Report and related access to justice literature)?*

**YES** – services described meet a known legal need and applicant provides insights with respect to proposed clients / areas of practice and legal service need

**MIXED** – some services described meet a known legal need and some indication applicant has insights into clients and access to legal service needs

**NO** – services described do not meet a known legal need or applicant does not provide insight with respect to proposed clients / areas of practice

### 2. Scope - Competence

*What competencies may be required to deliver services effectively?*

Experience	<p>Does the provider have experience (education, training, related work experience) in the area of service?</p> <p><b>YES</b> – education or training present in the form of a LLB or JD, paralegal studies or certificate, foundational legal courses (civil procedure, contracts), interviewing techniques, law and legal process, administrative law and process, law office procedures, legal research, writing and analysis, professional responsibility, etc.; over ten years of related experience (LOW RISK)</p> <p><b>MIXED</b> – some education or training identified but limited in nature or not entirely related to legal services proposed; under ten years of related experience (MEDIUM RISK)</p> <p><b>NO</b> - no education or training identified; very limited or no experience (HIGH RISK)</p>
Complaints	<p>Has the provider been the subject of complaints, lawsuits, criminal prosecutions, or other concerns that identify potential for integrity problems or consideration for the rule of law and administration of justice?</p> <p><b>NO ISSUES IDENTIFIED</b> - negative results from Law Society of Saskatchewan and CanLii name and business name search, negative basic criminal record check (LOW RISK)</p> <p><b>ISSUES IDENTIFIED</b> – mixed results or further investigation required from Law Society of Saskatchewan or CanLii search, negative basic criminal record check (MEDIUM RISK)</p> <p><b>SIGNIFICANT ISSUES IDENTIFIED</b> - results from Law Society of Saskatchewan or CanLii search, incomplete or positive criminal record check, or ineligible due to suspension or disbarred status or notice of unauthorized practice by the Law Society of Saskatchewan prior to January 1, 2022 (HIGH RISK or INADMISSABLE)</p>
Capacity – area of practice	<p>Are these high-risk areas of practice requiring more thorough analysis due to complexity?</p> <p><b>HIGH RISK</b> – based on experience regulating lawyers, areas of practice identified as highest risk are estate law, family law, and real estate</p> <p><b>MEDIUM-LOW RISK</b> – all areas of practice have the potential to be high risk but routine, transactional or repetitive areas of practice or areas with limited or simplified procedural elements tend towards lower risk</p>



Capacity - type of service	Are the types of services high-risk with potential prejudice/harm to the public if delivered without specific legal education or training? <b>HIGH RISK</b> – tending towards complex procedural or evidentiary elements, moving beyond transactional or simplified procedures <b>LOW-MEDIUM RISK</b> – focused on basic services in areas of low value or complexity as opposed to high level strategic advice
Capacity – professional development	Do the legal services require ongoing regular continuing education to deliver effectively? <b>HIGH RISK</b> – rapid changes in the law or practice evident <b>MEDIUM-LOW RISK</b> – all areas of practice benefit from ongoing continuing professional development but transactional or more routine areas are less likely to be impacted by legislative changes or developments in case law

### 3. Risk Management – Consumer Protection

*What level of risk is identified for protection of the public interest?*

Compliance - <i>Intention</i>	What is the provider’s desire to comply with regulation and achieve objectives? <b>HIGH RISK</b> – provider has not complied with transition from Notice Form process, is unresponsive to Law Society, lacks insight in application form responses, or has provided incomplete information in application form <b>MEDIUM-LOW RISK</b> – provider has proactively engaged with the Law Society, demonstrates insight in application form responses, and has satisfied information submission in application form
Compliance - <i>Capability</i>	What is the provider’s capability to comply with regulation and achieve objectives? <b>HIGH RISK</b> – provider lacks organizational information or insight in relation to risk, handling of consumer complaints, or understanding of areas of practice <b>MEDIUM-LOW RISK</b> - provider demonstrates organizational structure and insight in relation to risk, handling of consumer complaints, and understanding of areas of practice
Recourse	Is a form of insurance coverage in place in relation to the provision of legal services? <b>YES</b> – explanation of professional liability coverage and proof of insurance indicated (LOW-MEDIUM RISK) <b>NO</b> – no professional liability insurance indicated (HIGHER RISK)
Oversight / Scrutiny	Is there proxy monitoring / oversight evident for the services? <b>YES</b> – government agencies, courts, or other practitioners would interact with provider and offer some form of oversight (LOW-MEDIUM RISK) <b>MIXED</b> – oversight would be evident in some instances from government agencies, courts, or other practitioners (LOW-MEDIUM RISK) <b>NO</b> – oversight opportunities would be limited given the nature of the services (HIGHER RISK)

## Annex III – Law Society of Saskatchewan Rules and Limited Licensing

Amendments will be made to the *Law Society of Saskatchewan Rules* to ensure regulatory coherence with limited licensing.

Part	Amendments
Part 1	<ul style="list-style-type: none"> <li>Update rule 101 and definitions of Code, lawyer, and member</li> </ul>
Part 3	<ul style="list-style-type: none"> <li>Enact rule 315.1 to permit election of a limited licensee as Bencher (subject to approval at an Annual General Meeting)</li> </ul>
Part 7	<ul style="list-style-type: none"> <li>Update rule 701 and definition of applicant and add definition of “license to practise”</li> <li>Update rule 702 to restrict practice of law activities for limited licensees</li> <li>Update rule 715 to include admission of limited licensees and restrict names entered on the Roll to lawyers</li> <li>Update rule 729 to apply to limited licensees</li> </ul>
Part 10	<ul style="list-style-type: none"> <li>Update rule 1001 and definition of limited licence, limited licensee, and Limited Licensing Pilot</li> <li>Update rule 1002 and exemptions (i) and (xii)</li> <li>Enact rules 1003-1011 to provide a regulatory framework for limited licensing (see below)</li> </ul>
Part 11	<ul style="list-style-type: none"> <li>Update rule 1101 to apply to limited licensees</li> </ul>
Part 12	<ul style="list-style-type: none"> <li>Update rule 1202 to address insurance for limited licensees</li> </ul>
Part 13	<ul style="list-style-type: none"> <li>Update Part to provide a separate assurance fund for limited licensees to compensate clients for losses suffered as a result of theft or misappropriation by a limited licensee</li> </ul>
Part 15	<ul style="list-style-type: none"> <li>Update Part to detail accounting rules applicable to limited licensees and limit rules relating to trust accounting to lawyers</li> </ul>
Part 16	<ul style="list-style-type: none"> <li>Update Part to detail reporting rules applicable to limited licensees and limit rules relating to trust accounts to lawyers</li> </ul>
Part 18	<ul style="list-style-type: none"> <li>Update Part to detail applicability of forms of practice to limited licensees and their ability to operate in professional corporations or limited liability partnerships</li> </ul>
Part 19	<ul style="list-style-type: none"> <li>Update rule 901 and definition of retainer agreement to exclude limited licensees</li> </ul>
Part 21	<ul style="list-style-type: none"> <li>Update rule 2101 to address that limited licensees will not be permitted to participate in plans for prepaid legal services</li> </ul>
Schedule 1	<p>Update the Schedule to include fees payable by limited licensees:</p> <ul style="list-style-type: none"> <li>Part A. Active Member Annual Fee Limited Licensee Practice fee - \$275 per area of services permitted in Rule 1005 [TBC] Limited Licensee Special Fund assessment (included in Practice fee) – \$25 [TBC]</li> <li>Part C. Liability Insurance Assessment Limited Licensee Annual Assessment - \$ [TBC]</li> <li>Part E. Admission as a Lawyer / Limited Licensee Fees Lawyer / Limited Licensee admission application fee - \$175 Lawyer / Limited Licensee enrollment fee - \$175</li> </ul>

## PART 10

### Alternative Legal Services Providers and Limited Licensees

#### A. Definitions and Interpretation

**1001** In this Part:

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

“**limited licence**” means a licence issued to a person pursuant to section 24.1 of the Act entitling the person to engage in the limited practice of law in Saskatchewan.

“**limited licensee**” means a person who has been issued a limited licence pursuant to this Part to engage in the limited practice of law.

“**Limited Licencing Pilot**” means the Pilot program delivered by the Society from January 3, 2022 to [date TBC] allowing individuals not otherwise authorized, to engage in the practice of law and deliver a limited scope of legal services to inform the development of the limited licensing regulatory framework.

“**recognized professional dispute resolution association or regulatory association**” means, for the purposes of section 1002(1)(a)(i)(A), the following: ADR Institute of Canada or Saskatchewan; Family Mediation Canada; Mediate BC; Family Dispute Resolution Institute of Ontario; Ontario Association for Family Mediation; Saskatchewan College of Psychologists; Saskatchewan Association of Social Workers; and other organizations as may be recognized by the Executive Director.

“**recognized school**” means, for the purpose of sections 1006(1)(a) and 1006(1)(b), an educational institution offering a degree, certificate or targeted courses in justice-related studies or subject areas related to a limited licensee’s scope of practice as may be determined by the Executive Director.

#### B. Exemptions

##### 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~~ parenting coordinator provided:

(A) the person is employed or contracted by the Government of Saskatchewan or is a member of a recognized professional dispute resolution association or regulatory association other than the Law Society of Saskatchewan;

(B) if a family mediator, the person meets statutory requirements set out in *The King’s Bench Act*; and



(C) if a parenting coordinator, the person meets statutory requirements set out in *The Children's Law Regulations, 2021*;

- (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 lobbyist provided they are in compliance with *The Lobbyists Act* for Saskatchewan;
- (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 delivered through an approved pro bono program and provided that:
  - (A) ~~s~~Subject to the Act, The King's Bench Rules of Court, the Criminal Code, and subrule (B) a university law student may perform any legal service under the direct supervision of a lawyer that the supervising lawyer (a) is personally competent to perform; and (b) is satisfied that the university law student is competent to perform because of the direct supervision-; and
  - (B) ~~a~~A university law student shall not give or accept a professional undertaking;
- (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, and:
  - (A) the individual is not appearing habitually before the tribunal; or
  - (B) the individual or their employer does not charge a fee directly to the person unless authorized to do so by the governing legislation of 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; **and**

(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; **or**

(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; **or**

(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]

[Rule 1002(1)(a)(iv) and (xi) amended; 1002(1)(a)(xi)(A) and (B) added, February 17, 2023]

## C. Limited Licensees

### Limited Licences

**1003** The Society may provide limited licences to persons in accordance with Rules 1004 to 1011.

### Application for Limited Licence

**1004(1)** Subject to Rules 729 and 1005 to 1008, the Executive Director may approve applications for a limited licence pursuant to Rule 1003.

(2) The Executive Director may, upon application in prescribed form, exempt participants of the Limited Licensing Pilot from completing the application for a limited license, in whole or in part.

### **Permitted Services**

**1005(1)** Subject to Subrule (2) and in accordance with s.29.1 of *The Legal Profession Act, 1990*, applicants may apply for a limited licence to:

- (a) give advice, negotiate, draft or complete legal documents and represent clients for proceedings limited to administrative tribunals established under an Act of the Legislature of Saskatchewan or under an Act of Parliament;
- (b) give advice, negotiate, draft or complete legal documents and represent clients for proceedings limited to Provincial Court where authorized by any provincial or federal statute;
- (c) give advice, draft or complete legal documents for future planning services limited to wills, powers of attorney, guardianship and health care directives;
- (d) give advice, draft or complete legal documents and represent clients for proceedings as set out in section 9 of *The Administration of Estates Act*;
- (e) give advice and draft or complete legal documents for corporate legal services limited to incorporations, registrations, and restorations of legal entities, act as registered and records office for legal entities, prepare, maintain, and review corporate records, prepare and file notices, annual returns, and articles of incorporation, dissolution, revival, and amendment involving name changes, and prepare resolutions enabling any of the foregoing or otherwise made in the ordinary course of business;
- (f) give advice, negotiate and draft or complete legal documents for land title transfers and interest registrations and discharges limited to services specifically authorized by the Executive Director in respect of a specific applicant;
- (g) give advice, negotiate and draft or complete legal documents for family law services limited to separation agreements, uncontested or joint divorce and parenting arrangements;
- (h) give advice, negotiate and draft or complete contracts limited to services specifically authorized by the Executive Director in respect of a specific applicant;
- (i) give advice and assist clients in preparation for self-representation in court, including accompanying the client to court, but excluding representing the client in court unless specifically directed by the presiding judge.

(2) A limited licensee may apply to the Executive Director for an amendment to their licence expanding the scope of permitted services:

- (a) in accordance with subrule 1005(1); and
- (b) to additional services not included in 1005(1)(a)-(i).

### **Education or Work Experience**

**1006(1)** A limited licensee must have the following education or work experience:

- (a) a degree in justice-related studies from a recognized school;
- (b) a certificate or targeted courses from a recognized school in the subject area related to the scope of practice;
- (c) a Bachelor's degree or Juris Doctor from a common law faculty of law in a Canadian university approved by the Federation of Law Societies of Canada or a Certificate of Qualification issued by the National Committee on Accreditation of the Federation of Law Societies of Canada; or
- (d) a high school diploma and five years of supervised related substantive legal experience.

(2) Prior to admission, a limited licensee must complete the Society's mandatory course on *The Code of Professional Conduct for Limited Licensees*.

### **Continuing Professional Development**

**1007** A limited licensee must comply with the requirements of Rule 721.

### **Insurance**

**1008** A limited licensee must have and maintain insurance [through the Society - TBC] as follows:

- (a) coverage for liability for errors, omissions and negligent acts arising out of the provision of permitted services authorized by the licence in the amount of \$1 million per claim and \$2 million in the aggregate per year;
- (b) coverage for cybersecurity;
- (c) an [optional - TBC] provision granting an extended reporting period following cancellation of the policy;
- (d) a provision naming the Society as an additional insured for the purposes of reporting claims and receiving notice of cancellation or amendment of the policy; and
- (e) a provision that the policy may not be cancelled or amended without at least 60 days notice to the Society.

### **Accounting and Reporting Requirements**

**1009** A limited licensee must comply with applicable accounting and reporting requirements in accordance with Parts 15 and 16.

### **Limited Licensee Benchers**

**1010(1)** One limited licensee shall be elected as a Benchers pursuant to Part 3.

(2) The provisions of Rule 315(3) through (7) apply to the election of the limited licensee benchers with any necessary modifications.

### **Requirements and Prohibitions**

**1011(1)** A limited licensee must:



- (a) reside and be legally entitled to work in Canada; and
  - (b) comply with *The Code of Professional Conduct for Limited Licensees*.
- (2) No limited licensee is permitted to:
- (a) hold funds or any other property of a client in trust;
  - (b) enter into a retainer agreement as defined in Rule 1901; or
  - (c) participate in a plan for prepaid legal services as defined in Rule 2101.

## Annex IV – Frequently Asked Questions – Limited Licensees

As of [date], limited licensees are part of the legal system in Saskatchewan. They are insured and are licensed by the Law Society of Saskatchewan to serve the public and support access to legal services.

### What is a limited licensee?

A limited licensee is an individual who is not admitted as a lawyer with the Law Society but has been granted a limited licence to practice law that is restricted to specific areas of practice reflecting their education, training, and experience relevant to delivery of legal services.

### What can limited licensees do?

Depending on their licence, limited licensees can provide advice and negotiate with respect to legal rights and responsibilities, draft or complete legal documents, or represent an entity or person at an administrative tribunal or Provincial Court.

Limited licensees are licensed in different areas of the law, based on their education, training, and experience. At present, limited licensees can help people in Saskatchewan with the following permitted services:

- Cases before administrative tribunals and Provincial Court such as small claims, traffic matters, and summary conviction matters under the *Criminal Code*
- Family law services limited to separation agreements, uncontested or joint divorce, and parenting arrangements
- Future planning services limited to wills, powers of attorney, guardianship, and health care directives
- Administration of estates not exceeding \$25,000
- Limited corporate legal services, contracts, and land title transfers and interest registrations and discharges
- Preparing for self-representation in court

Some limited licensees may also provide notary public services.

### What education or training do limited licensees have?

Limited licensees have the following education or work experience:

- a degree in justice-related studies from a recognized school;
- a certificate or courses from a recognized school in the subject area related to their scope of practice;
- a law degree from a Canadian common law faculty or a Certificate of Qualification; or
- a high school diploma and five years of supervised related substantive legal experience.

Schools recognized by the Law Society include:

- accredited paralegal education programs as [recognized](#) by the Law Society of Ontario
- Bow Valley College



- Canadian Centre for Professional Legal Education
- First Nations University of Canada
- Foundation of Administrative Justice
- Saskatchewan Polytechnic
- Saskatoon Business College
- Society of Trust and Estate Practitioners of Canada
- Southern Alberta Institute of Technology
- University of Regina
- Vancouver Community College

Additional schools may also be recognized by the Executive Director.

Limited licensees must also complete six hours of continuing professional development training annually, two hours of which must relate to ethics.

### **Are limited licensees more affordable than lawyers?**

Limited licensees can provide an affordable option for those in need of legal services or representation. Like lawyers, limited licensees may offer different pricing and payment models. Before hiring a limited licensee, ask them about their fees and rates for services.

Having more options for affordable legal services helps to reduce the number of people without assistance in resolving their legal issues. This also helps to guide people away from seeking advice from non-regulated individuals who are not bound by ethical conduct and are not insured for negligence or mistakes.

### **Are limited licensees bound by ethical guidelines?**

Yes. Limited licensees must complete a mandatory course on the *Code of Professional Conduct for Limited Licensees* provided by the Law Society of Saskatchewan and must adhere to the *Code*.

### **Can a limited licensee ask for a retainer or money in advance?**

No. Limited licensees cannot accept money in advance (in trust) for the delivery of legal services.

### **Does a limited licensee have lawyer-client or solicitor-client privilege?**

Maybe. A limited licensee is bound by confidentiality and information they are told in confidence by a client cannot be shared unless the law or duty requires disclosure. However, unlike lawyers, there is not yet established law that supports an independent right to privilege for limited licensees.

Solicitor-client privilege protects from disclosure communications between lawyers and their clients regarding legal advice. Some courts have identified lawyer-client or solicitor-client privilege

to apply to paralegals, but a court decision related to limited licensees has not yet occurred. As this is not yet a decided matter, clients and limited licensees should be cautious.

### **Can a limited licensee provide independent legal advice?**

Yes. Within their permitted services, a limited licensee can independently represent people and provide independent legal advice.

### **Can a limited licensee give and accept undertakings and trust conditions?**

Yes. Similar to lawyers, a limited licensee may give and accept undertakings and trust conditions. Also similar to lawyers, there is no obligation to accept undertakings and trust conditions from a limited licensee.

### **In what business structure can a limited licensee practice?**

Limited licensees can practice as a sole proprietorship, a limited liability partnership, or a professional corporation. Some limited licensees may also work for an organization or corporation.

### **What are differences between limited licensees and lawyers?**

Limited licensees and lawyers have different education, training and admission requirements and limited licensees have a limited scope of practice while lawyers do not have limits on their practice. Limited licensees are not permitted to hold funds in trust, lawyers can.

<b>Saskatchewan Standards</b>	<b>Lawyers</b>	<b>Limited Licensees</b>
Education / work experience	Yes	Yes (more limited)
Training and admission	Yes	Yes (more limited)
Continuing professional development	Yes - 12 hours (2 ethics) annually	Yes - 6 hours (2 ethics) annually
Scope of practice	No limits on practice	Limits on practice
Ethical standards	Yes - Code of Professional Conduct	Yes - Code of Professional Conduct
Complaint and discipline process	Yes	Yes
Professional liability insurance	Yes	Yes
Ability to operate a trust account	Yes	No
Regulatory oversight body	Yes	Yes