

Law Society of Alberta

# Code of Conduct Amendment History

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June 7, 2024

## CODE OF CONDUCT

### AMENDMENT TABLE – 2024\_V1

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
5.1-2B	Amendment to commentary [3] to clarify that the rule does not apply to mediation.		June 7, 2024	June 7, 2024	Bencher Meeting	

### AMENDMENT TABLE – 2023\_V3

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
5.1-3	Insert heading above provision 5.1-3.		November 30, 2023	November 30, 2023	Bencher Meeting	

### AMENDMENT TABLE – 2023\_V2

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
5.1-1, 5.1-2A, 5.1-2B	Amendments to Rules and Commentary to insert new Rules for <i>Ex Parte</i> Proceedings and Single-Party Communications with a Tribunal and to remove previous commentary on communicating with a Tribunal.		October 5, 2023	October 5, 2023	Bencher Meeting	
6.3-1, 6.3-2, 6.3-3, 6.3-4, 6.3-5	Amendment to Rules and Commentary to enhance the discrimination and harassment provisions.		October 5, 2023	October 5, 2023	Bencher Meeting	
5.1-2	Amendment to capitalize heading		October 18, 2023	October 18, 2023	Executive Director	
6.3-1	Amendment to insert dash in 6.3-4 in Commentary [6] and insert period in i.e in Commentary [7](g)		October 18, 2023	October 18, 2023	Executive Director	

### AMENDMENT TABLE – 2023\_V1

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
3.2-8	Amendment to Rule and		February 23,	February 23,	Bencher	

	Commentary to strengthen language rights and language competency provisions.		2023	2023	Meeting	
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## AMENDMENT TABLE – 2022\_V1

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
3.2-7	Amendment to Rule to strengthen language rights provisions.		December 1, 2022	December 1, 2022	Bencher Meeting	

## AMENDMENT TABLE – 2020\_V1

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
3.1-2	Amendment to commentary to confirm lawyers' obligations to attain technological competence		February 20, 2020	February 20, 2020	Bencher Meeting	

## AMENDMENT TABLE – 2018\_V1

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
3.2-13	Amendment to Rule and Commentary to confirm that lawyers must not assist clients or others to engage in fraud, crime or illegal conduct.		April 26, 2018	April 26, 2018	Bencher Meeting	

## AMENDMENT TABLE – 2017\_V2

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
3.1-2	Amendment to paragraphs [9] and [10] of commentary regarding the obligation of a lawyer when advising a client.		September 28, 2017	September 28, 2017	Bencher Meeting	
3.7-1 3.7-7 3.7-9	Amendments to withdrawal Rules and new Rule on a lawyer leaving a law firm.		September 28, 2017	September 28, 2017	Bencher Meeting	

5.1-10	Amendment to paragraphs [4] and [5] of commentary regarding possession of incriminating evidence.		September 28, 2017	September 28, 2017	Bencher Meeting	
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## AMENDMENT TABLE – 2017\_V1

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
5.3-1	Amendment to Rule and Commentary.		February 3, 2017	February 3, 2017	Bencher Meeting	
5.4-1 5.4-2	New Rule prohibiting a lawyer from improperly influencing a witness. New Rule prohibiting obstruction during evidence. New Commentary to explain appropriate means of communication with witnesses.		February 3, 2017	February 3, 2017	Bencher Meeting	

## AMENDMENT TABLE – 2016\_V1

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
All Rules	Chapters and Rules renumbered and consequential cross-references amended; paragraphs in commentary numbered (see note below on renumbering).		December 1, 2016	December 1, 2016	Bencher Meeting	
3.2-1 7.1-3	Deletion of discriminatory language in relation to mental illness and addictions.		December 1, 2016	December 1, 2016	Bencher Meeting	
7.7-1 7.7-2 (new)	New commentary explaining duty to report error to client; new rule creating ethical duty to report potential claims to the insurer.		December 1, 2016	December 1, 2016	Bencher Meeting	

### Notes on Code of Conduct re-numbering:

1. The renumbering has been introduced to make the Code of Conduct numbering consistent with the Federation of Law Societies Model Code of Professional Conduct.
2. The Definitions section is now Chapter 1 so all the chapter numbers have changed accordingly (e.g. Chapter 2 is now Chapter 3). Subsequently, all the Rule numbers have changed to match the Chapter numbers.
3. The format of the numbering has changed. Rule 2.03 becomes 3.3 with the change in chapter number and the dropping of the leading zero. Rule 2.03 (1) becomes 3.3-1 with the change in chapter number, dropping the leading zero and changing how the numbering is presented.

4. This general change applies to all Rules (e.g. 5.01 (1) becomes 6.1-1) except in the following cases:
- Rule 2.02 (1.1) becomes Rule 3.2-2.
  - Subsequently, Rules 2.02 (2) to 2.02 (5) become Rules 3.2-3 to 3.2-6 respectively.
  - Rule 2.02 (13) was moved in split into two rules to become Rules 3.2-7 and 3.2-8.
  - Subsequently, Rules 2.02 (6) to 2.02 (12) become Rules 3.2-9 to 3.2-15 respectively.
  - Rule 6.02 (8.1) becomes Rule 7.2-9.
  - Subsequently, Rules 6.02 (9) to 6.02 (13) become Rules 7.2-10 to 7.2-14 respectively.

## AMENDMENT TABLE – 2015\_V1

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
Definitions	Remove definition for “interprovincial law firm”.		Benchers	June 1, 2015	Bencher Meeting April 9, 2015	
2.02(13)	New rule to deal with a lawyer’s obligation to advise clients of the right to proceed in the official language of the client’s choice.		Benchers	June 1, 2015	Bencher Meeting April 9, 2015	
2.03(7)	New rule to provide guidance regarding the protection of confidential client information during lawyers’ transfers between firms as well as during firm mergers and acquisitions.		Benchers	June 1, 2015	Bencher Meeting April 9, 2015	
2.04(1)	The commentary has been amended.		Benchers	June 1, 2015	Bencher Meeting April 9, 2015	
2.04(3)	This is a new “current client” rule and commentary.		Benchers	June 1, 2015	Bencher Meeting April 9, 2015	
2.04(4)	This is a new “concurrent client” rule and commentary.		Benchers	June 1, 2015	Bencher Meeting April 9, 2015	
2.04(5)	Minor amendments to rule and commentary regarding joint retainers.		Benchers	June 1, 2015	Bencher Meeting April 9, 2015	
2.04(7)	Minor rule amendment.		Benchers	June 1, 2015	Bencher Meeting April 9, 2015	
2.04(8) – (10)	Minor amendments to rules and commentary governing transferring lawyer conflicts.		Benchers	June 1, 2015	Bencher Meeting April 9, 2015	
2.04(14)	Amended rule and commentary to replace reference to “related person” with “family member”.		Benchers	June 1, 2015	Bencher Meeting April 9, 2015	
2.06(8)	Amended rule and commentary to replace		Benchers	June 1, 2015	Bencher Meeting April	

	references to “interprovincial law firm” and “partnership between Canadian lawyers and foreign lawyers” with “interjurisdictional law firm”.				9, 2015	
4.01(2) (t)	Amendment to add reference to quasi-criminal charges and complaints to regulatory authorities.		Benchers	June 1, 2015	Bencher Meeting April 9, 2015	
4.01(9)	Amendments to rule and commentary to delete references to evidence having evidentiary value in a criminal proceeding.		Benchers	June 1, 2015	Bencher Meeting April 9, 2015	
4.01(10)	New rule and commentary regarding possession of incriminating physical evidence		Benchers	June 1, 2015	Bencher Meeting April 9, 2015	

## AMENDMENT TABLE – 2013\_V2

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
Definitions	Add definition for “limited scope retainer”.		Benchers	October 3, 2013	Bencher October 2013 Meeting	
2.01 (2)	Changes to commentary for duty of competence regarding limited scope retainers.		Benchers	October 3, 2013	Bencher October 2013 Meeting	
2.02 (1.1)	New rule for limited scope retainers.		Benchers	October 3, 2013	Bencher October 2013 Meeting	
6.02 (8)	Add reference to new rule 6.02 (8.1).		Benchers	October 3, 2013	Bencher October 2013 Meeting	
6.02 (8.1)	New rule and commentary for limited scope retainers.		Benchers	October 3, 2013	Bencher October 2013 Meeting	

## AMENDMENT TABLE – 2013\_V1

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
Rules 2.04(1)	Add commentary on “Concurrent Clients”		Benchers	February 7, 2013	Bencher February 2013 Meeting	

## AMENDMENT TABLE – 2012\_V1

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
Rules 2.04	New conflict of interest rules where rules 2.04 (1) through (11) being replaced by new rules 2.04 (1) to (13).	2012_V1	Benchers	December 1, 2012	Bencher September 2012 Meeting	
Amended Definitions	Definition of “conflict of interest” and “lawyer” have been amended.	2012_V1	Benchers	December 1, 2012	Bencher September 2012 Meeting	

## AMENDMENT TABLE – 2011\_V1

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
Code of Conduct (based on FLSC model) adopted	Entire Code of Professional Conduct replaced.	2011_V1	Benchers	November 1, 2011	Bencher June 2011 Meeting	

## CODE OF PROFESSIONAL CONDUCT

### AMENDMENT TABLE – 2009\_V1

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
Chapter 6, New Rule 5.1 & Commentary	New Rule applicable to conflicts and short-term legal services provided by non-profit legal service providers	2009_V1	Benchers	June 6, 2009	Bencher's June 2009 Meeting	

### AMENDMENT TABLE – 2008\_V1

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
Chapter 2, G.1(h)	New requirements for Continuing Professional Development	2008_V1	Benchers	November 29, 2008	Bencher's November 2008 Meeting	

### AMENDMENT TABLE – 2007\_V1

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
Chapter 5	Amendments to C.1(b) & C.1(c)	2007_V1	Benchers	February 1, 2007	September 2006 Convocation	

## AMENDMENT TABLE – 2006\_V2

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
Index	Updated Index References	2006_V2	Benchers	Publication	Benchers	

## AMENDMENT TABLE – 2006\_1

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
Chapter 1	Amended Title and Statement of Principle	2005_5	December 2, 2005	December 2, 2005	December 2005 Convocation	
Chapter 1 Rule 5 & Commentary C.1	Access to legal services	2005_2	December 2, 2005	December 2, 2005	December 2005 Convocation	Change numbering for subsequent rules 6-10 and related rule references in each rule
Chapter 1, Commentary G.1	Commentary G.1 amended to include access to legal services and authorized practise	2005_2	December 2, 2005	December 2, 2005	December 2005 Convocation	
Chapter 5	Amended Title, Statement of Principle and Text	2005_2	December 2, 2005	December 2, 2005	December 2005 Convocation	
Chapter 7 Commentary C.8(c) & (e)	Commentary amended to address confidentiality associated with threat of suicide	2006_1	February 2, 2006	February 2, 2006	February 2006 Convocation	Chapter 9, Rule 7.2
Chapter 9, Commentary 7.2	Commentary amended to address confidentiality associated with threat of suicide	2006_1	February 2, 2006	February 2, 2006	February 2006 Convocation	
Chapter 10, Rule 4	Rule 4 amended changing member to lawyer	2005_2	Executive			
Chapter 10 Rule 28	Rule 28(d) and Commentary C.28 amended regarding disciplinary review of Crown Prosecutors	2005_2	December 2, 2005	December 2, 2005	December 2005 Convocation	



## AMENDMENT TABLE – 2005\_1

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
Chapter 6 Commentary C.3.4 Added	Commentary C.3.4 added to address prospective clients	2005_1	February 4, 2005	February 4, 2005	February 2005 Convocation	Chapter 9, Commentary G.1
Chapter 9, Commentary G.1	Commentary G.1 amended to correspond with amendment to Chapter 6, Commentary 3.4	2005_1	February 4, 2005	February 4, 2005	February 2005 Convocation	Chapter 6, Commentary
Chapter 10, Rule 4 and Commentary	Rule 4 amended to include quasi-criminal charge and law society complaints and Commentary C.4 amended to include quasi-criminal charge	2005_1	February 4, 2005	February 4, 2005	February 2005 Convocation	
Chapter 10, Commentary C.4	Commentary C.4 amended to include law society complaints	2005_1	April 8, 2005	April 8, 2005	April 2005 Convocation	Chapter 10, Commentary C.4

## AMENDMENT TABLE – 2004\_2

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
<b><i>This table contains amendments made since Release 9, May 2001</i></b>						
Chapter 1	Commentary 6 amended	2002-0	November 2001	November 2001	Bencher's Convocation	
Chapter 3	Commentary 4.2 amended	2002-0	April 2002	April 2002	Bencher's Convocation	
Chapter 4	Rule 11(a) amended	2002-0	December 1998	December 1998	Bencher's Convocation	
Chapter 5	Rule 6 and Commentary 6 amended	2002-0	November 2001	November 2001	Bencher's Convocation	
Chapter 6	Commentary 2.1 amended	2002-0	May 2001	May 2001	Bencher's Convocation	
Chapter 7	Rule 8(e.1) and Commentary 8(e.1) added	2002-0	November 2001	November 2001	Bencher's Convocation	
Chapter 9	Commentary 18 amended	2002-0	April 2002	April 2002	Bencher's Convocation	
Chapter 13	Rule 7(c) is added and Commentary 7 amended	2002-0	November 2001	November 2001	Bencher's Convocation	
Interpretation	Added first sentence to definition of 'lawyer'	2002-0	November 2002	November 2002	Bencher's Convocation	
Chapter 5	Rule 2 changed to 2(a) and Rule 2(b) and Commentary C.2.3 added	2004_1	February 2004	February 2004	Bencher's Convocation	
Chapter 6	Commentary 9 amended	2004_1	February 2004	February 2004	Bencher's Convocation	
Chapter 6	Rule 3 and Commentary amended	2004_2	June 2004	June 2004	Bencher's Convocation	
Chapter 6	Commentary C.4 amended	2004_2	June 2004	June 2004	Bencher's Convocation	

## AMENDMENT TABLE – 2004\_1

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
<b><i>This table contains amendments made since Release 9, May 2001</i></b>						
Chapter 1	Commentary 6 amended	2002-0	November 2001	November 2001	Bencher's Convocation	
Chapter 3	Commentary 4.2 amended	2002-0	April 2002	April 2002	Bencher's Convocation	
Chapter 4	Rule 11(a) amended	2002-0	December 1998	December 1998	Bencher's Convocation	
Chapter 5	Rule 6 and Commentary 6 amended	2002-0	November 2001	November 2001	Bencher's Convocation	
Chapter 6	Commentary 2.1 amended	2002-0	May 2001	May 2001	Bencher's Convocation	
Chapter 7	Rule 8(e.1) and Commentary 8(e.1) added	2002-0	November 2001	November 2001	Bencher's Convocation	
Chapter 9	Commentary 18 amended	2002-0	April 2002	April 2002	Bencher's Convocation	
Chapter 13	Rule 7(c) is added and Commentary 7 amended	2002-0	November 2001	November 2001	Bencher's Convocation	
Interpretation	Added first sentence to definition of 'lawyer'	2002-0	November 2002	November 2002	Bencher's Convocation	
Chapter 5	Rule 2 changed to 2(a) and Rule 2(b) and Commentary C.2.3 added	2004_1	February 2004	February 2004	Bencher's Convocation	
Chapter 6	Commentary 9 amended	2004_1	February 2004	February 2004	Bencher's Convocation	

## AMENDMENT TABLE – 2002-0

Amended	Description of Change	Version No.	Amendment Authorized	Amendment Effective	Amendment Source	Other Impact
<b><i>This table contains amendments made since Release 9, May 2001</i></b>						
Chapter 1	Commentary 6 amended	2002-0	November 2001	November 2001	Bencher's Convocation	
Chapter 3	Commentary 4.2 amended	2002-0	April 2002	April 2002	Bencher's Convocation	
Chapter 4	Rule 11(a) amended	2002-0	December 1998	December 1998	Bencher's Convocation	
Chapter 5	Rule 6 and Commentary 6 amended	2002-0	November 2001	November 2001	Bencher's Convocation	
Chapter 6	Commentary 2.1 amended	2002-0	May 2001	May 2001	Bencher's Convocation	
Chapter 7	Rule 8(e.1) and Commentary 8(e.1) added	2002-0	November 2001	November 2001	Bencher's Convocation	
Chapter 9	Commentary 18 amended	2002-0	April 2002	April 2002	Bencher's Convocation	
Chapter 13	Rule 7(c) is added and Commentary 7 amended	2002-0	November 2001	November 2001	Bencher's Convocation	
Interpretation	Added first sentence to definition of 'lawyer'	2002-0	November 2002	November 2002	Bencher's Convocation	