

## Form 2-15

(Rule 66(1))

### Transfer of Canadian Lawyer

### Application for Enrolment as a Member

Under Section 41 of the *Legal Profession Act*

**NOTE:** See the "Instructions to the Applicant" accompanying this application form.

This application is made to the Executive Director of the Law Society of Alberta for admission to the Law Society of Alberta as a transfer applicant.

1. Full Legal Name: \_\_\_\_\_  

First
Middle
Last

  
 Preferred Name: \_\_\_\_\_  

First
Middle
Last

  
 Business Mailing Address: \_\_\_\_\_  
 City: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
 Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
 Direct Business E-Mail Address: \_\_\_\_\_  
 Residential Address: \_\_\_\_\_  
 City: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
 Telephone Number: \_\_\_\_\_ Preferred Email: \_\_\_\_\_
2. Date of Birth: \_\_\_\_\_
3. Place of Birth: \_\_\_\_\_
4. I am, or have previously been, a member of the following extraprovincial law society or societies in Canada. (Please provide a Certificate of Standing for each jurisdiction or comparable information where a Certificate of Standing cannot be obtained.)
 

	Yes	No
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5. I have passed a bar examination as defined in section 36(b) of the *Legal Profession Act*.
 

	Yes	No
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6. I have actively engaged in the practice of law in Canada for an aggregate of at least 12 out of the past 48 months (*articling term is considered towards this requirement*).
 

	Yes	No
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7. I have a Canadian common law degree (Rule 50(3)).
 

	Yes	No
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 Received from a Canadian University, namely \_\_\_\_\_  
 in \_\_\_\_\_ (year).
8. **(If applicable)** My academic credentials have been evaluated by the Universities Coordinating Council or the National Committee on Accreditation and I am attaching full particulars regarding my certificate of equivalency.
 

	Yes	No
	Not Applicable	
9. I have pleaded guilty to or been found guilty of:
 

	Yes	No
(a) an indictable offence under any Act of the Parliament of Canada;	Yes	No

(b)	an offence under any Act of the Parliament of Canada where the offence was prosecutable either as an indictable offence or a summary conviction offence;		Yes	No
(c)	a summary conviction offence under the <i>Income Tax Act</i> , <i>Criminal Code</i> , the <i>Narcotic Control Act</i> , the <i>Controlled Drugs and Substances Act</i> or the <i>Food and Drugs Act of Canada</i> , or the <i>Income Tax Act</i> or <i>Securities Act</i> of any province of Canada;		Yes	No
(d)	a summary conviction offence under any other law in force in Canada punishable by a fine if the maximum fine for the offence was then at least \$25,000;		Yes	No
(e)	an offence committed outside Canada and similar to any of the kinds of offences described in clauses (a) to (d);		Yes	No
(f)	I have received a pardon for an offence described in clauses (a) to (e).	N/A	Yes	No
10.	I have pleaded guilty to or been found guilty of academic misconduct.		Yes	No
	I have pleaded guilty to or been found guilty of non-academic misconduct.		Yes	No
11.	There are proceedings currently pending in respect of charges against me for an offence of any of the kinds described in sections 9 or 10.		Yes	No
12.	I am an undischarged bankrupt.		Yes	No
13.	I have been a bankrupt.		Yes	No
14.	I am a judgment debtor.		Yes	No
15.	I have had a civil judgment made against me relating to fraud.		Yes	No
16.	I have disobeyed an order of a court.		Yes	No
17.	I have previously used a name other than that shown in this application.		Yes	No
18.	I am, or have previously been, a member of an extraprovincial law society outside Canada or otherwise entitled to practise law in a jurisdiction outside Canada. (Please provide a Certificate of Standing for each jurisdiction or comparable information where a Certificate of Standing cannot be obtained.)		Yes	No
19.	I have been found guilty in a disciplinary or unauthorized practice proceeding instituted against me by an extraprovincial law society or as a member of any other professional organization.		Yes	No
20.	There are disciplinary or unauthorized practice proceedings pending against me by an extraprovincial law society or by any other professional jurisdiction.		Yes	No
21.	I have been, or am currently, the subject of a suspension, investigation, supervision, undertaking, conditions, insurance claim (self-reported or otherwise) or similar process including but not limited to Conduct, Audit, Practice Review, or competence related proceedings by direction of a governing body of the legal profession in a jurisdiction other than Alberta.		Yes	No
22.	I have been refused registration as a student-at-law or articled law clerk in a jurisdiction outside Alberta.		Yes	No
23.	I have been refused membership in an extraprovincial law society or refused a license or other authorization to practise law in a jurisdiction outside Alberta.		Yes	No
24.	I have had a claim paid by a current or previous errors and omissions insurer as a result of my negligence in my capacity as a lawyer or a claim under such insurance is pending against me.		Yes	No
25.	(a) I have reviewed the current provisions dealing with competence in the Code of Conduct for the Law Society of Alberta, in its entirety;		Yes	No
	(b) There are events, circumstances or conditions, other than those mentioned above, that are potentially relevant to my competence to practise law (as competence is used in the Code of Conduct), including, without limitation, circumstances relating to mental or physical disability or substance abuse.		Yes	No
26.	I acknowledge my ethical obligation to engage only in legal work which I am competent to do.		Yes	No

- 27. Full particulars in regard to any affirmative statement made in sections 9 to 25 (other than paragraph 25(a)) inclusive accompany this application.
- 28. I hereby authorize the Society to make enquiries of any person or government, any official or body, including, without limitation, any police or academic authority, with regard to my background or character. On request by the Executive Director, I will furnish any additional specific authorization or any release that is required for the purpose of enabling the Society to obtain information related to my background or character.
- 29. I understand that the Credentials and Education Committee may direct that I serve under articles in Alberta before I am enrolled as a member and, if the committee so directs, I promise the Society that I will at all times while registered with the Society as a student-at-law faithfully and to the best of my ability perform my obligations as a student-at-law under my articles of clerkship and under the *Legal Profession Act*, the Rules of the Society and any code of ethical standards authorized or established by the Benchers of the Society.
- 30. I hereby promise the Society that I will at all times during my enrolment faithfully and to the best of my ability perform my obligations as a barrister and solicitor and as a member of the Society under the *Legal Profession Act*, the Rules of the Society and any code of ethical standards authorized or established by the Benchers of the Society.

**(The following section is to be completed only by applicants who are members of an NMA governing body, as defined in Rule 47.)**

- |   |     |                      |
|---|-----|----------------------|
| 31. I am currently allowed, under all the legislation and regulation of my home jurisdiction, to engage in the practice of law in that jurisdiction, without meeting any further requirements.  | Yes | No                   |
| 32. There are currently restrictions on my ability to practise law in another jurisdiction in which I am, or have been, a member or otherwise entitled to practise law. (If yes, provide full details.)   | Yes | No                   |
| 33. <b>(If applicable)</b> I ask that, rather than being required to write transfer examinations, my membership in the Law Society of Alberta be made subject to the same restrictions that are in effect in other jurisdictions at the time of my enrolment. | Yes | No<br>Not Applicable |
| 34. I have familiarized myself with Alberta law to the extent required to be able to practise competently in the areas in which I intend to practise, including the materials in the reading list required by the Executive Director under Rule 66(4)(b).     | Yes | No                   |

## DECLARATION

I, \_\_\_\_\_ solemnly declare that all information provided by me in this application or supplemental thereto, and in the documents furnished in connection with this application, is true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me )  
 at: \_\_\_\_\_, \_\_\_\_\_ )  
 on \_\_\_\_\_ )  
 )  
 )  
 )  
 \_\_\_\_\_ )  
 A Commissioner for Oaths for the )  
 Province of Alberta )  
**(Out-of-Province Members – please declare this )  
 document before a Notary Public)** )

\_\_\_\_\_  
Applicant's Signature

## **Application by an Out-of-Province Lawyer for Enrolment under Section 41**

### **Instructions to the Applicant**

#### 1. General Information for the applicant

In preparing your application, you should refer to section 41 of the *Legal Profession Act* (R.S.A. 2000, c. L-8), the Law Society of Alberta Code of Conduct and to Part 2 of the Rules of the Society, in particular Rule 50, 66 and 70 to 73. The relevant provisions are set out in the material respecting applications for enrolment and available on request from the Society.

The personal information collected in this form will be used by the Law Society for one or more purposes contemplated by the *Legal Profession Act*, the Rules of the Law Society, the Code of Conduct, or a resolution of the Benchers and will be accessible to all departments of the Law Society, including the Alberta Lawyers Insurance Association. The information may be used or disclosed by the Law Society, now or in the future, for regulatory purposes, including Law Society investigations and proceedings. We may contact you to obtain additional information, or to obtain clarification on the information you provided. Should you have any questions about the collection, use or disclosure of this information, please contact the Privacy Officer at (403) 229-4700.

#### 2. Documents and fees to accompany your application

Your application must be accompanied by the following:

- (a) a certificate of standing from each of the extraprovincial law societies within or outside of Canada of which you are, or have been, a member, each in compliance with section 4 of these instructions;
- (b) unless waived in whole or in part by the Executive Director, a statement from each of your current errors and omissions insurers and a statement from each of your previous errors and omissions insurers, setting out the claims made against you, claims paid on your behalf, the nature of each claim and the cost to the insurer of each claim;
- (c) payment of the prescribed application fee;
- (d) payment of the prescribed enrolment fee;
- (e) on becoming enrolled as a member, the professional liability insurance assessment for the current year or proof that you will, on becoming a member, be exempt from the requirement to pay that assessment;
- (f) full particulars in regard to any affirmative statement made in sections 9 to 25 of the application.

Payment of the professional liability insurance is not required if you accompany your application with an election to become an inactive member (Form 2-20) of the Society on becoming enrolled.

As to exemptions from the payment of the professional liability insurance assessment, see Rule 148.

#### 3. Definition

For the purpose of Form 2-15:

"extraprovincial law society" means

- (a) in relation to Canada, a law society or comparable governing body of the legal profession or a class of the legal profession of a province or territory of Canada other than Alberta, or
- (b) in relation to a country outside Canada or a political subdivision of a country outside Canada, the body or official governing or regulating the legal profession or a class of the legal profession within that country or political subdivision.

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4. Certificate from extraprovincial law society

Each certificate from an extraprovincial law society of which you are or have been a member must be dated within the 30-day period prior to the furnishing of all documents and fees required to be submitted by you. Each certificate must show the following as at the date of the certificate and to the extent that the society's records contain the relevant information:

- (a) that you are a member of that society and whether or not you are in good standing as a member of that society;
- (b) the period or periods during which you have been lawfully entitled to actively engage in the practice of law in the other province or territory in the 5-year period preceding the date of the certificate;
- (c) whether any disciplinary or competency proceedings are pending against you before that society and, if so, the nature of the conduct that is the subject of the proceedings;
- (d) the nature of any orders made or measures taken against you as a result of disciplinary or competency proceedings taken against you by the society and the nature of the conduct that was the subject of the proceedings;
- (e) particulars respecting any compensation paid by that society for loss resulting from misappropriation or wrongful conversion of property received by you in your capacity as a lawyer in that society's jurisdiction, and whether any claims are pending before that society for compensation of that kind arising out of your conduct;
- (f) whether you are, or have at any prior time been, the subject of an order in that province or territory under which all or part of the property owned or held by you in connection with your practice as a lawyer is placed in the custody of a court, the society or a custodian or trustee and, if so, particulars relating to the order;
- (g) whether your right to practise law in the other province or territory is confined to a specified field or fields of law or is otherwise subject to any restrictions or conditions, either voluntarily or by the imposition of any order by that society, and if so, particulars relating to the restrictions or conditions.

5. Deleting inapplicable provisions

Cross out any paragraph marked "*(If applicable)*" if the marked paragraph does not apply to your application.