



LAW SOCIETY  
*of* ALBERTA

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**Annual Report 2016**

## Who We Are

The Law Society of Alberta regulates the legal profession in the public interest by promoting and enforcing a high standard of professional and ethical conduct by Alberta lawyers. We derive our authority from the *Legal Profession Act* of Alberta and are financed by Alberta lawyers. Serving in the public interest, we set out standards through the Rules of the Law Society of Alberta and a Code of Conduct.

## Vision

The Law Society of Alberta will be recognized as a model for protecting the public interest and preserving the fundamental principles of justice through a self-regulated, independent and trusted legal profession.

## Mission

Serve the public interest by promoting a high standard of legal services and professional conduct through the governance and regulation of an independent legal profession.

*As of December 31, 2016*

## Values

**Integrity**-honest and ethical behaviour.

**Transparency**-open and clear processes and communications.

**Fairness**-fair and consistent treatment of people.

**Competency**-best practices, high standards and pursuit of excellence.

**Independence**-independent and independently regulated legal profession.

**Respect**-inclusion, diversity and equity in the profession and in the Law Society.

## Strategic Goals

*We will realize our vision and mission by achieving the following strategic goals:*

### Model Regulator

Regulate to ensure high ethical standards and competence of Alberta lawyers.

### Public Confidence

Reinforce the confidence of the public and other stakeholders in the Law Society.

### Principles of Justice

Uphold and preserve the principles of justice fundamental to a free democratic society, particularly solicitor-client privilege, the Rule of Law, and the independence of courts and lawyers.

### Access to Justice

Promote access to legal services and meaningfully contribute to access to justice discussions.

### Organizational Culture and Capacity

Ensure the Law Society has the required organizational infrastructure, business supports and high performance culture in place to achieve its mission and strategic goals.

*Caption: Click to watch the 2016 Law Society of Alberta Annual Report video, featuring Executive Director Don Thompson and Deputy Executive Director & Director, Regulation Elizabeth Osler.*





**Outgoing President’s Message by Anne Kirker, QC**  
It has been an extraordinary honour serving as President of the Law Society, and to have had the opportunity over the years to work with so many intelligent, thoughtful and committed people.

Chief Justice Beverley McLachlin has observed that: “Canadians are privileged to live in a peaceful country. Much of our collective sense of freedom and safety comes from our community’s commitment to a few key values: democratic governance, respect for fundamental rights and the rule of law, and accommodation of difference ...”

She’s right, and among the institutions that sustain these values stands the legal profession. The integrity of the administration of justice depends upon the unique role of lawyers in our society. We serve in a wide variety of ways – as advisors, advocates, educators, politicians, reformers, and bureaucrats, and some go on to serve as judges as well.

Our participation in guiding and defining the legal system – the system that provides the underpinning for our democracy, the rights and freedoms of our citizens, and the environment in which we do business and commerce – is vital.



Meet Our Board

The Law Society is governed by a 24-member Board of Directors, also known as Benchers. Twenty are lawyers elected by Alberta lawyers and four are public representatives appointed by the Minister of Justice and Solicitor General. The Board oversees the work of the organization using a strategic planning process to articulate and prioritize strategic goals and to focus the organization’s energy and resources on strategic initiatives which will achieve our vision, mission and goals.

*The key responsibilities of the Board lie in two areas: governance and adjudication.*

- The Board oversees the governance role by setting policies and updating the Rules of the Law Society and the Code of Conduct in alignment with those policies.
- The Board is also responsible for the adjudication of regulatory matters. In serving the public interest, the Board has adjudicative processes in place to resolve complaints regarding a lawyer’s ethical conduct and admission matters.

Meet Our Volunteer Committees

Major committees and task forces conduct governance work associated with our core regulatory functions.

Our Financials

The Law Society’s management is responsible for the preparation and fair presentation of annual financial statements in accordance with Canadian accounting standards for not-for-profit organizations. To assist management in fulfilling its responsibilities, internal controls are in place to provide reasonable assurance that the financial statements are accurate and reliable.

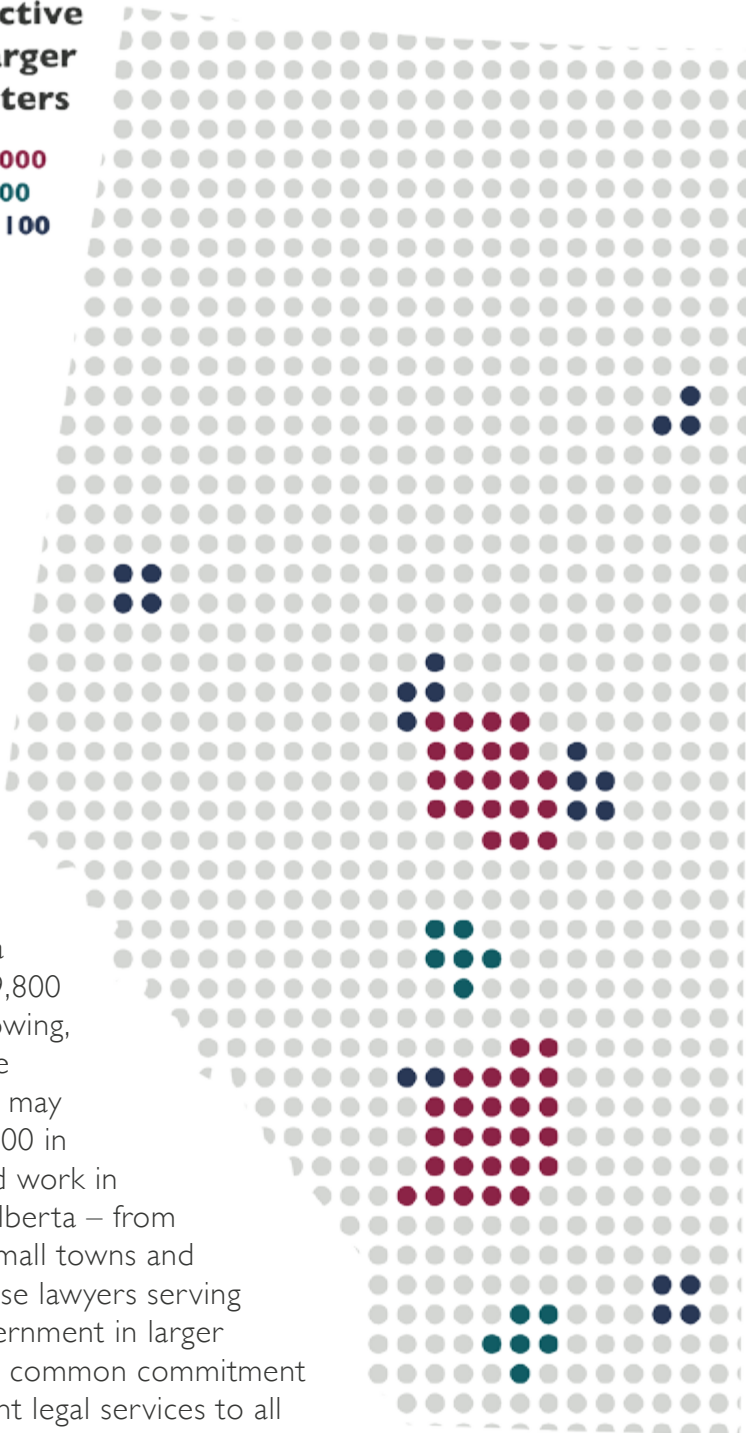
The financial statements and budgets are approved each year by the Board of Directors. The Board appoints external auditors each year to audit the financial records and internal controls of the Law Society and to express an opinion as to the fair presentation of the financial statements in accordance with the relevant accounting standard.

Our 2016 audited financial statements, as well as past statements, are on our website.



## Number of Active Lawyers in Larger Alberta Centers

- Over 1000
- Over 100
- Under 100



Of the 9,800 active lawyers, 8,683 are located in the following locations with the rest dispersed throughout Canada and the world.

**Fort McMurray 45**

**St. Albert 48**

**Edmonton 3,053**

**Sherwood Park 72**

**Red Deer 137**

**Calgary 5,053**

**Airdrie 22**

**Medicine Hat 81**

**Lethbridge 172**

The Law Society has a membership of over 9,800 active lawyers and growing, from all corners of the province. This number may very well surpass 10,000 in 2017. Lawyers live and work in communities across Alberta – from sole practitioners in small towns and on reserves, to in-house lawyers serving corporations and government in larger cities. Lawyers share a common commitment to providing competent legal services to all Albertans, no matter where they live and work.



## Active Lawyers

Alberta has approximately 9,800 active and practising lawyers, 61% male, 39% female; which is 126 lawyers more than we had in 2015. Of these, 68% are in private practice.

In 2016, 96 lawyers applied to transfer into Alberta from other provinces. There were also 2,184 inactive lawyers, roughly the same as the number of inactive lawyers in the previous year (2,104).

## Work in Firms

In Alberta, 55% of lawyers work in firms of two or more lawyers, while 13% of lawyers are sole practitioners. Corporate in-house lawyers make up 16%, government lawyers 11% and other/inactive/not practising, 5%.

The net increase in the number of lawyers in the province has remained relatively consistent each year. Articling students are called to the Bar every year, and lawyers moving to Alberta increase

the number of lawyers in Alberta, balanced by attrition from the profession through retirement, going inactive for reasons such as parental leave, teaching, continuing education or leaving for other endeavours.

## New Students

In 2016, Alberta had 477 articling students, 51% were male and 49% were female. Of those articling students, 416 were called to the bar, down 10% from the total number of students called in 2015.

Students are able to article in a variety of work settings including: small and large law firms; with solo practitioners; in the courts or with government; as well as with corporations.

Alberta continues to attract applicants from around the world. Many internationally trained lawyers come from law schools in Britain, Australia, America, Nigeria and India.

## Early Intervention

As part of striving to become a modern, proactive regulator, the Law Society is committed to protecting the public interest and helping lawyers achieve the highest ethical and professional standards. We know the majority of insurance claims and concerns with lawyers stem from practice management and client management issues, so we've begun building a library of helpful resources lawyers can access to help them avoid issues that could otherwise lead to costly discipline measures. These resources range from access to the support offered by our Practice Advisors, practice start-up kits, Solonet, the Responsible Lawyer visit program, Practice Management, Trust Safety services and more.

## Early Intervention Program Launched November 2016

The Law Society is changing one of the fundamental ways that we regulate the legal profession in the public interest. Under the new Early Intervention model, anyone who has concerns about the conduct of a lawyer can provide information to the Law Society on our website. Intake Specialists gather information about the matter and the lawyer's history. The Information Assessment Counsel will then assess the information to determine whether it discloses sanctionable conduct.

If the conduct is not sanctionable, but there is concern that the lawyer is not practising law in a fully-effective manner, the matter can be handled through Early Intervention programs. If it turns out that the information does raise regulatory concerns, it is referred to Conduct Counsel who then either dismiss the complaint where warranted, refer the lawyer to the Practice Management department, request further investigation, or make the necessary recommendations to the Conduct Committee Panel for further disciplinary action.



## National Discipline Standards

We are currently meeting 81% of the National Discipline Standards (NDS) and we expect this to increase to 86% by the end of 2017. We are not currently able to meet 100 % of the standards because there is still one standard that can't be implemented at this time due to a privacy conflict with the *Legal Profession Act*.

## Informal Complaints

Between January and November 2016, under the complaints-driven model, we received 1,350 new informal complaints and 1,271 informal complaints were resolved and closed.

Between November and December 2016, under the newly-implemented Early Intervention program, 88 new matters were opened and assessed and 41 matters were resolved and/or closed.

The program appears to be identifying issues that require attention, and of those, we are able to work with a lawyer to avoid similar issues in the future. If we are unable to work with a lawyer, the issue can be referred to the discipline process.

## Formal Complaints

In 2016, we received 269 new formal complaints, and closed 440 complaints, some of which were carried over from previous years.

## Discipline Outcomes in 2016

In 2016, the Law Society suspended two lawyers pending the outcome of an investigation into their conduct.

As a result of disciplinary findings by hearing committees, the Law Society suspended five lawyers and disbarred three lawyers.

Four lawyers resigned when faced with discipline proceedings and two lawyers resigned prior to a discipline hearing, which resulted in disbarment.

## Contact

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