



Media Statement

Law Society of Alberta Responds to Issues in the Articling System

September 27, 2019

Calgary, Alberta – The Law Society of Alberta (Law Society), in conjunction with the law societies of Saskatchewan and Manitoba, conducted two surveys in May through June 2019 to better understand the current state of the articling system across the three provinces.

One survey asked articling students and new lawyers (articled in the last five years) about the types of training and mentoring students are receiving, issues related to discrimination or harassment and how prepared students feel to practise as 21st century lawyers. The second survey asked similar questions of recruiters, principals and mentors.

The Law Society heard from 549 student and new lawyer respondents in Alberta (a 23 per cent response rate) and engaged a third-party research group to analyze the information collected. A key finding revealed that nearly one in three (32 per cent) reported experiencing discrimination or harassment during recruitment and/or articling.

“We are troubled to learn that this many articling students and new lawyers are struggling, or have struggled, with less than ideal or even unsafe work conditions during their articles,” says Kent Teskey, President-elect of the Law Society.

Similar questions about the reporting of discrimination and harassment were posed to principals, mentors and recruiters. The results revealed that 9 per cent have had an articling student express concerns about discrimination or harassment during recruitment or articling.

It is important to note that the survey did not define discrimination or harassment; the respondents did. The most common types of discrimination and harassment reported were:

- being asked about marital status, plans for children and sexual orientation;
- females being given less challenging administrative or non-billable work;
- fewer positions being offered to older students, those educated abroad, those with foreign names or those without connections in law; and
- clients expressing preference for male lawyers.

“We are disheartened by these findings. The Law Society does receive reports, both formal and informal, about unsatisfactory or unsafe articling experiences,” says Cori Ghitter, Deputy Executive Director and Director of Professionalism & Policy at the Law Society. “While we do our best to address individual issues, we needed to know if these were commonly shared experiences among articling students and new lawyers. And now we do.”

To fully understand the demographics of the respondents who experienced discrimination or harassment, read the full survey report on www.lawsociety.ab.ca.

While the survey results for Alberta bring to light an immediate need to address reports of discrimination and harassment, there are two other key findings not to be overlooked. The second survey finding demonstrates an inconsistent experience in the competencies learned during articling and in how prepared students feel for entry level practice. The third finding



shows challenges around the quality of mentorship and feedback for both students and their principals and mentors.

"The inconsistent training of students is concerning as it can leave articling students without the confidence or the skills necessary to start their legal careers on the right path," says Teskey. "However, steps are already being taken by The Canadian Centre for Professional Legal Education (CPLED) to enhance the bar admission program which may address some of the concerns expressed by students around quality of training. We are eagerly awaiting to see the impact of these changes."

The Law Society is dedicated to addressing the urgent needs around discrimination and harassment issues arising from the survey and a longer-term work plan is being developed to address the other findings.

The Practice Foundations Task Force, comprised of Law Society Board members (known as Benchers), has put forward immediate steps for the Law Society to take. They are:

1. Launching a Respectful Workplace Model Policy to the Legal Profession in October
2. Establishing a Practice Foundations Advisory Committee in October
3. Reviewing Discrimination and Harassment revisions to the Code of Conduct
4. Developing a proposal for safe reporting to the Law Society
5. Investigating mandatory training for principals

"We know we cannot fix all of these issues overnight, but they have our attention and our commitment. Moving forward, we will be thorough and work directly with students and new lawyers as well as other members of the legal profession to focus on areas where we, as the regulator, can have an impact," says Teskey.

To learn more about the survey findings, visit www.lawsociety.ab.ca. For information on CPLED's new bar admission program, visit www.cpled.ca.

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Background Information About Articling and the Purpose of the Survey

Articling is a mandatory 12-month term of experiential training for students under an established lawyer (principal) that must be completed before students are called to the Bar. This system has been in place for many years in various forms across Canada and law societies have heard anecdotally about systemic issues within the system. For this reason, law societies across the country, including Alberta, have or are gathering feedback from students and lawyers to better understand the current state of the articling system before making any decisions about the future training of new lawyers.