

Frequently Asked Questions

Mandatory Indigenous Cultural Competency Training

The Law Society of Alberta has approved the introduction of mandatory Indigenous Cultural Competency training for all active Alberta lawyers beginning in early 2021.

We recognize that the cost of professional development and time constraints can be a barrier for some, so the Law Society will cover the cost of this training for all active Alberta lawyers. Lawyers will have at least 18 months to complete the 6 hours of training. Additionally, lawyers can spread out the 6 hours as the training can be done in segments, allowing lawyers to set their own learning pace.

1. Why is the Law Society of Alberta mandating Indigenous Cultural Competency Training for all active Alberta Lawyers?

This decision was thoughtfully debated by the Benchers at the October Board meeting. As well, this decision to mandate training is integral to our commitment and obligation to respond to the 2015 Truth and Reconciliation Commission (TRC) [Calls to Action](#). This decision is also consistent with our [2020 – 2024 Strategic Plan](#), where we have made Equity, Diversity, and Inclusion, along with Lawyer Competence, two of the four pillars.

While in many contexts we do believe lawyers should exercise their own judgement when choosing training for their own professional development, there are some competencies where it is appropriate that the Law Society mandate training. Indigenous Cultural Competency is one of those unique areas where mandatory training is important.

Other reasons for the decision can be found in our October Board Recap video.

2. The Law Society of Alberta suspended the mandatory Continuing Professional Development (CPD) requirement for Alberta lawyers for 2020-2021, but is now implementing a mandatory training course in 2021? Why now?

In February, we [suspended the mandatory Continuing Professional Development](#) filing requirement for the profession for the years 2020 and 2021. At that same time, we also announced that we would be establishing an Indigenous Cultural Competency program for all Alberta lawyers.

We always anticipated launching the Indigenous Cultural Competency training while we developed the rest of the competence program. The Lawyer Competence Committee and the Indigenous Advisory Committee worked with Law Society staff to create a competence program for 2021 that focuses on Indigenous issues that meaningfully address our obligation arising from the TRC Calls to Action.

As of December, it will be five years since the Truth and Reconciliation Calls to Action were tabled. Providing Alberta lawyers with shared Indigenous Cultural Competency training is part of our shared social responsibility to educate ourselves on issues relevant to the communities where we live and practice law.

3. We are amid a pandemic where lawyers may be struggling financially. Is this really a priority given the current economic uncertainty?

Historically, Indigenous Cultural Competency training has been an area of deficiency in many sectors. We are providing lawyers with an opportunity to supplement their education in this area.

We recognize that the cost of professional development and time constraints can be a barrier for some, so the Law Society will cover the cost of this training for all active Alberta lawyers. Lawyers will have at least 18 months to complete the 6 hours of training. Additionally, lawyers can spread out the 6 hours as the training can be done in segments, allowing lawyers to set their own learning pace.

4. I do not have Indigenous clients, why is this important to me?

Whether a lawyer's practice involves Indigenous clients or not, the Benchers believe all Alberta lawyers, as key contributors to the socio-economic fabric of society, and in particular, the justice system, have an obligation to share a baseline understanding of how Indigenous clients experience the law in our province and across Canada.

We know Indigenous people are over-represented in all the justice system. Alberta has one of the [largest Indigenous populations](#) in the country.

5. Is all future continuing professional development going to be mandated in the same way?

Work is currently underway to rebuild a competence model that aspires to empower and equip lawyers to provide the best legal services they can to Albertans. Our goal with rebuilding the CPD program is to establish a program that considers experience and existing education programs.

While in many contexts we believe lawyers should exercise their own judgement when choosing training for their own professional development, there are some competencies where it is appropriate that the Law Society mandate training. We will continue to exercise this discretion carefully going forward.

6. If the Law Society is mandating the training, are they covering the cost for all active Alberta lawyers to take The Path?

The Law Society will cover the cost of this training for all active Alberta lawyers.

7. Why did the Law Society of Alberta specifically choose The Path program for mandatory Indigenous Cultural Competency training?

[The Path](#) is well regarded across Canada. The Indigenous Initiatives Liaison along with the Indigenous Advisory Committee have been working with the developers of The Path program to create Alberta specific content, with the intention of offering an educational tool specifically for Alberta lawyers.

While developing this training is complex and will require ongoing work, the current goal is not perfection but to provide quality baseline programming in Indigenous Cultural Competency.

8. Is The Path in-person training or online?

The Path is a series of online modules with videos and quizzes.

9. What if lawyers have already taken other Indigenous Cultural Competency training courses, will they be exempt? Are Indigenous lawyers exempt from taking the mandatory training?

We know the profession will have many questions about this decision and about the training itself. While the Law Society is exploring exemptions for lawyers who meet specific criteria, those decisions are not yet finalized. More details and information about the program will be shared in the coming months.

10. What if Alberta lawyers want to take alternate Indigenous Cultural Competency training, will they be allowed?

The Law Society is considering exemptions for other Indigenous Cultural Competency training taken. While the Law Society is exploring exemptions for lawyers who meet specific criteria, those decisions are not yet finalized. More details and information about the program will be shared in the coming months.

11. Considering recent events regarding Black Lives Matter and discrimination and harassment experienced by BIPOC lawyers, will the Law Society be mandating other Cultural Competency training for lawyers?

At this time, no decisions have been made on any other elements of the new CPD program or any other mandatory training. We have [equity, diversity and inclusion initiatives](#) underway and we will continue to prioritize this work going forward.

12. What happens if lawyers do not complete the mandatory Indigenous Cultural Competency training? Will they be administratively suspended?

More details about regulation of the mandatory aspect of this training will be shared in the coming months.

13. Is The Path accessible to those using access technology?

The Path runs on a Learning Management System called Moodle, that follows universal instructional design and universal accessibility standards. More information can be found at this link: <https://docs.moodle.org/dev/Accessibility>. NVision has also reviewed their program accessibility with those using assistive devices.

The written content and quiz questions are accessible with text to voice and screen readers. Much of the content is via video with closed captioning, for which there is also a downloadable narration file. There are also downloadable resources such as a term lexicon. These resources are usually provided as PDF files but can also be provided as MS Word files, which I believe are accessible

14. Can inactive Alberta lawyers participate in this training?

This question will be part of further discussions and decisions about implementation of the training. We will have an answer to this question in the coming months.