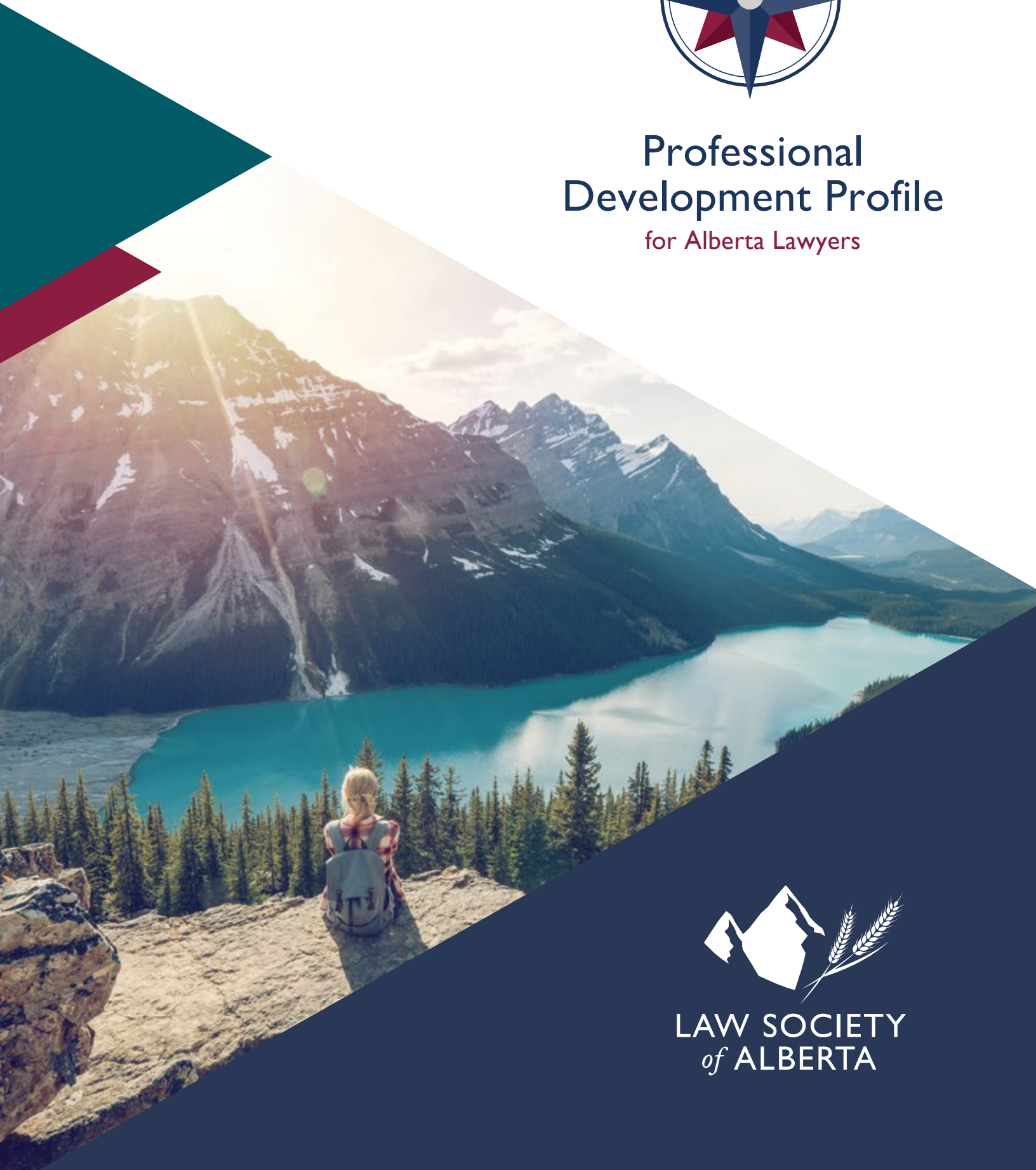
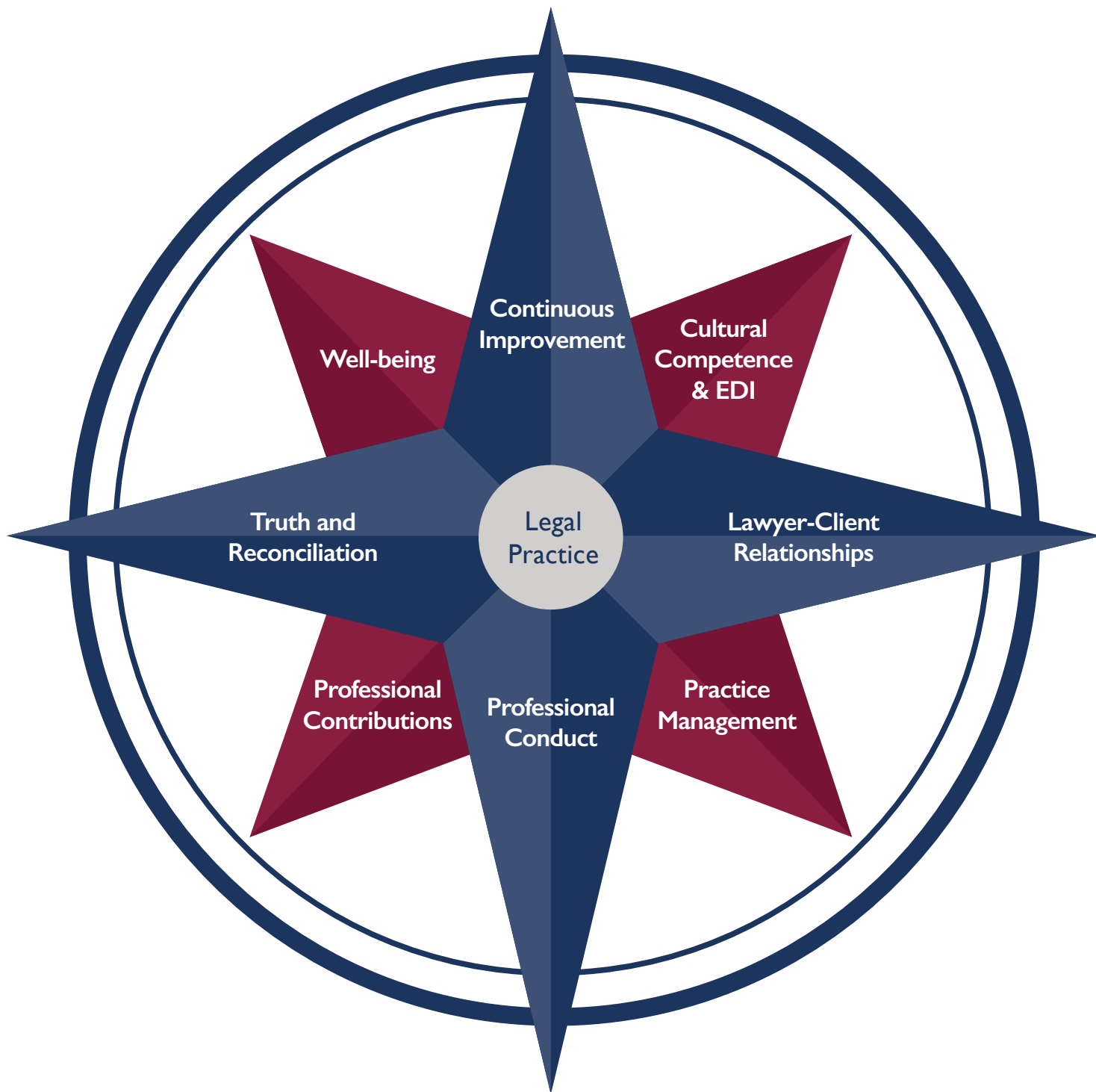


# Professional Development Profile

for Alberta Lawyers



LAW SOCIETY  
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# Purpose of the Profile

The Profile is intended for use by Alberta lawyers. All references to lawyers in this document refer to Alberta lawyers.

## The purpose of the Profile is to:

- Guide lawyers in understanding what competencies are associated with safe, effective and sustainable legal practice.
- Support the CPD of lawyers through ongoing self-assessment and learning.
- Support lawyers in developing their professional identity throughout their career.
- Provide a definition of competence to offer guidance for other regulatory and educational purposes that support competency development.
- Assist employers and articling principals to develop work experiences and practices that support competency development.
- Inform continuing legal education providers about the competencies that are important to legal practice today to assist in future content development for lawyers.
- Support the Law Society's development of a professional development program for lawyers.

## The Profile is not intended to:

- Be a checklist of requirements.
- Duplicate entry to practice competencies developed by other organizations.
- Address substantive legal knowledge and procedures specific to different areas of legal practice.
- Include every competency that lawyers practising law in Alberta might need.
- Create a legal standard to be used in professional negligence claims.
- Set threshold standards for purposes of discipline.

The Profile and related documentation are intended to be living documents; they are expected to evolve and change as the demands on lawyers evolve and change. This version reflects the current understanding of the demands on lawyers who have been admitted to the practice of law in Alberta.

# Profile Elements

**Domains:** The Profile outlines nine domains or areas of competency that are important for Alberta lawyers. The domains set out the suggested areas in which professional development might be undertaken.

**Domain Statements:** Each domain has an introductory statement that conveys the overall scope and intent of the domain. The statements are not intended to be exhaustive and, like the rest of the Profile, are intended to be sources of inspiration and aspiration for Alberta lawyers.

**Competencies:** Each domain contains a number of competencies, which are areas in which a lawyer might seek to develop professionally within that domain. While these competencies have been identified as being important for safe, effective and sustainable legal practice and for continuing competence, they should be thought of as a menu of options for lawyers to pursue when creating CPD plans, rather than as a checklist of requirements. Competencies are numbered and located in the left column of the Profile.

**Performance Indicators:** Performance indicators illustrate observable or readily inferable behaviours in the area outlined by each competency. The performance indicators provide examples of different aspects of the competency that a lawyer can develop. Performance indicators are listed in the right column of the Profile.

**Glossary:** A glossary of terms is provided at the end of the Profile, with glossary terms highlighted in burgundy text wherever they are used.

**Graphic:** The graphic representation of the domains found on page 2 of the Profile depicts a compass, which is consistent with the purpose of the Profile to offer guidance to Alberta lawyers on their professional development journeys. As the Legal Practice domain represents the core legal elements of a lawyer's role, it is in the centre of the compass and is the first domain in the Profile. However, all the domains are interconnected and equal in importance to safe, effective and sustainable legal practice in Alberta today. To indicate this, the rest of the domains are listed in alphabetical order, both in the graphic and in the Profile. The graphic represents the Law Society's holistic and innovative approach to lawyer competence.

# Proficiency Scale

A proficiency scale clarifies a level of progress towards a standard or expectation. For any given competency, different levels of proficiency are expected at various career stages and in various practice areas and contexts. The Law Society has adopted the proficiency scale below, developed by Principia Assessments, Ltd., to be used with the Profile.



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The scale is intended to be used by Alberta lawyers to both self-assess current level of proficiency in a given competency and to set goals for the desired levels of proficiency in that competency. The scale may be applied to any competency in the Profile to assist Alberta lawyers in identifying professional development goals and creating annual CPD plans. There is no expectation that levels of proficiency move in lockstep across or within domains. For instance, a lawyer may be proficient at one competency (the Excel level) and just beginning to test out another competency (the Attempt level).

While the Law Society can offer guidance and suggestions, it will be up to each lawyer to determine how to best improve their proficiency in their chosen areas of professional development, depending on their level of experience, practice context and goals.

## Some examples for using the Proficiency Scale in relation to the Profile include:



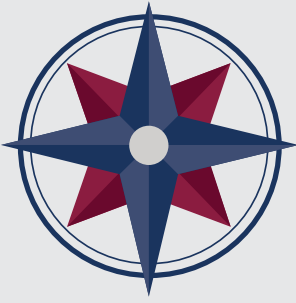
A lawyer in a large firm who has been called to the bar for six years is starting to draw in more of their own clients, and decides they want to start placing more focus on Lawyer-Client Relationships, specifically on fostering collaborative and trusting lawyer-client relationships. Using the Proficiency Scale, the lawyer might judge themselves at the Attempt stage but would like to be performing in accordance with the description of the Excel stage. This might help the lawyer decide to focus on improving on this competency.



A lawyer who serves as in-house counsel may assess themselves as being at the Pre-discovery stage with respect to Truth and Reconciliation. Because this is a newer concept for this lawyer, they may decide to place a great deal of focus on improving their knowledge in this domain, based on the guidance set out in the corresponding competencies and performance indicators.



A partner in a medium-sized law firm who has taken on some management duties may determine they want to place greater focus on supports for well-being in their firm. They determine that they are at the Discover stage of the Proficiency Scale for this competency and want to Lead in this area. Because they want to move up four stages on the Proficiency Scale, they might decide to work on all performance indicators listed for that competency and seek resources to put supports in place for all those areas.



# Professional Development Profile for Alberta Lawyers

## I Legal Practice

Lawyers can accurately identify legal issues. Lawyers employ research, analytical and problem-solving skills to formulate clear and appropriate legal strategies. Lawyers are effective communicators and advance their clients' interests within their practice-specific contexts.

### Competency

### Performance Indicators

#### 1.1 Critically evaluate a matter

- Use appropriate and current substantive and procedural law applicable to one's own practice area(s)
- Accurately identify relevant facts, legal issues and informational gaps or discrepancies
- Gather with due diligence all relevant information
- Research, interpret and correctly apply common law, statutes, regulations, rules, procedure, policy and theory to a legal issue
- Seek relevant expertise on a matter when needed
- Prudently assess possible courses of action, by considering the range of potential outcomes and weighing the risks of each
- Create legal strategy appropriate and proportionate to client needs and means

#### 1.2 Communicate effectively

- Express concepts clearly, precisely, logically, accurately and concisely
- Use plain language where appropriate
- Adapt communications appropriately to different contexts, purposes and audiences (courts, clients, lawyers, enumerated groups, other individuals)

#### 1.3 Advance client interests

- Present well-prepared, accurate and appropriate legal argument and analysis
- Use persuasive communication
- Adapt legal strategy or approach and pivot as circumstances change
- Take steps to protect client interests



## 2 Continuous Improvement

Lawyers are committed to continuous improvement of legal service delivery and to lifelong learning, with the goal of providing the highest quality legal services.

### Competency

### Performance Indicators

- |   |  |
|---|--|
| 2.1 Commit to continuous improvement in the provision of services | <ul style="list-style-type: none"><li>• Proactively seek feedback and input from clients and others to identify aspects of service that could be enhanced</li><li>• Demonstrate adaptability and openness to new ideas</li><li>• Foster innovation and development of best practices</li><li>• Develop solutions to overcome obstacles to implementation of best practices</li></ul>                                       |
| 2.2 Cultivate a <b>growth mindset</b>                             | <ul style="list-style-type: none"><li>• Engage in intentional self-reflection, goal setting, and professional development planning</li><li>• Continuously identify opportunities for professional development and improvement</li><li>• Engage in work or training that will expand skills, knowledge or responsibilities</li><li>• Encourage and support colleagues in undertaking new learning and development</li></ul> |

### 3 Cultural Competence, Equity, Diversity and Inclusion

Lawyers have an awareness of the unique experiences of the **enumerated groups** set out in the *Alberta Human Rights Act*. They implement strategies to meet the specific needs of individuals from these groups to achieve culturally or community-appropriate services and outcomes. Lawyers treat all people with dignity and respect and take active steps to support and advocate for members of **enumerated groups**.

#### Competency

#### Performance Indicators

3.1 Build intelligence related to cultural competence, equity, diversity and inclusion

- Develop understanding of **enumerated groups** as set out by the [\*Alberta Human Rights Act\*](#)
- Develop self-awareness of how one's own conscious and unconscious biases affect perspectives and actions
- Reduce one's own biases through continual education, self-reflection and inquiry
- Recognize how systemic inequalities and barriers affect individuals and groups
- Develop an awareness of the effects of individual and systemic trauma
- Consider how multiple points of discrimination interact to create barriers for individuals

3.2 Incorporate equity, diversity and inclusion in practice

- Practise anti-discrimination and anti-racism
- Ensure that services are accessible to all
- Develop and promote a deeper understanding of sexual orientation and gender identity
- Take action to accommodate visible and invisible disabilities
- Implement strategies to mitigate trauma
- Take action to dismantle systemic inequalities and barriers

3.3 Champion **enumerated groups** in professional activities

- Advance inclusion through intentional, positive and conscious efforts
- Respect the diverse cultures, perspectives, backgrounds, interests and goals of clients, co-workers and colleagues
- Adapt communication for **enumerated groups** as applicable
- Advocate for those facing systemic barriers to accessing what they need or deserve
- Advocate for hiring, promotion and retention in a manner consistent with enhancing diversity, equity and inclusion
- Promote a healthy, safe and inclusive workplace
- Increase awareness of qualifications of internationally trained lawyers

## 4 Lawyer-Client Relationships

Lawyers assess lawyer-client relationships, both internal and external, for suitability and clearly establish the scope of the relationships. Lawyers communicate effectively with their clients and connect with them in a professionally appropriate manner. Lawyers are mindful of and attentive to the entirety of their clients' circumstances and support clients in pursuing their goals, priorities and broader interests.

Competency	Performance Indicators
4.1 Determine suitability of lawyer-client relationships	<ul style="list-style-type: none"><li>• Accurately assess and reassess risks associated with potential and existing client relationships</li><li>• Evaluate if personal considerations might impact lawyer-client relationships</li><li>• Provide appropriate referrals when it is in the client's best interests</li></ul>
4.2 Establish lawyer-client relationships	<ul style="list-style-type: none"><li>• Clarify when providing general legal information versus legal advice which would trigger a client relationship</li><li>• Listen actively to understand client expectations, build trust and foster exchange of information</li><li>• Accurately identify who is authorized to give instructions and receive information</li><li>• Obtain, clarify and document client instructions and confirm course of action</li><li>• Clearly communicate the terms and limits of the lawyer's scope of work/retainer for the client, including fees, and act accordingly</li></ul>
4.3 Engage in ongoing communication with clients	<ul style="list-style-type: none"><li>• Proactively and regularly communicate to keep clients informed</li><li>• Respond to client communications in a timely manner</li><li>• Manage client expectations</li><li>• Communicate respectfully and empathetically</li></ul>
4.4 Foster collaborative and trusting lawyer-client relationships	<ul style="list-style-type: none"><li>• Candidly and thoroughly inform clients of their options and potential outcomes</li><li>• Ensure clients understand information and advice provided</li><li>• Empower clients to act on own behalf or seek out resources when appropriate</li><li>• Consider the entirety of each client's circumstances in all aspects of a matter</li></ul>

## 5 Practice Management

Lawyers employ a range of strategies and skills to support the delivery of efficient and effective legal services and internal processes. Lawyers manage and mitigate risks to their practice and use technology and innovation to improve legal services.

Competency	Performance Indicators
5.1 Use effective time management and organization skills	<ul style="list-style-type: none"><li>• Anticipate and prioritize case, project and workload needs</li><li>• Verify that new assignments are within one's own capacity</li><li>• Perform all work in a timely and cost-effective manner</li><li>• Fully utilise practice management tools and software (e.g., checklists, diary, conflict check system)</li><li>• Delegate tasks that can appropriately and efficiently be performed by others</li></ul>
5.2 Manage files effectively and securely	<ul style="list-style-type: none"><li>• Secure files to prevent unauthorized access</li><li>• Use file management systems that support efficient file tracking, retrieval, retention and destruction</li><li>• Adhere to privacy and confidentiality requirements</li><li>• Ensure matters are thoroughly and clearly documented</li></ul>
5.3 Use effective accounting and billing procedures	<ul style="list-style-type: none"><li>• Ensure timely and regular billing practices in accordance with retainer agreements or other applicable billing guidelines</li><li>• Implement practices and procedures to ensure compliance with Law Society reporting and accounting requirements applicable to practice</li><li>• Access available resources related to billing and accounting when clarification or advice needed</li></ul>
5.4 Supervise and manage effectively	<ul style="list-style-type: none"><li>• Provide required information and relevant instructions for efficient delegation</li><li>• Ensure quality of work produced by others</li><li>• Provide necessary and useful support and direction to others through training and constructive feedback</li><li>• Manage conflict between individuals and groups in practice and model appropriate conflict resolution behaviours</li><li>• Seek and apply tools to build and enhance management skills</li></ul>
5.5 Assess and manage practice risks	<ul style="list-style-type: none"><li>• Implement processes for regular, thorough and honest assessment of <b>practice risks</b></li><li>• Create plans and strategies to mitigate identified practice risks</li><li>• Engage in <b>business continuity</b> and succession planning</li></ul>
5.6 Demonstrate technological competence	<ul style="list-style-type: none"><li>• Evaluate risks and benefits of potential technological innovations to clients and to one's own practice</li><li>• Advocate for the timely and appropriate adoption of technology to increase efficiency and effectiveness of legal practice</li><li>• Use technology, the internet and digital platforms responsibly</li></ul>

## 6 Professional Conduct

Lawyers are honest, trustworthy and act with integrity. Lawyers execute good judgment and adhere to high standards of behaviour and accountability – to their clients, co-workers, colleagues, members of the legal profession, the courts, tribunals and the Law Society.

Competency	Performance Indicators
6.1 Act ethically	<ul style="list-style-type: none"><li>• Accurately recognize, anticipate and resolve ethical issues that arise in legal practice</li><li>• Consistently and decisively make informed and reasoned decisions about ethical issues</li><li>• Implement practices and procedures that ensure individual and organizational compliance with requirements related to ethical and indemnity obligations, including case law, statutory requirements, the Code of Conduct and Rules of the Law Society of Alberta</li><li>• Promptly consult with others (e.g., Practice Advisors, colleagues) when it is unclear how to act ethically in a given situation</li></ul>
6.2 Demonstrate good character	<ul style="list-style-type: none"><li>• Continuously demonstrate integrity, honesty and trustworthiness</li><li>• Consistently practise civility and respect in interactions with others</li><li>• Act on a good-faith basis when dealing with clients, co-workers, colleagues, the legal profession and the public</li></ul>
6.3 Use sound judgement	<ul style="list-style-type: none"><li>• Make logical decisions based on all available information and potential outcomes</li><li>• Seek out additional information when there are gaps in knowledge</li><li>• Promptly recognize when tasks or matters fall outside one's own competence and access appropriate sources when assistance or referral is required</li></ul>

## 7 Professional Contributions

Lawyers foster professional relationships with their colleagues, opposing counsel, courts and tribunals, the Law Society, other professional groups, pro bono organizations, and generally support the administration of justice and enhancements to the legal system. Lawyers strive to strengthen the profession and, where possible, promote and improve access to legal services and access to justice.

### Competency

### Performance Indicators

7.1 Foster collegiality and civility in the legal profession

- Demonstrate professional courtesy, honesty, candour, respect and civility in dealings with clients, colleagues, the courts, tribunals and others
- Work constructively with others to resolve issues in a timely and cost-effective manner when appropriate
- Acknowledge and consider other viewpoints, and express any disagreement thoughtfully and respectfully
- Work collaboratively with colleagues within the lawyer's work environment
- Mentor peers and/or junior colleagues

7.2 Enhance the administration of justice

- Actively volunteer with or otherwise support professional associations and community organizations
- Promote a clear and accurate understanding of the legal profession to others (e.g., the media, the public)
- Foster dialogue between lawyers and the judiciary

7.3 Advance **access to legal services** and access to justice

- Recognize how access to justice issues impact the justice system
- Enhance access to legal services for everyone
- Provide pro bono services and support pro bono organizations
- Ensure matters proceed effectively and efficiently
- Collaborate with others to make systemic improvements to increase access to justice

## 8 Truth and Reconciliation

Lawyers are integral to the development, interpretation and application of laws. Alberta lawyers understand the historical and current impacts that Canadian law has on Indigenous Peoples (First Nations, Inuit and Métis) in Canada and participate in reconciliation.

### Competency

### Performance Indicators

8.1 Strengthen understanding of the truth regarding the experience of Indigenous Peoples in Alberta and Canada

- Recognize the history and diversity of various Indigenous communities of Alberta and Canada
- Understand the terminology used to describe Indigenous Peoples and its significance at law
- Acknowledge the impacts of colonization and systemic discrimination
- Respect the differences among traditional lands, Treaty territories and Métis Settlements in Alberta
- Acknowledge the discriminatory practices that have been applied to Indigenous Peoples in Canada
- Understand the history of Indian Residential Schools and day schools and their impact on the well-being of Indigenous Peoples
- Recognize the historical and ongoing impacts of Canadian and Alberta law on Indigenous Peoples

8.2 Demonstrate support for reconciliation with the Indigenous Peoples of Canada

- Apply Calls for Action and Calls for Justice applicable to Indigenous Peoples
- Acknowledge and respect the traditional Indigenous territory in which the lawyer practises or lives
- Incorporate Indigenous principles, laws, culture and perspectives when developing strategies for representing Indigenous clients
- Recognize that Indigenous Peoples have their own restorative justice systems and use them where appropriate
- Enhance access to restorative justice initiatives and options available in communities

## 9 Well-being

Lawyers make their own physical, mental and emotional well-being a priority in order to ensure their capacity to practise competently. They manage the stresses of practice in the ways that are effective for their individual circumstances in order to provide high-quality legal services and promote healthy workplaces. Lawyers support and foster others' well-being.

Competency	Performance Indicators
9.1 Build <b>resilience</b>	<ul style="list-style-type: none"><li>• Develop flexibility and adaptability in the face of adversity or stress</li><li>• Mitigate effects of stress and trauma, accessing supports as needed</li><li>• Approach challenges as opportunities to learn, grow and improve, where appropriate</li></ul>
9.2 Maintain personal health	<ul style="list-style-type: none"><li>• Practise physical, mental, and emotional self-care and health management</li><li>• Strive to consistently use <b>healthy coping skills</b></li><li>• Identify and seek out resources for support for personal problems that might interfere with one's own ability to practise</li></ul>
9.3 Demonstrate self-awareness	<ul style="list-style-type: none"><li>• Recognize one's own stressors and how they manifest</li><li>• Recognize impact of one's own behaviours on others' well-being</li><li>• Take concrete steps to ensure work-life challenges do not have an adverse impact personally and professionally</li></ul>
9.4 Support well-being of others	<ul style="list-style-type: none"><li>• Encourage adoption of <b>healthy coping skills</b> and stress management practices</li><li>• Demonstrate empathy toward others in professional settings</li><li>• Strive to foster optimal health and well-being of others in professional settings</li><li>• Recognize signs of distress/struggle in others</li><li>• Assist others in obtaining supports for their well-being</li></ul>



# Glossary

**Access to legal services:** While access to justice is a commonly used phrase, it applies primarily to access to the court system. Access to legal services includes access to all types of services a lawyer might provide, some of which do not involve the courts. Access refers to more than affordability; it includes considerations relating to geographic location, language, and health, among others.

**Business continuity planning:** The process of creating systems of prevention and recovery to deal with potential threats to a company. In addition to prevention, the goal is to enable ongoing operations before and during execution of disaster recovery.

**Enumerated groups:** Groups of people who share identities based on the characteristics set out in the [Alberta Human Rights Act](#), which states that all persons are equal in: dignity, rights and responsibilities without regard to race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation.

**Growth mindset:** The belief that one's talents can be developed through hard work, good strategies, and input from others. Individuals who adopt more of a growth mindset are more likely to embrace lifelong learning, put in more effort to learn, view feedback as an opportunity to learn, believe failures are just temporary setbacks, willingly embrace challenges and view others' success as a source of inspiration.

**Healthy coping skills:** Constructive or positive ways we manage internal and external stress, and which are associated with good mental health. Some examples may include seeking out social support, establishing boundaries, practising gratitude, engaging in a hobby, getting enough sleep, exercising, spending time outdoors and journaling.

**Practice risks:** Threats that impact a lawyer's reputation, opportunity, operating costs or ability to carry on business. Examples of risks in legal practice may include but are not limited to ethical complaints, insurance claims, cyber-attacks, fraud, theft, staffing issues, unexpected life events and disasters.

**Resilience:** The process of adapting well in the face of adversity, trauma, tragedy, threats, or significant sources of stress, such as family and relationship problems, serious health problems, or workplace and financial stressors.



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