

Know Your Rights!

A MONTHLY NEWSLETTER TO HELP ONTARIO'S CONSUMERS.

Paralegal Regulation Begins

On May 1, 2007, the much anticipated process of regulating Ontario's paralegals began. Up until this time there had been no regulatory regime at all for the vast majority of the estimated 1,500 independent paralegals working across the province. (Immigration consultants and accident/injury paralegals were recently regulated by the federal and provincial governments respectively.)

For years both paralegals and lawyers have been advocating for regulation, however, they have often differed on what form regulation should take. Eventually the provincial government broke the deadlock by passing a law that would place paralegals under the auspices of the Law Society of Upper Canada - the organization that regulates lawyers.

The new regulatory regime is being implemented in stages with a build-up to having paralegals become fully licensed legal service providers by May 2008. In the short term independent paralegals are to abide by a Professional Code of Conduct similar to that for lawyers.

Additionally, paralegals are now required to carry errors and omissions insurance, maintain trust accounts for deposits in advance of work, and carry on business as either a sole-proprietorship or partnership.

By October 31, 2007, paralegals will need to have submitted their licensing application to the Law Society which will review each

application with special attention to experience, education and good character.

In January 2008, the first licensing exam will be held and the first licenses are expected to be issued by May 2008.

On the positive side these changes will result in improved protection for consumers as there will be uniform standard of ethics and competence for paralegals and a regulatory body to hold paralegals accountable.

On the negative side the additional costs to sustain this regulatory regime will result in an increase in the fees charged by paralegals and a withdrawal of services from some areas of practice such as family law, wills and estates.

All of Justice Matters' paralegals are presently members of the Paralegal Society of Ontario and do carry error and omissions insurance as required by the Law Society.

Overall we welcome these changes to the paralegal industry which, in our opinion, were long overdue.

This monthly newsletter is available free of charge by Justice Matters, an Ontario-based paralegal firm, and can be downloaded from our website www.justicematters.ca

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Ontario Head Office

(905) 275-0168

Toronto Area Office

new location