

Information

Law Society of Yukon

Compulsory Profession Development

Background

The Law Society of Yukon has a statutory mandate to ensure that lawyers who practice law in Yukon are competent. The Executive accepted the recommendations of the CPD Task Force and decided that like other professions and most other Canadian law societies, every practicing lawyer in Yukon should be required to take some CPD every year.

Requirements

The Law Society of Yukon CPD program requires that **all practicing members** complete **12 hours** of professional development annually.

Mandatory content, such as the ethics/professional responsibility requirement in British Columbia will **not** form part of Yukon's CPD requirements.

The Law Society will **not accredit providers or subject matter**, but will have the discretion to determine that activities offered by a specific provider are not eligible activities if they do not adequately meet the activities set out in the Guidelines for Eligible CPD Activities.

Exemptions

- Members who are subject to *comparable* CPD requirements in another jurisdiction (for example, if you are a member of the Law Society of British Columbia and have fulfilled their 12 hours of CPD requirements you are not required to undertake additional CPD activities or training for the Law Society of Yukon).
- Newly called lawyers who complete the bar admission program of a Canadian law society during the reporting year.
- Members with non-practicing or retired status. (If you had non-practicing status for part of the year, you must report for the part of the year that you had practicing status).
- If you become a member part way through the year you are only required to meet the requirements for the months (no partial months) you were a member.

Guidelines for Eligible CPD Activities

Eligible CPD activities must contain significant substantive or practical content with the primary objective of increasing lawyers' professional competence.

For greater clarity eligible CPD activities include activities and content dealing with

- **the practice of law (including ethics, professional responsibility, practice standards, etc.);**
- **lawyering skills (such as advocacy, drafting, research, communication, cultural competence, etc.); or**
- **practice management (including client relations, wellness, time management, practice technology, etc.).**

Examples of Eligible CPD Activities

- **Live courses, including internal or private courses, educational components of meetings and conferences, and webcast and telecast courses (with or without the ability to interact with presenters)** count toward the annually required hours, provided content requirements are met and that only the hours in actual attendance at the course or educational component of the conference or meeting be considered eligible hours.
- **Group study (two or more members)** count toward the required hours, provided the content requirements are met and that only hours in actual group study be considered eligible hours (that is, preparation time is not counted as eligible CPD hours).
- **Teaching qualifies for a maximum of six hours per year.** The time spent teaching may be multiplied by 3 to account for preparation time (for example 1 hour of teaching would equal 3 CPD hours). However, the following limitations apply: the content requirements must be met; presentations to clients do not count towards CPD hours; and the hours count for only the first presentation (second and subsequent presentations of the same lecture either in the reporting year or in subsequent years, for example, would not count toward CPD hours). The total number of eligible credit hours cannot exceed 6 hours, regardless of how many hours are actually taught or how many different courses are taught.
- **Writing books or articles** qualifies for a maximum of six hours per year provided that the content requirements are met, the purpose is publication or use in an educational program, and that the writing is not done as part of the member's regular employment. Time spent writing head notes or case reports would be considered eligible to meet the annual requirement.
- CPD hours will also be available for non-legal content if the member can demonstrate that it is directly related to improving professional competence in the lawyer's practice.

Examples of Non-Eligible CPD Activities

- Self-study, listserves, forums, and network sites are *not* eligible to count towards required hours.
- Mentoring or being a principle to an articulated student is *not* eligible to count towards the required hours.
- Content and activities relating to marketing or profit maximization or content or activities primarily designed for attracting clients, or prepared and delivered in the ordinary and usual course of practice are not eligible CPD activities.
- Content and activities undertaken for a client or employment purpose.

Reporting

- CPD reporting will be done once a year on Form 13 (Annual Declaration). Members will be required to provide the following information:
 - course name/activity description
 - identifying information (e.g. format – name of course provider, study group organizer, etc [if group study include the names of people in your study group])
 - role (attendee, presenter, author, etc.)
 - date of course
 - number of hours
- Members who are exempt from complying with CPD requirements will identify their exemption on Form 13.

Failure to Report or Comply with CPD Requirements

The consequences for members who fail to fulfill the CPD requirements will be administrative sanctions in the nature of late fees, plus the requirement to make up the hours within a specified time period and, as a final consequence, administrative suspension.

Monitoring

The Law Society will monitor compliance by auditing members. If you are audited you may be asked to provide receipts or other documents to establish the number of hours of your participation and the eligibility of the activities.