

Law Society of Yukon

#304 – 104 Elliott Street

Whitehorse, Yukon Y1A 0M2

Phone: 867-668-4231 Fax: 867-667-7556

Email: info@lawsocietyyukon.com

FORM 2

Articling Agreement

(Rule 47 (2)(b))

Articling Agreement for the period

beginning _____ and ending _____
month/day/year month/day/year

Between:

Principal:

Last Name	First Name	Middle Name(s)	
Name of Firm/Employer (the "Firm")			
Street			
City	Province/Territory	Country	Postal Code
Telephone () ()	Fax ()	Email Address	

- and -

Articled Student

Last Name	First Name	Middle Name(s)	
Street			
City	Province/Territory	Country	Postal Code
Telephone () ()	Fax ()	Email Address	

The principal and articled student agree that during the articling period they will abide by the following terms:

General

1. The principal must act as principal to the articled student and ensure that the articled student is instructed in the practice of law and professional conduct.
2. The principal must advise the Law Society of Yukon (Society) as soon as practicable if at any time during the period of articles the articled student exceeds the four weeks leave permitted under subrule 48(2).
3. The articled student must:
 - a) diligently provide their services as an articled student as reasonably directed by the principal and other members of the Firm;
 - b) observe all office rules and office policies of the Firm; and
 - c) strictly safeguard all privileged and all confidential information of clients.

Mentoring and Supervision

4. Throughout the articling period, the principal must supervise the articled student by:
 - a) monitoring the articled student's performance;
 - b) meeting with the articled student on a regular basis;
 - c) discussing with the articled student their work and progress; and
 - d) providing the articled student with advice and direction on their development as a lawyer.
5. The principal must ensure that the articled student:
 - a) is supervised in a manner appropriate for the circumstances when the student is appearing or acting as counsel; and
 - b) is competent and properly prepared to appear or act as counsel in the matter.
6. The principal must ensure the articled student is aware, that during the articling period, the student is required to attend and pass a bar admission course and write and pass a Yukon statutes exam.

Ethics and Professionalism

7. The principal and articled student must ensure that the student is instructed in the ethical duties, standards and professional responsibilities as described in the attached Articling Skills and Practice Checklist (Checklist).

8. The articled student must meet with the Secretary of the Law Society Executive within the first four months of the articling period to:
- a) review the *Legal Profession Act, 2017*, the Rules of the Law Society of Yukon, and the Code of Conduct; and
 - b) review the duties of a lawyer to the courts, clients, the public, other members of the profession and the Society.

Practice Management

9. The principal and the articled student must ensure that the articled student obtains practical experience and training in practice management as described in the Checklist.

Lawyering Skills and Practice Areas

10. The principal and the articled student must ensure that the articled student obtains practical experience and training in **all** of the lawyering skills described in the Checklist.

11. The principal and the articled student must ensure that the articled student obtains practical experience and training in a **minimum of three** practice areas described in the Checklist.

12. The principal may allow the articled student to serve up to one quarter of the period of the articles with another active member who has provided legal services as a lawyer for at least seven years, to enable to the student to obtain training or instruction the principal considers beneficial to the articled student.

13. If the articled student is permitted to work in the office of another active member under subrule 55(1), the principal must provide in either their mid-term or final report to the Credentials Committee the details of the arrangement with the active member and the work undertaken by the student.

Evaluation Requirements

14. **Mid-term Report:** The principal and the articled student acknowledge the Society requirement that the articled student complete the training described in the Checklist in order for the student to qualify for admission to the Society as an active member. The principal and the articled student must meet at approximately the halfway point of the articling period (excluding the period of the articled student's attendance at the bar admission course) to discuss the student's progress. Before the articled student has completed seven months of the articling period, the principal must prepare and submit a mid-term report to the Credentials Committee. The mid-term report must include a plan for the student to complete any outstanding training before the end of the articling period.

15. **Final Report:** No later than the end of the articling period, the principal must submit to the Credentials Committee a final report describing the articulated student's performance and whether they have successfully completed their training. The final report will also include the Checklist signed by the principal and student itemizing what items have been completed during the course of the articling period.

16. **Principal's Evaluation:** The principal must provide the articulated student with a detailed evaluation of the articulated student's competence before the end of the articling period. The evaluation need not be in writing and is not to be submitted to the Society.

Assignment of Principal

17. If the Credentials Committee consents to an articulated student's articles being assigned to another principal, the principal under this agreement must, on the request of the Credentials Committee, provide the Committee with an interim report within the period specified by the Committee.

Certification

The principal and the articulated student certify that they have met and discussed the terms of this Articling Agreement.

Date

Signature of Articled Student

Date

Signature of Principal

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Articling Skills and Practice Checklist

During the articling period, _____ obtained practical experience and training in the following:

1. **Ethics & Professionalism** — Practical experience and training in ethics including the following:
 - a lawyer’s duties to the courts, clients, the public, other members of the profession and him or herself;
 - a lawyer’s duty to adhere to the highest ethical standards, including demonstrating courtesy and good character in all dealings;
 - the ability to recognize circumstances that give rise to ethical problems and to recognize that such problems benefit from prompt and serious attention and from guidance from others; and
 - a lawyer’s obligation to maintain and enhance the reputation of the profession, including acting in a respectful, non-discriminatory manner, protecting all client confidences and discharging all undertakings.

2. **Practice Management** — Practical experience and training in practice management, including the following:
 - effective client communication, development and relations;
 - appropriate timekeeping, reminder systems and billing practices;
 - teamwork and good relations with office staff;
 - prioritizing deadlines and workload;
 - record keeping and file maintenance; and
 - trust and general accounting and financial planning.

3. **Lawyering Skills** — Practical experience and training in *all* of the following lawyering skills:

Skill	Description/Examples
<input type="checkbox"/> Research	Conducting legal research, including identifying issues, selecting resources and recording, analyzing, applying and communicating research results.
<input type="checkbox"/> Writing	Writing legal opinions and other communications in a clear, well-organized, and succinct manner that meets the purpose of each communication, ensures accuracy of content and maintains civility.
<input type="checkbox"/> Drafting	Drafting legal documents (such as leases, agreements and pleadings) that are well-organized, clear, and succinct and that meet the intended purpose, both with and without the use of precedents. Understanding and explaining legal documents drafted by others.
<input type="checkbox"/> Advocacy	Representing a client effectively, including preparing, presenting and testing evidence and arguing persuasively in accordance with the procedures and etiquette of the forum, including conduct of Territorial Court, Supreme Court Chambers or administrative tribunal matters, in accordance with Law Society Rule 59.
<input type="checkbox"/> Negotiation and/or Mediation	Preparing for and negotiating a matter on behalf of a client, including documenting a settlement and/or preparing for and representing or co-representing a client at a mediation.
<input type="checkbox"/> Interviewing	Conducting interviews of witnesses and clients using appropriate questioning techniques, explaining the legal situation clearly and accurately and ensuring there is a mutual understanding with clients regarding retainers, fees and instructions.
<input type="checkbox"/> Problem Solving	Analyzing clients' problems based on the law, the facts and the clients' circumstances and developing, assessing and recommending options for resolution and preparing a plan for implementation.

4. **Practice Areas** — Practical experience and training in a minimum of **three** of the following practice areas (*check three or more*):

- Corporate and Securities
- Commercial
- Intellectual Property
- Criminal
- Administrative
- Labour and Employment
- Immigration
- Family
- Real Estate
- Civil Litigation
- Creditors Remedies
- Wills and Estates
- Tax
- Other (one only) _____

Date

SAMPLE ONLY – DO NOT SIGN
Signature of Articled Student

Date

SAMPLE ONLY – DO NOT SIGN
Signature of Principal