

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 12

Application to Change Status to Active Member

(Rule 85)

Name

| | | |
|-----------|------------|----------------|
| Last Name | First Name | Middle Name(s) |
| | | |

Contact Information

| | | | |
|---|--------------------|---------------|-------------|
| Name of Firm/Employer (if applicable) | | | |
| Street | | | |
| | | | |
| City | Province/Territory | Country | Postal Code |
| Telephone Work () Home () | Fax () | Email Address | |

Note:

All required records and information must be submitted to the Credentials Committee before your application will be considered valid.

If supporting documentation will be submitted separately from the application, please advise our office.

Where a certificate of standing is required, the Law Society of Yukon (Society) will accept:

- if the certificate is issued by a Law Society in Canada, the original certificate, or an electronic copy if sent directly to the Society by the issuing Law Society;
- the original certificate if the certificate is issued by a body regulating legal professionals in a jurisdiction outside Canada.

Instructions: Indicate by checking the appropriate box below which category under which you are applying (i.e. as a non-practicing or retired member)

1 (a). ☐ I apply to the Society under rule 85 to change membership from being a non-practising member to an active member. Included with this application are the following:

- ☐ A certificate of standing from each governing body, and each body regulating legal professionals in a jurisdiction outside Canada, in which I am or have ever been a member, dated no more than 60 days before the date the application is received by the Credentials Committee;
- ☐ Fees in the amount of \$1,155.00 (\$1,100 membership fees plus \$55.00 GST)
- ☐ Insurance assessment, if applicable

OR

1(b). ☐ I apply to the Society under rule 85 to change membership from being a retired member to an active member. Included with this application are the following:

- ☐ A certificate of standing from each governing body, and each body regulating legal professionals in a jurisdiction outside Canada, in which I am or have ever been a member, dated no more than 60 days before the date the application is received by the Credentials Committee;
- ☐ Fees in the amount of \$1,438.50 (\$1,370 membership fees plus \$68.50 GST);
- ☐ Insurance assessment, if applicable

APPLICANT'S QUESTIONNAIRE

The Applicant's Questionnaire must be completed fully and accurately. The declaration must be made before a Notary Public or Commissioner for Oaths.

Omissions or inaccuracies in your answers may delay consideration of your application or affect your admission as an active member.

If the space provided for an answer is insufficient, provide details on a separate sheet of paper and attach the sheet of paper to this application.

The Credentials Committee may investigate or verify any information supplied on this application and may require further explanation from you before considering your application.

2. Date you ceased being an active member of the Society: _____

3. Have you provided legal services as a lawyer in the past three years? ☐ Yes ☐ No

If no, provide details of what activities you have been engaged in since ceasing to provide legal services as a lawyer.

4. State the name of every law society in Canada or body regulating legal professionals in a jurisdiction outside Canada in which you are now or have ever been a member.

| <u>Name of Jurisdiction</u> | <u>Date of Admission</u> | <u>Current Member</u> |
|-----------------------------|--------------------------|--|
| <hr/> | <hr/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <hr/> | <hr/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <hr/> | <hr/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

5. If admitted as an active member, do you intend to become resident in Yukon? ☐ Yes ☐ No

6. Name and address of where you intend to practice if different from contact information provided above:

Telephone: _____ Email address: _____

Expected start date: _____

7. If admitted as an active member, would you like an updated membership card? ☐ Yes ☐ No

If you answer yes to any of questions 8 to 28, provide details on a separate sheet.

8. Based on your personal history, your current circumstances or any professional opinion or advice you have received, are you currently experiencing any condition which is reasonably likely to impair your ability to competently practice law? ☐ Yes ☐ No
9. Have you been found in contempt of an order of a court or an administrative tribunal since you ceased to be an active member of the Society? ☐ Yes ☐ No
10. Have you violated an order of a court or an administrative tribunal since you ceased to be an active member of the Society? ☐ Yes ☐ No
11. Have you failed to comply with a subpoena since you ceased to be an active member of the Society? ☐ Yes ☐ No
12. Are you aware of any ongoing criminal investigations into your conduct or any pending criminal charges against you? ☐ Yes ☐ No
13. Have you or any business you control been convicted or found liable in a criminal, civil, or administrative proceeding of breach of trust, fraud, perjury, misrepresentation, deceit, forgery, dishonesty, or undue influence since you ceased to be an active member of the Society? ☐ Yes ☐ No
14. Are you aware of any pending criminal, civil, or administrative proceedings against you or any business you control involving a breach of trust, fraud, perjury, misrepresentation, deceit, forgery, dishonesty, or undue influence? ☐ Yes ☐ No
15. Are there any outstanding warrants, judgments, court orders, or legal proceedings against you or any business that you control? ☐ Yes ☐ No
16. Have you, or any business that you control, been the subject of an order enjoining you from the unauthorized practice of law since you ceased to be an active member of the Society? ☐ Yes ☐ No
17. Are you aware of any outstanding allegations of unauthorized practice of law outstanding against you or any business that you control? ☐ Yes ☐ No
18. Have you been charged with, or found guilty of, any of the following offences since you ceased to be an active member of the Society:
- a. An indictable offence under a federal enactment. ☐ Yes ☐ No
- b. An offence under a federal enactment that is prosecutable either as an indictable offence or as a summary conviction offence. ☐ Yes ☐ No

- c. A summary conviction offence under the federal *Income Tax Act*, *Criminal Code*, *Controlled Drugs and Substances Act* or *Food and Drugs Act*. ☐ Yes ☐ No
- d. A summary conviction offence under personal or corporate tax legislation of any province or territory, including a regulation or regulatory instrument made under the legislation. ☐ Yes ☐ No
- e. An offence under the *Securities Act* or an analogous enactment in any province or territory, including contravening a regulatory instrument made under the enactment. ☐ Yes ☐ No
- f. An offence in a jurisdiction outside Canada that is substantially similar to an offence referred to above. ☐ Yes ☐ No
19. Have you been discharged, suspended, disciplined, or permitted to resign in lieu of discipline, due to allegations of misconduct in relation to your employment since you ceased to be an active member of the Society? ☐ Yes ☐ No
20. Are you aware of any pending charges, complaints or investigations regarding your conduct as a member of any profession? ☐ Yes ☐ No
21. Have you been the subject of any charges, complaints, grievances (formal or informal), investigations, findings or proceedings regarding your conduct as a member of any profession or organization since you ceased to be an active member of the Society? ☐ Yes ☐ No
22. Have you been removed from the membership of, or refused admission to, or been disciplined by, a governing body, a body regulating legal professionals in a jurisdiction outside Canada, or other professional body or organization since you ceased to be an active member of the Society? ☐ Yes ☐ No
23. Have you resigned from a governing body, or body regulating legal professionals in a jurisdiction outside Canada, in lieu of disciplinary proceedings being taken against you since you ceased to be an active member of the Society? ☐ Yes ☐ No
24. Are you now, or have you been, a bankrupt under the *Bankruptcy and Insolvency Act* since you ceased to be an active member of the Society? ☐ Yes ☐ No
25. Have you made a proposal under the *Bankruptcy and Insolvency Act*, or made any other formal declaration of insolvency since you ceased to be an active member of the Society? ☐ Yes ☐ No
26. Has any corporation, partnership, or other business entity which you control, or over which you had control, become bankrupt, made a proposal under the *Bankruptcy and Insolvency Act*, or made any other formal declaration of insolvency since you ceased to be an active member of the Society? ☐ Yes ☐ No

27. Are you now, or have you in the last two years been, in default of any loan, debt or other financial obligation? ☐ Yes ☐ No

28. Are you aware of any professional liability claims or any potential professional liability claims against you? ☐ Yes ☐ No

PROFESSIONAL LIABILITY INSURANCE

29. I currently have professional liability coverage which, if I am admitted as an active member, will:

- a. apply to the provision of legal services by me in Yukon; and
- b. complies with the requirements for professional liability coverage under the *Act*. ☐ Yes ☐ No

30. If yes, details of insurance: ☐ N/A

(a) Name of insurer: _____

(b) Policy expiry date: _____

(c) Any conditions, restrictions or limitations: ☐ Yes ☐ No

If yes, provide details:

31. I qualify for an exemption from the requirement to have professional liability coverage. ☐ Yes ☐ No

32. Grounds for exemption (check applicable box) ☐ N/A

☐ I will be an active member who provides legal services only as an employee for an employer who does not provide legal services and will not practise on my own account apart from such employment.

☐ I will be an active member who provides legal services in Yukon only as an employee of a government and will not practise on my own account apart from such employment.

☐ I wish to be an active member solely for the purpose of applying to be licensed to practice law in another province or territory and will not provide legal services in Yukon while my application to be licensed in that province or territory is being processed.

I solemnly declare that the information provided in this application is complete and accurate as of today's date. I make this declaration in support of my application conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED before me at the City of _____)
_____, in _____)
_____, this _____)
day of _____, 20____.)

_____)
_____)
_____)
A Notary Public or Commissioner for _____)
Oaths in and for: _____)
_____)
(insert jurisdiction)

Signature of Applicant
Print name: _____

AUTHORIZATIONS, UNDERTAKINGS & CERTIFICATION

I, _____, the applicant in this application to the Law Society of Yukon (Society) for admission as an active member:

1. authorize the Credentials Committee to ask any person, government, educational institution, financial institution, police force, military authority, governing body, or other organization about anything relevant to my application to the Society;
2. authorize any person, government, educational institution, financial institution, police force, military authority, governing body, or other organization, contacted by the Credentials Committee in relation to my application to provide the Committee with the information and documents requested by the Committee;
3. agree to provide any additional specific authorization or release that is requested by the Credentials Committee to enable the Committee to obtain information that will assist the Committee in determining whether I should be admitted to the Society as an active member;
4. undertake that if admitted as an active member to the Society I will comply with the *Legal Profession Act, 2017*, the Rules of the Law Society of Yukon, and the Code of Conduct.
5. certify that I am aware of my obligations under the Code of Conduct to perform all legal services undertaken on behalf of a client to the standard of a competent lawyer, including knowing the substantive law and procedures in Yukon for the areas of law in which I will provide legal services in Yukon;

Date: _____

Applicant's signature