

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 15

Application to Lift Suspension

(Rule 90)

Name

Last Name	First Name	Middle Name(s)
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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.

1. I apply to the Society under rule 90 to have my suspension lifted. Included with my application is 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
- ☐ Payment of membership fees for each calendar year during the period I was suspended based on my class of membership at the time of suspension together with payment of any unpaid fees or levies owing to the Society (Contact Society office for amount owing.)
- ☐ Fees in the amount of \$315.00 (\$300 application fee plus \$15 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 were automatically suspended from the Society under the rules of the Law Society of Yukon: _____
month/day/year

3. Have you provided legal services as a lawyer since you were automatically suspended from the Society? ☐ Yes ☐ No

If no, provide details of what activities you have been engaged in since you were automatically suspended from the Society.

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>
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

5. If automatic suspension lifted, 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 automatic suspension lifted, 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 being automatically suspended from the Society?
☐ Yes ☐ No

10. Have you violated an order of a court or an administrative tribunal since being automatically suspended from the Society?
☐ Yes ☐ No

11. Have you failed to comply with a subpoena since being automatically suspended from 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 being automatically suspended from 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 being automatically suspended from 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 being automatically suspended from 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 being automatically suspended from 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 being automatically suspended from 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 being automatically suspended from 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 being automatically suspended from the Society? ☐ Yes ☐ No
24. Are you now, or have you been, a bankrupt under the *Bankruptcy and Insolvency Act* since being automatically suspended from 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 being automatically suspended from 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 being automatically suspended from 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 my suspension is lifted, 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

☐ If suspension lifted, I will be a non-practicing or retired member.

☐ If suspension lifted, 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.

☐ If suspension lifted, 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.

☐ If suspension lifted, 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) to have my automatic suspension lifted:

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 my automatic suspension should be lifted;
4. undertake that if my suspension is lifted, 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 _____