

## LAW SOCIETY OF PRINCE EDWARD ISLAND

### Policy on Admission for Applicants with a Law Degree from Outside Canada or a Canadian Civil Law Degree (Regulation 18)

#### 1 Purpose

**1.1** The purpose of this Policy for Applicants with a Law Degree from Outside Canada or a Canadian Civil Law Degree (“Policy”) is to outline the requirements, procedures, and expectations of applicants who possess law degrees from outside of Canada or who possess a Canadian civil law degree who wish to be admitted as members of the Law Society of Prince Edward Island (“the Society”).

**1.2** This Policy should be read in tandem with the *Legal Profession Act* (“Act”) and Regulations made pursuant to the Act. If there is a conflict between the Policy and the provisions of the Act and/or Regulations made pursuant to the Act, the provision of the Act and Regulations prevail.

#### 2 Decision-Making Process

**2.1** The Secretary-Treasurer is responsible for making all determinations regarding applications submitted under this Policy, except where:

- The Regulations require referral to Council; or
- The Secretary-Treasurer, in their sole discretion, determines that such referral is necessary.

**2.2** In every instance, all decisions will adhere to the guidelines and procedures set forth in the Society’s *Policy on Decision-Making in the Public Interest*, ensuring decisions are made in the public interest and in full compliance with the Act, its Regulations, and the Society’s mandate.

#### 3 Eligibility Requirements

**3.1** Regulation 18 sets out the eligibility requirements for membership. An individual is eligible to apply for admission as a member in good standing if the applicant:

- (a) is the full age of eighteen years;
- (b) has produced to Council a certificate of qualification issued by the National Committee on Accreditation of the Federation of Law Societies of Canada (established to assess the equivalence of international degrees to Canadian law degrees) confirming that the applicant:
  - (i) possesses a degree equivalent to a Canadian Common Law Degree, or
  - (ii) does not possess a degree equivalent to a Canadian Common Law Degree but has successfully completed the requirements stipulated by the National Committee on Accreditation to attain equivalency;
- (c) subsequent to obtaining a certificate of qualification,
  - (i) successfully completes a term of articles of clerkship of twelve months; or
  - (ii) is granted and successfully completes an abridged period of articles granted pursuant to part 4.1 of this Policy.
- (d) has successfully completed the bar admission course;
- (e) has filed a Certificate satisfactory to Council from the appropriate officer of the Law Society of each bar of which the applicant is a member certifying that:
  - (i) the applicant is a member in good standing of the Society;
  - (ii) there is no complaint pending against the applicant for which the applicant could be struck off the roll, suspended or reprimanded;

- (iii) the applicant has not been the subject of any previous disciplinary action by the Society or, if the applicant has been, certifying as to the particulars thereof; and
- (iv) it is the belief of the officer that the applicant is apparently fit to engage in the practice of law; and
- (f) has paid the fees prescribed by the Regulation.

#### **4 Abridgement of Articling Term for Experienced Applicants**

**4.1** Under Regulation 18(1)(c), the full term of articles of clerkship of twelve (12) months may be abridged for applicants who hold a degree from a common law jurisdiction or a Canadian civil law program and have practiced law full-time for at least three of the five years immediately preceding their application.

**4.2** Applications for an abridged articling term are decided pursuant to part 2 of this Policy. Various factors will be considered, including, but not limited to, a combination of the following:

- (a) Legal Practice Experience: The applicant's post-law school legal practice in a common law jurisdiction outside Canada or in a Canadian civil law jurisdiction, with emphasis on the length, recency, nature, and scope of this experience;
- (b) Professional References: Correspondence from lawyers, judges, or former legal employers with direct knowledge of the applicant's legal practice, confirming the length, recency, nature, and scope of their experience;
- (c) Canadian Legal Experience: The applicant's work in Canada as a paralegal, legal researcher, legal assistant, or in other legal roles, considering the nature, duration, and scope of this experience;
- (d) Advanced Legal Training or Education: The applicant's completion of specialized legal training or advanced legal education in Canada or abroad;
- (e) Volunteer Legal Experience: The applicant's contributions as a volunteer with legal organizations in Canada;
- (f) Non-Legal Experience in Canada: Relevant professional or other non-legal experience gained within Canada;
- (g) The applicant's competence, good character, and fitness to practice law on Prince Edward Island; and/or
- (h) Other Relevant Circumstances: Any additional factors unique to the applicant's situation that may support their application.

**4.4** Interested applicants can apply for an abridgement of the full term of articles of clerkship in their application for admission pursuant to part 5 of this Policy.

**4.3** Although an eligible applicant may apply for an abridgement, it is the Society's policy to require applicants granted an abridgement to article on Prince Edward Island for a minimum of 6 months. This minimum articling term recognizes that there are significant differences between the practice of law in Prince Edward Island and other jurisdictions and that a significant period of articles is required for applicants with a common law degree obtained outside of Canada or a civil law degree obtained in Canada to attain the necessary practising experience in Prince Edward Island.

#### **5 Content of Application for Admission**

**5.1** An application for admission under Regulation 18 shall provide:

- (a) Contact information of the applicant;
- (b) Confirmation of a law degree;
- (c) The professional history of the applicant;
- (d) Information confirming good character in the required form;
- (e) Information confirming fitness in the required form;
- (f) Information confirming competence to practice law in the Province;

- (g) A certificate of standing from each jurisdiction in which the applicant is practising or has practiced law;
- (h) Information about any outstanding complaint pending in a jurisdiction in which the applicant has practiced law;
- (i) Supporting information and documentation for eligible applicants who wish to apply to have their articling term abridged as per Regulation 18(1)(c); and
- (j) Such other information as may be required by the Secretary-Treasurer or Council.

## **6 Good Character and/or Fitness**

6.1 The Secretary Treasurer or Council may obtain additional information regarding the applicant's good character or fitness from the applicant or any other person.

## **7 Fees**

7.1 The applicant will be required to pay the appropriate fees prescribed by the Regulations.

## **8 Admission and Call to the Bar**

8.1 After an applicant has completed all requirements under the Act, Regulations, and this Policy, the Secretary-Treasurer and/or Council will decide whether the applicant is fit for and possesses the requisite qualifications and good character to be admitted as a member of the Law Society and to the Bar and shall grant or refuse admission according to section 2 of this Policy.

*Approved by Council – Sept. 22, 2025*