

# Articling Abridgment: Process and Criteria

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## Articling abridgment

An articling abridgment is a reduction of the articling term. Candidates registered in the Licensing Process may apply for an articling abridgment. There are two types of articling abridgments:

- 1) Compassionate abridgment of up to six weeks, and
- 2) Non-compassionate abridgment based on other previous legal experience.

### I. Abridgment Based on Compassionate Grounds

The Registrar may approve an abridgment of the articling term on compassionate grounds for a period of up to six weeks. Compassionate grounds may include family responsibilities, prolonged illness or accidents or any other ground deemed compassionate by the Registrar.

#### Documents Required for Compassionate Abridgment Application:

- **Letter of request** from applicant indicating the reasons for the abridgment; and
- **Letter from the candidate's Principal or law firm** indicating the date of commencement of Articles and the total amount of vacation and sick days taken to the date of the request. This must be forwarded directly by the Principal or Principal's law firm to the Office of the Registrar.

### II. Abridgment Based Non-Compassionate Grounds

A candidate may apply for an abridgment of the Articling Term on non-compassionate grounds where the candidate has

- a) Been admitted to the Bar of a foreign jurisdiction and
- b) Practised as a lawyer in another jurisdiction, or
- c) Had other legal experience.

The Registrar may approve an abridgment of the articling term while evaluating the following criteria:

- a) Length, recentness, nature, scope and diversity of the applicant's experience; and
- b) Relevance of the legal experience to the legal skills, practices and systems ordinarily experienced during traditional articles;

The Registrar will not consider the following when evaluating a request for abridgment:

- a) Summer or part-time experience in a law firm;
- b) Clinical education experiences received by an applicant before completing the Approved Law Course requirements;
- c) Full-time experience in law firms or clinical education experiences received while enrolled in an Approved Law Course.

**Documents Required for Non-compassionate Abridgment Application:**

- **Application for Articling Abridgment: Non-compassionate Grounds** (attached) completed, signed and sent, with cover letter, to the Office of the Registrar;
- **The Law Society of Upper Canada will invoice your online account in the amount of \$160.00 (plus \$20.80 HST)** or you may pay by certified cheque or money order payable to The Law Society of Upper Canada;
- Where the applicant has been admitted to the Bar of another jurisdiction, the original **Certificate of Standing** from the governing body of the legal profession of that jurisdiction must be sent directly from that governing body to the Office of the Registrar;
- **Original letter of reference from one or more eligible referees** sent directly from each referee to the Office of the Registrar. An eligible referee is a lawyer or judge who has direct knowledge of the nature of the applicant's legal experience. The letter of reference must indicate the periods in which the applicant obtained legal experience and the nature of the legal experience citing specific examples. The letter of reference must also explain how the applicant's legal experience is relevant to the legal skills, practices and systems ordinarily experienced during Ontario Articles. Referees should refer to the *Articling Goals and Objectives* (attached).
- **Letter from the applicant's Principal or Principal's law firm** indicating the date of commencement of the Articles and the amount of vacation time and sick days taken to the date of request, forwarded directly from the Principal or the Principal's law firm to the Office of the Registrar.



## Application for Articling Abridgment: Non-compassionate Grounds

Applicant Name: \_\_\_\_\_ Candidate No.: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

The Registrar may grant an abridgment based on a written application submitted with required documentation and the applicable required fee.

**General Information:** Complete the following, attaching additional pages where applicable.

- Applicant is requesting a \_\_\_\_\_ month abridgment, or reduction, of the articling term, resulting in a \_\_\_\_\_ month articling term. (Blanks must total ten months.)
- Indicate which of the following are applicable (may be more than one):
  - Applicant has been admitted to the Bar(s) of a foreign jurisdiction  
     Jurisdiction \_\_\_\_\_ Date of admission to the Bar \_\_\_\_\_  
     Jurisdiction \_\_\_\_\_ Date of admission to the Bar \_\_\_\_\_
  - Applicant has practised as a lawyer in a non common law jurisdiction
  - Applicant has legal experience other than through Articles of Clerkship or practice.

In evaluating an applicant's request for an abridgment, the Registrar will consider:

- a) Length, recentness, nature, scope and diversity of the applicant's experience, and
- b) Relevance of the legal experience to the legal skills, practices and systems ordinarily experienced during traditional articles.

Applicants and Referees should refer to the criteria for abridgment and the *Articling Goals and Objectives* as a guide to completing the application.

**Supporting Documentation Required:**

✓ **Letter from applicant:**

- Setting out the period(s) of the applicant's legal experience,
- Describing the applicant's legal experience in relation to the criteria for abridgment and citing specific examples, and
- Explaining how this legal experience is relevant to the legal skills, practices and systems ordinarily experienced during traditional articles by referring to the *Articling Goals and Objectives* (attached).

✓ **Certificate of Standing:**

Where the applicant has been admitted to the bar(s) of a foreign jurisdiction, an **original Certificate(s) of Standing** from the governing body of the legal profession of that jurisdiction sent directly to the Office of the Registrar.

✓ **Original letter(s) from one or more lawyer or judge referees who has direct knowledge of the nature of the applicant's legal experience (in some instances, where an applicant has worked in numerous law firms, more than two referee letters may be required):**

- Sent directly from the referee to the Office of the Registrar,
- Verifying the applicant's periods of legal experience,
- Describing the nature of the applicant's legal experience, citing specific examples, and
- Explaining how this legal experience is relevant to the legal skills, practices and systems ordinarily experienced during traditional Articles by referring to the *Articling Goals and Objectives* (attached).

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**First Lawyer/Judge Referee**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

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**Second Lawyer/Judge Referee**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

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## Articling Goals and Objectives

<b>I. PROFESSIONAL RESPONSIBILITY</b>
<p><b>The applicant has experience with:</b> complying with a formal code of professional conduct that addresses basic duties, responsibilities and ethical practices such as conflicts of interest, client confidentiality, proper approaches to business development, appropriate delegation of work, and withdrawal of services.</p> <p><b>The applicant has practice in:</b> using a system to avoid conflicts of interest, a scheduling system, setting and billing of fees and explanations to clients, and uses of trust and general accounts.</p>
<b>2. PLANNING AND CONDUCT OF A MATTER</b>
<p><b>The applicant has experience with:</b> making legal services available in an efficient and convenient way that commands respect and confidence and is compatible with the integrity and independence of the profession.</p> <p><b>The applicant has practice in:</b> communicating effectively with clients, lawyers and others; applying resource-saving techniques; providing legal options in light of needs and financial resources; developing plans for conduct of various matters; and drafting reporting letters.</p>
<b>3. OFFICE SYSTEMS</b>
<p><b>The applicant has experience with:</b> maintaining effective and efficient office systems.</p> <p><b>The applicant has practice with:</b> precedent file systems, processes for recording expenses and disbursements (including reimbursement procedures), computer software packages available (e.g. word processing databases, CanLII, QuickLaw, WestLaweCarswell).</p>
<b>4. FILE AND PRACTICE MANAGEMENT</b>
<p><b>The applicant has experience with:</b> basic file and record-keeping practices, procedures for opening and closing files, documenting/organizing a file (i.e. recording phone calls).</p> <p><b>The applicant has practice with:</b> time-docketing systems, methods of keeping client informed about the progress of matter, scheduling systems re follow-ups and limitation dates, client retainers and/or payment schedules, billing practices, prepared case plans or checklists for a new file.</p>
<b>5. INTERVIEWING</b>
<p><b>The applicant has experience with:</b> proper interviewing techniques and conducting interviews of clients, witnesses (including experts), and consultants.</p> <p><b>The applicant has practice with:</b> preparation of clients or witnesses for trial or other examinations or meetings, preparation of statements or affidavits based on interview, initial interviews with new clients, interviews with witnesses or clients.</p>
<b>6. FACT INVESTIGATION</b>
<p><b>The applicant has experience with:</b> investigating facts for the purpose of serving legal needs.</p> <p><b>The applicant has practice with:</b> reviewing documentary evidence (e.g. client's personal or internal files, corporate minute books, files maintained by government or administrative bodies), conducting searches under various public records systems, interviewing clients/witnesses/consultants, follow-up for examinations for discovery (e.g. preparation of list of undertakings), preparation of summary of transcripts of evidence.</p>
<b>7. LEGAL RESEARCH</b>
<p><b>The applicant has experience with:</b> legal research materials and facilities (i.e. firm library, local libraries, inter-firm lending arrangements, precedents, computer search databases), researching points of law, and preparing reports and written memoranda of law.</p> <p><b>The applicant has practice with:</b> critique or responses to opponent's pleadings/facta.</p>

**8. PROBLEM ANALYSIS**

**The applicant has experience in:** determining client's legal problem and options, strategy development for resolution of client's problem.

**The applicant has practice with:** writing reports based on legal research and investigation.

**9. ADVISING**

**The applicant has experience in:** proper legal counselling techniques, duties and responsibilities of advising clients, preparing memoranda to advise of available legal options/remedies and/or memoranda to file about advice given.

**The applicant has practice with:** advising clients, client meetings, drafting opinion letters outlining legal options/remedies and/or letters confirming instructions received.

**10. DRAFTING**

**The applicant has experience with:** proper use of precedents.

**The applicant has practice with:** drafting facta, pleadings, notices of motion, orders, offers to settle, judgments, correspondence, affidavits, agreements, opinion letters, retainers, etc.

**11. WRITING**

**The applicant has experience in:** clear and accurate writing in the legal context.

**The applicant has practice with:** writing documents such as memoranda, letters, reports, opinion letters, articles, texts, speeches.

**12. NEGOTIATION**

**The applicant has experience in:** negotiation techniques and strategies.

**The applicant has practice with:** conducting negotiation of legal matters.

**13. ADVOCACY**

**The applicant has experience in:** advocacy techniques and the basic duties and responsibilities of an advocate.

**The applicant has practice with:** appearing as an advocate in motions, trials and tribunal hearings, and some or all of: applications, pre-trial conferences, references, assessments of cost, discoveries and cross-examinations on affidavits, judgment debtor examinations, and passing of accounts in estate matters, etc.