

Candidate Instructions

The 2010 Paralegal Standing Committee Election will be conducted in accordance with the *Law Society Act* and By-Law 3 made pursuant to the *Law Society Act*. See [Part VII.1 of By-Law 3](#) for complete details.

Licensed paralegals can be candidates if their licence is not suspended at the time they sign the nomination form and if their business address on record with the Law Society is in Ontario. If the licensed paralegal has no business address, his or her home address on record with the Law Society must be in Ontario.

Nomination Form

1. All candidates for election must be nominated in accordance with section 136.7 of By-Law 3.
2. Candidates must be nominated by completing the nomination form provided by the Law Society.
3. Candidates must be nominated by at least five (5) paralegals whose licences are not suspended when they sign the nomination form. The nomination form must be signed by all of the nominators.
4. Candidates must indicate their consent to the nomination by signing the nomination form.
5. Candidates must date the nomination form.
6. The Elections Officer of the Law Society must receive the nomination form with original signatures by **5:00 p.m. EST on January 18, 2010** at Osgoode Hall, 130 Queen Street West, Toronto M5H 2N6. Nomination forms received after this time are invalid. Nomination forms should be mailed or delivered. Faxed and electronic copies of the nomination forms are invalid.

Voters' Guide

The Law Society will produce a Voters' Guide that will be available online to all voters throughout the election period. The guide provides information about the candidates, including the name, photograph, biography and election statement of each candidate. The Law Society will format all candidate pages identically, in accordance with [the sample candidate page](#). Please **do not** format the page in accordance with the sample.

To ensure that your material is published in the Voters' Guide, follow the instructions below:

1. Submit a photograph as an electronic file. The photograph may be in colour or black and white. The electronic photograph must be at least 4 inches x 5 inches and have a resolution of at least 300 dpi. The image should be in jpg, tif or eps file format.
2. Submit a statement of **not more than** 120 words, including headings, that sets out your biographical information.
3. Submit an election statement of **not more than** 700 words, including headings.
4. Biographical information and election statements must be submitted **electronically** in either WordPerfect or MSWord format. **Material in PDF format is not acceptable.** The photograph, biographical information and election statement must be sent by email to paralegalelection@lsuc.on.ca or delivered by USB memory stick. Ensure that your name appears in all file names, including the photograph, as follows:
 - Johnsmithbio
 - Johnsmithstatement
 - Johnsmithphoto
5. The Elections Officer of the Law Society must receive the photograph, biographical information and election statement by **5:00 p.m. EST on January 18, 2010.**
6. The Elections Officer shall not include in the Voters' Guide any election statement that in her opinion may be libellous, in breach of the *Paralegal Rules of Conduct*, or is in bad taste. The Elections Officer's ruling may be appealed to a committee of benchers.

Withdrawal

Candidates may withdraw by notifying the Elections Officer in writing by 5:00 p.m. EST on January 25, 2010.

Questions or problems?

Contact the Office of the Elections Officer at 416-947-3404, toll-free at 1-877-947-3404, or by email at paralegalelection@lsuc.on.ca.



CANDIDATE NOMINATION FORM / MISE EN CANDIDATURE

Please review the Candidate Instructions carefully before completing the Nomination Form.
Veillez lire attentivement les instructions aux candidats et candidates avant de remplir la formule de mise en candidature.

We, the undersigned paralegal members of The Law Society of Upper Canada, whose licences are not suspended, do hereby nominate,

Nous, membres parajuristes soussignés du Barreau du Haut-Canada dont les permis ne sont pas suspendus présentons par les présentes la candidature de

2010

PARALEGAL Standing Committee ELECTION

THE LAW SOCIETY OF UPPER CANADA

--	--	--	--	--	--

CANDIDATE'S LAW SOCIETY NUMBER

MATRICULE DU BARREAU DU/DE LA CANDIDAT/E

CANDIDATE'S FIRST NAME / PRÉNOM DU/DE LA CANDIDAT/E

CANDIDATE'S MIDDLE NAME / SECOND PRÉNOM DU/DE LA CANDIDAT/E

CANDIDATE'S SURNAME / NOM DU/DE LA CANDIDAT/E

of
de

BUSINESS ADDRESS / ADRESSE PROFESSIONNELLE

CITY/TOWN / VILLE

POSTAL CODE / CODE POSTAL

TELEPHONE / TÉLÉPHONE

FAX / TÉLÉCOPIEUR

EMAIL / COURRIEL

to be a candidate for the position of paralegal member of the Paralegal Standing Committee of The Law Society of Upper Canada.
au poste de membre parajuriste du Comité permanent des parajuristes du Barreau du Haut-Canada.

I, the nominee, agree to be a candidate for the position of paralegal member of the Paralegal Standing Committee of The Law Society of Upper Canada.

Je soussigné/e consens à être candidat/e au poste de membre parajuriste du Comité permanent des parajuristes du Barreau du Haut-Canada.

CANDIDATE'S FULL NAME (print or type) / NOM ET PRÉNOM DU/DE LA CANDIDAT/E (écrire en caractères d'imprimerie)

Names will appear on the ballot alphabetically by surname. Indicate exactly how you want your name to appear on the ballot. For example, Smith, Jane Mary or Smith, Jane M.

Les noms de famille paraîtront sur le bulletin de vote par ordre alphabétique. Veuillez indiquer la façon dont vous voulez que votre nom paraisse sur le bulletin. Par exemple, Lévesque, Marie ou Lévesque, Marie M. J.

NAME TO APPEAR ON BALLOT (print or type) / NOM PARAISSANT SUR LE BULLETIN (écrire en caractères d'imprimerie)

CANDIDATE'S SIGNATURE / NOM ET PRÉNOM DU/DE LA CANDIDAT/E

DATE

Nomination form must be received in the office of the Elections Officer at Osgoode Hall by 5 pm EST on January 18, 2010.

La mise en candidature doit parvenir au bureau de la directrice des élections à Osgoode Hall d'ici le 18 janvier 2010 à 17 h HNE.

Please submit original nomination form to,
Prière d'envoyer la mise en candidature originale,

Elections Officer / Directrice des élections

The Law Society of Upper Canada / Barreau du Haut-Canada
Osgoode Hall, 130 Queen Street West / 130, rue Queen Ouest
Toronto, Ontario M5H 2N6
416-947-3404 or/ou 1-877-947-3404

ORIGINAL NOMINATION FORMS WITH ORIGINAL SIGNATURES MUST BE SUBMITTED. FAXED AND ELECTRONIC COPIES (EMAILS) WILL NOT BE ACCEPTED / VOUS DEVEZ ENVOYER LES FORMULES DE MISE EN CANDIDATURE ORIGINALES AVEC LES SIGNATURES ORIGINALES. NOUS N'ACCEPTONS PAS LES ENVOIS PAR FAX OU PAR COURRIEL.



CANDIDATE NOMINATION FORM / MISE EN CANDIDATURE

A candidate for paralegal member of the Paralegal Standing Committee must be nominated by at least five (5) persons licensed to provide legal services in Ontario whose licences are not suspended when they sign the nomination form.

Une candidature doit recevoir l'appui d'au moins cinq (5) personnes autorisées à fournir des services juridiques en Ontario dont le permis n'est pas suspendu lorsqu'ils et elles signent la formule de mise en candidature.

Name and Address of Nominators (print or type) <i>Nom et adresse des personnes présentant la candidature</i> <i>(en caractères d'imprimerie)</i>	Law Society # and Signature <i>Matricule du Barreau et signature</i>	Date										
1	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>										
2	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>										
3	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>										
4	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>										
5	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>										
6	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>										
7	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>										
8	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>										

Frequently Asked Questions

TABLE OF CONTENTS FOR WEBSITE

- The Paralegal Standing Committee election [1-4]
- Nominations [5-9]
- Campaigning and voting [10-13]
- The Paralegal Standing Committee [14-20]
- Responsibilities and remuneration [21-26]
- Paralegal benchers [27-28]

The Paralegal Standing Committee election

- 1. When is the Paralegal Standing Committee election?**
Electronic voting will take place via the Internet, throughout the month of March 2010. Voting closes at 5:00 p.m. EDT on March 31, 2010.
- 2. What procedures govern the Paralegal Standing Committee election?**
The election is conducted in accordance with the [Law Society Act](#) and [By-Law 3](#) made pursuant to the *Law Society Act*.
- 3. Who can be a candidate for paralegal member of the Paralegal Standing Committee?**
You can be a candidate if you are a licensed paralegal and your business address on record with the Law Society is in Ontario, provided that your licence is not suspended at the time you sign the nomination form. If you have no business address, your home address on record with the Law Society must be in Ontario.
- 4. Who can be elected a paralegal member of the Paralegal Standing Committee?**
You may be elected to the committee if at the time of the election:
 - your licence to provide legal services is not suspended
 - your business address (or home address if you have no business address) on record with the Law Society is in Ontario
 - you are 18 or more years of age
 - you are not an undischarged bankrupt, and
 - you consent to being elected.

Nominations

- 5. What is the deadline for candidate nominations?**
Nomination forms with original signatures must be received in the Office of the Elections Officer at Osgoode Hall, 130 Queen Street West, Toronto M5H 2N6 by 5:00 p.m. EST on January 18, 2010. Nomination forms should be mailed or delivered. Faxed and electronic copies of the nomination form are **not** acceptable. You are urged to submit your nomination form and other election material well in advance of the deadline to

permit any problems to be resolved prior to the close of nominations. Problems with nomination forms cannot be resolved after the close of nominations.

6. How can I obtain a nomination form?

Nomination forms are available on the Paralegal pages of the [Law Society website](#).

7. Who can nominate me?

You must be nominated by at least five (5) paralegals whose licences are not suspended when they sign your nomination form. It is prudent to have more than five (5) licensed paralegals sign the nomination form.

8. Do I have to file anything in addition to my nomination form?

The Law Society will prepare a Voters' Guide that includes a photograph, brief biography, and election statement of each candidate. The Voters' Guide will be available to voters online throughout the election. To be included in the Voters' Guide, you must file the following material in addition to the nomination form:

- a colour or black and white photograph showing your head and shoulders. The electronic photograph must be at least 4 inches x 5 inches and have a resolution of at least 300 dpi. The image must be in jpg, tif or eps file format.
- biographical information not exceeding 120 words, including headings.
- an election statement not exceeding 700 words, including headings.

The Law Society will format all candidate pages identically, in accordance with [the sample candidate page](#). Please **do not** format the page in accordance with the sample.

Biographical information and election statements must be submitted **electronically** in either WordPerfect or MSWord format. **Material in PDF format is not acceptable.** Ensure that your name appears in all file names, including the photograph, as follows:

Johnsmithbio
Johnsmithstatement
Johnsmithphoto

The photograph, biographical information and election statement must be sent by email to paralegalelection@lsuc.on.ca or delivered by USB memory stick. This material must be received in the Office of the Elections Officer by 5:00 p.m. EST on January 18, 2010.

9. What if I change my mind? Can I withdraw my nomination?

You may withdraw from the Paralegal Standing Committee election by notifying the Elections Officer in writing by 5:00 p.m. EST on January 25, 2010.

Campaigning and voting

10. Are there any rules governing my campaign?

Election material and statements must not be libellous, must be in good taste, and must comply with the [Paralegal Rules of Conduct](#).

11. Who is eligible to vote in the Paralegal Standing Committee election?

You can vote if you are a licensed paralegal whose licence is not suspended on February 26, 2010, the date the voters list is prepared.

- 12. How many candidates can electors vote for?**
You can vote for up to five candidates. You are not required to cast all five of your votes.
- 13. How do electors vote?**
The election is conducted online by Internet voting. Electors will receive voting instructions by email. You must have a current unique email address on record with the Law Society. Voting closes at 5:00 p.m. EDT on March 31, 2010.

The Paralegal Standing Committee

- 14. What is the composition of the Paralegal Standing Committee?**
The committee consists of five licensed paralegals, five elected lawyer benchers, and three lay benchers.
- 15. How many paralegal members of the Paralegal Standing Committee members are elected?**
Five paralegal members of the Paralegal Standing Committee are elected.
- 16. When do the elected paralegal members take office?**
Newly elected paralegal members of the committee will officially begin their duties as members of the Paralegal Standing Committee at the first regular meeting of the committee following election day, which will be in April 2010.
- 17. How long does an elected paralegal member hold office?**
The length of term is four years.
- 18. What is the mandate of the Law Society of Upper Canada?**
The mandate of the Law Society is to protect the public interest by ensuring that lawyers and paralegals meet standards of learning, competence and professional conduct that are appropriate for the legal services they provide.
- 19. How is the Law Society of Upper Canada governed?**
The Law Society is governed by a group of directors, known as benchers. A meeting of benchers convened to transact the business of the Law Society is known as Convocation.
- 20. What is the role of the Paralegal Standing Committee?**
The mandate of the Paralegal Standing Committee is to develop, for Convocation's approval, policy options relating to the regulation of paralegals, including such issues as the qualifications for licensing, rules of professional conduct, trust account and financial record-keeping requirements, classes of licence, professional competence standards, continuing legal education requirements, practice reviews, and the provision of legal services through professional corporations.

Responsibilities and remuneration

21. What are the duties of the paralegal members of the Paralegal Standing Committee?

Paralegal members of the Paralegal Standing Committee sit as adjudicators to consider cases related to the licensing, competence, conduct and capacity of paralegals. They attend monthly committee meetings to develop policies related to the governance of persons who are licensed to provide legal services in Ontario. These meetings are held at the Law Society's offices at Osgoode Hall in Toronto. Committee members may also participate on other Law Society committees, task forces or working groups.

22. How much time do paralegal members of the Committee dedicate to Law Society business?

It is estimated that paralegal committee members dedicate an average of two to three days a month to Law Society business, but this can vary significantly.

23. Are paralegal members of the Committee remunerated?

Yes, paralegal members are remunerated for some of the activities they undertake for the Law Society at the rate of \$500 per day and \$300 per half-day. A half-day is defined as three hours or less. Committee members must contribute 26 days of their time to Law Society activities before being eligible for remuneration. The 26 days are considered to be the paralegal member's contribution to the profession.

24. How is the 26-day deductible calculated?

Half days and full days count as one day of attendance until the 26-day deductible is satisfied. This means that 26 half-days and not 52 half-days would fulfill the 26-day deductible.

25. What activities are eligible for remuneration?

Paralegal members of the committee are remunerated for attending Law Society meetings, including monthly Paralegal Standing Committee meetings, adjudicator education sessions and meetings of other Law Society groups, such as task forces or working groups, to which they may be assigned. Attending a meeting by telephone is an eligible activity. Reasonable travel time is also remunerated.

Paralegal members are also remunerated for sitting as adjudicators on hearing and appeal panels.

26. Are paralegal members reimbursed for expenses?

Yes. Paralegal members of the committee are reimbursed for reasonable expenses incurred while on Law Society business.

Paralegal benchers

27. How are paralegal benchers elected?

Two paralegal benchers will be elected by the newly elected paralegal members and the lay bencher members of the Paralegal Standing Committee. The election of paralegal benchers is the first order of business at the first meeting of the Paralegal Standing Committee following election day. The election process is governed by Part I.1 of [By-Law 3](#) and will be conducted by the Elections Officer of the Law Society. All paralegal members of the committee will be considered candidates for election as paralegal benchers.

28. What is the role of the paralegal benchers?

Paralegal benchers perform all the duties of the paralegal members of the Paralegal Standing Committee and in addition have the duties of Law Society benchers, including attending and voting at Convocation.

PART VII.1 OF BY-LAW 3

PART VII.1

ELECTION TO THE PARALEGAL STANDING COMMITTEE OF PERSONS LICENSED TO PROVIDE LEGAL SERVICES

GENERAL

Definitions

136.1. In this Part,

“Committee” means the Paralegal Standing Committee;

“Elections Officer” means the person who is assigned by the Chief Executive Officer the responsibility of administering and enforcing the provisions of this Part;

“election of paralegal members” means an election to the Committee of five persons licensed to provide legal services in Ontario;

“elector” means a person who is entitled under this Part to vote in an election of paralegal members;

“holiday” means,

- (a) any Saturday or Sunday;
- (b) Family Day;
- (c) Good Friday; and
- (d) Easter Monday.

Interpretation: reference to a day

136.2. (1) In this Part, except where otherwise stated, a reference to a day, month or time shall be a reference to a day, month or time in an election year.

Interpretation: commencement, *etc.* of event

(2) In this Part, except where a contrary intention appears, if the day on which an event is to take place, commence or end falls on a holiday, the event shall take place, commence or end on the next day that is not a holiday.

ELECTION DAY

Election day

136.3. There shall be an election of paralegal members in 2010 and in every fourth year thereafter on the last day in March that is not a holiday.

ELECTION OFFICERS

Treasurer to preside over election

136.4. (1) An election of paralegal members shall be presided over by the Treasurer.

Appointment of assistant

(2) The Treasurer may appoint a licensee to assist her or him in exercising the powers and performing the duties of the Treasurer under this Part.

Appointment of licensee to act in absence of Treasurer

(3) The Treasurer shall appoint a licensee to exercise the powers and perform the duties of the Treasurer under this Part whenever the Treasurer is unable to act.

Appointment of person licensed to provide legal services in Ontario

(4) If under subsection (2) or (3) the Treasurer wishes to appoint a person licensed to provide legal services in Ontario, the Treasurer shall appoint a licensee who is not a candidate in the election of paralegal members.

Elections Officer to conduct election

136.5. (1) An election of paralegal members shall be conducted by the Elections Officer.

Elections Officer to establish procedures, etc.

- (2) The Elections Officer shall,
- (a) by November 30 of the year immediately preceding an election year,
 - (i) establish all procedures, requirements and specifications required to be established with respect to the nomination of candidates for the election, and
 - (ii) establish the procedures by which a poll in an election of paralegal

members will be conducted; and

- (b) by December 31 of the year immediately preceding the election year, publish all procedures, requirements and specifications established in respect of the election.

CANDIDATES

Who may be candidate

136.6. Every person who is licensed to provide legal services in Ontario may be a candidate in an election of paralegal members if,

- (a) the person is nominated as a candidate in accordance with section 136.7; and
- (b) at the time of signing a nomination form containing her or his nomination as a candidate,
 - (i) the person's business address, or, where the person has no business address, home address, as indicated on the records of the Society, is within Ontario, and
 - (ii) the person's licence to provide legal services in Ontario is not suspended.

Nomination and consent

136.7. (1) Every candidate in an election of paralegal members must,

- (a) be nominated by at least five persons licensed to provide legal services in Ontario whose licences are not suspended at the time of signing the nomination form; and
- (b) consent to the nomination.

Nomination form

(2) The nomination of a person as a candidate in an election of paralegal members and the person's consent to the nomination shall be contained in a nomination form provided by the Society.

Signatures

(3) The nomination form must be signed by the person being nominated as a candidate and the five persons licensed to provide legal services in Ontario who are nominating the person as a candidate.

Close of nominations

(4) The nomination form must be received in the office of the Elections Officer at Osgoode Hall by the date and time specified by the Elections Officer.

Acceptance and rejection of nominations: examination of nomination form

136.8. (1) As soon as practicable after receiving a nomination form, the Elections Officer shall examine the form and,

- (a) if he or she is satisfied that the requirements specified in sections 136.6 and 136.7 have been complied with, he or she shall accept the nomination; or
- (b) if he or she is not satisfied that the requirements specified in sections 136.6 and 136.7 have been complied with, he or she shall reject the nomination.

Results of examination of nomination form

(2) The Elections Officer shall communicate the results of her or his examination of a nomination form to the person whose nomination is contained therein.

Nomination form: optional accompanying material

136.9. (1) A person being nominated as a candidate in an election of paralegal members may submit the following items along with her or his nomination form:

- 1. A photograph of the person that meets all specifications established by the Elections Officer.
- 2. A statement of not more than 120 words, including headings, titles and other similar parts of the statement, containing biographical information about the person that meets all other specifications established by the Elections Officer.
- 3. An election statement of not more than 700 words, including headings, titles and other similar parts of the statement, that meets all other specifications established by the Elections Officer.

Deadline for receipt of accompanying material

(2) The items mentioned in subsection (1) must be received in the office of the Elections Officer at Osgoode Hall before the time for the close of nominations mentioned in subsection 136.7 (4).

Withdrawal of candidates

136.10. A candidate may withdraw from an election of paralegal members by giving the

Elections Officer written notice of her or his withdrawal within seven days after the time for the close of nominations mentioned in subsection 136.7 (4).

ELIGIBILITY FOR ELECTION

Who may not be elected

- 136.11. No candidate shall be elected to the Committee if, at the time of her or his election,
- (a) the candidate's business address, or, where the person has no business address, home address, as indicated on the records of the Society, is outside Ontario;
 - (b) the candidate is no longer licensed to provide legal services in Ontario or the candidate's licence is suspended;
 - (c) the candidate is not eighteen or more years of age;
 - (d) the candidate is an undischarged bankrupt; or
 - (e) the candidate does not consent to her or his election.

ACCLAMATION

Election by acclamation

136.12. (1) If after the acceptance of all valid nominations after the time mentioned for the close of nominations in subsection 136.7 (4) the number of candidates eligible to be elected to the Committee is not more than five, the Elections Officer shall declare the candidates to have been elected to the Committee.

Taking office

(2) The candidates who are elected to the Committee under subsection (1) shall take office on the day on which the Committee has its first regular meeting after the candidates are declared to have been elected to the Committee.

POLL

Poll

136.13. (1) If after the acceptance of all valid nominations after the time mentioned for the close of nominations in subsection 136.7 (4), the number of candidates eligible to be

elected to the Committee is more than five, a poll shall be conducted to elect five candidates to the Committee.

Procedures for conducting poll

(2) The procedures for conducting a poll may provide for the use of electronic means for voting and for tabulating results.

Anonymity of elector and secrecy of votes

(3) The procedures for conducting a poll shall be such that the anonymity of an elector and secrecy of the elector's votes are preserved.

QUALIFICATION OF ELECTORS

Qualification of electors

136.14. (1) A person who is licensed to provide legal services and whose licence is not suspended on the fourth Friday in February is entitled to vote in an election of paralegal members.

Electors' list

(2) On or shortly after the first Monday after the date mentioned in subsection (1), the Elections Officer shall prepare a list of all persons who are entitled to vote in an election of paralegal members.

PROCEDURES BEFORE POLL

Candidate information: preparation

136.15. (1) For the purposes of and prior to conducting the poll mentioned in section 136.13, the Elections Officer shall publish in electronic medium information about the candidates in the election of paralegal members, including the names of the candidates and, if available, the photograph, biography and, subject to subsection (3), election statement of each candidate.

All election statements included

(2) Subject to subsection (3), the Elections Officer shall publish all election statements that he or she received under section 136.9.

Certain election statements not be included unless approved

(3) The Elections Officer shall not publish any election statement that in her or his opinion may be libelous, may be in breach of the rules of professional conduct or is in bad taste unless the election statement has been approved in accordance with section 136.16.

Appointment of persons to approve election statements

136.16. (1) If necessary, the Treasurer shall appoint two or more lay benchers to approve election statements.

Referral of election statements

(2) The Elections Officer shall refer to the lay benchers appointed under subsection (1) all election statements that in her or his opinion may be libelous, may be in breach of the rules of professional conduct or are in bad taste.

Consideration of election statements

(3) The lay benchers appointed under subsection (1) shall consider all election statements that are referred to them and, in respect of each election statement, shall,

- (a) approve the election statement; or
- (b) if the lay benchers are of the opinion that the election statement may be libelous, may be in breach of the rules of professional conduct or is in bad taste,
 - (i) return the election statement to the candidate who submitted it,
 - (ii) provide the candidate with a written explanation of the objections to the election statement, and
 - (iii) specify the time by which the candidate may submit to the Elections Officer a redrafted election statement.

Consideration of redrafted election statements

(4) The lay benchers appointed under subsection (1) shall consider all redrafted election statements that are submitted to the Elections Officer in accordance with subsection (3), and, in respect of each redrafted election statement, shall,

- (a) approve the redrafted election statement; or
- (b) if the lay benchers are of the opinion that the redrafted election statement may be libelous, may be in breach of the rules of professional conduct or is in bad taste,
 - (i) return the redrafted election statement to the candidate who submitted it,

- (ii) provide the candidate with a written explanation of the objections to the redrafted election statement, and
- (iii) advise the candidate that no election statement shall be published under her or his name.

Decision final

- (5) A decision made under subsection (4) is final.

Election information: publication

136.17. As soon as practicable after the Elections Officer has prepared the electors' list and prepared for publication information about the candidates in the election of paralegal members, the Elections Officer shall,

- (a) cause to be published in the *Ontario Reports* and on the Society's website a notice with respect to the election of paralegal members that includes details on when and how an elector may access available information about the candidates in the election of paralegal members and when and how an elector may vote in the election of paralegal members; and
- (b) email the notice mentioned in clause (a) to every elector, to her or his business email address, or where the elector has no business email address, home email address, as indicated on the records of the Society.

POLL: VOTING

Voting for candidates

136.18. In a poll conducted in an election of paralegal members, an elector,

- (a) may vote for up to five candidates; and
- (b) shall cast her or his votes in accordance with the procedures established by the Elections Officer.

COUNTING THE VOTES

Elections Officer to cause counting of votes

136.19. (1) The Elections Officer shall cause the votes for each candidate to be counted in accordance with this section.

Disqualified votes

(2) If an elector votes for more than five candidates, none of the elector's votes for those candidates shall be counted.

DECLARATION OF RESULTS

Declaration of results

136.20. (1) After the deadline for casting votes on election day has passed, immediately after the count of votes has been completed, the Elections Officer shall declare to have been elected to the Committee the five candidates eligible to be elected to the Committee who have the five largest numbers of votes.

Same numbers of votes

(2) If two or more candidates have the same numbers of votes, but the number of persons remaining to be elected to the Committee is fewer than the number of candidates having the same numbers of votes, the Elections Officer shall, in the presence of the Treasurer, randomly select, from the candidates having the same numbers of votes, the necessary number of candidates to be elected to the Committee.

Publication of results

(3) The Elections Officer shall publish the election results on the Society's website, and those results shall include the names of the candidates and the number of votes cast for each candidate.

RECOUNT

Request for recount

136.21. (1) If fewer than 15 votes separate an elected candidate from another candidate, the Elections Officer shall, on the written request of the other candidate, promptly cause the votes cast for all candidates to be recounted, in accordance with section 136.19, and provide the results of the recount to all candidates.

Time for making request

(2) No request for a recount shall be made after fifteen days after the declaration of results under section 136.20.

Results of recount

(3) Where from the recount it appears to the Elections Officer that a wrong candidate was declared elected, the Elections Officer shall correct the election results, declare the correct candidate as elected and publish the corrected election results on the Society's website.

TAKING OFFICE

Taking office

136.22. (1) The candidates who are elected to the Committee as a result of a poll shall take office on the day on which the Committee has its first regular meeting following the election day.

Term of office

(2) Subject to any by-law that provides for the removal of members from the Committee, the candidates who take office under subsection (1) shall remain in office until their successors take office.

RETENTION OF ELECTION RESULTS

How long to be retained

136.23. The Elections Officer shall retain the results from the election of paralegal members until the next election of paralegal members.

VACANCIES DURING TERM OF OFFICE

Filling vacancy: election of candidate from previous election of paralegal members

136.24. (1) If a member of the Committee who was elected to the Committee in an election of paralegal members or was deemed to have been elected to the Committee under this section resigns from office, is removed from office or for any other reason is unable to continue in office, the candidate in the most recent election of paralegal members who meets the following criteria shall be deemed to have been elected to the Committee to fill the resulting vacancy in office:

1. The candidate was not elected to the Committee in the most recent election of paralegal members.
2. From among the candidates not elected to the Committee in the most recent election of paralegal members, the candidate had the largest number of votes.
3. On the date of the deemed election, the candidate's business address, or, where

the person has no business address, home address, as indicated on the records of the Society, is within Ontario.

4. On the date of the deemed election, the candidate is licensed to provide legal services in Ontario and her or his licence is not suspended.
5. On the date of the deemed election, the candidate is eighteen or more years of age.
6. On the date of the deemed election, the candidate is not bankrupt.
7. The candidate consents to the election.

Interpretation: paragraph 1 of subsection (1)

- (2) A candidate does not meet the criterion set out in paragraph 1 of subsection (1) if,
 - (a) in the most recent election of paralegal members, the candidate was ineligible to be elected to the Committee only because he or she did not consent to the election; or
 - (b) the candidate was previously not deemed to have been elected to the Committee under subsection (1) only because he or she did not consent to the election.

Interpretation: paragraph 2 of subsection (1)

(3) A candidate who does not meet the criterion set out in paragraph 1 of subsection (1) shall not be included among the candidates considered under paragraph 2 of subsection (1).

Same numbers of votes: paragraph 2 of subsection (1)

(4) For the purposes of paragraph 2 of subsection (1), if two or more candidates have the same largest number of votes, the Elections Officer shall, in the presence of the Treasurer, randomly select one candidate from among the candidates having the same largest number of votes and that one candidate shall be the candidate with the largest number of votes.

Taking office and term of office

(5) A candidate who is deemed to have been elected to the Committee under subsection (1) shall take office immediately thereafter and, subject to any by-law that provides for the removal of members from the Committee, shall remain in office until her or his successor takes office.

