

**GUIDELINE 16:
DUTY TO THE ADMINISTRATION OF JUSTICE**

General

**Rule Reference: Rule 6.01(1)
Rule 7.01(4)**

1. An important part of a paralegal's duty to act with integrity is his or her obligation to the administration of justice detailed in Rule 6. The obligation includes a paralegal's duty to assist in maintaining the security of court facilities, to refrain from inappropriate public statements, and the obligation to prevent unauthorized practice.

Security of Court Facilities

**Rule Reference: Rule 6.01(3)
Rule 3.03**

2. An aspect of supporting the justice system is ensuring that its facilities remain safe. Where appropriate, a paralegal in the situation covered by Rule 6.01(3) should consider requesting additional security at the facility and notifying other paralegals or lawyers who may be affected. In considering what, if any, action to take with respect to this obligation, the paralegal must consider his or her obligations under Rule 3.03.

Public Appearances and Statements

**Rule Reference: Rule 6.01(1), (2), (4) & (4.1)
Rule 3.03, 3.04
Rule 4.01(1)
Rule 7.01(4)**

3. When making statements to the media with, or on behalf of, a client, a paralegal must be mindful of his or her obligations to act in the client's best interests and within the scope of his or her instructions from the client. It is also important that a person's, particularly an accused person's, right to a fair trial or hearing not be impaired by inappropriate public statements made before a case has concluded.

Provision of Legal Services without a Licence / Practice of Law without a Licence

Rule Reference: Rule 6.01(5) & (6)

4. The obligations found in subrules 6.01(5) & (6) stem from a paralegal's obligation to the administration of justice and from the regulatory scheme for paralegals and lawyers set out in the *Act* and discussed below.
5. Under the *Act*, anyone who provides legal services or practices law must be licensed by the Law Society, unless they are exempt from this requirement, or deemed not to be providing legal services or practicing law. A person who is not a lawyer or a licensed paralegal is subject neither to a professional code of conduct nor the Law Society's

jurisdiction, which exist to protect the public. Only clients of regulated service providers have important protections, such as the following:

- adherence to a mandatory code of professional conduct,
- maintenance and operation of a trust account in accordance with strict mandatory guidelines,
- mandatory professional liability insurance coverage, and
- the Law Society's Compensation Funds.