



Ontario Paralegal Association

**Response to:**

**LSUC**

**Developing Strategies for Change -  
Addressing Challenges Faced by Racialized  
Licensees**

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# Contents

**INTRODUCTION .....PAGE 3**

**QUESTION 1 .....PAGE 6**

**QUESTION 2 .....PAGE 7**

**QUESTION 3 .....PAGE 8**

**QUESTION 4 .....PAGE 9**

**QUESTION 5 .....PAGE 12**

**QUESTION 6 .....PAGE 13**

**QUESTION 7 .....PAGE 14**

**QUESTION 8 .....PAGE 16**

**QUESTION 9 ..... PAGE 18**

**CONCLUSION .....PAGE 19**

## INTRODUCTION

Following the release of the Law Society of Upper Canada's (LSUC) discussion paper titled *Developing Strategies for Change: Addressing Challenges Faced by Racialized Licensees*, the Ontario Paralegal Association (OPA) through the Government & LSUC Committee, prepared a survey for its membership to complete.

OPA is the largest paralegal association in Ontario with approximately 610 members. The survey was circulated via email to the entire membership, including students and Associate members. Our results are based on a return factor of 21.63% respondents (132). Considering the long form of the Canadian Census is sent to 20% of households; and, is mandatory, OPA is very pleased to have received a 21.63% sampling of our membership.

The demographic of respondents is varied, and while studying the responses it became apparent there was some confusion with regard to intersecting factors. Our membership indicated that whether racialized or non-racialized, for paralegals, the intersecting factors of predominant concern for discrimination included:

- (1) Being a paralegal as opposed to a lawyer, and perceived as not competent as a result;
- (2) Being a female paralegal; and,
- (3) Being an older paralegal.

OPA received responses from 132 paralegals, 57 of respondents were female and 75 were male. Of those there were 21 students, 9 candidates and 102 licensees. The percentage of 18-29 year olds was 17.56% and of 30-39 was 25%. 16.03% were 40-49 and 47.33% were over 50.

Of the respondents, 45.56% were self-employed; with 13.74% being employed either in a paralegal office or law firm; and, 16.8% reported being unemployed and other. A total of 20.61% were identified as students or licensee candidates.

One of the questions asked in the demographics section of the OPA survey was, "Do you self-assess to prevent racism?" While clearly the subjectivity of the question might, to some extent, skew the results, a full 72.87% responded "yes".

When respondents were asked if they had experienced racial discrimination in the legal field there were several comments specific not regarding those providing legal services, but rather to their clients. Recognizing that a white person might also feel racialization if applying to work in

a firm where white was not the predominant colour, we asked all respondents to provide information on intersecting factors. One skipped the question entirely, 53 felt they do consider themselves racialized and of them 8 stated an intersecting factor as well, while 78 did not consider themselves racialized. In the comment section there were 20 who stated their race as a factor, 3 of those comments included the fact they were white. The results of the comments are:

Race- 20; Race and intersecting factor- 8; Accent -2; Gender -10; Age (older)- 6 plus 3 who did not say whether younger or older; Sexual orientation- 1, Disability- 4 and by virtue of being a paralegal rather than a lawyer – 2.

Considering that 53 felt they were racialized and only 20 responded that Race was the main factor, it can be extrapolated from those numbers that the majority, 33 of the respondents felt they experienced discrimination of an intersecting factor. Considering 10 responses chose gender and 9 responses chose age (6 of which stated older as the descriptor), it can be concluded that intersecting factors were considered to be of high importance.

However when asked if they had actually experienced racial discrimination in the legal field 30 stated they had and 100 that they had not. One respondent skipped the question. In the comment section, the two predominant themes were race and being a paralegal rather than a lawyer. This provided further indication that intersecting factors were highly important. The results of the comments are:

Race- 6; Paralegal- 5; Gender-2; Language/Accent- 1; Age- 1; Sexual Orientation- 1; and, Disability -1.

Some of the comments:

“I have found that some adjudicators are prejudiced (to the point where a client of mine had pointed it out one time; she could not figure out why I was the only one being treated badly by the adjudicator even though I was prepared and doing a good job).”

“Yes, based on language capability from a client’s perspective.”

“I face significant discrimination from other lawyers in response to my status as a paralegal, but I’m not sure that is ‘racialization’.”

“Even from a client who believes his interest would be better represented by a white paralegal.”

“Being a woman”, and “Being a paralegal vs a lawyer.”

“...unable to find work in a firm due to age.”

“I was put down as a woman. I was called “my little Susan” by a lawyer. I am visibly disabled and get judged as not able.”

While one of the more disturbing comments was, “If you are competent in what you do there is no need to use the race card”; one comment stood out as a strong positive in regard to the college culture, and the hope for the future of the legal profession:

“I have limited experience in the legal field as a legal student; however, I can say that the four year Paralegal degree Program at Humber College is extremely diverse and extremely rich of students from many different cultures. Every student is seemingly eager to learn, very accepting of each other and outspoken. I have witnessed individuals and groups of my peers voice their opinions about many forms of discrimination including: race, age and sexual orientation. Their thoughts and beliefs oppose discrimination and promote equality for all.”<sup>1</sup>

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<sup>1</sup> Paralegal Licensees, Candidates & Students Survey Regarding – LSUC Racialized Licensees – Challenges Report, Question 7, Comment 16, Brian Doan

**Question 1:****How should the LSUC act as a catalyst for the establishment of diversity programs within firms, and why?**

Responses:

Respondents were allowed to choose more than one response.

Answered by 116, Skipped by 16

Choices	Number	Percentage of respondents
Diversity Project	64	55.17
Self-Assessment	60	51.72
Requiring standards	44	37.93

There were 116 respondents to this question and 168 choices made. The overlap of 64 choosing the Diversity Project and 60 choosing the Self-Assessment option indicates generally that requiring standards is not the best option. The result suggests that the majority believe the LSUC should not mandate standards; but rather, should require firms and organizations to work with the LSUC to develop or adopt standards.

A high number of respondents, who felt the Diversity Project was the way to deliver the program, also felt self-assessment should be the goal to lift the legal profession to a more enlightened state. When asked for a comment, the general consensus was that it was important to proceed with caution so as not to be perceived to be dictating to possible employers what they must do. The respondents suggested that dialogue, education and developing standards would be key drivers to changing the landscape.

It was stated that it was necessary that firms have the opportunity to provide valuable input, rather than mandating a firm to do something with which they are not comfortable. There was also an indication from some respondents that the LSUC should not be involved any further in business models than they already were. "The LSUC should stay out of it."

Of the 116 who responded, nearly 38% felt that the only way the profession would see a positive outcome to the questions of racialization, would be to mandate change. When asked for a comment, most were very clear about the direction that should be undertaken. Comments suggested the only way a program would be effective is if it is not an option only. While many paralegals do not have the time to commit to more projects, they felt self-assessment was useless. "This has to be an all-round change, or few will change." It was also stated that mandatory compliance always must be the driving force as voluntary programs often result in more talk than action.

**Question 2:****What is the preferred model for the collection of firm demographic data, and why?**

Responses:

Respondents were allowed to choose more than one response.

Answered by 118, Skipped by 14

Choices	Number	Percentage of Respondents
Using Law Society data	83	70.34
Providing templates	35	29.66
Requiring firm to report	24	20.34
Mandatory collection	30	25.42

As with the previous question, respondents did choose more than one response. The total number of responses from the 118 respondents is 172 or 145.76%. The responses indicate the majority would prefer the demographic data to be collected, originate either in the Annual Reports as prepared by Paralegals and Lawyers, or through the provision of templates to be addressed similarly to the Annual Reports. While 35% felt if the Law Society was going to collect this data, in order for it to be of value they would have to create templates; a full 70% of respondents felt it would make more sense to collect the data through the Annual Reports.

Of the 118 responses there were 24 and 30 respectively, who felt the LSUC should either require the firm to report, or a mandatory collection of demographic data be instituted. Requiring firms to report had a very low approval rate. It was clearly stated by this group that collection of demographic data as an extra project should be highly encouraged but not mandatory.

Although it was recognized that collecting data can be a daunting task, some comments reflected that all available data should be utilized to present a picture that is as broad as possible.

There was also a representation from those that consider the workplace demographics of firms to not be the business of the LSUC. Education is the key, not enforcement.

**Question 3:****How should the Law Society work with in-house legal departments to develop model contract compliance programs for in-house legal departments that retain firms?**

Responses:

Respondents were not requested to choose more than one response.

Answered by 78, Skipped by 54

Choices	Number	Percentage of Respondents
Require legal suppliers to disclose demographic data	15	19.23
Require one member of diverse community to be working on the file	7	8.97
The LSUC could work with organizations to encourage corporate policies that promote diversity	56	71.79

Of the 132 that completed the survey, 54 did not respond to this question. A full 40.9% did not respond, indicating perhaps the sentiment that, as this would be an in-house policy for the LSUC, there was not an interest in responding. As evidenced by the large number of respondents that skipped this question; and, that nearly 72% of those that did respond chose the response indicating the Law Society could work with organizations, it would seem the membership feels this is not an important aspect of change in the workplace as it refers to Law Offices, or Legal Firms. Some stated they felt the LSUC should have a 'hands-off' policy.

The LSUC Standards/Codes are in place as are human rights laws, and the LSUC should not be dictating employment standards to other firms. The marketplace should dictate the needs, as by following this course of action, the LSUC is in danger of creating a highly divisive culture.

The membership does believe the LSUC should address the problem by issuing a final report with suggestions only. If a person feels they have not obtained a job or were denied access to job advancement due to their race, accent or intersecting factors, they should be able to file a complaint with the LSUC or with the Human Rights Tribunal for investigation. The LSUC should advance with moderation and a request based approach.

**Question 4:****What are the preferred mentoring and/or advisory services models for racialized licensees?**

Responses:

Respondents were requested to place in order of importance.

Answered by 98, Skipped by 34

**Non-remunerated:**

Of the 132 respondents, 98 answered this question. The order indicates the value of placement. The choice that was most popular was the **One-on-one mentoring**. Aside from the survey, mentoring is a constant issue in the paralegal community, with conversations abounding on social media on the subject. Having the opportunity to meet on a regular basis with a mentor provides a mentee with the advantage of a consistent approach to issues. For both the mentor and the mentee, less time would be consumed as non-billable hours, as the politics of group work, and sometimes the tendency to have one person monopolize the time, are both time wasters. Because this approach would absorb less time, it is highly likely to be the most successful.

However, there could also be a problem with one-on-one, and that would occur when the mentor is not reachable by the mentee. The **Group mentoring** approach in terms of score, at 4.24, was very close to the one on one at 4.37. It would be important in this scenario that the mentors have access to alternates if they are unable to meet with their group. This scenario would provide the mentees with a fairly consistent approach, and as well, the group experience would grow mentees to become mentors. The team leadership person is the key to this model working well.

While **Team mentoring** received a lower score than Group mentoring, it definitely has significant advantages over the one-on-one and the team mentoring, in that it is likely the mentors would be providing legal services, or practising law, in different areas. This would provide the mentee the benefit of not only exposure to other teaching styles, but also to the other areas of law in which they might not be providing legal services at the time; as at any point, they might have a client that needs representation in an area new to the mentee, and they would have the benefit of an extra contact and help in becoming competent in a new field. This model, however, only received a score of 3.36 – presumably as there are also drawbacks. Again, working in a group can be extremely time-consuming.

Both the group and team models have the distinct disadvantage of requiring access to a location. If done in a public space, a mentee's access to information might be limited, due to the confidential nature of the legal world.

**Distance mentoring** received a score of 3.21, making it the fourth choice. Communicating via email has the significant drawback of not being able, to discuss in a functional way. It lacks momentum. The advantage for the mentee is a hard copy of lesson information. For mentors, having to provide a written

copy might seem a disadvantage. Being able to Skype with a mentor might work almost as well as in person one-on-one; however, reception could prove problematic at times. Mentees might also be able to access mentors by telephone.

Colleagues who are at a similar stage in their careers could be paired if a network is unavailable to the mentee. The **Peer mentoring** model received a score of 3.06, and is probably due to the fact social media connects so many of us that it would be redundant for the LSUC to attempt to institute this type of model. It does need to be recognized that there are those who do not use social media, and quite possibly have difficulty in accessing a functional mentoring relationship. The mentee would require the ability to contact a new mentor should the need arise.

A **Limited Scope Advisor** Service received the lowest rating with a score of 2.76. Having access to an advisor might be an excellent opportunity in situations where minimal mentoring is required. The expectation that it would be short-term however, does not fulfill the average mentee's need.

Choices	Number	Score
One-on-one Mentor	98	4.37
Group Mentoring	98	4.24
Team Mentoring	98	3.36
Distance Mentoring	98	3.21
Peer Mentoring	98	3.06
Limited Scope Advisor	98	2.76

Comments were not requested; however, one-on-one mentoring and group mentoring received the highest scores.

The Second group of mentoring models that the LSUC report suggested would involve remunerated mentors. This was answered by 98 and skipped by 36.

#### **Remunerated:**

The question of remunerated mentors was responded to by requesting members choose one or both as per their own preference. There were 108 responses. The percentage who chose **Professional, One-on-One** was 55.21, and the **Panel of Advisors** had a percentage of 57.29. As a result, we know that some chose both. The percentages also indicate that either model is acceptable, as the difference in numbers, 53 who chose one on one and 55 who chose a panel of advisors, is minimal. This may be due to

insufficient numbers of respondents, presenting an error rate; or, the numbers might be even closer if more members had responded.

It should be noted however, that while both choices hold the element of remuneration; their mentees would not necessarily be the same. The one-on-one mentor would provide services similar to the previously mentioned models; however, the panel of advisors is targeted to specific mentees. As these really are two different models, supporting different types of mentees, they aren't that comparable to each other. The numbers we received could simply indicate that most respondents felt it was important to have mentorship available to mentees seeking information, usually of a substantive nature; where, the panel of advisors are important to ensure support, sometimes of a professional conduct nature, to those at increased risk of failing to fulfill their professional obligations.

Choices	Number	Percentage of Respondents
Professional one-on-one	53	55.21
Panel of advisors	55	57.29

Comments:

"The fear with 'compensated mentors' is that they will be looking at the fee being received for their 'mentorship' and not paying great consideration to how and what quality of information they are providing to the mentee."

"I believe both options are useful. Each mentee has specific needs and having both would allow mentees to find the solution that is perfect for them."

"I believe that the LSUC should fund and set standards for a paralegal mentoring program. This funding should include compensation for mentors for their time, and also include a 'hotline' at the LSUC for new paralegals to call to connect with a mentor in their chosen area of law."

**Question 5:****What are the preferred networking models for racialized licensees?**

Responses:

Respondents were able to choose more than one response.

Answered by 91, Skipped by 41

Once again the percentages indicate that some of the 91 that answered this question chose both answers as acceptable. The LSUC **working with legal organization and affinity associations** to develop more planned, and structured, networking opportunities through continuing professional development, received 70 votes (76.92%). The choice of the LSUC working with racialized licensees who have identified that associations do not exist for their community received a vote of 32 votes (35.16%).

Choices	Number	Percentage of Respondents
Work with legal organizations	70	76.92
Work with racialized licensees	32	35.16

These choices elicited a more negative reaction than the other questions. There were a number of comments suggesting that the LSUC would be interfering with the natural marketplace. There was a suggestion that whether racialized or not, many licensees are not interested in being part of associations or advocacy groups. It was suggested that the LSUC should coordinate these networking opportunities, ideally, through the infrastructure already in place, for CPD courses. There is concern the LSUC will be encouraging a divisive environment; and, that any program should be inclusive of all licensees, not just isolating programs to racialized licensees.

As there are organizations, aside from the LSUC, available to licensees it might seem redundant to develop even more. OPA is inclusive, and would welcome new members. Perhaps the LSUC should include information regarding OPA, and other organizations or associations, on their website to ensure new licensees are aware and feel comfortable approaching these associations. It might be that new licensees are not aware of the supportive infrastructure that exists, and as with educating the masses with regard to racialization, those that are racialized may only require exposure to the various support groups.

**Question 6:****How could the Law Society enhance the profession's cultural competence through its Continuing Professional Development (CPD) programs?**

Responses:

Respondents were able to choose more than one response.

Answered by 93, Skipped by 39

The membership response to enhancing the profession's cultural competence through its CPD programs is evenly split on the issue of **including the topics of cultural competence** in the Professional Responsibility and Practice (PRP) course; and, **providing annual voluntary accredited** CPD programs on cultural competence. Both received 43 votes, which is 46.24%. Interestingly, there were 47 votes for **requiring licensees to complete annually**, or less frequently, one hour of cultural competence CPD that would count as part of the three required hours of professionalism.

Again, members could choose more than one of these, and quite a high percentage of them did choose more than one. There were 93 respondents to this question and 133 responses, which indicates that 40 (43%) liked more than one choice.

Choices	Number	Percentage of Respondents
Include	43	46.24
Provide	43	46.24
Require	47	50.54

It can be inferred from the responses that receiving education in the theatre of racialization is seen as a positive step. Cultural competence is not taught as a standard of the curriculum for licensees. It is one thing to discuss human rights and your responsibilities, and it is another thing to understand and recognize behaviours that are contributing to the problem of racialization.

Perhaps it should be mandatory. The curriculum could include an initial self-assessment course to understand, and CPD programs to keep current. At present there are several 'soft' courses, such as writing resumes or a self-assessment course for job readiness, taught in college programs for paralegals. One of these courses could be discontinued, or a course could be added to the curriculum that would include a self-assessment for cultural competence and information that would illuminate the concept of truly understanding and becoming aware of what is not just a social issue, but a legal one as well.

**Question 7:****How could the Law Society best ensure that complaints of discrimination are brought to its attention and effectively addressed?**

Responses:

Respondents were able to choose more than one response.

Answered by 93, Skipped by 39

Again this is a question where respondents were able to choose more than one model. There were 93 respondents, and 163 choices made. As there were four options, it is difficult to be sure of which choices accompanied a second choice.

Speculatively, it is likely those who voted to Update the Rules of Professional Conduct and the Paralegal Rules of Conduct to specifically define and address systemic discrimination, and by developing a communication plan for the profession (52 votes); also chose, Assigning an expert group of Professional Regulation staff members to handle complaints of racial discrimination (43 votes).

Both of these choices reflect a more policy-based approach to solving an issue that one would expect from a regulatory organization. Changing the Rules provides direction and information that would be crucial to developing a new, more understanding culture from which to operate. Ensuring an expert group of professional regulation staff is available to handle complaints fits entirely within the regulation mandate of the LSUC.

Of the respondents, 34 chose the option of the LSUC working with associations of racialized licensees to enhance their ability to bring forward complaints. Again, it makes sense for the LSUC to work with established associations; however, one of the issues that were identified in the work the LSUC has already completed, is that there are not any associations specific to racialized licensees. One could only then deduce the LSUC would be involved in helping develop an association. This does not fall within the mandate of a regulating agency, as the associations referred to would become lobby groups of the LSUC and Government. It would appear to be a conflict of interests to follow this path.

The model, whereby the LSUC would work with associations of racialized licensees, to enhance their capacity to offer duty counsel type support to their members who have been the subject of complaints, received 34 votes. This option too seems counter-intuitive. If there are no associations, with whom will the LSUC work? If there are other complaints against licensees, does the LSUC offer duty counsel type support to the subject of the complaint?

Again, while 36% of respondents felt that the LSUC working with associations was a good choice, there are questions with regard to how that would come about if there are presently no associations available to them. The majority felt the regulatory responses were more fitting a direction to undertake.

<b>Choices</b>	<b>Number</b>	<b>Percentage of Respondents</b>
Updating rules	52	55.91
Working with Associations -1	34	36.56
Assigning expert group	43	46.24
Working with Associations -2	34	36.56

The results seem to indicate the preferable course of action would require updating the Rules of Professional Conduct and the Paralegal Rules of Conduct and by assigning an expert group of professional regulation staff to handle complaints. Again, respondents were able to respond to more than one suggestion.

**Question 8:**

As part of the original report, the Law Society listed four suggestions that they were considering submitting to Convocation. Respondents were asked to rate these as to whether they Agree, are Neutral, or Disagree with the provisions.

- A. Enhance the Equity Compliance Program:** The LSUC would include a request for demographic data when retaining vendors, firms or legal counsel to provide services.

This was answered by 94 and skipped by 38.

Agree	Neutral	Disagree	Total
37 (39.36%)	38 (40.43%)	19 (20.21%)	94

Of 94 responses, 37 agree with the recommendation to enhance the Equity Compliance Program, including a request for demographic data when retaining outside vendors, firms or legal counsel to provide services. There were 57 respondents who were either neutral or disagreed with this recommendation.

As stated in question 3, most of the licensees felt this was, at this point, taking things too far. If this goes forward, without all of the responses to number 3 being considered, then there are process issues at work that need to be addressed. The majority of our membership did not agree with mandating other firms, or vendors being required to vet the racialization of their staff. While equity is important, so is competence. The response of the membership indicates competence should be the first condition.

- B. Conduct an Internal Equity Audit:** The LSUC would strengthen its policies and programs by conducting an operational equity audit of its services offered to the profession.

This was answered by 94 and skipped by 38.

Agree	Neutral	Disagree	Total
50 (53.76%)	31 (33.33%)	12 (12.9%)	94

Those who responded to this question, 53%, believe this is a positive step with 33.33 neutral and only 12% disagreeing with this process.

- C. Internal Collection of Data:** The LSUC would include considering the internal collection of further data on issues relating to racialization.

This was answered by 93 and skipped by 39.

Agree	Neutral	Disagree	Total
52 (55.91%)	34 (36.56%)	7 (7.53%)	93

The response to the suggestion that the LSUC consider the internal collection of further data on issues relating to racialization is seen as a positive step by 52%, with 34% being neutral and only 7% in dissent.

- D. More Diverse Public Face / Image for the LSUC:** The LSUC would consider strategies to develop a more diverse and inclusive public image / face of the Law Society.

This was answered by 93 and skipped by 39.

Agree	Neutral	Disagree	Total
60 (64.52%)	25 (26.88%)	8 (8.6%)	93

Nearly 65% of respondents feel the LSUC should consider strategies to develop a more diverse and inclusive public image / face of the LSUC. In so doing, as indicated in previous responses, the LSUC should consider strategies to include the role of paralegals, and encourage their use by the public, as an integral part of the marketing strategy.

**Question 9:**

We asked the respondents, as a final question:

**Do you have any other suggestions, recommendation, or comments regarding the LSUC paper or process, or about OPA's strategy in responding?**

There were 15 responses; however, we will just list some of the final comments:

"There is no upward mobility for the paralegals. LSUC should introduce NCA type of program for Paralegals with a bachelor degree to become full-fledged lawyers."

"I think the LSUC should actively promote the role of the paralegal in contrast to a lawyer. The public needs to hear that it is perfectly acceptable to use a paralegal for some matters, and that message needs to come from the LSUC to have credibility."

"Lower Annual Fees for low income licensees to help keep them in the profession."

"I feel that a more comprehensive review and analysis of intersecting discriminatory factors should also be studied as part of the data collection. Programs implemented should also have some enforcement measures to require law firms and other legal employers to hire older paralegals, older female paralegals, and older women and men of colour."

"All licensees and OPA members concerned will be given updates on LSUC paper or process."

"It is important to find a balance between promoting diversity while ensuring that qualified individuals are being employed – not strictly recruiting racialized individuals to meet a quota."

## CONCLUSION

The Ontario Paralegal Association (OPA) is pleased with the engagement of our membership, having received a 21.63% response rate to the survey discussing *racialization* within the profession. The demographics of the respondents varied with 45.56% being self-employed and 13.74% being employed in a paralegal office or law firm. One of the key issues that seemed to emerge throughout is that racialized or non-racialized, intersecting factors played a key role in perceived discrimination.

The LSUC should act as a catalyst for the establishment of diversity programs within firms was supported by 55.17%, while requiring standards was supported by 37.93%. Most of those who commented felt the Diversity Program coupled with Self-Assessment should be the goal to lift the legal profession to a more enlightened state. The general consensus was that the LSUC should not want to be perceived as dictating to employers who they should hire or fire.

The preferred model for the collection of data is using LSUC data collected in the Annual Reports, and that templates should be provided. It was noted that collecting data is a daunting task; but, in order for it to be of value, as much data as possible needs to be collected.

The membership believes the LSUC could work with firms that might be hired by in-house departments; however, requiring legal suppliers to disclose demographic data received only 19.23% support; while, requiring one member of diversity working on the file received only 8.97% of support. Comments included statements indicating the marketplace should decide their own requirements and the LSUC should not be dictating employment standards.

Within the paralegal community, there is a great deal of difficulty reported on social media sites regarding mentorship. Mentorship is a serious consumer of non-billable hours. The top three non-remunerated choices were one-on-one mentoring, group mentoring, followed by team mentoring. As discussed in the paper however, there is an issue with group and team mentoring that would have to be addressed if those models were used, and that is location. The membership was evenly split on the remunerated choices, with professional one-on-one mentoring inching out the panel of advisors by 2%.

The question addressing preferred networking models did receive an interesting result. While 76.92% believed that working with legal organizations and affinity associations was desirable, preferable even to working with licensees, there was a problem identified by the racialized licensees of not having access to an association specifically for them. There are existing associations, the Ontario Paralegal Association being one; that are always trying to

increase membership, and would welcome racialized licensees into the fold. Perhaps it would be preferable for the LSUC to provide lists of affiliate associations; rather than to work to develop, what in essence, would amount to a group built to lobby the builder, which seems counter-intuitive.

There appeared to be an even split with regard to the dissemination of information through the CPD option. Cultural competence is not taught at the college level, or not required to be taught, and it was suggested that perhaps it should. Teaching at the college level prior to licensing could help licensees be more familiar with the deeper concepts of racialization.

With regard to complaints of discrimination, the membership's data and comments suggest an update to the Rules of Professional Conduct and the Paralegal Rules of Conduct to define and address discrimination and developing a communication plan received the highest votes; and second to that model, the next highest approved model would be to assign an expert group of regulatory staff members to handle complaints. Both of these models reflect a more policy based approach which is more likely to be received in a positive light. Working with non-existent associations, or with individual licensees did not receive a clear sign of approval.

With regard to the four suggestions being considered for submission to Convocation, all but enhancing the equity compliance program, received an over 50% approval rate. The referenced model only received a 39% approval rate, with 38% remaining neutral.

As the survey results suggest, while most respondents seem to be in favour of some work being done in this area, there is cautious optimism with regard to the directions that will be taken. It also seems as though many of the intersecting factors are not only common to both *racialized* and *non-racialized* members; but, it would appear active discrimination is being encountered. If a micro-managing or dictatorial model is going to be accepted, the membership believes there needs to be much more data collected with regard to intersecting factors, which may be specific only to the paralegal profession. Our results suggest that intersecting factors, whether directed at racialized or non-racialized licensees, are creating barriers both to employment and mentorship.

**Proposed by:** Paula Callaghan, Chair – Government & LSUC Relations Committee, Ontario Paralegal Association

**Date:** March 4, 2015

**Approved By:** Stephen Parker, President - Ontario Paralegal Association