

Dear Mr. Bouchard,

My name is Jun Cai Wang, a member of LSUC and Licensed Paralegal. I identify myself as a Chinese-Canadian licensee.

I highly commend the good work your Working Group has done under the guidance of LSUC to draw attention to the issue of racialized licensees. It is of special importance at a time when access to justice is being given more emphasis than ever, when paralegals have become licensed to partially contribute towards that end, and an increasing number of candidates are trained, pass their licensing exams and become licensed paralegals every year.

However, identifying the difficult situation racialized licensees are facing is only the first step towards solving the problem. As a paralegal licensed from 2012, I am more familiar with the situations faced by the newly licensed paralegals, racialized ones in particular, so can only speak to the situations of this small section of the licensees.

The actual situation and difficulties many of them face are more dire and bleak than we can imagine. Indeed, to them it is a matter of survival and that if help is not provided urgently, many of them will soon submerge and disappear from LUSC's radar. Once they drop out of the legal services profession altogether, then the issue of equality is totally out of the question.

Many of the racialized paralegals are struggling to survive, both the new and the experienced alike. Some of them are making less than minimum wage. Others are ready to accept "associate positions" on fee splitting basis without the guarantee of even a minimum wage, so as to simply "put their feet in the door", so to speak. Therefore, racialized licensees are an "endangered species", facing the threat of extinction. Suppose data is available on licensees becoming non practicing and/or giving up their licenses every year, it would not be unreasonable to predict that the majority of them come from this section of the licensees. So to my mind, the first logical step and more urgent issue is to help them with their "survival", before we can talk about "development" or "equality".

On a practical level, maintaining their license with LSUC and paying associated expenses so as to keep themselves in the profession is more expensive than many of the newly licensed paralegals can sustain. On top of all other operating expenses such as rent for office, computer software, Internet and phone services, they have to pay the \$1,125.48 annual license fee and also E & O insurance and CPD events.

It's simple economics that given all other expenses remaining the same, the higher it costs to keep their license, the more of them will submerge.

Also, the high level of annual fees and expenses makes it unfeasible for many of the practicing licensees to offer lower fees to clients and, therefore not inductive to the affordable access to justice by the general public.

In summary, my suggestion for resolving the issue is as follows:

- 1) LSUC charges lower annual fees to those licensees with annual revenue below Ontario poverty line or minimum wage level, say \$20,000 or 25,000.

2) LSUC stipulates that reduced fees or even free CPD attendance for those licensees with annual revenue below Ontario poverty line or minimum wage level, say \$20,000 or 25,000.

Large law firms and senior lawyers have obviously benefited the most from their legal practices and from the legal system. Therefore they should contribute more to the regulation of the profession and maintenance of the system.

They should also be encouraged to regard it as their obligation to ensure the healthy growth and development of the profession, rather than taking advantage of their positions and regard it as an extra source for making money from the new entrants. They might have “paid their tolls” when they themselves were new entrants, but this would be a good point to break that vicious circle.

I believe that they would be enlightened to see that they themselves also benefit from having well trained, more knowledgeable and competent litigants on the other side and from having a more efficient legal and judicial system.

Most of the racialized licensees operate as sole practitioners. Statistics show that due to lack of mentor, training and support network, sole practitioners receive more than its fair share of complaints from clients. As some of them have to operate from their homes, this prevents them from providing legal services in certain areas, such as summary conviction cases. As a result, in addition to being a racialized licensee, they have the added disadvantage of having less or even no litigation experience.

Suppose we operate “social Darwinism” and let these racialized licensees to survive or perish on their own, those who suffer in the end would not only be these licensees themselves, but also the community they could have been able to serve and the Canadian society as a whole.

If these racialized licenses are allowed to submerge, it would not only mean that their expensive paralegal education is not fully utilized, their own efforts and personal finance wrongly invested, and their dreams for an ideal profession vaporized, but also a huge waste of society’s education resources. It would also mean the loss of a valuable legal service provider to that racialized community, a considerable percentage of its members may not be able to speak English properly, not to mention to write or represent themselves in court. To many of them, that would mean living without knowledge and protection of the law and without access to justice, and a market not served. Ultimately and inevitably, in one way or another, it would mean a loss to the Canadian society - as very well put by this phrase: we are all pieces of the puzzle.

To summarize, it is my hope that LSUC can make an immediate practical effort to alleviate the financial difficulties of these racialized licensees and to help keep them in the profession.

Many thanks in advance for your patience.

Sincerely,
Jun Cai Wang