



Law Society of Upper Canada

French Language Services Policy

January 2015

Preamble

WHEREAS the official languages of the courts of Ontario are English and French;

WHEREAS in carrying out its functions, duties and powers under the Law Society Act, The Law Society of Upper Canada (the “Law Society”) has a duty to maintain and advance the cause of justice and the rule of law, to act so as to facilitate access to justice for the people of Ontario, to protect the public interest and to act in a timely, open and efficient manner;

WHEREAS the Law Society has acknowledged that persons have the right to communicate in French with, and to receive in French available services from, the Law Society in designated core areas of its mandate and the Law Society endeavours, subject to limits that are reasonable and necessary in the circumstances of any particular situation, to deliver French language services having regard to the substantive principles of language rights, including the active offer principle, the principle of services of equal quality, the principle of substantive (as opposed to formal) equality and the principle of advancement or progress in the equality of status and use of English and French; and

WHEREAS the policy should be read with the obligations set out in the *Law Society Act*, *Law Society By-laws* and *Law Society Hearing Division, Rules of Practice and Procedure* and *Appeal Division, Rules of Practice and Procedure*;

Therefore, the Law Society of Upper Canada adopts the following principles:

Definition

1. “Profession” means lawyers and paralegals licensed by the Law Society.

Licensing Process and Admission to the Bar

2. The Law Society is committed to offering the Lawyer Licensing Process and the Paralegal Licensing Process in the French language, including offering

resources and examinations of equal quality in French and English and the option to receive the Call to the Bar certificate either in French or English.

Communications with the Profession and the Public

3. The Law Society is committed to producing notices to the profession, consultation papers and documents relating to the regulation of the profession (such as by-laws, rules of conduct and lawyer and paralegal annual reports) in the French language, in compliance with Law Society By-laws.
4. The Law Society is committed to providing services in the French language to those who communicate with the Law Society in French or who indicate that their preferred language of communication is French in compliance with Law Society By-laws. In such cases, the *Guidelines on Communicating in French with Licensees and Members of the Public* apply.
5. The Law Society is committed to periodically assessing its present and future programs and initiatives to ensure that they conform to this policy and By-laws on the delivery of French language services.
6. The Law Society is committed to continuing to develop the content of its website in the French language.

Continuing Professional Development (CPD) and Public Education Programs

7. The Law Society is committed to ensuring that the CPD requirements do not create barriers to the availability of CPD programs in the French language. The Law Society is also committed to facilitating, coordinating and delivering CPD and Public Education Programs in the French language.

Professional Regulation and Tribunals

8. The Law Society complies with the obligations related to French language services as specified in the *Law Society Act*, the Law Society Tribunal Hearing Division *Rules of Practice and Procedure*, the Law Society Tribunal Appeal Division *Rules of Practice and Procedure* and relevant By-laws.

Equity and Aboriginal Issues Committee

9. The Equity and Aboriginal Issues Committee¹, in cooperation with other Standing Committees of Convocation, observes its mandate to develop

¹ Under By-Law 3, The Equity and Aboriginal Issues Committee is mandated,

options for the promotion of French language services and for addressing matters related to French language services.

Limitation

10. A person's rights as set out in this policy and relevant By-laws, in any particular situation, are subject to limits that are reasonable and necessary in the circumstances of that particular situation.

Work with the Association des juristes d'expression française de l'Ontario (AJEFO)

11. The Law Society is committed to working in collaboration with AJEFO in the enhancement of its French language services.

Review of this Policy

12. The Law Society will review and update this Policy every year to identify progress and programs that could be improved.

Implementation of Policy

13. The Director, Equity, is responsible for the implementation of this policy.

(a) to develop for Convocation's approval, policy options for the promotion of equity and diversity having to do in any way with the practice of law in Ontario or provision of legal services in Ontario and for addressing all matters related to Aboriginal peoples and French-speaking peoples; and

(b) to consult with Aboriginal, Francophone and other equality-seeking communities in the development of such policy options.