

PARALEGAL SOCIETY OF CANADA

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Paralegal Standing Committee
Law Society of Upper Canada
130 Queen St. W.
Toronto, Ontario
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Re: Areas of Practice

It is our understanding that the two year review for the regulation of paralegals by the Law Society of Upper Canada is imminent. Consequently we would request that the Standing Committee who are the representatives of the interests of all paralegals bring before the reviewing committee the matter of expanding areas of practice particularly family law, corporate, wills and powers of attorney.

As you know during the regulatory process there was a great deal of discussion regarding the ability of paralegals to continue to practice in some enshrined areas of practice such as matters of custody, access and variance of child support; these matters were in pursuant to Rule 4 of the Family Law Rules.

Simple wills, powers of attorneys and simple incorporations had long been performed by paralegals. There are self help kits available in the marketplace allowing individuals to complete their own forms on matters mentioned above, however, as paralegals we no longer have the ability to assist the public in filling out these simple forms which they themselves through marketing are encouraged to do, as it is considered that paralegal assistance in these areas could be construed as offering legal advice which paralegals do not have the ability to do. However assisting the public to fill out these simple forms would make it far easier for individuals to bring them to their correct conclusion rather than have the public waste money on their purchase and flounder throughout the procedure only to find that when they actually require the documents for a specific purpose that the documents are incomplete and cannot be used for their intended purpose.

Prior to regulation the representatives of the Law Society indicated to us in various meetings that when the two year review for the regulation of paralegals by the Law Society of Upper Canada takes place, the Law Society will reconsider these disallowed areas of practice, as the regulatory framework will be already in place,

and such expansion of areas of practice could be possible. We understand that such review and report is due in January 2009.

Consequently we would now like to call your attention to these important facets of possible paralegal practice which have been all but erased from the allowable areas and ask you to focus your energies and attention during the review process upon revisiting those areas of practice in which paralegals had traditionally engaged prior to regulation which under the regulation have been curtailed.

Yours truly,

PARALEGAL SOCIETY OF CANADA

JUDI SIMMS
President
JS/jj

cc Attorney General for Ontario
W.A. Derry Millar, Treasurer, LSUC