



NOVA SCOTIA  
BARRISTERS' SOCIETY

# Articling Handbook

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Education & Credentials

NOVA SCOTIA BARRISTERS' SOCIETY | MARCH 2023

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## PART 1 – Becoming an Articled Clerk

### What is articling?

Articling is a 12-month period of experiential learning meant to assist in the transition from law school to the actual practice of law. During articling the goal is to provide each Articled Clerk with an opportunity to gain experience in a variety of relevant areas, including (but not limited to) professional responsibility, personal practice and office management, interviewing and advising, negotiation, advocacy, legal writing and legal drafting. An Articled Clerk's work must be supervised by other lawyers, who provide constructive feedback and assist them in learning legal practice and client management skills.

An Articled Clerk may commence articling throughout the calendar year on the first of any month; however, June 1 serves as the most common start date. Articled Clerks who commence their articles other than on June 1 may experience delays in their call due to available call dates and Bar Admission Program offerings.

### What are the prerequisites for applying to article?

In order to be eligible to commence articles and apply to the Nova Scotia Barristers' Society (the "Society"), an applicant must meet the following requirements:

1. have a law degree;
2. be lawfully entitled to work in Canada; and
3. have an articling position arranged.

### How do I find a position?

The responsibility for finding an articling position is up to the applicant. An applicant can participate in interviewing sessions at law school, send out résumés to firms and post a "seeking articles" notice on the [Career Opportunities](#) page of the Society's website. (All notices are also shared directly with lawyers by email through the [InForum](#) newsletter; use this [online form](#) to submit a notice.)

The traditional articling position will have an Articled Clerk working with a qualified [Principal or Supervising Lawyer](#) for 12 months. There are also a number of other ways to fulfil the articling requirement, as set out in the following options, including sharing articles among several legal services providers over the course of the articling term.

#### Part-time articles

With the approval of the Executive Director of the Society, you may complete your articles on a part-time basis. In order to do so, your Principal must provide written consent to the part-time arrangement. You must complete the 12 months of articles within three years.

#### Articling Agreement with a Justice of the Supreme Court of Nova Scotia, Nova Scotia Court of Appeal, Federal Court, Federal Court of Appeal, Tax Court of Canada or Supreme Court of Canada

If you enter into an Articling Agreement with a Justice of the Supreme Court of Nova Scotia, the Nova Scotia Court of Appeal, Federal Court, Federal Court of Appeal, Tax Court of Canada or Supreme Court of Canada, you may receive between six and twelve months of credit toward the 12-month articling requirement depending on the position. For more information about the possibility of receiving credit please check with the Education & Credentials Department.

#### Transfer of credits from outside of Nova Scotia

If you have articulated outside of Nova Scotia, you may request the permission of the Executive Director to obtain credit for this time towards the articling requirement. The articling must have been completed within the three years prior to the date of registration as an Articled Clerk in Nova Scotia. The maximum amount of time that may be transferred is six months.

## Secondment

Secondment means that you are articling in the office of another practising lawyer outside the office of your Principal. The secondment lawyer must meet the requirements to act as a Principal and meet the requirements of the [Articling Agreement](#). The work period with the secondment lawyer may not exceed one month without the Executive Director's approval.

## Shared articles

While the traditional articling arrangement involves an Articled Clerk working with a Principal in a single firm, another option open to Articled Clerks is a shared articling arrangement. In this situation, you would work with a number of lawyers over the course of the articling year. At least one of the lawyers will act as Principal, and the other lawyers may act as Principals or secondment lawyers, depending upon your arrangements. Unlike the traditional secondment, previously discussed, these placements can be for periods in excess of one month and secondments may be of different lengths. All placements must be confirmed prior to the commencement of articles, and the details of all placements must be included in the [Education Plan](#). As the arrangements vary for this type of articles, it is important to contact Education & Credentials staff to determine the appropriate structuring based on your proposed arrangements.

## What employment terms are required by the Society?

The Society does not have set requirements with respect to the terms of employment. These terms are to be determined between the Articled Clerk and their Principal. Articled Clerks must work in the office of a qualified Principal for 12 months, which includes the time they attend the Bar Admission Program. Vacation time is at the discretion of the Principal.

## How do I apply?

Before beginning articles, an applicant and Principal must apply to the Society and should refer to the documents required outlined in the [Articling Application – Part 1 and Part 2](#) link available on the Society's website on the bottom of the [About Articling](#) page, as well as any relevant documents under Information for Principals.

You require a unique ID number to access the on-line Articling Application. Please contact [licensing@nsbs.org](mailto:licensing@nsbs.org) stating your full legal name (first, middle, and last name(s)), your personal email address for future correspondence and your birthdate to request your number.

**PLEASE NOTE:** Applications should be submitted at least six weeks prior to the preferred articling start date (or by April 1 if applying to begin on June 1), in order to avoid a delay in the applicant's preferred start date.

Once received, the application is then processed by Society staff in Education & Credentials. Completed applications are considered in the order in which we receive them.

Your articling application must contain the following:

1. [Applicant's Questionnaire - Part 1](#);
2. [Principal's Declaration](#) (submitted by principal);
3. [Equity and Diversity Form \(optional\)](#) (not required to be disclosed to your Principal);
4. [Applicant's Questionnaire - Part 2](#) (not to be disclosed to your Principal);
5. [Particulars for any affirmative responses in the Applicant's Questionnaire](#);
6. [Articling Plan](#) (completed in conjunction with your Principal);
7. [Articling Agreement](#) (completed in conjunction with your Principal);
8. [Education Plan](#) (completed in conjunction with your Principal);
9. [Criminal record check \(the Society will obtain a copy of your criminal record check. The application fee now includes the cost of your background check\)](#)
10. [Notarized colour copy of government-issued photo ID](#);
11. [Official transcript or NCA Certificate of Qualification](#); and
12. [Letter from law school confirming you have met the requirements to graduate](#), if applicable.

It may also include the following, if required:

1. Proof of English language proficiency;
2. Particulars of work permit or other authorization allowing you to work in Canada, if applicable; and
3. Other information requested by the Executive Director.

All the forms required can be found online on the Society's [website](#) under the Articled Clerks tab at either [About Articling](#) or [Information for Principals](#) - (PDF and Word versions are available for most forms).

**The Applicant's Questionnaire - Part 1, Equity and Diversity form, and Applicant's Questionnaire – Part 2 are combined in one link to an online interactive form.**

### **Applicant's Questionnaire - Part 1**

To complete your [Applicant's Questionnaire - Part 1](#) you will need to provide the following:

- Your contact information and educational background;
- Information regarding your articling position and your Principal; and
- Responses to questions regarding your character and fitness.

You will also undertake to report to the Society at your earliest convenience should anything occur before or during your articling period that would alter your responses to any of the questions contained in Part 1 and Part 2 of the application.

### **Principal's Declaration**

When you submit your application, a copy of Part 1 will be emailed to your Principal along with a link to the Principal's Declaration. This email is generated and sent automatically to the Principal's email address you provided. The Principal submits to the Society the Declaration confirming that they have agreed to act as your Principal and have reviewed Part 1 of your application.

### **Equity and Diversity**

The Society is committed to increasing opportunities for all law graduates from communities that have historically been under-represented in the legal profession. The Society is working with the Department of Justice, Schulich School of Law at Dalhousie University and Nova Scotia law firms to make the legal profession more representative of the public it serves. One aspect of this initiative requires gathering relevant data on the representation of individuals from historically disadvantaged communities in programs of the Society.

Included in the articling application is a form used by the Society to collect information regarding the equity and diversity of the legal profession. Your response on this form is voluntary.

### **Applicant's Questionnaire - Part 2**

[Part 2 of the Applicant's Questionnaire](#) inquires about your fitness to practise law. The information you provide in this section is held in confidence by the Society and is not shared with your Principal.

### **Particulars for any affirmative responses in the Applicant's Questionnaire**

If you answer "yes" to any question other than #8 in the Applicant's Questionnaire - Part 1, you need to provide further details. It is important that you provide as much detail as possible.

For more information on affirmative responses, see [What happens if I answer 'yes' to any of the "Good character" questions on the articling application?](#)

Also see [What if character and fitness is an issue in my articling application?](#)

### **Articling Plan**

For each Articled Clerk, the lawyer or firm acting as Principal must attach an [Articling Plan](#) to either their previously approved Education Plan or their new Education Plan. The Articling Plan either confirms the commitments made in the approved Education Plan or identifies changes for approval. If changes are

noted in the Articling Plan, then an updated Education Plan showing the changes must also be submitted; it is not sufficient to only note the changes on the Articling Plan.

The Articling Plan must be signed by both the Principal and the Articled Clerk.

### **Articling Agreement**

The purpose of the [Articling Agreement](#) is to identify the Articled Clerk and Principal, confirm the articling term and clarify the responsibilities of each party over the articling term. It also sets the specific obligations owed to the Principal and the Articled Clerk by the other. The Articling Agreement does not deal with other terms of employment such as pay, vacation or sick leave. Those terms should be dealt with directly between the Articled Clerk and Principal.

### **Education Plan**

Your Principal or Supervising Lawyer's [Education Plan](#) sets out the outline for your articling program. It details how you will develop the core skills and competencies identified by the Society that will prepare you to be competent at the level of a newly called lawyer. In addition to outlining how you will be taught these skills, the Education Plan sets out how you will be supervised and provided with feedback. Each Education Plan must be approved by the Society.

Follow this link to the [Competency Framework](#).

### **Criminal record check**

A Canadian Police Information Centre Criminal Record Synopsis (national check) will be performed on receipt of your Application. This service is included in the application fee. Please do not submit a criminal record check with your application as it will not be accepted. (See [Policy on Criminal Record Checks](#).)

### **Notarized copy of government-issued photo ID**

You must include in your application a **colour** photocopy of a government-issued photo ID, (such as a passport or driver's licence), that has been notarized by a notary public. In addition to signing, dating and sealing the document, the notary should include the following statement on the document:

"I have reviewed the original document and can state that this copy is a true copy of the original (INSERT NAME OF DOCUMENT ex. Driver's Licence/Passport) of (INSERT APPLICANT'S NAME)"

Please be sure that the notary and the Society can clearly see your photo and any other information on the photocopy.

### **Official transcript or NCA Certificate of Qualification**

You will need to order an official transcript to be sent to the Society directly by your university's Registrar's Office; however, you will not be able to obtain a copy of your transcript until after your graduation. The transcript **must** indicate that your law degree has been conferred. If you order it too early, that notation will not be written on the transcript and you will be required to order another.

You will be permitted to begin your articles pending receipt of your transcript as long as the Society receives confirmation that you have met the requirements for your law degree; however, it will be your responsibility to ensure that we are provided with a copy of your transcript (conferring your law degree) prior to the date noted in your ruling email.

If you attended any additional law schools (other than as an exchange student), you must also provide us with a transcript from them.

If you have a foreign law degree, you will need to have a Certificate of Qualification sent directly to the Society from the National Committee on Accreditation (NCA). For more information, see [What do I do if I have a law degree from outside Canada or a civil law degree?](#)



### **Letter from law school confirming you have met the requirements to graduate**

If your transcript will not be delivered to the Society at least two weeks prior to the commencement of your articles and you do not attend the Schulich School of Law at Dalhousie University or the University of New Brunswick, you must arrange for your law school to provide us with a letter confirming that you have met all the requirements for your law degree and will graduate. This letter will serve as short-term proof of your law degree until your transcript arrives. (Please see [Appendix C – Required Content for Confirmation Letters](#).)

**NOTE: If you are applying for a June 1 articling start date and you attend the Schulich School of Law at Dalhousie University or the University of New Brunswick, you will not need to arrange for a letter, as these law schools provide us with the list of graduating students once it has been confirmed.**

**In addition, you may need to provide the following with your application:**

#### **Proof of English language proficiency**

Should the Society determine that proof of English language proficiency is required, you will be contacted and provided with a listing of any required documentation.

#### **Particulars of work permit or other authorization allowing you to work in Canada, if applicable**

If you will be working in Canada on a work permit or other form of authorization, you will need to provide full details of your permit or authorization with your application. (For more information, see [I'm not lawfully entitled to work in Canada, but I've been hired by a firm. Can I work as an Articled Clerk?](#))

#### **Other information requested by the Executive Director**

From time to time, you may be requested to provide further information about the contents of your application. If further information is required, the Society will contact you and provide details of what is required.

### **Processing your application**

You will be contacted a number of times during the processing of your Articling Application. The first will be at the time your application is submitted. At that time, you will be sent an email (with Part 1 of your Applicant's Questionnaire attached) indicating your application has been received. You may be contacted again after your application is reviewed to advise of any missing components. You may also be contacted to follow up on missing components. It is therefore very important that the Society have current contact information for you while your application is being processed.

### **Ruling Email**

Once your Articling Application has been reviewed and approved, you will receive a ruling email confirming your articling start date. This letter will outline a variety of important dates and your personal login credentials for the Society's website.

As noted above, your ruling email will set out your personal login credentials for the [Member Login](#) section of the Society website. You will use this username and password to access your member card, invoices and other information once you are called to the Bar.

For further information on accessing the members section of the Society website see Appendix B - [Nova Scotia Barristers' Society website](#).

**NOTE: CPLED will issue you a username and password to access their online platform used for PREP.**

See the Society's [Policies related to Articling](#).

## What does your Principal need to submit?

Your Principal will need to submit the following documents:

1. [Application to Act as Principal](#) (either as an [Individual](#) or a [Firm](#));
2. [Education Plan](#); and
3. [Articling Plan](#).

### Application to Act as Principal

A firm or an individual lawyer may act as a Principal. The traditional articling arrangement had the Articled Clerk supervised by an individual lawyer as Principal. In the case where the firm acts as the Principal, an individual lawyer is named as the **Supervising Lawyer**. **There are different forms to be completed for an individual lawyer to act as Principal versus a firm acting as Principal.**

To act as a Principal or Supervising lawyer, the lawyer must have carried on the practice of law for at least five years. They must also have not been convicted pursuant to Part III of the *Legal Profession Act* in the last three years, have outstanding criminal charges or be the subject of any practice restrictions. The Application to Act as Principal confirms the Principal or Supervising Lawyer meets the requirements to act as a Principal and they are committed to the education of an Articled Clerk. The application is accompanied by a proposed Education Plan and a proposed Articling Plan.

In limited instances, a Principal or Supervising Lawyer may not be required to strictly meet the requirements to act. For further information, see the [Policy on waiver of five-year eligibility requirement to be Principal](#).

### Education Plan

Your Principal or Supervising Lawyer's [Education Plan](#) sets out the outline for your articling program. It details how you will develop the core skills and competencies identified by the Society that will prepare you to be competent at the level of a newly called lawyer. In addition to outlining how you will be taught these skills, the Education Plan sets out how you will be supervised and provided with feedback. Each Education Plan must be approved by the Society.

See the [Competency Framework](#).

### Articling Plan

For each Articled Clerk, a lawyer or the firm who is acting as Principal must attach an [Articling Plan](#) to either their previously approved Education Plan, or their new Education Plan. The Articling Plan either confirms the commitments made in the approved Education Plan or identifies changes for approval. If changes are noted in the Articling Plan, then an updated Education Plan showing the changes must also be submitted – it is not sufficient to note the changes only on the Articling Plan.

The Articling Plan must be signed by both the Principal and the Articled Clerk.

### Ruling Email

Once the Principal's Application and supporting documents have been received and approved, the Principal or Supervising Lawyer will receive a ruling email confirming they are permitted to act as a Principal. This email will also approve your Education Plan and Articling Plan.

## PART 2 – During the articling year

As an Articled Clerk, you may perform any legal service a responsible practising lawyer does; however, you must meet the following conditions:

1. Your Principal must adequately supervise that activity;
2. You must be properly prepared for the task; and
3. Your Principal must ensure that you are sufficiently competent to perform the task.

There may also be occasions when the client's consent is required.

As the articling year progresses and your skills increase, it is anticipated that the tasks you can do will also increase. For further direction see the [Articling and Admissions Guidelines](#), in particular sections 2.7 and 3.5, which address court appearances.

It is important that during your articling year you identify yourself as an Articled Clerk during all forms of communication and when appearing at court. You may not be noted as counsel of record on a court file and you may not give or accept a **professional undertaking**. You are also not permitted to take an oath/swear a document.

If you are attending court and the matter requires the lawyers to be gowned, you may wear the gown only. You are not permitted to wear the tabs and you should not wear a KC's robe.

### Reports

Twice during the year, your Principal or Supervising Lawyer will submit a report on your progress to the Society. The first report will be forwarded to your Principal or Supervising Lawyer by email midway through your articling term, while the second report will be sent a month before the end of your articles. In this report, your Principal or Supervising Lawyer will provide feedback with respect to the development of your core skills and competencies. In most instances you will meet with your Principal or Supervising Lawyer to review the contents of the report before it is submitted to the Society.

### Bar Admissions Program

As part of the articling year, all Articled Clerks must participate in the Bar Admission Program. The Bar Admission Program was established as the means for the Society to evaluate the skills required of a newly called lawyer. The Bar Admission Program consists of two components:

1. Practice Readiness Education Program (PREP); and
2. Cultural Competence Workshop.

### PREP

PREP is delivered by the Canadian Centre for Professional Legal Education (CPLED) of which the Society is a partner and is offered in regular and accelerated programs. Regular PREP is offered in Nova Scotia beginning in June, and accelerated PREP is offered once beginning in late May. While regular PREP takes place over a 10-month period, Accelerated PREP is a 14-week full-time program. Articled Clerks will not complete work for their Principals during Accelerated PREP and will complete approximately nine months of "in firm" work in addition to time spent in the accelerated program.

The purpose of the PREP program is to act as a bridge between what you learned in law school and the practice of law and to ensure that you are competent to begin the practice of law when you are admitted to the Bar. Throughout the program you will work on increasing your competency in a number of areas in preparation for the Capstone. PREP uses spiral learning to allow you to first learn basic knowledge about a given skill, then see the skill in action and finally to undertake the skill on your own. While the phases of PREP may introduce skills and knowledge you have already experienced during law school and / or through your articles, you may find there are other skills that you have not yet fully developed or learned.

The phases provide an opportunity to practise and hone all of your skills, even those you have used before, to the required level of competency to be successful on your evaluations.

PREP consists of four phases:

1. Foundation Modules;
2. Foundation Workshop;
3. Virtual Firm; and
4. Capstone.

Attendance and completion of all phases of PREP is mandatory. **Principals and firms must accommodate this schedule during the articling term.**

**In addition to mandatory attendance, it is important to note that you are not permitted to perform work for your Principal or a practising lawyer while attending the in-person portion of the Bar Admission Program (Foundation Workshop and Capstone). Please see regulation 3.6.5(c) of the Regulations under the *Legal Profession Act* for additional information.**

All Articled Clerks must successfully complete PREP in order to be eligible to be called to the Bar.

Before commencing PREP you will participate in an online orientation session. The orientation session will introduce you to the various phases of PREP as well as the roles of the various individuals you will be interacting with throughout the program.

To learn more about PREP and to view a sample schedule check out the [CPLED website](#).

You will receive your login details for PREP directly from CPLED. ***Please keep your usernames and passwords in a safe place, as Society and CPLED staff are not able to access your password information once it has been set.***

For instructions on [how to log into CPLED](#), see Appendix B.

**NOTE: As PREP is an online platform, throughout the program it will be necessary for you to have access to reliable high-speed internet and a laptop with a webcam and microphone. While you can access the materials through tablets and smart phones, laptops are recommended for uploading recordings and assignments. For additional information on the technological requirements for PREP check out the [Questions section](#) on CPLED's website.**

### **Cultural Competence Workshop**

The Cultural Competence Workshop takes place once or twice a year with dates to be determined. This full day Workshop looks at issues of cultural competence from a Nova Scotia perspective. It is meant to provide Articled Clerks with a base of information that can be used in continuing lifelong learning on this topic.

## Professionalism

Articled Clerks are subject to the same professional conduct standards as practising lawyers and are expected to abide by the *Code of Professional Conduct*. You should familiarize yourself with the content of the *Code*.

Throughout the articling year, you should conduct yourself with the upmost integrity and courtesy. Articled Clerks must always identify themselves as Articled Clerks and are not to leave the impression that they are practising lawyers.

It is also important to keep in mind that the Bar Admission Program is a professional program and the contents (assignments, handouts, etc.) are the property of CPLED. The content is provided to you for use **in the Bar Admission Program only**. You are not to share any of the materials with anyone nor save the materials in a location where they may be accessed by future students (such as on a workplace network).

Further, your conduct will be evaluated throughout the Bar Admission Program. There is an expectation that you will conduct yourself ethically and professionally during the entirety of the Bar Admission Program. This includes arriving on time, submitting all evaluations and assignments on time, being considerate of the other participants, and ensuring that the work you submit is your own and original. Plagiarism will not be tolerated.

To confirm that you agree to abide by these terms while participating in PREP, you will sign the PREP Student Agreement and the Professional Integrity Policy.

## **Nova Scotia Lawyers Assistance Program**

The Nova Scotia Lawyers Assistance Program or “NSLAP” is a confidential 24-hour a day referral and short-term counselling service for members of the legal profession, their staff and families (including Articled Clerks) for a full range of personal, family or life events and issues including, but not limited to, financial concerns, family, child and eldercare issues, communication problems, career development, health and fitness issues, psychological and emotional disorders, addiction, stress, depression or trauma.

In addition to the various levels of psychological services provided, NSLAP includes wellness programs either personally or online, as a series of health questionnaires and information to help you develop your Personal Wellness Plan, medical information, a variety of e-courses and other tools designed to help you take charge of your health and well-being. Members also have access to Plan Smart Lifestyle and Specialty Counselling Services designed to provide care giving, life planning and health management services.

Please be sure to familiarize yourself with the wide range of products and services this program provides.

[www.nslap.ca](http://www.nslap.ca)  
1-866-299-1299

## **PART 3 – Between articles and call**

### **Extending articles**

If for some reason you are not ready to be called to the Bar at the end of your articling term, you can request an extension of articles. You may need an extension to cover the few weeks between the completion of your articling term and your call to the Bar, or you may need additional time to meet all the articling requirements. Whatever the reason, you will require the agreement of your Principal and approval from the Society.

*View the Society's [Policy regarding Extensions of Articles](#) online.*

## PART 4 - Admission to the Bar

In order to be called to the Bar, you must have successfully completed the Bar Admission Program and your articling term. As well, any fees incurred during your articling year must be paid.

Twice during the year, your Principal or Supervising Lawyer will submit a report on your progress to the Society. The first report will be forwarded to your Principal or Supervising Lawyer by email midway through your articling term while the second report will be sent a month before the end of your articles. In this report, your Principal or Supervising Lawyer will provide feedback with respect to the development of your core skills and competencies. In most instances, you will meet with your Principal or Supervising Lawyer to review the contents of the report before it is submitted to the Society. In order to be admitted to the Bar, your final report must confirm that you are competent in all the skills listed in your Education Plan.

In addition to the final report, the email enclosing your final report will request a Certificate of Principal/Supervising Lawyer and a Statement of Good Character. Your Principal or Supervising Lawyer certifies that you are ready to be called to the Bar and are competent to the level of a newly called lawyer. Your Principal or Supervising Lawyer must also sign a statement confirming you are of good character. Your final report, Certificate of Principal or Supervising Lawyer and Statement of Good Character must be returned to the Society before a determination can be made as to your eligibility to be called.

**Once Education & Credentials staff have confirmed that you have met all the requirements to be eligible to be called to the Bar, you will receive the Bar Admissions Package via email.**

### Contents of the Bar Admissions Package

#### Information regarding employment/trust accounts

This form is used to obtain up-to-date contact and employment information for the Society database. In addition, line item (2) indicates how you would like your scroll to read. You are welcome to record any city that you identify with, hometown or otherwise. **Scrolls will be printed in English unless otherwise requested.** Only one scroll is issued per applicant.

#### Oath on Admission

You are required to either swear *or* affirm the Oath on Admission at the ceremony; it is optional to either swear or affirm the Oath of Allegiance. Templates are provided for English, French and Mi'kmaq; however, every applicant must first take the Oath on Admission in either English or French.

**Applicants wishing to take the Oath in another language should advise the Society upon receiving the admissions package.** The applicant is responsible for any fee associated with the official translation of this document.

In order to complete the oath form, you will need to insert your name in the appropriate space(s) and return the document to the Society for filing. You are not required to memorize the Oath – a hardcopy will be provided to you at the ceremony.

If you choose to swear your Oath and would like to use a book other than the Bible, please advise the Society **as soon as possible**.

#### Biography

A short biography is required for Society records and for document filing at The Law Courts. Biographies are printed in the ceremony program, and a condensed version will be read aloud prior to you swearing or affirming the Oath(s). A template setting out the standard content for the biography will be provided.



### **Notary Application**

Included in the Bar Admissions Package is the Notary Application. This form must be completed and returned to the Society. The notary appointments are administered by the Department of Justice and cannot be made until you are a member of the Bar. The Society will forward your completed application to the Department of Justice after the call. It normally takes five to six weeks once the applications are sent before your notary scroll will be received. **You are not permitted to sign as a notary until you have your notary scroll.**

### **Payment of fees**

In order to be called, you will need to pay three fees: the Bar Admission fee, the Notary Application fee and the Prothonotary's fee. Find more information about [Fees](#) on the Society's website.

### **Order**

Based on the information you provide in the Bar Admissions Package, Education & Credentials staff will prepare any necessary court documentation on your behalf to support your call to the Bar, including an Order for the judge to grant during the Call ceremony. You are no longer required to provide your own Order.

**NOTE: All of the above documents must be filed at least four to five weeks before your anticipated Call date.**

### **Attire**

For your Call, you must be fully gowned (waistcoat, robe, wing collar shirt, tabs, black or dark grey trousers or skirt, black shoes). Gowns may be obtained within the HRM at Colwell's (tel: 902-420-1222) or Duggers (tel: 902-425-2525). Be sure to give yourself plenty of time to place your order and have it delivered. **If you are borrowing a gown, please ensure that you have not borrowed a KC gown.**

**Please note that the Society does not provide or rent gowns.**

### **The ceremony**

The process for the Call to the Bar, when it is not the June call, is similar to what is listed below; however, the ceremony takes place at The Law Courts.

The June Call to the Bar takes place at the Canadian Museum of Immigration at Pier 21, 1055 Marginal Road, Halifax. You are permitted to have guests and seating is on a first-come basis.

The ceremony begins with the entrance of the Presiding Justice. Everyone will rise and Court is formally opened. When the Presiding Justice sits down then everyone else is seated. Applicants are then called alphabetically. When you are called, you will rise and approach the center podium. The Presenting Officer will read your biography and then move for your admission. At this time, you will recite the Oath/Affirmation of Admission and optionally the Oath/Affirmation of Allegiance. You will stay at the podium until the Justice grants your order. At that time, you will thank the Court and return to your seat.

This process will continue until all applicants have been called, following which the Presiding Justice will deliver a short address. When the address is complete the Justice will rise, the Court Clerk will ask everyone to rise, and the Court will be formally closed.

**NOTE: Once the ceremony begins, guests will not be permitted to enter and exit by the main door during the Ceremony. The side entrance must be used once the ceremony is in progress.**

**NOTE: Photography will be permitted at the discretion of the Presiding Justice as long as it does not interfere with the proceedings.**

## **Signing the Roll of Lawyers**

In order to complete your admittance into the Bar, it is necessary for you to sign the Roll of Lawyers. The Roll will be available to be signed after the ceremony is complete. After signing the Roll, you will receive your Admissions scroll. **Be sure to sign the Roll of Lawyers before leaving.**

The process for the Call to the Bar, when it is not the June call, is similar, however the call takes place at The Law Courts, 1815 Upper Water Street, Halifax.

*View the Society's [Policies related to Admission to the Bar](#) online.*

## PART 5 – After I’m called

The fees you pay for the call to the Bar include payment of your Society membership fee as a practising and insured member until the end of the month in which you are called. Should you wish to change your membership category, you will want to do so before the end of that month. As this can take time, be sure to request the change at least two weeks ahead of the date on which you want the change to be effective. Please keep in mind during busier times of the year it can take longer to process requests.

### Membership categories

The membership categories that apply to newly called lawyers:

Practising Lawyer – A lawyer permitted to practise law (as defined in Section 16 of the Legal Profession Act) in Nova Scotia as defined by regulation 5.3.3.

Non-Practising Lawyer – A lawyer who was formerly practising but is now not currently entitled to practise law in Nova Scotia.

The information and forms necessary to change your category can be found on the Society website.

No matter what your employment status or member category, you should ensure that the Society has up-to-date contact information for you. Information on updating your contact information can be found on the Member Contact Change page of the Society’s website.

**NOTE: If you change employment, you should contact the Manager, Technology & Systems to update your information.**

### Notary public

Included in your package for the Call to the Bar was an application to become a notary public. These applications were forwarded to the Department of Justice for processing once the call to the Bar was complete. You should expect to receive your notary scroll five to six weeks after your Call at minimum. **You are not permitted to sign as a notary until you have received your scroll.**

### Stamps and seals

The Society does not provide stamps or seals. These can be purchased from many business supply companies.

### Professional development

The Society encourages, and requires, a culture of continual learning within Nova Scotia’s legal profession. Protection of the public is the Society’s core purpose in establishing standards for professional responsibility and ongoing competence of lawyers in an increasingly complex world.

All practising lawyers are required to complete and implement an annual professional development plan, and report they have done so in their Annual Lawyer Report. The Society also recommends (as it has since 2006) that lawyers engage in at least 50 hours of self-learning/self-study annually in addition to the mandatory CPD Requirement.

The Society provides ongoing notices and information about CPD resources but does not accredit programs. Visit the Upcoming events page or the Events calendar on the Society’s website for upcoming conferences, seminars, webinars and other offerings.

Details on how to create a plan can also be found on the Society website.

### Trust accounts

If you want to open your own trust account or become a signatory on a trust account, it is necessary for you to take the trust account assessment. You will need to contact the Trust Assurance Administrator to arrange to take the assessment.

### ***Land Registration Act***

Lawyers interested in practising property law need to pass the Land Registry Qualification Assessment. Details about the Land Registry Qualification Assessment, including registration information, can be found on the Society's website [here](#).

You are permitted prior to being qualified to have a subscription for a query access account with Property Online. This can be arranged at any time through the [Province's website](#). This will permit you to conduct searches in Property Online and become familiar with the platform.

### **Opening your own practice**

If you are interested in opening your own law firm, you can obtain more information under the Your Practice section of the website in the Practice Support & Resources page under [opening your practice](#).

### **NSBS Guide for New Lawyers**

The Society has created a primer for new lawyers, providing similar information that is covered in this section as well as a lawyer's regulatory requirements. The [Guide for New Lawyers](#) can be viewed on the Society's website.

## APPENDIX A

### **I'm not lawfully entitled to work in Canada but I've been hired by a firm. Can I work as an Articled Clerk?**

Even if a firm has hired you, you cannot be registered as an Articled Clerk unless you are lawfully entitled to work in Canada. In order to be called to the Bar, you will need a valid work permit that extends past your articling period.

### **What happens if I answer 'yes' to any of the "Good character" questions on the articling application?**

Attach all the relevant information regarding the circumstances and outline the steps you took to resolve the situation. Education & Credentials staff will contact you if additional information is required. Not all affirmative responses are determined to raise issues of good character; however, if there is a concern, the application will be referred to the Credentials Committee. Failure to disclose necessary information can result in the refusal of your application or striking you from the Registry of Articled Clerks, which is kept by the Society. Therefore, when in doubt, it is best to disclose. Any contact with the law, any credit problems/ bankruptcies, discharge from employment, or academic suspension/ dishonesty should be fully disclosed.

In the event the affirmative answer relates to past criminal charges or convictions, the Society will make an assessment based on the following factors:

- a. applicant's age at the time of the offence in question;
- b. how long ago the offence occurred;
- c. frequency of occurrence;
- d. seriousness of the offence;
- e. factors underlying the offence;
- f. evidence of rehabilitation; and
- g. applicant's positive social contribution since the offence.

A criminal record is not an immediate bar to approval of an application to become an Articled Clerk.

### **What do I do if I have a law degree from outside Canada or a civil law degree?**

Applicants with a civil law degree from a Canadian university or a law degree from a non-Canadian university must have their academic credentials evaluated by the Federation of Law Societies National Committee on Accreditation (NCA). The NCA can require applicants to pass examinations in specified areas of Canadian law, take courses at a Canadian law school with a specified program of studies, or complete a Canadian common law degree.

Once the applicant has met the NCA requirements, the NCA will issue a "Certificate of Qualification", which confirms that the applicant has the education and training equivalent to a graduate of an approved Canadian common law school. The Certificate of Qualification must be provided to the Society by the NCA.

Application forms for the NCA are available from its office or on its website. The completed application form must be forwarded directly to the NCA.

Website: <https://nca.legal/>

### **When should I report a concern regarding my articles to the Executive Director?**

Throughout your articling term you can always contact the Director, Education & Credentials or staff should you have any questions. Many issues may be easily resolved by contacting us. However, some things may arise that should be reported to us immediately:

- If a Principal fails to comply with the obligations of the Principal contained in the Articling Agreement;
- If circumstances in the office of the Principal are not conducive to providing an educational experience;
- If your Principal is not adequately supervising the files you are working on;
- If you are not gaining enough proficiency in the skills listed in the Society's Competency Framework; or
- If the Principal/Articled Clerk relationship has deteriorated to the point that a meaningful articling experience is no longer possible.

The Executive Director will then take whatever action is deemed appropriate.

### **May I obtain a part-time job while articling?**

You are not permitted as an Articled Clerk to engage in any other employment that in the opinion of the Executive Director would interfere with your completion of the Articling Agreement or the Bar Admission Program. However, not all part-time jobs will so interfere. Please consult with Education & Credentials staff before you accept any "outside jobs", as this requires approval of the Society.

### **What is the role of the Credentials Committee?**

The Credentials Committee is a regulatory committee of the Society. Part of its mandate is to set policy relating to the credentialing process and to investigate matters of character and fitness.

### **What if character and fitness is an issue in my articling application?**

Should the Executive Director determine that character or fitness is an issue in an application to commence articles, the matter is referred to the Credentials Committee for an initial decision. The Committee has the right to request that the Executive Director conduct an investigation into the matter before a decision is made. The Committee has the option of ordering an investigation, approving the application or denying the application with reasons. If the application is denied, the applicant can request a review of the decision by way of a Credentials Inquiry.

### **What is a Credentials Inquiry?**

If an applicant requests a review of the Credentials Committee decision, a panel is struck to hold a hearing into the applicant's character and fitness. The inquiry follows the same rules as those used for Public Hearings in the Professional Responsibility realm. The applicant is entitled to be represented as is the Society. Witnesses are called by both sides and the Hearing Panel makes a decision based on the evidence.

### **What if I no longer wish to continue with my articles?**

Should you no longer wish to article, you may apply to the Executive Director to have your Articling Agreement terminated. You must provide all necessary information to the Executive Director in order to allow the Executive Director to consider the application and make a ruling. The Executive Director may approve the application on such terms as deemed appropriate.

*View the Society's [Policy on Termination of Articles](#) online.*

### **What if I want to continue my articles with a different Principal?**

If you wish to continue your articles with a different Principal, you may assign the Articling Agreement to another Principal. The following conditions apply:

- You must have the written consent of your Principal;
- The other Principal must have applied to be a Principal and been accepted;
- The prescribed Assignment of Articles form must be filed with the Society before the date you wish the assignment to take place; and
- You must pay the prescribed fee.

### **What if I require a leave of absence from articling?**

If circumstances should arrive in which you feel you need to have a leave of absence, you will need to obtain written consent from your Principal and get approval from the Executive Director. You will remain a member of the Society during your absence, but you will not be entitled to act as an Articled Clerk. As well, the time you are absent will not be counted towards your articling term.

*View the Society's [Policy on Leaves of Absence](#) online.*

## APPENDIX B – TECHNICAL INFORMATION

### Nova Scotia Barristers' Society website

#### How to log into the eCommunity

1. Go to the top of the [NSBS homepage](#)
2. Click on "Member Sign In" (top right hand side of the page)

You will be directed to a page that says "NSBS Member Access Login"

3. Enter your username and password

**(NOTE: This is your NSBS username and password, NOT your CPLED username and password. Your NSBS password is included in your ruling email.)**

#### How to print your Member Card

Your member card is confirmation of your membership in the Society and your practising status.

1. Log into the eCommunity;
2. Click on "Sevices" in the black banner;
3. Select "Member Card";
4. Click the button that say "Membership Card" under the text; and
5. Follow the instructions on the page to print your Membership Card.

### CPLED (Canadian Centre for Professional Legal Education)

#### How to log into CPLED

1. Go to [CPLED](#);
2. Click "Student Login" in the top right of the page;
3. Prior to entering your username and password complete the systems check by clicking the link "Please click here for a System Check before you login";
4. Once the System Check is complete enter your username and password; and

**(NOTE: This is your CPLED username and password NOT your NSBS username and password. Your CPLED password will be emailed to you prior to you commencing your first module on the CPLED platform.)**

5. Click the Log In button.



## APPENDIX C – REQUIRED CONTENT FOR CONFIRMATION LETTERS

A letter confirming graduation must indicate that you have completed all the requirements for your degree and note you will be graduating. It should not use the word “expected” when referring to your graduation. Below are three examples of satisfactory letters:

### Example 1

“[STUDENT] has completed all graduation requirements and their JD degree will be conferred on [DATE].”

### Example 2

This is to certify that the person mentioned above has successfully completed all of the requirements in order to obtain their Juris Doctor degree from [UNIVERSITY]. They will receive their diploma on [DATE].

### Example 3

This letter is to confirm that [NAME], attended [UNIVERSITY] from [DATE] to [DATE]. They have successfully completed the JD program and have satisfied the requirements for conferral of the JD degree on [DATE].

At this time, our office can confirm their eligibility to graduate in the [DATE] convocation ceremony.

## APPENDIX D – ARTICLING AND ADMISSIONS CHECKLIST

- Locate Articling position
- Review Articling Handbook

Complete and submit the following:

### Clerk

- Applicant's Questionnaire - Part 1
- Principal's Declaration (submitted by Principal)
- Equity/Diversity Form, *optional*
- Applicant's Questionnaire - Part 2 (**Not to be disclosed to Principal. To be submitted directly by applicant.**)
- Particulars of any affirmative answers in Applicant's Questionnaire Part 1
- Criminal record check (the Society will obtain a copy of your criminal record check, The application fee now includes the cost of your background check)
- Notarized **colour copy** of government photo ID
- Authorization to work in Canada, *if applicable*
- Letter from law school confirming you have met the requirements to graduate, *if applicable*
- Official transcript or Certificate of Qualification
- Proof of English proficiency, *if applicable*
- Articling Agreement (*to be completed in conjunction with Principal*)
- Fees

### Principal

- Principal Application (individual or firm)
- Articling Plan (individual or firm) (*to be completed in conjunction with Articled Clerk*)
- Education Plan (individual or firm) (*to be completed in conjunction with Articled Clerk*)

Complete Bar Admission Program

- PREP
  - Procertas
  - Foundation Modules
  - Foundation Workshop
  - Virtual Firm
  - Capstone

Admission to the Bar

Complete and return the following:

- Information regarding employment/trust accounts
- Oath/Affirmation on Admission (**be sure to request translation, if needed**)
- Oath/Affirmation of Allegiance, *if applicable*
- Biography
- Notary Application
- Fees

Prior to the day of the Call to the Bar:

- Arrange attire for ceremony

On the day of the Call to the Bar:

- Attend ceremony
- Sign Roll of Lawyers
- Receive Admission Scroll
- Receive Notary Scroll

After you are admitted

- Review membership category
- Update employment information with Society, *if needed*
- Order stamps and seals (**these are not provided by or ordered through the Society**)
- Create annual Professional Development Plan
- Complete Trust Account Assessment, *if applicable*
- Complete Land Registration Qualification Assessment, *if applicable*
- Review materials on opening a firm, *if applicable*