

- Newly called lawyers;
 - (a) Who complete the bar admissions program of a Canadian Law Society during the reporting year will be fully exempt.
 - (b) Who have previously been or are Members of another jurisdiction must complete 1 credit hour for each full or partial calendar month in the practice of law from the time of their call until the end of that calendar year.
- Members who maintain inactive status for the full calendar year are fully exempt.
 - If the Member **becomes active**, they must report for 1 hour per month left of the term.
 - If the Member **becomes inactive**, they must report for 1 hour per month during the time they were active.

Members who remain active but are not engaged in the practice of law within the reporting year, may submit a written declaration to the Executive prior to the end of that calendar year, requesting an exemption. Examples of Members who might submit a declaration are those who are but are not limited to;

- On maternity or parental leave;
- On medical leave; and
- Taking a sabbatical;

All Members who are active for either the entire calendar year or a portion of the calendar year and are otherwise not exempt from the CPD requirement **must** ensure that the **1 hour** for **professional responsibility & ethics** is met.

IV. Guidelines for Eligible CPD Activities

Eligible CPD activities must contain significant substantive or practical content with the primary objective of increasing lawyer's professional competence in the protection of the public.

Eligible CPD activities include activities and content dealing with:

- substantive legal or procedural issues;
- professional responsibility and ethics;
- language training;
- practice and standards management (including client care and relations);and
- lawyer wellness.

Topics not recognized include:

- any activity designed for or targeted at clients;
- topics relating to law firm or profit maximization; and
- activities prepared and delivered in the ordinary and usual course of practice.

V. Types of CPD Activities Recognized

Out-of-Jurisdiction CPD activities

Credits are available for out-of-jurisdiction CPD activities and topics. If hours have been completed for approval by another Law Society, the CBA, a Law firm, a Legal department, a Government agency or department; a practice group of any body previously referenced, these credits can also be applied to the Law Society of Nunavut CPD requirements.

The content must have a significant intellectual or practical content with the primary objective of increasing members' professional competence.

Accreditation

The Law Society will not accredit providers or subject matter, but will have the discretion to determine which activities are recognized based on the Guidelines for Eligible CPD Activities.

Recognized CPD Activities and Categories¹:

- Self-study is recognized up to a maximum of four (4) hours² per term.
- Group Study of two or more completing formal learning packages (pre-recordings, podcasts, DVDs, or materials)
- Traditional courses and programs
- Online courses, web and teleconferences courses
- Participation in a legal mentorship program
- Educational trainings provided by a law association or employer
- Teaching of a course related to law or to the practice of law: Three (3) hours of credit for each hour taught³.

¹For a full description of CPD Activities and criteria please see the LSN Website << <http://lawsociety.nu.ca/wp-content/uploads/2013/01/CPD-Description-of-Activities-Jan-2013.pdf> >> .

² Unrestricted Self-Study : 2 hours maximum ; Restricted Self-Study : 2 hours maximum.

- Legal writing, research and publications:⁴ a maximum of four (4) hours per term.⁵
- Official Language training up to a maximum of one (1) hour
- Lawyer wellness.⁶

VI. Reporting Requirements

Self-reporting on annual membership renewal forms due by January 31.

Members will be required to provide the following information:

- Course name/activity description
- Activity Category
- Date of course
- Number of hours
- Number of hours dedicated to Ethics and Professional Responsibility

Members will be responsible for ensuring that they comply with this policy and for reporting CPD activities and credit hours to the Law Society of Nunavut.

Members who are exempt from complying with CPD requirements will identify their exemption in their self-report.

VII. Monitoring & Compliance

The Law Society of Nunavut will review the annual self-reporting of CPD.

- The Law Society will monitor compliance by auditing members. If a Member is audited, they may be asked to provide receipts or other documents to establish the number of hours of his/her participation and the eligibility of the activities.

³ Hours will be recognized for volunteer or part-time teaching only, not as a part of full-time or regular employment See BC / LSUC for comparison BC "Credit is only available for the first time the teaching activity is performed in the reporting year; credit is available for volunteer or part-time teaching".

⁴ BC allows 6 hours as does LSUC but neither allow for "self study" since we allow 4 hours already for self-study we have limited the hours of available credit for legal writing to 4 hours instead of 6.

⁵ See BC policy: Writing law books or articles intended for publication and relating to the study of practice of law or to be included in course materials for any audience. A Maximum of six hours for each writing project, based on the actual time to produce the final product; credit is available for volunteer or part time writing only. Not for writing that is done as a part of lawyer's regular employment.

LSUC: same as BC – 6 hours given maximum and writing as part OR full time for employment will not receive credit.

⁶ In due time the LSN will work on defining this category in terms of what constitutes as 'lawyer wellness', what can be claimed as hours and what is the maximum hours to be claimed.

- Members are responsible for retaining records of the CPD activities and to make the records available to the Law Society upon request
- Irregularities may be further investigated.

Non-Compliance with the 12 hours requirement:

- A Member who fails to complete the minimum CPD requirements by January 31st and has not otherwise been granted an exemption will be issued a late fee of \$200.00 and is subject to administrative sanctions. [as contained in the *Rules of the Law Society of Nunavut*].
 - A Member is deemed to have been in compliance with the Rules during the calendar year if the Member does all of the following by May 1st
 - (a) completes the remainder of the required professional development;
 - (b) pays the late completion fee of \$200.00
- If a Member does not complete and report completion by May 1st that Member will be put on administrative suspension until all required professional development is completed.⁷

Reprieve Clause

Reprieve clause: Under special circumstances, the Secretary may recommend that the sanctions for non-compliance be delayed for a specific period of time.

⁷ See BC policy for reference: See BC Policy Rule 3-31 : (1) A practising lawyer who fails to comply with Rule 3-29 [*Professional development*] by December 31 is deemed to have been in compliance with the Rules during the calendar year if the lawyer does all of the following before April 1 of the following year:(a) completes the remainder of the required professional development;(b) certifies the completion of the required professional development as required in Rule 3-29 (3) (b);(c) pays the late completion fee specified in Schedule 1. **If you do not complete and report completion by April 1 of the following year, you will be suspended** until all required professional development is completed. Lawyers receive 60 days prior notice of the suspension ([Rule 3-32](#)).