

Complaints Authorization Committee

Practice Standard

Firm Names

Complaints Authorization Committee Meeting November 13, 2001
Benchers' Notes December 2001

The Complaints Authorization Committee reminds members that Law Society Rule 8.06 prescribes that a firm name shall not mislead or be capable of misleading the public. The misrepresentation of the number of barristers and solicitors in a firm is one specific example of a misleading firm name. Currently there are a number of firms whose names are contrary to Law Society Rules 8.06 and 8.07.

The Complaints Authorization Committee recommends that members ensure their firm names are in compliance with the following Law Society Rules:

Misleading firm names

8.06 A firm name or letterhead shall not mislead or be capable of misleading the public.

Firm names and letterhead

- 8.07 (1) A member who carries on the practice of law shall do so under:
- (a) the member's name;
 - (b) the name of existing or former partners or associates;
 - (c) the name of the original or founding partner of partners and associates;
 - (d) any combination of the foregoing; or
 - (e) a descriptive or trade name provided
 - (i) the name or a similar descriptive or trade name is not in use elsewhere in the province; and
 - (ii) that by the use of the name, the member of firm could not lead members of the public into believing erroneously that the member or firm is associated or affiliated elsewhere in Canada with other firms or the members thereof.
- (2) Notwithstanding subsection (1), a firm may not include:
- (a) a phrase such as "and associates", "and associate", "and partners", "and company" if there is only one barrister and solicitor in the firm; or
 - (b) any other language which misrepresents the number of barristers and solicitors in a firm.