

FORM 2.21A

APPLICATION FOR COMMENCEMENT OR RESUMPTION OF PRACTICING STATUS

1. I, _____, hereby apply to commence or

resume the active practice of law as of _____, 20____

(i) as a sole practitioner under the name and style of

OR (ii) in association with the firm/organization under the name and style of

and in the position of _____ (partner, associate, employee)

OR (iii) as an employee of a government department or agency, a local government authority, a corporation or other non-member of the Society under the name and style of

To request exemption from the Law Society's professional liability insurance policy, members must also file Form 2.22A.

2. Please provide your new contact information:

Business Address:

Mailing: _____

Courier: _____

Telephone: _____ Fax: _____

Website: _____

Business Email: _____

Home Address:

Telephone: _____

Personal Email: _____

3. Pursuant to Rule 9.01.1, I consent to the Society providing information about allegations, complaints

and disciplinary matters concerning me to _____
designated person

whose courier and/or mailing address is:

Sole practitioners are not required to complete item 3

4. For the purpose of the Trust Account Rules, the fiscal year end of my practice will be:

5. Please check either (a), (b) or (c):

(a) Annexed hereto is Form 5.06C and a letter of an Accountant as defined in Rule 5.01(a), in accordance with Rule 2.21(1).

OR

(b) I am associating in practice with persons who are members of an existing firm who are not in contravention of Rule 5.06 and who will continue to use the same books of account as were previously operated by that firm.

OR

(c) Not Applicable

6. If you checked (a) or, (b) in question 5, please provide the following details:

I will maintain or have access to the following trust accounts:

<u>Name of Account</u>	<u>Institution</u>	<u>Account #</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

7. Please provide information concerning fee payments: (check either (a), (b) or (c))

I undertake to pay my fees by:

(a) 12 automatic debits

(b) 3 installments

(c) full payment at beginning of year

Concerning automatic debits, please provide the following information as appropriate: (check either (a) or (b))

(a) I am entering sole practice and have completed the attached authorization for monthly debits.

(b) My firm pays fees by automatic debits. Please add me to their automatic debit program according to the banking information listed below:

Bank Institution Number

Bank Transit Number

Bank Account Number

8. I have read the attached Copyright Notice and have signed the attached Declaration.
9. I certify that the information provided herein is accurate.
10. I undertake to advise the Vice-President immediately of any change in the foregoing information.

Dated at _____, this _____ day of _____, 20_____.

Name of Member

Signature

Countersigned by a partner of law firm if paragraph 5(b) is applicable

Name of Partner

Signature

***A NEW FORM MUST BE FILED IMMEDIATELY UPON A CHANGE
IN THE INFORMATION CONTAINED IN THIS FORM.**

Pre-Authorized Monthly Debits for Practice Fees and Insurance

TERMS AND CONDITIONS

I (We) authorize the Law Society of Newfoundland and Labrador (the Payee) to debit my (our) account as indicated on the attached "voided" cheque under the terms and conditions agreed to by me (us) with the Payee until such time as written notice to the contrary is given.

I (We) acknowledge that the delivery of my (our) authorization to the Payee constitutes delivery by me (us) to the branch of the financial institution at which I (we) maintain an account and that such financial institution is not required to verify that the payment(s) are drawn in accordance with this authorization. Termination of the authorization does not terminate my (our) responsibilities to the Law Society of Newfoundland and Labrador for practice and insurance fees.

I (We) will notify the Payee in writing of any changes in the account information or termination of this authorization prior to the next due date of the pre-authorized debit.

Items charged under any of the following conditions will be reimbursed subject to written notification by me (us) to the branch of account within 90 days.

- (a) I (We), never provided authorization to the Payee;
- (b) The pre-authorized debit was not drawn in accordance with my (our) authorization;
- (c) My (Our) authorization was revoked; or
- (d) The debit was posted to the wrong account due to invalid/incorrect account information supplied by the Payee

I (We) warrant that all persons whose signature(s) are requested to sign on this account have signed this agreement.

Pre-authorized Payment Authorization (Please complete all information)

Member _____

Firm/Address _____

Telephone/Contact Information _____

I (We) authorize the Law Society of Newfoundland and Labrador to process a debit, in paper, electronic or other form in the amount of \$ _____ on my (our) account on the 20th day of each month, beginning _____, 20____. I (We) agree that this amount may be increased/decreased by the Law Society of Newfoundland and Labrador at a future date.

The Law Society of Newfoundland and Labrador will, to the best of its ability, advise me (us) in writing, of any change in the amount to be debited in advance of its effective date.

I (We) acknowledge that I (we) have read and understood all the provisions contained in the terms and conditions of the pre-authorized payment authorization and that I (we) have received a copy.

Signature

Date

Signature

Date

Please remember to attach a "voided" cheque to this authorization.

***Library Copying Declaration ~
Law Society of Newfoundland and Labrador Law
Library***

This Declaration shall apply to anyone, including Library staff, using the Library copiers and printers to make copies. Copies shall refer to all forms of reproduction, both print and electronic.

The *Law Society of Newfoundland and Labrador Law Library* subscribes to the principles of *Fair Dealing* under the *Copyright Act*, RSC 1985, c C-42, as amended from time to time.

This means that no more than 10% of a book/library resource *OR* one article/case from a journal or case citator may be photocopied/reproduced from library materials for or by and individual and all copying must be copied for personal use/research only (i.e., not for sale) *

***Per the Supreme Court of Canada: "research for the purpose of advising clients, giving opinions, arguing cases, preparing briefs and factums is nonetheless research ... Lawyers carrying on the business of law for profit are conducting research within the meaning of [fair dealing]." (CCH Canadian Ltd. v. Law Society of Upper Canada, [2004] 1 SCR 339, 2004 SCC 13 (CanLII))**

To be Completed by Members Commencing or Resuming the Active Practice of Law

(a) I have read and I understand the Copyright Declaration included as part of this Form 2.21A and which outlines the terms of use of the Library copiers and printers and the terms under which the Law Society of Newfoundland and Labrador will fulfil copying (in all formats) requests.

(b) I declare that my use of its photocopiers and my requests for copies to the Law Society of Newfoundland and Labrador Law Library satisfies every and all terms set out in the Declaration, including those instances where I may direct another person to copy on my behalf.

(c) In particular, but without limitation, I understand that all copies I have made or requested will be provided to me only under the following express conditions:

i) that such copies will not be incorporated by me into another book, article or other work to be sold in financial competition with the original works that are copied; and

ii) that further copies of the copies will not be made and distributed to others, save for additional copies which may be required for submission to a Court or tribunal, or for the client or other counsel for that research purpose.

(d) I declare that if any of the copies I have requested or made are intended for another person's use, I will take responsibility to ensure that all such copies are used only in a manner that is consistent with the terms set out in the *Copyright Act*, as amended from time to time.

(e) I understand and acknowledge that renewal of my membership with the Law Society of Newfoundland and Labrador automatically renews my Library Copying Declaration. I declare I shall abide by the terms of the *Copyright Act*, as amended from time to time while I am a member of the Law Society of Newfoundland and Labrador.

I make this solemn Declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Evidence Act (NL)* and *Canada Evidence Act*.

DECLARED before me at _____)

in the Province of _____)

this _____ day of _____, 20 _____)

_____) _____
Notary Public, Commissioner of Oaths, etc.