



FORM 2.21A

Application for Commencement or Resumption of Practising Status

1. Personal Information

First Name: _____
Middle Name(s): _____
Last Name: _____
Date of Birth (dd/mm/yyyy): _____
Place of Birth (city and country): _____

2. Home Contact Information

Street Address: _____
City/Town: _____
Province: _____
Country: _____
Postal Code: _____
Mobile Phone Number: _____
Home Phone Number: _____
Email: _____

3. Business Contact Information

Business/Employer Name: _____
Street Address: _____
City/Town: _____
Province: _____
Country: _____
Postal Code: _____
Mobile Phone Number: _____
Business Phone Number: _____
Email: _____

Please select your preferred contact: Business Home

NOTE: **You must notify the Law Society immediately after any change in contact information.**

4. Law Society of Newfoundland and Labrador Information

Have you previously been a practising member of the Law Society of Newfoundland and Labrador?

_____ No

_____ Yes

If you selected 'Yes', provide the following information:

Law Society Roll Number: _____

Year Called to the Bar: _____

Date you ceased to hold practising status (dd/mm/yyyy): _____

Reason(s) you no longer hold practising status:

5. Other Law Societies

Provide the following information regarding any law societies you are or have been a member of, other than the Law Society of Newfoundland and Labrador (attach a separate sheet, if necessary):

[] N/A

Name of Law Society: _____

Date Called to the Bar: _____

Member / Licence Number: _____

Current Status: _____

Reason(s) you no longer hold practising status (if applicable):

Name of Law Society: _____

Date Called to the Bar: _____

Member / Licence Number: _____

Current Status: _____

Reason(s) you no longer hold practising status (if applicable):

Please note that you need to arrange for a current original Certificate of Standing from each law society of which you are or have been a member, inside and outside of Canada, to be forwarded directly from the governing body to the Law Society by email or mail. To qualify as current, the Certificate of Standing must be less than 60 days old on the date you intend to resume practising status with the Law Society.

6. Work History

Provide your work/employment history from the date you obtained your law degree or were called to the Newfoundland and Labrador Bar (whichever is later) in chronological order from earliest to most recent (attach a separate sheet, if necessary):

Business/Employer Name: _____
Street Address: _____
City/Town: _____
Province: _____
Country: _____
Postal Code: _____

Describe your responsibilities in this position:

Reason(s) for leaving (if applicable):

Business/Employer Name: _____
Street Address: _____
City/Town: _____
Province: _____
Country: _____
Postal Code: _____

Describe your responsibilities in this position:

Reason(s) for leaving (if applicable):

Business/Employer Name: _____
Street Address: _____
City/Town: _____
Province: _____
Country: _____
Postal Code: _____

Describe your responsibilities in this position:

Reason(s) for leaving (if applicable):

Business/Employer Name: _____
Street Address: _____
City/Town: _____
Province: _____
Country: _____
Postal Code: _____

Describe your responsibilities in this position:

Reason(s) for leaving (if applicable):

7. Continuing Legal Education Activities

Detail the activities you have undertaken, if any, to maintain your current working knowledge of the law in Newfoundland and Labrador and Canada (attach a separate sheet, if necessary).

Please note that you are not required to complete this section if you attended the Bar Admission Course administered by the Law Society within the last twelve months.

8. Previous Addresses

List all addresses where you have resided since being called to the Newfoundland and Labrador Bar, excluding your present address (attach a separate sheet, if necessary):

_____ Have only resided at current address.

Street Address: _____
City/Town: _____
Province: _____
Country: _____
Postal Code: _____
Date From (dd/mm/yyyy): _____
Date To (dd/mm/yyyy): _____

Street Address: _____
City/Town: _____
Province: _____
Country: _____
Postal Code: _____
Date From (dd/mm/yyyy): _____
Date To (dd/mm/yyyy): _____

Street Address: _____
City/Town: _____
Province: _____
Country: _____
Postal Code: _____
Date From (dd/mm/yyyy): _____
Date To (dd/mm/yyyy): _____

NOTE: You may be asked to provide a civil court search, bankruptcy search, and/or criminal records search (or equivalents) from each jurisdiction listed above.

9. Future Work Intentions

Indicate how you intend to engage in the practice of law upon commencing, or being reinstated to, practising status:

- _____ Sole practitioner
- _____ Partner in a law firm
- _____ Employed in a law firm
- _____ Employed in government
- _____ Other (provide details)

Indicate the date you intend to commence or resume the active practice of law (dd/mm/yyyy): _____

Provide the contact information for the firm or organization that you intend to practise law with:

_____ Same as Business Contact Information provided in #3.

Business/Employer Name: _____
Street Address: _____
City/Town: _____
Province: _____
Country: _____
Postal Code: _____
Mobile Phone Number: _____
Email: _____

10. Designated Person

In accordance with Rule 9.01.1, the designated person would receive information with respect to allegations, complaints, and disciplinary matters involving a member of the law firm. Unless otherwise authorized by the Director of Professional Responsibility, the person designated shall be a member of the society.

The designated person for my law firm is:

Name(s): _____
Street Address: _____
City/Town: _____
Province: _____
Country: _____
Postal Code: _____
Phone Number: _____
Email: _____

OR

_____ I am a sole practitioner and this question is not applicable

11. Good Character and Reputation

Note: If you answer "yes" to any of the following questions, please attach a separate sheet providing full particulars.

- a. Have you ever been convicted of any criminal offence, or any other offence involving breach of trust or dishonesty, whether in Canada or abroad?

NO YES

- b. Have you ever been adjudged in any legal proceedings with bankruptcy, insolvency or have you ever filed a voluntary petition or assignment in bankruptcy?

NO YES

- c. Are there any outstanding civil judgments against you or criminal charges outstanding against you?

NO YES

- d. Have you ever been suspended, disqualified, censured or had disciplinary action instituted against you as a member of any professional organization (please include whether you are currently the subject of any allegation/investigation by a professional organization)?

NO YES

- e. Have you ever been denied or had revoked any license or permit the procurement of which requires proof of good character?

NO YES

- f. Is there to your knowledge or belief any event, circumstance, condition or matter not disclosed in your replies to the preceding questions that touches or may concern your conduct, character and reputation and that you know or believe might be considered an impediment to your admission or matter warranting further enquiry by the Law Society?

NO YES

- g. Are there presently, or have there ever been any restrictions or limitations with regards to your right to operate a law practice, including any past or present restrictions or limitations regarding your right to operate a trust fund?

NO YES

12. Liability Insurance Claims

Have you ever had any insurance claims relating to the practice of law? If so, please provide details of the nature of the claim and the disposition or status of each claim on separate sheet.

NO YES

13. Trust Account Information

Provide the fiscal year end of your practice for the purposes of the Trust Account Rules (dd/mm): _____ OR _____ N/A

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

- (a) Annexed hereto is Form 5.07C 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 5.07 and who will continue to use the same accounts outlined in the Annual Trust Account Report filed by those members or that firm.

OR

- (c) I will not maintain a Trust Account.

If you checked (a) or, (b), please provide the following details regarding the trust account(s) you will have access to:

Name of Account: _____

Institution: _____

Account Number: _____

14. Fee Payments

I undertake to pay my fees by:

- 12 automatic debits
- 3 installments
- full payment at beginning of year

Please indicate how you will be paying your fees:

- I am entering sole practice and have completed the authorization for monthly debits contained in this form.
- My firm/organization 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: _____

- Either I or my firm/organization will pay fees by electronic funds transfer upon being invoiced.

15. Copyright Notice

I have read the attached Copyright Notice and have signed the attached Declaration.

16. Authorizations, Undertakings, and Other Matters

I hereby grant to the Law Society full authority to request information about any of the matters referred to in this application, including those relating to allegations/investigations and complaints, from any person, entity or organization and I authorize such person, entity or organization to provide all information requested.

I hereby undertake to meet all of my obligations as a member pursuant to all of the Rules and requirements of the Law Society.

I understand that a member may be designated as non-practising by the Benchers where that member has not been actively engaged in the practice of law for a period of three (3) years, pursuant to s. 32(3) of the *Law Society Act, 1999*, SNL 1999, Ch. L-9.1.

I understand that, in order to request exemption from the Law Society's professional liability insurance policy, I must also file Form 2.22A.

I certify that the information provided herein is accurate and complete and I undertake to advise the Vice-President immediately of any change(s).

SIGNED at _____
in the Province of _____
this ___ day of _____ 20_____

NOTE: If you are 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, this form must be signed by a partner of that law firm below:

SIGNED at _____
in the Province of _____
this ___ day of _____ 20_____

Name of Partner:

AUTHORIZATION FOR PRE-AUTHORIZED MONTHLY DEBITS FOR PAYMENTS RELATED TO PRACTICE FEES AND INSURANCE

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.

Member Name: _____

Firm Address

Street Address: _____
City/Town: _____
Province: _____
Country: _____
Postal Code: _____
Phone Number: _____
Email: _____

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 (dd/mm/yyyy) _____. 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.

Name:

Date

Name:

Date:

NOTE: **This authorization must be accompanied by a void cheque or pre-authorized debit form completed by the relevant financial institution.**

Copyright 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 an 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))

I hereby declare that:

1. 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.
2. 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.
3. 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:
 - a. 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
 - b. 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.
4. 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.

5. 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

Name: