



# THE LAW SOCIETY OF MANITOBA

## APPLICATION FOR ADMISSION AS A CANADIAN LEGAL ADVISOR

In order to initiate the process of admission to The Law Society of Manitoba as a Canadian Legal Advisor on the basis of membership in the Barreau du Quebec please complete and submit this form together with a non-refundable application fee of **\$525.00** (\$500.00 + 25.00 G.S.T.)

If the space provided for any answer is insufficient, you may include attachments to this form, provided each is duly signed.

**All questions must be answered fully and precisely and made before a Notary Public (it may be declared before a Commissioner for Oaths in Manitoba).**

**Please review the attached [Guidelines for Good Character](#).**

**Note that any omissions or inaccuracies may be grounds for rejection of the application.**

COMPLETE AND RETURN WITH THE APPLICATION FEE TO:

**Admissions & Membership Department**  
 The Law Society of Manitoba  
 219 Kennedy Street, Winnipeg, Manitoba, R3C 1S8  
 Fax: (204) 956-0624  
[membership@lawsociety.mb.ca](mailto:membership@lawsociety.mb.ca)

**PART A: NAME AND CONTACT INFORMATION**

1. \_\_\_\_\_  
 Last name First name Middle name(s)

2. \_\_\_\_\_  
 Date of Birth

**CONTACT INFORMATION**

3. Home  Address:  <hr/> City <span style="margin-left: 50px;">Province</span> <span style="margin-left: 50px;">Postal Code</span> e-mail: Telephone: Cell phone:	Business  Address:  <hr/> City <span style="margin-left: 50px;">Province</span> <span style="margin-left: 50px;">Postal Code</span> e-mail: Telephone: Direct line: Fax:
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4. Provide details of any changes of name, formal or informal, or other surnames or given names you have used and when:

If the change in your name was made by a Court order, attach a certified copy of the order.

**PART B: PROFESSIONAL STANDING AND EXPERIENCE**

5.(a) Do you hold a:

a bachelor’s degree in civil law from a Canadian law school

Please provide the name of the Law school and the date the degree was issued:

\_\_\_\_\_

**OR**  a foreign law degree and a Certificate of Equivalency from the Barreau du Quebec

If your law degree is from outside Canada, state from which country and law school you received your degree and the date of issue: \_\_\_\_\_

\_\_\_\_\_

Attached is my Certificate of Equivalency from the Barreau du Quebec

6. List all law societies of which you are currently or were previously a member, noting for each, your current status and date of admission.

Law Society	Date of Call & Admission	Current Status
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

7. Please provide information on the number of months completed in these law societies’ pre-call training period. (A pre-call training period means the total time that a governing body normally requires applicants to article and attend a bar admission training program prior to being called to the bar).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attached are my Certificate(s) of Standing (dated not more than 30 days before the date of this application) from each law society or governing body of the legal profession of which I am or have been a member.

**OR:**

An order for my Certificate(s) of Standing (requested at the time of this application) has been submitted with instructions that they are to be sent directly to The Law Society of Manitoba to the attention of the Admissions and Membership Department.

8. Do you maintain full mandatory professional liability insurance coverage required by the Barreau du Quebec that will extend to your practice in Manitoba?  Yes  No
- Attached is my Certificate of Insurance (as required) **OR** Insurance Exemption documentation. If you have indicated that you do not have professional liability insurance coverage please explain why you do not:

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9. Provide details of your complete employment history since the date of your first call in Canada, including the name of each law firm/employer, address and period employed. If you have been called in more than one jurisdiction, provide your employment history since your earliest call:

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10. In the space provided below, provide a summary of the nature and extent of your legal practice and/or law-related experience, including relevant dates. (Use additional pages if necessary):

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- |   | Yes                      | No                       |
|---|--------------------------|--------------------------|
| 11. Have you ever been refused admission to, been disciplined by or been disbarred or struck from membership in a law society or other professional organization?             | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. Have you ever resigned or applied to resign from a law society or other governing body for any reason?  | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. Have you ever been subject to a competency review by a law society or governing body?   | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. Are there any ongoing investigations or charges pending against you in any jurisdiction in respect of alleged misconduct in your capacity as a lawyer?                    | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. Have you ever been the subject of a custodianship by law society or governing body?   | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. Have you ever had conditions or restrictions imposed on your practice as a lawyer or have you voluntarily accepted restrictions or conditions of practice?                | <input type="checkbox"/> | <input type="checkbox"/> |
| 17. Are you aware of any complaint or charge pending against you in your professional capacity which has not yet come to the attention of your law society or governing body? | <input type="checkbox"/> | <input type="checkbox"/> |
| 18. Have you ever been the subject of an insurance claim under a policy for professional liability insurance?   | <input type="checkbox"/> | <input type="checkbox"/> |

<p><b>If you answered "yes" to any part of Questions 11 – 18 you must provide full particulars and attach relevant documents, including reports from your law society / governing body.</b></p>
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**Part C: GOOD CHARACTER AND FITNESS**

19. We require three original letters of reference attesting to your good moral character and repute, and that includes your references' addresses and contact information.
- I have attached my letters of reference
- I requested my referees to send their letters directly to the Law Society of Manitoba
- |  | Yes                      | No                       |
|--|--------------------------|--------------------------|
| 20. Have you been charged with or convicted of an offence punishable by indictment or have you ever been successfully sued in a civil action relating to fraud?  | <input type="checkbox"/> | <input type="checkbox"/> |
| 21. Have you been denied or had any license or permit, the procurement of which required proof of good moral character?  | <input type="checkbox"/> | <input type="checkbox"/> |
| 22. Have you made an assignment in bankruptcy, been petitioned into bankruptcy, file a proposal to creditors or filed an application for a consolidation order under the <i>Bankruptcy and Insolvency Act</i> ?  | <input type="checkbox"/> | <input type="checkbox"/> |
| 23. Are there any outstanding civil judgements against you or any actions outstanding against you that may result in a civil judgement?  | <input type="checkbox"/> | <input type="checkbox"/> |
| 24. Have you at any time not obeyed any Order of any court requiring that you do or abstain from doing any act?  | <input type="checkbox"/> | <input type="checkbox"/> |
| 25. 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 is or believe might be considered to be an impediment to your admission or which would warrant further and full inquiry by the Law Society of Manitoba? | <input type="checkbox"/> | <input type="checkbox"/> |
| 26. Is there any other matter which could impede your ability to practise law safely and effectively?  | <input type="checkbox"/> | <input type="checkbox"/> |

**If you answered "yes" to any part of Questions 19 – 26 you must provide full particulars and attach relevant documents, including any Court orders.**

**Part D: FUTURE PLANS**

27. If admitted in Manitoba, do you intend to commence practising law in Manitoba?  Yes  No

If yes, anticipated start date: \_\_\_\_\_

Nature of Practice:

\_\_\_\_\_

\_\_\_\_\_

**If you will be working and/or living in Manitoba, please provide your local contact information:**

<b>Part 1</b> Home Address (if known):	Business (if known) of Manitoba law firm/employer:
_____	_____
_____	Address:
_____	_____
_____	_____
City Province Postal Code	City Province Postal Code

<b>Part 2</b> e-mail:	e-mail:
Telephone:	Telephone:
Cell phone:	Direct line:
	Fax:

28. If you do not intend to practise law in Manitoba, please set out your reason(s) for requesting admission in Manitoba.

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29. **Some members may be eligible for an exemption from professional liability insurance.**  
 Will you be claiming an exception from professional liability insurance in Manitoba  Yes  No  
**If Yes, please complete Part E of this application.**

**Part E: Exemption from Insurance if Practising Law in Manitoba**

**Please check the applicable option.**

- I will be employed exclusively by the Government of Canada and will not practise law in Manitoba outside the scope of this employment.  
**Attach a completed [Insurance Exemption Form](http://www.lawsociety.mb.ca/forms/insurance) which can be found on the Law Society website at: <http://www.lawsociety.mb.ca/forms/insurance>**
- I am a member in good standing of the Barreau du Quebec with a current practising certificate in that jurisdiction and current professional liability insurance with coverage of at least \$1,000,000 per occurrence with respect to professional services I will perform in Manitoba. I maintain an office in Manitoba from which I provide legal services.  
**Attach a Certificate of Insurance from the Barreau du Quebec.**
- I am aware that the required practising fees must be received by the Law Society prior to my commencing practice in Manitoba.

**AUTHORIZATION AND UNDERTAKING**

I, \_\_\_\_\_, grant to the Law Society of Manitoba full authority to make enquiry from any person, police authority, governing body, or other organization about anything relevant to this Application for Admission as a Canadian Legal Advisor. I authorize all persons enquired of pursuant to this authorization to provide all information requested.

I undertake to the Law Society of Manitoba that, if admitted in Manitoba, I shall, to the best of my knowledge and ability, conduct all matters and proceedings faithfully, honestly and with integrity and in compliance with the *Legal Profession Act*, the Law Society Rules and the Code of Professional Conduct in force in the Province of Manitoba.

I, \_\_\_\_\_, further acknowledge that as a Canadian Legal Advisor that my practice of law in Manitoba will be restricted to the following:

1. I may give legal advice on:
  - (i) the law of Quebec and matters involving the law of Quebec,
  - (ii) matters under federal jurisdiction, or
  - (iii) matters involving public international law,
2. I may draw, revise or settle a document for use in a proceeding concerning matters under federal jurisdiction, and
3. I may appear as counsel or advocate before any tribunal with respect to matters under federal jurisdiction.

I undertake not to engage in the practice of law in Manitoba except as set out above. \_\_\_\_\_  
Initials

**DECLARATION OF APPLICANT**

I, \_\_\_\_\_, the applicant in this Application for Admission as a Canadian Legal Advisor, DO SOLEMNLY DECLARE that the statements contained in my Application are complete and true in every respect.

I make this solemn declaration believing it to be true and know that it is of the same force and effect as if made under oath:

Declared before me in the City of \_\_\_\_\_, )  
 )  
 in the Province of \_\_\_\_\_ this )  
 )  
 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ )  
 )  
 ) \_\_\_\_\_  
 ) Signature of Applicant  
 )  
 )  
 Notary Public in and for the Province of \_\_\_\_\_, )  
 or a Commissioner for Oaths in and for the Province of Manitoba )  
 My Commission Expires: \_\_\_\_\_ )

**Note: If the Declaration is made outside of Manitoba then it must be declared before a Notary Public.**



## GOOD CHARACTER AND FITNESS TO PRACTICE GUIDELINES FOR APPLICATIONS UNDER RULES 5-4,

Candidates applying for admission to the Manitoba CPLED Program and as an articling student, seeking permission to resume active practice, transfer to the Manitoba Bar or admission on exceptional merit must disclose the following:

- (a) all convictions for crimes or other offences under any statute, regulation or law, except convictions under *The Highway Traffic Act*, *The Liquor Control Act*, or municipal by-law, unless there are four or more violations or a term of incarceration;
- (b) any conviction or finding of liability as a result of breach of trust, fraud, perjury, immorality, dishonourable conduct, misrepresentation, dishonesty or undue influence in any civil, criminal or administrative proceeding;
- (c) any order made against the candidate regarding institution of vexatious proceedings or vexatious conduct of a proceeding, pursuant to s. 73(1) of *The Court of Queen's Bench Act*, or such similar legislation as may be in effect in any other Canadian jurisdiction;
- (d) any suspension, disqualification, censure or disciplinary action imposed as a member of any profession or organization; and,
- (e) denial or revocation of any licence requirement, the procurement of which required proof of good character.

In addition, applicants must disclose whether they have ever suffered from or been treated for, or are currently being treated for, any condition which may compromise their ability to practice.\*

The Law Society may consider other information which, though not strictly fitting within the categories above, might constitute behaviour coming under Rules 5-4, 5-24(2), 5-28.1 and 5-28.2 such as conduct which demonstrates or indicates an attitude of disrespect or abusiveness of the court and its processes.

\* Examples of conditions which could compromise one's ability to practice include illnesses or disabilities, alcoholism, substance abuse and other addictions such as gambling.

Any such disclosures by a candidate or other relevant matters otherwise learned of by the Law Society will establish a rebuttable presumption that a candidate is not of good character and a fit and proper person under Rules 5-4, 5-24(2), 5-28.1 and 5-28.2. In considering whether such a presumption has been rebutted by the candidate, the Law Society may have regard to the following:

1. the applicant's candour, sincerity and full disclosure in the filings and proceedings as to character and fitness;
2. the materiality of any omissions or misrepresentations;
3. the frequency and recency of the conduct or behaviour disclosed that gives rise to the presumption;
4. the nature and extent of the applicant's voluntary treatment or rehabilitation;
5. the applicant's current attitude about the subject of their disclosure;
6. the applicant's subsequent constructive activities and accomplishments;
7. evidence of character and moral fitness including the reasonably informed opinion of others regarding the applicant's present moral character; and
8. in light of the entire record of the applicant, whether admission of the applicant would adversely affect the confidence of the public in the legal profession in Manitoba as an honourable, ethical and competent profession.

Where the disclosure relates to a criminal law matter or offence, the following criteria may also be applied by the Law Society:

9. the nature and character of any offences committed;
10. the number and duration of offences;
11. the age and maturity of the applicant when any offences were committed;
12. the social and historical context in which any offences were committed;
13. the sufficiency of the punishment given for any offences;
14. the grant or denial of a pardon or discharge for any offences committed;
15. the number of years that have elapsed since the last offence was committed, and the presence or absence of misconduct during that period; and,
16. the extent to which the applicant has made restitution and to which, if known, the restitution was made voluntarily at the initiative of the applicant, or as a consequence of the order of the Court.

*Approved by the Admissions and Education  
Committee on January 29, 1997  
Revised November 25, 1999 to Reflect New Rules  
Preamble Revised by the Admissions and Education  
Committee on October 30, 2001 and Further on March 26, 2002  
Revised October 31, 2002 to Reflect New Rule Numbers  
Revised March 2004 to Reference Manitoba CPLED Program  
Revised October 2006  
Revised May 2007  
Revised March 2009  
Revised September 2011 to include Rule Number  
Revised January 2013  
Revised February 2017  
Revised September 2017*