



Provincial law societies approve new mobility regime for transfers to and from Quebec

May 30, 2013

Provincial law societies have given their approval in principle to a revised national mobility agreement that, when implemented, will make it easier for lawyers to transfer to and from Quebec.

The new arrangements were developed by the Federation of Law Societies of Canada and submitted to Canada's law societies by the Federation Council in January 2013. This week the last of the eleven provincial law societies to consider the new agreement gave its approval.

Mobility for the legal profession is currently governed by the National Mobility Agreement, the Territorial Mobility Agreement, the Quebec Mobility Agreement and the Addendum to the Quebec Mobility Agreement covering members of the *Chambre de notaires du Québec*.

Mobility between Quebec and the common law jurisdictions is currently provided through the Canadian Legal Advisor ("CLA") regime, which allows for membership with restricted practice rights for lawyers and notaries wishing to practise in common law jurisdictions and for lawyers from those jurisdictions wishing to practise in Quebec. The new mobility regime will replace the CLA system with seamless transfers for lawyers between Quebec and the common law jurisdictions on the same basis that now exists between common law jurisdictions. The CLA regime will remain for Quebec notaries.

"We have reached an important milestone in the evolution of our mobility arrangements" says Gérald R. Tremblay, Q.C., Ad.E., President of the Federation of Law Societies of Canada.

Historically, there has been a different way of treating legal credentials within Canada for mobility purposes depending on whether a lawyer is licensed in a common law jurisdiction or by the *Barreau du Québec*. This different treatment was grounded in the belief that there are more differences than similarities between the legal training of lawyers practicing in Quebec and those in the rest of Canada.

"Now, however, many law society leaders have come to accept that the opposite is true - similarities in legal training far outweigh the differences, so there should not to be any obstacle for lawyers, whatever their Canadian legal training, to transfer seamlessly from one Canadian jurisdiction to another," President Tremblay explains. The Federation President notes that the new agreement will allow lawyers in common law jurisdictions to join the *Barreau* in Quebec without a formal process. The common law jurisdictions will accept lawyers from Quebec on the same basis. As is the case under existing mobility arrangements, transferring lawyers will be permitted to practice only in areas in which they are competent to do so.

The new mobility agreement is expected to be formally signed in the fall and implemented over the next year. The *Barreau du Québec's* rule changes are subject to ratification by Quebec's Office des professions and the government of Quebec.

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The Federation of Law Societies of Canada is the national coordinating body of the 14 law societies mandated by provincial and territorial law to regulate Canada's 100,000 lawyers and Quebec's 3,500 notaries in the public interest. It is a leading voice on issues of national and international importance relating to the administration of justice and the rule of the law.

For more information about this release, please contact:

Bob Linney
Director of Communications
Federation of Law Societies of Canada
Tel: 613.783.7399
Mobile: 613.769.0644
blinney@flsc.ca

