NATIONAL ENTRY TO PRACTICE COMPETENCY PROFILE 
FOR LAWYERS AND QUEBEC NOTARIES 

1. SUBSTANTIVE LEGAL KNOWLEDGE 

All applicants are required to demonstrate a general understanding of the core legal concepts applicable to the practice of law in Canada in the following areas: 

1.1. Canadian Legal System 

(a) The constitutional law of Canada, including federalism and the distribution of legislative powers 
(b) The Charter of Rights and Freedoms 
(c) Human rights principles and the rights of Aboriginal peoples of Canada and in addition for candidates in Quebec, the Quebec Charter of Human Rights and Freedoms 
(d) For candidates in Canadian common law jurisdictions, key principles of common law and equity. For candidates in Quebec, key principles of civil law 
(e) Administration of the law in Canada, including the organization of the courts, tribunals, appeal processes and non-court dispute resolution systems 
(f) Legislative and regulatory system 
(g) Statutory construction and interpretation 

1.2 Canadian Substantive Law 

(a) Contracts and in addition for candidates in Quebec: obligations and sureties 
(b) Property 
(c) Torts 
(d) Family, and in addition for lawyers and notaries in Quebec, the law of persons 
(e) Corporate and commercial 
(f) Wills and estates 
(g) Criminal, except for Quebec notary candidates 
(h) Administrative 
(i) Evidence (for Quebec notaries, only as applicable to uncontested proceedings) 
(j) Rules of procedure 
   i. Civil 
   ii. Criminal, except for Quebec notary candidates 
   iii. Administrative 
   iv. Alternative dispute resolution processes
(k) Procedures applicable to the following types of transactions:
   i. Commercial
   ii. Real Estate
   iii. Wills and estates

1.3 Ethics and Professionalism
   (a) Principles of ethics and professionalism applying to the practice of law in Canada

1.4 Practice Management
   (a) Client development
   (b) Time management
   (c) Task management

2. SKILLS

All applicants are required to demonstrate that they possess the following skills:

2.1 Ethics and Professionalism Skills
   (a) Identifying ethical issues and problems
   (b) Engaging in critical thinking about ethical issues
   (c) Making informed and reasoned decisions about ethical issues

2.2 Oral and Written Communication Skills
   (a) Communicating clearly in the English or French language, and in addition for candidates in Quebec, the ability to communicate in French as prescribed by law
   (b) Identifying the purpose of the proposed communication
   (c) Using correct grammar and spelling
   (d) Using language suitable to the purpose of the communication and the intended audience
   (e) Eliciting information from clients and others
   (f) Explaining the law in language appropriate to audience
   (g) Obtaining instructions
   (h) Effectively formulating and presenting well-reasoned and accurate legal argument, analysis, advice or submissions
   (i) Advocating in a manner appropriate to the legal and factual context. This item does not apply to applicants to the Chambre des notaires du Québec
   (j) Negotiating in a manner appropriate to the legal and factual context
2.3 **Analytical Skills**

(a) Identifying client’s goals and objectives
(b) Identifying relevant facts, and legal, ethical, and practical issues
(c) Analyzing the results of research
(d) Identifying due diligence required
(e) Applying the law to the legal and factual context
(f) Assessing possible courses of action and range of likely outcomes
(g) Identifying and evaluating the appropriateness of alternatives for resolution of the issue or dispute

2.4 **Research Skills**

(a) Conducting factual research
(b) Conducting legal research including:
   i. Identifying legal issues
   ii. Selecting relevant sources and methods
   iii. Using techniques of legal reasoning and argument, such as case analysis and statutory interpretation, to analyze legal issues
   iv. Identifying, interpreting and applying results of research
   v. Effectively communicating the results of research
(c) Conducting research on procedural issues

2.5 **Client Relationship Management Skills**

(a) Managing client relationships (including establishing and maintaining client confidence and managing client expectations throughout the retainer)
(b) Developing legal strategy and advising client in light of client’s circumstances (for example, diversity, age, language, disability, socioeconomic, and cultural context)
(c) Advising client in light of client’s circumstances (for example, diversity, age, language, disability, socioeconomic, and cultural context)
(d) Maintaining client communications
(e) Documenting advice given to and instructions received from client
2.6 Practice Management Skills

(a) Managing time (including prioritizing and managing tasks, tracking deadlines)
(b) Delegating tasks and providing appropriate supervision
(c) Managing files (including opening/closing files, checklist development, file storage/destruction)
(d) Managing finances (including trust accounting)
(e) Managing professional responsibilities (including ethical, licensing, and other professional responsibilities)

3. TASKS

All applicants are required to demonstrate that they can perform the following tasks:

3.1 GENERAL TASKS

3.1.1 Ethics, professionalism and practice management

(a) Identify and resolve ethical issues
(b) Use client conflict management systems
(c) Identify need for independent legal advice
(d) Use time tracking, limitation reminder, and bring forward systems
(e) Use systems for trust accounting
(f) Use systems for general accounting
(g) Use systems for client records and files
(h) Use practice checklists
(i) Use billing and collection systems

3.1.2 Establishing client relationship

(a) Interview potential client
(b) Confirm who is being represented
(c) Confirm client’s identity pursuant to applicable standards/rules
(d) Assess client’s capacity and fitness
(e) Confirm who will be providing instructions
(f) Draft retainer/engagement letter
(g) Document client consent/instructions
(h) Discuss and set fees and retainer
3.1.3 Conducting matter

(a) Gather facts through interviews, searches and other methods
(b) Identify applicable areas of law
(c) Seek additional expertise when necessary
(d) Conduct legal research and analysis
(e) Develop case strategy
(f) Identify mode of dispute resolution
(g) Conduct due diligence (including ensuring all relevant information has been obtained and reviewed)
(h) Draft opinion letter
(i) Draft demand letter
(j) Draft affidavit/statutory declaration
(k) Draft written submission
(l) Draft simple contract/agreement
(m) Draft legal accounting (for example, statement of adjustment, marital financial statement, estate division, bill of costs)
(n) Impose, accept, or refuse trust condition or undertaking
(o) Negotiate resolution of dispute or legal problem
(p) Draft release
(q) Review financial statements and income tax returns

3.1.4 Concluding Retainer

(a) Address outstanding client concerns
(b) Draft exit/reporting letter

3.2 ADJUDICATION/ALTERNATIVE DISPUTE RESOLUTION

3.2.1 All applicants, except for applicants for admission to the Chambre des notaires du Québec, are required to demonstrate that they can perform the following tasks:

(a) Draft pleading
(b) Draft court order
(c) Prepare or respond to motion or application (civil or criminal)
(d) Interview and brief witness
(e) Conduct simple hearing or trial before an adjudicative body

3.2.2 All applicants are required to demonstrate that they can perform the following tasks:

(a) Prepare list of documents or an affidavit of documents
(b) Request and produce/disclose documents
(c) Draft brief
3.3. TRANSACTIONAL/ADVISORY MATTERS

3.3.1 Applicants for admission to the Chambre des notaires du Québec are required to demonstrate that they can perform the following tasks:

(a) Conduct basic commercial transaction
(b) Conduct basic real property transaction
(c) Incorporate company
(d) Register partnership
(e) Draft corporate resolution
(f) Maintain corporate records
(g) Draft basic will
(h) Draft personal care directive
(i) Draft powers of attorney