

News Release

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Consultations begin on proposed changes to Model Code of Professional Conduct

The Federation of Law Societies of Canada has launched a national consultation on proposed amendments to the Model Code of Professional Conduct. The amendments address the issues raised in and underlying the Truth and Reconciliation Commission's Call to Action 27.

In its Final Report, the Truth and Reconciliation Commission of Canada ("TRC") Call to Action 27 called on the Federation to:

"[E]nsure that lawyers receive appropriate cultural competency training, which includes the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal Rights, Indigenous Law, and Aboriginal-Crown relations. This will require skills-based training in inter-cultural competency, conflict resolution, human rights, and anti-racism."

A consultation paper that details the proposed changes is available here, and on the Federation's web site. The draft amendments, which touch on multiple sections of the Model Code, have been carefully developed to align with its scope and purpose, and are intended to contribute meaningfully to both reconciliation and the competence of legal professionals overall. The consultation on the proposed changes runs until May 31, 2024.

The Model Code was developed by the Federation to synchronize, as much as possible, the ethical and professional conduct standards for the legal profession across Canada. Individual law societies are directly responsible for the continuing professional development of legal professionals practicing in their jurisdictions.

"Law societies have been actively developing diverse, locally-driven responses to Call to Action 27 since 2015" notes Federation President Erin Kleisinger. "The Federation supports and encourages these efforts while also recognizing the desirability for national cohesiveness because of law societies' shared public interest mandates and the national mobility of lawyers. That cohesiveness is reflected in the Model Code of Professional Conduct.":

The proposed changes to the Model Code were developed by the Federation's Standing Committee on the Model Code of Professional Conduct with the guidance of the Federation's Indigenous Advisory Council and engagement with a variety of Indigenous individuals and organisations. The consultation will include a broad spectrum of Canada's legal community, including the legal academy, law societies, and practitioners. The Standing Committee expects to finalize its recommendation for amendments in fall 2024.

"The Federation is committed to supporting the efforts of law societies and law schools to enhance the knowledge and competency of future and existing legal professionals across Canada" the Federation President added. "The Federation will build upon, and complement, these efforts in ways that are in keeping with its mandate and responsibilities as the national association of Canada's law societies."

The Federation of Law Societies of Canada is the national association of the 14 law societies mandated by the provinces and territories to regulate Canada's legal profession in the public interest. It is the body through which Canada's law societies collaborate at the national level, share information on trends and issues affecting the legal profession, and engage in collective action and decision-making.

The Federation is also the law societies' national and international voice on important issues related to the regulation and core values of the legal profession. For more information on the Federation, please visit our web site at www.flsc.ca.

For more information about this release, or to acquire a high-resolution photograph of the Federation President, please contact:

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