



Federation of
Law Societies
of Canada

Fédération des ordres
professionnels de juristes
du Canada

National Requirement

In effect January 1, 2029

This amended National Requirement was approved on March 12, 2024. It will come into effect on January 1, 2029, with application to spring 2029 graduates of approved Canadian common law programs and to NCA applicants whose files are ready to be assessed on or after January 1, 2029.

A. STATEMENT OF STANDARD

1. Definitions

In this standard,

- a. "bar admission program" refers to any bar admission program or licensing process operated under the auspices of a provincial or territorial law society leading to admission as a lawyer in a Canadian common law jurisdiction;
- b. "competency requirements" refers to the competency requirements, more fully described in section B, that each student must possess for entry to a bar admission program;
- c. "credit" refers to one hour of teaching each week for a 12- or 13-week semester;
- d. "distance learning" refers to instruction that occurs through non-face-to-face interaction between the instructor and students using asynchronous media and tools, such as recorded lectures, email or conventional mail;
- e. "Indigenous law" refers to a conceptual or analytical category of law and is distinct from the substantive content of a specific Indigenous legal order;
- f. "in-person instruction" refers to instruction that occurs through synchronous, face-to-face interaction conducted with the instructor and students in the same physical location;
- g. "interactive online instruction" refers to instruction that uses online media and tools (e.g., videoconferencing, live chat) which provide opportunities for direct, synchronous interaction between instructors and students; and
- h. "law school" refers to any educational institution in Canada that has been granted the power to award an LL.B. or J.D. degree by the appropriate provincial or territorial educational authority.

2. General Standard

An applicant for entry to a bar admission program ("the applicant") must satisfy the competency requirements by either:

- a. successful completion of an LL.B. or J.D. degree that has been accepted by the Federation of Law Societies of Canada ("the Federation"); or
- b. possessing a Certificate of Qualification from the Federation's National Committee on Accreditation.



B. COMPETENCY REQUIREMENTS

1. Skills Competencies

The applicant must have demonstrated the following competencies:

1.1. Problem-Solving

In solving legal problems, the applicant must have demonstrated the ability to:

- a. identify relevant facts;
- b. identify legal, practical, and policy issues and conduct the necessary research arising from those issues;
- c. analyze the results of research;
- d. apply the law to the facts; and
- e. identify and evaluate the appropriateness of alternatives for resolution of the issue or dispute.

1.2. Legal Research

The applicant must have demonstrated the ability to:

- a. identify legal issues;
- b. select sources and methods and conduct legal research relevant to Canadian law;
- c. use techniques of legal reasoning and argument, such as case analysis and statutory interpretation, to analyze legal issues;
- d. identify, interpret and apply results of research; and
- e. effectively communicate the results of research.

1.3. Oral and Written Legal Communication

The applicant must have demonstrated the ability to:

- a. communicate clearly, professionally and effectively in the English or French language;
- b. identify the purpose of the proposed communication;



- c. use correct grammar, spelling and language suitable to the purpose of the communication and for its intended audience; and
- d. effectively formulate and present well-reasoned and accurate legal argument, analysis, advice or submissions.

2. Ethics and Professionalism

The applicant must have demonstrated an understanding of the ethical dimensions of the practice of law in Canada and an ability to identify and address ethical dilemmas in a legal context, which includes:

2.1. Knowledge of:

- a. the relevant legislation, regulations, rules of professional conduct and common or case law and general principles of ethics and professionalism applying to the practice of law in Canada.
- b. the nature and scope of a lawyer's duties including to clients, the courts, other legal professionals, law societies, and the public;
- c. the nature and scope of a lawyer's duties to Indigenous peoples and persons of Canada as part of ongoing efforts to foster truth and reconciliation;
- d. the range of legal responses to unethical conduct and professional incompetence; and
- e. the different models concerning the roles of lawyers, the legal profession, and the legal system, including their role in the securing access to justice.

2.2. Skills to:

- a. identify and make informed and reasoned decisions about ethical problems in practice; and
- b. identify and engage in critical thinking about ethical issues in legal practice.

3. Truth and Reconciliation

The applicant must have demonstrated an understanding of the context and history of all forms of colonialism in Canada, including:

- a. the history and legacy of residential schools;
- b. the *United Nations Declaration on Rights of Indigenous Peoples*;



- c. Aboriginal-Crown relations;
- d. concepts used to justify European sovereignty over Indigenous lands and peoples, such as Doctrine of Discovery and *terra nullius*; and
- e. systemic discrimination against Indigenous women, girls and 2SLGBTQQIA people.

4. Substantive Legal Knowledge

The applicant must have undertaken a sufficiently comprehensive program of study to obtain an understanding of the complexity of the law and the interrelationship between different areas of legal knowledge. In the course of this program of study the applicant must have demonstrated a general understanding of the core legal concepts applicable to the practice of law in Canada, including as a minimum the following areas:

4.1. Foundations of Law

The applicant must have demonstrated an understanding of the foundations of law, including:

- a. principles of common law and equity;
- b. sources and authorities of Indigenous law;
- c. the process of statutory construction and analysis; and
- d. the administration of law in Canada.

4.2. Public Law of Canada

The applicant must have demonstrated an understanding of the principles of public law in Canada and of their inter-relationships with and application in relation to Indigenous peoples and persons of Canada, including:

- a. Canadian constitutional law, including federalism and the distribution of legislative powers, the Charter of Rights and Freedoms, human rights principles, and the constitutional rights of “Aboriginal” peoples under section 35 of the *Constitution Act, 1982* and Parliament’s legislative authority over “Indians and lands reserved for them” under section 91(24) of the *Constitution Act, 1867*;
- b. Canadian criminal law; and
- c. Canadian administrative law.



4.3. Private Law Principles

The applicant must have demonstrated an understanding of the principles that apply to private relationships, and how those principles and their application relate to Indigenous peoples and persons of Canada, including:

- a. contracts;
- b. torts; and
- c. property law.

4.4. Indigenous Law

The applicant must have demonstrated an understanding of Indigenous legal theories and methodologies.

C. APPROVED CANADIAN LAW DEGREE

The Federation will accept an LL.B. or J.D. degree from a Canadian law school as meeting the competency requirements if the law school offers an academic and professional legal education that will prepare the student for entry to a bar admission program and the law school meets the following criteria:

1. Academic Program

- 1.1 The law school's academic program for the study of law consists of three full-time academic years or equivalent, which is 90 course credits.
- 1.2 The course of study must include at least 60 credits (out of 90) of in-person instruction. The remaining 30 credits may consist of in-person instruction, interactive online instruction or distance learning. A blend of the modes of delivery can be integrated throughout the 90 credits to suit the goals of the program.
- 1.3 Holders of the degree have met the competency requirements.
- 1.4 The academic program includes instruction in ethics and professionalism in a 3-credit course dedicated to those subjects and addressing the required competencies.
- 1.5 The academic program offers students experiential learning opportunities integrated into the curriculum, such as simulations of practical skills, moot court, trial advocacy courses, clinics, and Indigenous law camps.
- 1.6 The academic program offers students opportunities, integrated into the curriculum, to collaborate and work in teams.



- 1.7 The academic program integrates content throughout the curriculum, where applicable, on the ways in which Canadian law relates to Indigenous peoples and persons.
- 1.8 Subject to special circumstances, the admission requirements for the law school include, at a minimum, successful completion of two years of post-secondary education at a recognized university or CEGEP.

2. Learning Resources

- 2.1 The law school is adequately resourced to enable it to meet its objectives, and in particular, has appropriate numbers of properly qualified academic staff to meet the needs of the academic program.
- 2.2 The law school has adequate physical resources for both faculty and students to permit effective student learning.
- 2.3 The law school has adequate information and communication technology to support its academic program.
- 2.4 The law school maintains a law library in electronic and/or paper form that provides services and collections sufficient in quality and quantity to permit the law school to foster and attain its teaching, learning and research objectives.

