Federation of Law Societies of Canada | Fédération des ordres professionnels de juristes du Canada

National Discipline Standards

Approved by Council October 14, 2023

Amended National Discipline Standards were approved on June 8, 2026. They will come into effect on January 1, 2027. The October 14, 2023 National Discipline Standards remain in effect until that time.

NATIONAL DISCIPLINE STANDARDS
(Approved by Council October 2023)

Timeliness

1. **Telephone inquiries:**
   75% of telephone inquiries are acknowledged within one business day and 100% within two business days.

2. **Written complaints:**
   95% of written complaints are acknowledged in writing within three business days.

3. **Early resolution:**
   There is a system in place for early resolution of appropriate complaints.

4. **Timeline to resolve or refer complaint:**
   (a) 80% of all complaints are resolved or referred for a disciplinary or remedial response within 12 months.

   90% of all complaints are resolved or referred for a disciplinary or remedial response within 18 months.

   (b) Where a complaint is resolved and the complainant initiates an internal review or internal appeal process:

   80% of all internal reviews or internal appeals are decided within 90 days.

   90% of all internal reviews or internal appeals are decided within 120 days.

   (c) Where a complaint has been referred back to the investigation stage from an internal review or internal appeal process:

   80% of those matters are resolved or referred for a disciplinary or remedial response within a further 12 months.

   90% of those matters are resolved or referred for a disciplinary or remedial response within a further 18 months.

5. **Contact with complainant:**
   For 90% of open complaints there is contact with the complainant at least once every 90 days during the investigation stage.

6. **Contact with lawyer or Québec notary:**
   For 90% of open complaints there is contact with the lawyer or Québec notary at least once every 90 days during the investigation stage.

7. **Interim measures:**
   There is authority and a process for the law society to obtain an interlocutory or interim suspension, restrictions or conditions on a member's practice of law, as the public interest may require.

Hearings

8. 75% of citations or notices of hearings are issued and served upon the lawyer or Québec notary within 60 days of authorization.

95% of citations or notices of hearings are issued and served upon the lawyer or Québec notary within 90 days of authorization.

9. 75% of all hearings commence within 9 months of authorization.

90% of all hearings commence within 12 months of authorization.

10. Reasons for 90% of all decisions are rendered within 90 days from the last date the panel receives submissions.

Public Participation

11. There is public participation at every stage of discipline, e.g. on all hearing panels of three or more, at least one public representative; on the charging committee, at least one public representative.

12. There is a complaints review process in which there is public participation for complaints that are disposed of without going to a charging committee.

Transparency

13. Hearings are open to the public.

14. Reasons are provided for any decision to close hearings.

15. Notices of charge or citation are published promptly after a date for the hearing has been set.

16. Notices of hearing dates are published at least 60 days prior to the hearing, or such shorter time as the pre-hearing process allows.

17. A law society can share information about a lawyer or Québec notary, either upon request or at its own initiative, with any other law society, or can require a lawyer or Québec notary to disclose such information to all law societies to which they are a member. All information must be shared in a manner that protects solicitor-client privilege.

18. There is an ability to report to police about criminal activity in a manner that protects solicitor/client privilege.

Accessibility

19. A complaint help form is available to complainants.

20. There is a directory available with status information on each lawyer or Québec notary, including easily accessible information on discipline history.

Qualification of Adjudicators, Staff and Volunteers

21. There is ongoing mandatory training for all adjudicators with refresher training no less often than once a year, and the curriculum for mandatory training will comply with the national curriculum.

22. There is mandatory orientation for all volunteers involved in conducting investigations or in the charging process to ensure that they are equipped with the knowledge and skills to do the job.

23. There is ongoing training available for all staff and volunteers (where applicable) involved in law society complaint and discipline processes to ensure they are equipped with the relevant skills, knowledge, awareness and understanding of issues that can materially impact a lawyer or Quebec notary's conduct and/or competency.

Reporting on Standards

24. Each law society will report annually to its governing body on the status of the standards.

Anti-Money Laundering and Terrorist Financing (AMLTF)

Identifying Non-Compliance with AMLTF Obligations

25. There are proactive audit processes in place to identify non-compliance with the anti-money laundering and terrorist financing (AMLTF) obligations.

26. There is timely review of mandatory reports submitted by legal professionals for potential non-compliance with AMLTF obligations.

27. Each law society has a designated person(s) to communicate with external stakeholders to encourage information sharing and reporting of potential instances of non-compliance with AMLTF obligations.

Training for Staff

28. There is ongoing training available for all law society staff and volunteers (where applicable) involved in the regulatory processes (compliance, audit, complaints, investigation and discipline) on AMLTF issues, the AMLTF obligations, identifying non-compliance with the AMLTF obligations, and discipline.

Referrals Concerning Non-compliance with the AMLTF Obligations

29. There is an ability through policy, procedure or processes to refer incidents of non-compliance with the AMLTF obligations to the law society's investigations process.

Tracking Non-compliance and Referrals

30. There is a system in place to track the receipt of complaints and referrals for instances of:
(a) non-compliance with the client identification and verification rule;
(b) non-compliance with the cash transactions rule;
(c) the misuse of the trust account; and
(d) the failure to make reasonable inquiries in the face of suspicious circumstances.

31. There is a system in place to track the regulatory response to instances of:
(a) non-compliance of the client identification and verification rules;
(b) non-compliance of the cash transactions rules;
(c) the misuse of a trust account; and
(d) the failure to make reasonable inquiries in the face of suspicious circumstances.

32. There is a system in place to track instances of referrals to external stakeholders (e.g. law enforcement).