

Form 2-22

((Section 48 and Rule 72.5))

Application by Visiting Lawyer for a Permit

1. I, _____ (name)

(name of firm/employer)

(address)

Phone: _____ Fax: _____
Email: _____

2. hereby apply for authorization to act (a) as counsel in the following court case(s):

(style of clause);

Court Action No _____
representing _____ (party's names);

OR (b) as solicitor in the following non-court matter(s):

representing _____ (name of client).

3. I am, or have been, a member of the
following extraprovincial law
(society/societies) in Canada: _____

I enclose a Certificate of Standing from each law society of which I am or have been a member.

4. As a member of (this law society/one or more of these law societies), I carry professional liability insurance coverage which

(a) will extend to my legal services rendered in Alberta, if the authorization is granted, and

(b) is reasonably comparable in coverage and amount to that provided by the Law Society of Alberta's indemnity program under Part 5 of the Act.

5. The law (society/ies) of which I am a member (has/have) a defalcation compensation program that will extend to my legal services rendered in Alberta, if the authorization is granted.

6. I (have not/have) since attaining age 18 pleaded guilty to or been found guilty of any of the following:
 - (a) (a) an indictable offence under any Act of the Parliament of Canada;
 - (b) (b) an offence under any Act of the Parliament of Canada where the offence was prosecutable either as an indictable offence or a summary conviction offence;
 - (c) (c) a summary conviction offence under the Income Tax Act, the Criminal Code, the Narcotic Control Act, the Controlled Drugs and Substances Act, the Food and Drugs Act of Canada, or the Income Tax Act or Securities Act of any province of Canada;
 - (d) (d) a summary conviction offence under any other law in force in Canada punishable by a fine if the maximum fine for the offence was then at least \$25,000;
 - (e) (e) an offence committed outside Canada and similar to any of the kinds of offences described in clauses (a) to (d).
7. There (are no/are) proceedings currently pending in respect of charges against me for an offence of any of the kinds described in paragraph 6.
8. I (have not/have) been found guilty in any disciplinary proceedings instituted against me by an extraprovincial law society or as a member of any other professional organization.
9. There (are no/are) disciplinary proceedings pending against me by an extraprovincial law society or by any other professional organization.
10. I (have not/have) been refused membership in an extraprovincial law society nor been refused a licence or other authorization to practise law in a jurisdiction outside Alberta.
11. I (have not/have) had any claim paid by any current or previous errors and omissions insurer(s) as a result of my negligence in my capacity as a lawyer. There (are not/are) claims under such insurance pending against me.
12. I (have not/have) been, or am currently, the subject of a suspension, investigation, supervision, undertaking, conditions, insurance claim (self-reported or otherwise) or similar process including but not limited to Conduct, Audit, Practice Review or competence related proceedings by direction of a governing body of the legal profession in a jurisdiction other than Alberta.
13. Full particulars in regard to any affirmative statement made in paragraphs (6) to (12) accompany this application.
14. I have familiarized myself with rules 72 (conditions precedent), 72.1 (obligations), 72.6 (revocation of permission), and 105 (duty to self report) of the Rules of the Law Society of Alberta and I undertake to comply with those rules.
15. I have reviewed the current Chapter 2 of the Code of Conduct for the Law Society of Alberta, dealing with competence, in its entirety and there are no events, circumstances or conditions, other than those mentioned above, that are potentially relevant to my competence to practise law (as competence is used in Chapter 2), including, without limitation, circumstances relating to mental or physical disability or substance abuse.
16. I acknowledge my ethical obligation to engage only in legal work which I am competent to do. I have familiarized myself with Alberta law to the extent required to be able to practise competently in the areas in which I intend to practice.
17. I hereby authorize the Society to make enquiries of any government, any official or body, including any police or academic authority, with regard to any of the statements in this application or in any document furnished in connection with this application. On request by the Executive Director, I will furnish any additional specific authorization of that kind, or any release, that is required for the purpose of enabling the Society to obtain information related to those statements.
18. I undertake with the Society that I will at all times faithfully and to the best of my ability perform my obligations as a barrister and solicitor and as the holder of an authorization from the Society under section 48 of the *Legal Profession Act*, the Rules of the Society and any code of ethical standards authorized or established by the Benchers of the Society.

DECLARATION

I, _____

The personal information collected in this form will be used by the Law Society for one or more purposes contemplated by the *Legal Profession Act*, the Rules of the Law Society, the Code of Conduct, or a resolution of the Benchers and will be accessible to all departments of the Law Society, including the Alberta Lawyers Insurance Association. The information may be used or disclosed by the Law Society, now or in the future, for regulatory purposes, including Law Society investigations and proceedings. We may contact you to obtain additional information, or to obtain clarification on the information you provided. Should you have any questions about the collection, use or disclosure of this information, please contact the Privacy Officer at (403) 229-4700.

solemnly declare that all statements made by me in this application, and in the documents furnished in connection with this application, are correct, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me at _____ On _____

Applicant

A Commissioner for Oaths for Alberta (Notary Public if declared outside Alberta)

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Instructions to the Applicant

1. General information for the applicant

In preparing your application, you should refer to section 48 of the *Legal Profession Act* (S.A. 1990, c. L - 9.1) and to Part 2 of the Rules of the Society, in particular Rule 72.5.

2. Documents and payments to accompany your application

Your application must be accompanied by the following:

- (a) a certificate from each of the extraprovincial law societies in Canada of which you are a member, each in compliance with paragraph 5 of these Instructions;
- (b) payment of any prescribed application fee and the enrolment fee;
- (c) unless waived in whole or in part by the Executive Director, a statement from each of your current errors and omissions insurers and a statement from each of your previous errors and omissions insurers, setting out the claims made against you, claims paid on your behalf, the nature of each claim and the cost to the insurer of each claim.

3. Visiting Lawyer

The expression "visiting lawyer" means a lawyer who is entitled to practice law in a Canadian jurisdiction other than Alberta.

4. Alternative Wording

Various paragraphs contain alternative wordings in parentheses. Strike out the inapplicable words.

5. Certificate from extraprovincial law society

Each certificate from an extraprovincial law society of which you are a member must be dated within the 30-day period prior to the furnishing of all documents and fees required to be submitted by you. Each certificate must show the following, as of the date of the certificate and to the extent that the society's records contain the relevant information:

- (a) that you are a member of that society and whether or not you are in good standing as a member of that society;
- (b) the period or periods during which you have been lawfully entitled to engage actively in the practice of law in the other province or territory in the 5-year period preceding the date of the certificate;
- (c) whether any disciplinary or competency proceedings are pending against you before that society and, if so, the nature of the conduct that is the subject of the proceedings;
- (d) the nature of any orders made or measures taken against you as a result of disciplinary or competency proceedings taken against you by the society and the nature of the conduct that was the subject of the proceedings;
- (e) particulars respecting any compensation paid by that society for loss resulting from misappropriation or wrongful conversion of property received by you in your capacity as a lawyer in that society's jurisdiction, and whether any claims are pending before that society for compensation of that kind arising out of your conduct;
- (f) whether you are, or have at any prior time been, the subject of an order in that province or territory under which all or part of the property owned or held by you in connection with your

practice as a lawyer is placed in the custody of a court, the society or a custodian or trustee and, if so, particulars relating to the order;

- (g) whether your right to practise law in the other province or territory is confined to a specified field or fields of law or is otherwise subject to any restrictions or conditions, either voluntarily or by the imposition of any order by that society, and if so, particulars relating to the restrictions or conditions.