

Guidelines

Compulsory Professional Development

(up-dated January 2019)

In accordance with Rule 95.1 (3) (a), (b), and (c) the Law Society of Yukon establishes the following Guidelines for Compulsory Professional Development.

Requirements

The Law Society of Yukon CPD program requires that **all active members** complete **12 hours** of professional development annually.

Active members are required to complete one hour of CPD activities for each full or partial month that they are an active member in a year, unless they have been an active member for one month or less.

Members who have completed 12 hours of CPD in another jurisdiction with *comparable* CPD requirements are not required to undertake additional CPD activities or training for the Law Society of Yukon.

If, after reviewing the Guidelines you are unsure whether an activity fulfills the content or activity requirements of these CPD Guidelines, contact the Law Society.

If you are a course provider, you may obtain confirmation whether your activity meets the prescribed criteria and the number of eligible CPD hours in advance of the activity by contacting the Law Society.

Exemptions

- Newly called lawyers who complete the bar admission program of a Canadian law society during the reporting year.
- Members with non-practising or retired status. (Non-practising members who had practicing status for part of a year must report for that part of that year.)

Eligible CPD Activities

Eligible Content

Eligible CPD activities must contain significant substantive or practical content with the primary objective of increasing lawyers' professional competence.

Eligible CPD activities include content dealing with

- Substantive law and substantive legal issues
- Procedural law (including amendments to the Rules, electronic document protocols, or etiquette)
- Practice of law (including professional ethics, obligations such as trust accounting, professional responsibility, practice standards, etc.)
- Practice management (including client relations, wellness, time management, practice technology, etc.)
- Lawyering skills (such as advocacy, drafting, research, communication, etc)
- 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, as outlined in Recommendation #27 of the Truth and Reconciliation Recommendations.

Please Note: Course content should be designed primarily for lawyers and not for other professions. Business courses, including leadership skills, project management, marketing skills, profit maximization, etc, as well as content and activities primarily designed for or targeted at attracting clients or prepared and delivered in the ordinary and usual course of practice will not qualify.

Eligible CPD Delivery Method

The following types of activities are accepted modes of undertaking CPD:

Type	Number of Eligible Hours per Year
CLE or in-person course , presentation or seminar including in-house CLE’s and educational components of meetings and conferences provided content requirements are met; only the hours in actual attendance at the course, or the educational component of a conference or meeting is considered eligible hours	Unlimited
Webinar– including live streamed courses , presentations or seminars, recorded courses, presentations or seminars streamed over the internet, and web-based on-line courses with or	Unlimited When enrolled in a program, count the number of hours identified by the provider for completion.

without the ability to interact with presenters (including those containing primarily written content)	
Teleconference or phone-based courses, presentations or seminars	Unlimited
Teaching Limitations: content requirements must be met; presentations to clients do not count towards CPD hours, the hours count for only the 1 st presentation (second and subsequent presentations of the same lecture either in the reporting year or in a subsequent year, would not count towards CPD)	6 hours maximum (the time teaching may be multiplied by 3 to account for preparation time; i.e. 1 hour of teaching would equal 3 CPD hours to a maximum of 6 hours)
Writing books and articles provided content requirements are met and the purpose is for publication or use in educational programs and not as part of regular employment of member (writing of head notes and case reports may be eligible)	6 hours maximum

Examples of Non-Eligible CPD Activities

- Self-study, forums and network sites are *not* eligible to count towards required hours.
- Mentoring or being a principal to an articulated student is *not* eligible to count towards the required hours.
- Content and activities relating to marketing or profit maximization or content or activities primarily designed for attracting clients, or prepared and delivered in the ordinary and usual course of practice are not eligible CPD activities.
- Content and activities undertaken for a client or employment purpose.

Reporting

- CPD reporting will be done once a year on Form 13 (Annual Declaration). Members will be required to provide the following information:
 - course name/activity description
 - identifying information (e.g. format – name of course provider, study group organizer, etc. [if group study, include the names of people in your study group])
 - role (attendee, presenter, author, etc.)
 - date of course
 - number of hours **attended**
- Members who are exempt from complying with CPD requirements will identify their exemption on Form 13.

Failure to Report or Comply with CPD Requirements

The consequences for members who fail to fulfill the CPD requirements will be the following administrative sanctions: late fees, plus the requirement to make up the hours within a specified time period and, as a final consequence, administrative suspension.

Monitoring

The Law Society will monitor compliance by auditing members. If you are audited, you may be asked to provide receipts or other documents to establish the number of hours of your participation and the eligibility of the activities.

Comparable Jurisdictions

As stated in Rule 95.2(1), members required to complete a comparable compulsory professional development requirement of another law society in Canada are exempt from the requirements of the Law Society of Yukon CPD Program.

In accordance with Rule 95.1(3)(a) the Law Societies with comparable CPD regimes are:

- The Law Society British Columbia;
- The Law Society of the Northwest Territories;
- The Law Society of Saskatchewan;
- The Law Society of Manitoba;
- The Law Society of Upper Canada;
- Barreau du Quebec;
- Chambre des notaires du Québec;
- The Law Society of New Brunswick;
- The Law Society of Prince Edward Island.

Members who are exempt from the comparable requirement in another jurisdiction, because of their practice status, for example, are required to complete the compulsory professional development requirement of the Law Society of Yukon.