



FAIRNESS COMMISSIONER

COMMISSAIRE À L'ÉQUITÉ

OFFICE OF THE FAIRNESS COMMISSIONER

595 Bay Street, Suite 1201, Toronto ON M7A 2B4

## Fair Registration Practices Report 2020

The Fair Registration Practices Report was created as required in the:

- *Fair Access to Regulated Professions and Compulsory Trades Act, 2006* (FARPACTA) s.20 and 23(1), for the regulated professions named in Schedule 1 of FARPACTA
- Health Professions Procedural Code set out in Schedule 2 of the *Regulated Health Professions Act, 1991* (RHPA) s. 22.7(1) and 22.9(1), for health colleges

Guidelines for this report are available to download as a .pdf on the OFC website.

<https://www.fairnesscommissioner.com/en/Publications/Pages/Guidelines.aspx>

Organization: Law Society of Ontario

Name of the regulated profession: Paralegal Profession

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## Qualitative Information

The following qualitative information is collected for the purpose of highlighting a regulator's enhancements to improve fair access year over year, including actions that result from recommendations made in the OFC's Assessment of Registration Practices.

For each of the categories below, where applicable, please describe any improvements/changes implemented in the last year by your organization or a third-party for the purpose of changing fair access.

Please also describe the impact of these improvements/changes on applicants. If you have been working on improvements/changes over the last year that have not yet been implemented, describe your progress and the expected impact the improvements/changes will have on applicants and your organization.

Provide as much detail as possible. This can include the rationale for the improvements/changes, relevant findings from preliminary work leading up to the improvements/changes, methodology, relevant dates and anything else you think is important.

Include as much supporting material as possible to support your description (e.g., relevant reports, policies, protocols, websites, other documents and anything else you think is important). This material can be provided in the form of hyperlinks to electronic sources.

### **a. Requirements for registration, including acceptable alternatives**

- i) Describe any improvements / changes implemented in the last year  
No change
- ii) Describe the impact of the improvements / changes on applicants  
No change
- iii) Describe the impact of the improvements / changes on your organization  
No change

### **b. Assessment of qualifications**

- i) Describe any improvements/changes implemented in the last year  
No change
- ii) Describe the impact of the improvements/changes on applicants  
No change
- iii) Describe the impact of the improvements/changes on your organization  
No change



**c. Provision of timely decisions, responses, and reasons**

- i) Describe any improvements/changes implemented in the last year  
No change
- ii) Describe the impact of the improvements/changes on applicants  
No change
- iii) Describe the impact of the improvements/changes on your organization  
No change

**d. Fees**

- i) Describe any improvements/changes implemented in the last year  
No change.
- ii) Describe the impact of the improvements/changes on applicants  
No change.
- iii) Describe the impact of the improvements/changes on your organization  
No change.

**e. Timelines**

- i) Describe any improvements/changes implemented in the last year  

The public health conditions in 2020 and early 2021 have had a major impact on the LSO’s registration scheduling and the timing of licensing process activities throughout 2020. As part of its application launch in the fall of each year, the Law Society undertakes major scheduling activities and conducts its operational program planning for the year ahead. Typically schedules for each upcoming licensing cycle are set in the previous year and are published well before a new licensing cycle commences on May 1<sup>st</sup> in a given calendar year. While this scheduling work had been completed prior to December 31, 2019, it became apparent in the first quarter of 2020 that public health pressures would impact all the major components of the Law Society’s licensing process.

When public health measures were implemented in March 2020, timelines, scheduling of programming and even the conduct of programming itself was impacted. To mitigate delays the Law Society implemented new schedules and processes to ensure applicants did not experience lengthy licensing process delays throughout 2020. In the latter half of 2020, the Law Society implemented several changes to address the impact of the pandemic. In 2020 all Paralegal in-person licensing examinations that had been scheduled for licensing cycle 2020-2021 were cancelled and rescheduled in the Summer, Fall and Winter of 2020 and delivered using online examination delivery.



- ii) Describe the impact of the improvements/changes on applicants

All these changes were driven by immediate the need to mitigate the impact of the pandemic on major components of the Law Society's licensing programs. While implementing these many changes ensured that candidates entering the paralegal licensing process continued to progress towards licensure, candidates experienced occasional frustrations resulting from delays and the uncertainty that was occurring while the Law Society was engaged in a continuous cycle of planning, rebuilding, executing and communicating its initiatives. By the end of 2020, the paralegal licensing processes was fully recovered and stabilized.

- iii) Describe the impact of the improvements/changes on your organization

There is no question that the impact of implementing the multitude of changes that were necessary to ensure candidates could undertake their licensing requirements during the COVID period placed a heavy toll on Law Society staff. Specifically, the Law Society's Licensing and Accreditation team worked hard to quickly rebuild and stabilize systems and process that had been put in place only a few months before restriction on in-person events and public health measures where implemented across the province. From March 17 until December 31, 2020, staff were working remotely from their homes, implementing changes to registration procedures, licensing examinations, and experiential training programs, while managing the many personal obligations that were arising because of the pandemic's impact on education and routine support plans for working parents. During 2020 the Licensing and Accreditation team lost staff to long term leave, illness, extended family responsibility and termination of employment.

**f. Policies, procedures and/or processes, including by-laws**

- i) Describe any improvements/changes implemented in the last year

No change

- ii) Describe the impact of the improvements/changes on applicants

No change

- iii) Describe the impact of the improvements/changes on your organization

No change



**g. Resource for applicants**

- i) Describe any improvements/changes implemented in the last year  
As a result of the LSO's remote working condition, and the need to place emphasis on process and procedures that would support a quick transition to online licensing examinations, the LSO made a temporary decision to not issue licensing candidate registration cards in 2020
- ii) Describe the impact of the improvements/changes on applicants  
Since the licensing candidate registration card is a useful piece of identification to support examination administration, candidates were asked to provide alternative forms of government issued identification for licensing examinations.
- iii) Describe the impact of the improvements/changes on your organization  
The LSO plans to return to the process of issuing licensing candidate registration cards as soon as possible. While the temporary change created an efficiency that permitted staff to focus on other pressing administrative matters while working in a remote working condition in 2020, the licensing candidate registration card is an important administrative component in the LSO's licensing process. The card is particularly useful during examination administration.

**h. Review or appeal processes**

- i) Describe any improvements/changes implemented in the last year  
No change
- ii) Describe the impact of the improvements/changes on applicants  
No change
- iii) Describe the impact of the improvements/changes on your organization  
No change

**i. Access to applicants' records**

- i) Describe any improvements/changes implemented in the last year  
No change
- ii) Describe the impact of the improvements/changes on applicants  
No change
- iii) Describe the impact of the improvements/changes on your organization  
No change

**j. Training and resources for registration staff, Council, and committee members**



- i) Describe any improvements/changes implemented in the last year  
No change
- ii) Describe the impact of the improvements/changes on applicants  
No change
- iii) Describe the impact of the improvements/changes on your organization  
No change

**k. Mutual recognition agreements**

- i) Describe any improvements/changes implemented in the last year  
No change
- ii) Describe the impact of the improvements/changes on applicants  
No change
- iii) Describe the impact of the improvements/changes on your organization  
No change

**l. Other**

- i) Describe any improvements/changes implemented in the last year  
No change
- ii) Describe the impact of the improvements/changes on applicants  
No change
- iii) Describe the impact of the improvements/changes on your organization  
No change

**m. Describe any registration-related improvements/changes to your enabling legislation and/or regulations in the last year**

No change

## Quantitative Information

The following quantitative information is collected for the purpose of observing statistical changes and trends related to application, licensure, appeals and staffing year over year.

### a. Languages

Indicate the languages in which application materials and information about the application process are available.

Language	Yes/No
English	Yes
French	Yes

Other (please specify):

### b. Gender of applicants

Indicate the number of applicants in each category as applicable

Gender	Number of applicants
Male	311
Female	974
None of the above	0

### c. Gender of members

Indicate the number of members in each category as applicable. Select the option that best corresponds to the terminology used by your organization.

Gender	Number of members
Male	4287
Female	8330
None of the above	0



For the following sections d,e & f, the OFC recognizes that the term initial education infers that applicants may receive their education in multiple jurisdictions.

For the purpose of these questions, include only the jurisdiction in which an entry-level degree, diploma or other certification required to practice the profession or trade was obtained.

#### **d. Jurisdiction where applicants obtained their initial education**

Indicate the number of applicants by the jurisdiction where they obtained their initial education in the profession or trade

Ontario	Other Canadian Provinces	USA	Other International (list countries and # of applicants)	Unknown	Total
1285	N/A	N/A	N/A	N/A	1285

#### **e. Jurisdiction where applicants who became registered members obtained their initial education**

Indicate the number of applicants who became registered members in the reporting year by the jurisdiction where they obtained their initial education in the profession or trade.

Ontario	Other Canadian Provinces	USA	Other International (list countries and # of applicants)	Unknown	Total
631	N/A	N/A	N/A	N/A	631

#### **f. Jurisdiction where members were initially trained**

Indicate the total number of registered members by jurisdiction where they obtained their initial education in the profession or trade.

Ontario	Other Canadian Provinces	USA	Other International (list countries and # of applicants)	Unknown	Total
12,617	N/A	N/A	N/A	N/A	12,617

**g. Application processed**

Indicate the number of applications your organization processed in the reporting year. Enter the data by jurisdiction where applicants were initially trained in the profession, i.e. before they were granted use of the protected title or professional designation in Ontario.

January 1, 2020 to December 31, 2020	Ontario	Other Canadian Provinces	USA	Other International	Unknown	Total
New applications received	1285	N/A	N/A	N/A	N/A	1285
Applicants actively pursuing licensing. Those who had some contact with your organization in the reporting year	1353	N/A	N/A	N/A	N/A	1353
Inactive applicants. Those who had no contact with your organization in the reporting year.	N/A	N/A	N/A	N/A	N/A	N/A
Applicants who met all requirements and were authorized to become members <u>but did not</u> become members	N/A	N/A	N/A	N/A	N/A	N/A
Applicants who became <u>fully</u> registered members	631	N/A	N/A	N/A	N/A	631
Applicants who were authorized to receive an alternative licence <u>but were not</u> issued a licence	N/A	N/A	N/A	N/A	N/A	N/A
Applicants who were issued an alternative class of licence*	N/A	N/A	N/A	N/A	N/A	N/A

- An alternative class of licence enables its holder to practice with limitations, but additional requirements must be met in order for the member to be fully licensed.

**Additional comments:**

Pursuant to By-Law 4, candidates are entitled to 3 years to complete the licensing process requirements. Therefore, the number of candidates actively pursuing licensing at any given time will exceed the number of applicants in a reporting year.

## h. Classes of certificate/licence

Provide a description of the classes of certificate/licence offered by your organization. You should have at least one class listed.

#	Certification	Description
1	P1	<p>A licensee who holds a P1 Licence is entitled to:</p> <ol style="list-style-type: none"> <li>1. Give a party advice on his, her or its legal interests, rights or responsibilities with respect to a proceeding or the subject matter of a proceeding.</li> <li>2. Represent a party before,               <ol style="list-style-type: none"> <li>i. in the case of a proceeding in the Small Claims Court, before the Small Claims Court,</li> <li>ii. in the case of a proceeding under the <i>Provincial Offences Act</i>, before the Ontario Court of Justice,</li> <li>iii in the case of a proceeding under the <i>Criminal Code</i>, before a summary conviction court,</li> <li>iv. in the case of a proceeding before a tribunal established under an Act of the Legislature of Ontario or under an Act of Parliament, before the tribunal, and</li> <li>v. in the case of a proceeding before a person dealing with a claim or a matter related to a claim, before the person.</li> </ol> </li> <li>3. Anything mentioned in subsection 1 (7) of the Act, provided the activity is required by the rules of procedure governing a proceeding.</li> <li>4. Select, draft, complete or revise, or assist in the selection, drafting, completion or revision of, a document for use in a proceeding.</li> <li>5. Negotiate a party's legal interests, rights or responsibilities with respect to a proceeding or the subject matter of a proceeding.</li> <li>6. Select, draft, complete or revise, or assist in the selection, drafting, completion or revision of, a document that affects a party's legal interests, rights or responsibilities with respect to a proceeding or the subject matter of a proceeding.</li> </ol>



### i. Reviews and appeals processed

State the number of reviews and appeals your organization processed in the reporting year. Enter the data by jurisdiction where applicants were initially trained in the profession, i.e. before they were granted use of the protected title or professional designation in Ontario.

January 1, 2020 to December 31, 2020	Ontario	Other Canadian Provinces	USA	Other International	Unknown	Total
Applicants that were subject to an internal review or that were referred to a statutory committee of your governing council, such as a Registration Committee	179	N/A	N/A	N/A	N/A	179
Applicants who initiated an appeal of a registration decision	N/A	N/A	N/A	N/A	N/A	N/A
Appeals heard	N/A	N/A	N/A	N/A	N/A	N/A
Registration decisions changed following an appeal	N/A	N/A	N/A	N/A	N/A	N/A



## j. Paid Staff

Provide the number of paid staff employed by your organization in the categories shown, as of December 31, 2020.

You may use decimals if you need to count half units. For example, one full-time employee plus one part-time employee will be equivalent to 1.5 employees.

Category	Number of staff
Total number of staff employed by the regulatory body	524.5
Number of staff involved in the appeals process	168.4
Number of staff involved in the registration process	34.5

### Additional comments:

The number of staff indicated in the Appeals Process area above refers to the department that handles the Good Character Review procedures, which are a pre-requisite to licensure.

## Submission

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