



BC PARALEGAL ASSOCIATION

PO Box 48196 - 595 Burrard Street, Vancouver, BC V7X 1N8 www.bcpalegalassociation.com

MEMBERSHIP APPLICATION FORM

The BCPA membership year runs from January 1st through December 31st.
Registrations received after August 31st will be valid through the 2009 membership year.

Please check the type of membership for which you are applying. Please see appendix A for category requirements:

Voting \$75.00
(Complete Sections A, C or D & F)

Associate \$75.00
(Complete Sections A & F)

Student \$25.00
(Complete Sections A, E & F)

Corporate \$125.00
(Complete Sections B & F)

A) INDIVIDUAL MEMBERSHIP

Mr./Miss/Mrs./Ms. _____

Address _____

City _____ Province _____ Postal Code _____

Telephone () _____ Telephone 2 _____

Email _____ Fax () _____

Firm _____

SPECIALTY: _____

Voting Members providing work contact info: List me in Legal Directories: Yes No

All Members: List me in BCPA Online Private Member's Directory: Yes No

All Members: Send my BCPA mail by **Regular Mail:** **By E-mail:** No

B) CORPORATE MEMBERSHIP

Organization Name _____

Address _____

Telephone () _____ Fax () _____ Email: _____

Contact Person _____ Position: _____

C) LEGAL ASSISTANT / PARALEGAL EDUCATION* (please attach a copy of your diploma or certificate)

Name of recognized College/University _____

Address _____

Program Name _____ Full Time / Part-Time Graduation Year _____

*subject to approval by the BCPA

D) SUPERVISING LAWYER CERTIFICATION (for Voting membership, in lieu of educational requirements)

I, _____, Managing Partner/Supervising Lawyer, certify that _____, has a minimum of ___ years' experience as a Legal Assistant / Paralegal during which 90% of his/her time was spent performing the tasks as set out in the Law Society of British Columbia's Professional Handbook Chapter 12 and in particular paragraphs 4 to 9, inclusive (formerly Part G - Ruling 11), and reprinted in Appendix A to this form.

Firm _____ Name _____

Date _____ Signature _____

E) STUDENT CERTIFICATION (for those applying for Student membership)

I hereby certify that _____ is currently enrolled in the Paralegal Program (Non-Voting Members item 1.a.) or Legal Secretary / Legal Administrative Assistant Program (Non-Voting Members item 1.b.) at the following recognized college/university: _____.

Name of Program Director or Instructor

Title

Signature

Date

F) TO BE COMPLETED BY ALL APPLICANTS:

I/We hereby represent that the information contained herein is correct and, if admitted to the membership, agree to be bound by the Code of Ethics and the bylaws as adopted by the BC Paralegal Association and attached as Appendix A. I/We further understand that this application is subject to approval by the **BC Paralegal Association**.

Date

Applicant Signature

The **BC Paralegal Association** does not make its membership list available generally, however, we do, upon occasion send out information from legal interest groups, i.e: The Law Society, CLE, CBA etc., when the directors feel that to do so would be in the interest of the membership and the profession. We list voting members in the BC Branch of the CBA Directory and Canada Law Book annually (indicate on page one if you are eligible and wish to be included).

**Please make your cheque or money order payable to the
BC PARALEGAL ASSOCIATION**

MEMBERSHIP APPLICATION APPROVED

Date

Signature of Membership Committee Chairperson

APPENDIX A

Please retain these pages for your future reference:

BC PARALEGAL ASSOCIATION MEMBERSHIP CATEGORIES & REQUIREMENTS

*A person or corporation or group who supports the purposes of the Association may apply to the Board for membership.
*Persons admitted to the Association as members shall be bound by the Code of Ethics as set out in Part II of the bylaws.

VOTING MEMBERS

1. The applicant must either:
 - a. have successfully completed all requirements of a legal course of study approved by the Board, or have received a law degree from an educational facility approved from time to time by the Board; or
 - b. have a minimum of five (5) years employment as a Legal Assistant / Paralegal, each year to be certified in writing by a Lawyer on a form approved by the Board.
2. The applicant must submit a photocopy of his or her diploma, certificate or transcript if applying under 1(a).

NON-VOTING MEMBERS

1. **STUDENT MEMBER** is a person who meets one of the following requirements:
 - a. is a student enrolled in a Legal Assistant or Paralegal training programme at an educational facility approved by the Board; or
 - b. is a student enrolled in a Legal Secretary or Legal Administrative Assistant training programme at an educational facility approved by the Board.
2. **ASSOCIATE MEMBER** is a person who meets one of the following requirements:
 - a. has a minimum of one (1) year employment as a Legal Assistant / Paralegal, such employment to be certified in writing by a Lawyer on a form approved by the Board;
 - b. is a member of a bar association or law society;
 - c. is a member of an educational field endorsing Legal Assistants / Paralegals, or is involved in the promotion of the Legal Assistant / Paralegal profession;
 - d. is an individual or organization which supports the purposes of the Association.
3. **CORPORATE MEMBER** is a corporation which supports the purposes of the Association.

BCPA CODE OF ETHICS

1. The duties performed by the Legal Assistant / Paralegal shall at all times be subject to the supervision of a Lawyer. Legal Assistants / Paralegals shall not present themselves as lawyers, nor shall they give legal advice to a client.
2. A Legal Assistant / Paralegal shall at all times discharge his or her duties with the utmost honesty and integrity.
3. A Legal Assistant / Paralegal shall work in a conscientious, diligent and efficient manner and shall provide a quality of service which a Lawyer would reasonably expect of a competent Legal Assistant.
4. A Legal Assistant / Paralegal has a duty to hold in strict confidence all information acquired in the course of the professional relationship concerning the business and affairs of the Lawyer and the clients whom they serve. No information concerning these matters shall be disclosed to any person outside the Lawyer's practice unless the Lawyer expressly authorizes such disclosure or the law requires such disclosure.
5. A Legal Assistant / Paralegal is duty bound to observe all relevant rules and laws regarding the preservation and safekeeping of the property of clients entrusted to the Lawyer.
6. A Legal Assistant / Paralegal shall assist in maintaining the integrity of the legal profession.
7. A Legal Assistant / Paralegal's conduct towards other members of the legal profession shall be characterized by courtesy and good faith.

The following is reprinted with the permission of The Law Society of British Columbia from the Professional Conduct Handbook (published by The Law Society of British Columbia, June, 2000, effective May, 2000).

CHAPTER 12
SUPERVISION OF EMPLOYEES

Legal assistants

4. There are many tasks that can be performed by a legal assistant working under the supervision of a lawyer. It is in the interests of the profession and the public for the delivery of more efficient, comprehensive and better quality legal services that the training and employment of legal assistants be encouraged.

[amended 05/00]

5. Subject to this chapter, a legal assistant may perform any task delegated and supervised by a lawyer, but the lawyer must maintain a direct relationship with the client and has full professional responsibility for the work.

[amended 05/00]

- 5.1 A lawyer may delegate tasks or functions to a legal assistant if

- (a) the training and experience of the legal assistant is appropriate to protect the interests of the client, and
- (b) provision is made for the professional legal judgement of the lawyer to be exercised whenever it is required.

[added 05/00]

6. Except as permitted under the Legal Services Society Act, section 9, a lawyer must not permit a legal assistant to:

- (a) perform any function reserved to lawyers, including but not limited to
 - (i) giving legal advice,
 - (ii) giving or receiving undertakings, and
 - (iii) appearing in court or actively participating in legal proceedings on behalf of a client, except in a support role to the lawyer appearing in the proceedings,
- (b) do anything that a lawyer is not permitted to do,
- (c) act finally and without reference to the lawyer in matters involving professional legal judgement, or
- (d) be held out as a lawyer, or be identified other than as a legal assistant when communicating with clients, lawyers, public officials or with the public generally.

[amended 05/00]

7. A lawyer who employs a legal assistant must ensure that the assistant is adequately trained and supervised for the tasks and functions delegated to the assistant.

[amended 05/00]

8. This rule is subject to Rule 5.1. It illustrates, but does not limit, the general effect of that rule.

The following are examples of tasks and functions that legal assistants may perform with proper training and supervision:

- (a) attending to all matters of routine administration,
- (b) drafting or conducting routine correspondence,
- (c) drafting documents, including closing documents and statements of accounts,
- (d) drafting documentation and correspondence relating to corporate proceedings and corporate records, security instruments and contracts of all kinds, including closing documents and statements of account,
- (e) collecting information and drafting documents, including wills, trust instruments and pleadings,
- (f) preparing income tax, succession duty and estate tax returns and calculating such taxes and duties,
- (g) drafting statements of account, including executors' accounts,
- (h) attending to filings,
- (i) researching legal questions,

- (j) preparing memoranda,
- (k) organizing documents and preparing briefs for litigation,
- (l) conducting negotiations of claims and communicating directly to the client, provided that the lawyer reviews proposed terms before the legal assistant offers or accepts a settlement.

[amended 05/00]

9. The following are examples of tasks and functions that a lawyer must attend to personally and that legal assistants must not perform. This list illustrates, but does not limit, the general effect of Rule 6:

- (a) attending on the client to advise and taking instructions on all substantive matters,
- (b) reviewing title search reports,
- (c) conducting all negotiations with third parties or their lawyers, except as permitted in Rule 8,
- (d) reviewing documents before signing,
- (e) attending on the client to review documents,
- (f) reviewing and signing the title opinion and/or reporting letter to the client following registration,
- (g) reviewing all written material prepared by the legal assistant before it leaves the lawyer's office, other than documents and correspondence relating to routine administration,
- (h) signing all correspondence except as permitted in this chapter,
- (i) attending at any hearing before the court, a registrar or an administrative tribunal or at any examination for discovery except in support of a lawyer also in attendance.

[added 05/00]