

MEMORANDUM

TO: All Applicants
RE: Change of Status from an Inactive to an Active Member

Attached is a copy of rule 57 of the *Rules of the Law Society of the Northwest Territories* which sets out the steps necessary for you to restore your status from that of an inactive (non-practicing) member to that of an active member entitled to practice law in the Northwest Territories.

The procedure for a change to status is:

1. You must make application to change your status by submitting an Application for Reinstatement as an Active Member (Form 2.21), supported by:
 - current Certificates of Standing from any other Law Society of which you are a member;
 - payment of the following:

Change-of-Status fee*	\$205.00
Differential between Inactive and Active	1040.00
Assurance Fund levy	0
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	\$1245.00
Federal Goods & Services Tax (5%)	62.25
TOTAL:	<hr/> \$1307.25 <hr/>

***NOTE:** This Change of Status fee will be waived if you have moved from active status to inactive, and now seek to move back to active status, within the same membership year.

2. You will be required to enroll in our Society's mandatory insurance program unless you are eligible for an exemption under Rule 119(3) of the Rules of the Law Society, in which case the enclosed Insurance Exemption Certificate and Undertaking must be submitted *without alteration*.
3. You must provide a notarized copy of a piece of photo identification, such as driver's license or passport.

Please be aware that your reinstatement will be effective only as of the date your application is approved by the Executive of the Law Society.

CHANGE OF MEMBERSHIP STATUS

57. (1) A member may apply to the Executive to change his or her status from that of
- (a) an active member to an inactive member; or
 - (b) an inactive member to an active member.
- (2) A member applying under subrule (1) shall submit to the Secretary
- (a) an Application for Change of Status from Active to Inactive Member in Form 2.20, or an Application for Change of Status from Inactive to Active Member in Form 2.21, whichever is applicable;
 - (b) where the member is applying to change his or her status from that of an inactive member to an active member and the member is a member of another provincial or territorial law society or comparable body, a certificate from each provincial or territorial law society or comparable body of which the applicant is a member dated not earlier than 45 days before the presentation of the application, stating
 - (i) the standing of the applicant, if the member is applying for a change of status from inactive member to active member,
 - (ii) the period of time during which the applicant has been listed as a member in the society or body,
 - (iii) whether disciplinary proceedings are pending against the applicant, and
 - (iv) the nature and disposition of any disciplinary action that has been taken against the applicant;
 - (c) where the member is applying to change his or her status from that of an inactive member to an active member,
 - (i) an Accountant's Report in Form 2.2 or an Application and Lawyer's Undertaking in Form 2.3 or a statement indicating the member
 - (A) is joining a partnership that has filed a Certificate of Accountant and Member in Form 2.4, or
 - (B) is becoming associated with a member who has filed a Certificate of Accountant and Member in Form 2.4,
 - (ii) payment of the insurance levy, or if the member is exempt under subrule 119(4), proof that he or she is
 - (A) covered by errors and omissions insurance referred to in paragraph 119(4)(a), or
 - (B) exempt under paragraph 119(4)(b), and
 - (iii) payment of the assurance fund levy; and
 - (iv) payment of the fee for a change of status set out in paragraph (f) of item 1 in Schedule A.
- (3) The Executive may require a member applying to change his or her status from that of an inactive member to an active member under subrule (1), to pass such bar admission examinations as may be established under rule 39, if
- (a) the applicant has not previously been admitted as an active member and had been granted a waiver of the requirement to take bar admission examinations before being admitted as an inactive member; or
 - (b) the applicant is shown on the Record as having been an inactive member for more than three years before the day the application is received by the Secretary.
- (4) Where the Executive so directs, the Secretary shall refer an application made under subrule (1) to the Admissions Committee, which shall recommend to the Executive that the applicant's status either be changed, or not be changed.
- (5) The Executive shall consider each application and any recommendation made by the Admissions Committee, and shall
- (a) approve the change of status of the applicant or refuse to approve the change of status of the applicant; and
 - (b) advise the applicant of its decision under paragraph (a).
- (6) Where an application made under subrule (1) is approved under subrule (5), the change of status takes effect on the date the application is approved by the Executive or at a later date requested by the member and approved by the Executive.
- (7) Where an application made under subrule (1) is not approved under subrule (5) or is withdrawn, the Secretary shall refund the fee for a change of status application and any other levies paid by the applicant in respect of the application.
- (8) Where an application made under subrule (1) is not approved, the member may apply to the Supreme Court under section 19 of the Act.

R-079-2012,s.1; R-090-2013,s.4,5; R-139-2014,s.1; R-136-2016,s.9; R-097-201