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;
   - Form 2.2 (Accountant's Report) or Form 2.3 (Application and Undertaking)
   - payment of the following:

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

   NOTE: This 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 inForm 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-097-2017,s.6.

LAW SOCIETY
OF THE NORTHWEST TERRITORIES

FORM 2.21

APPLICATION FOR CHANGE OF STATUS FROM INACTIVE TO ACTIVE MEMBER

(*Paragraph 57(2)(a)*)

TO: The Secretary
Law Society of the Northwest Territories

I, _____ , of _____ apply change my status from an inactive member to an
(*full name*)
active member of the Law Society of the Northwest Territories.

1. My contact address is:

_____

City/Town: _____ Territory/Province: _____ Postal Code: _____

Telephone: _____ Fax: _____

Email: _____

For active members, your name and contact information will be published in the member's directory of the website of the Law Society of the Northwest Territories. This information cannot be withheld (see s. 14 *Legal Profession Act* and rules 34-38).

2. I have been an inactive member since _____
3. I will be principally practising law in: _____
(*name of jurisdiction*)

4. As an active member, I will be practising law with the following firm or employer or under the following firm name and address:

_____

City/Town: _____ Territory/Province: _____ Postal Code: _____

Telephone: _____ Fax: _____

Email: _____

5. (1) I am or have been a member of the following law societies, or comparable bodies, for the following periods of time:

_____ from _____ to _____
_____ from _____ to _____
_____ from _____ to _____

(2) Since the later of my Application for Admission in Form 2.1 or my last Application for Renewal or Reinstatement in Form 2.22, I have been actively engaged in practising law in the following jurisdictions for the following periods of time:

_____ from _____ to _____
_____ from _____ to _____
_____ from _____ to _____

(3) Since the later of my Application for Admission in Form 2.1 or my last Application for Renewal or Reinstatement in Form 2.22, no disciplinary proceedings are pending or have been taken against me as a member of the societies or bodies listed in subsection (1), other than:

_____

_____

_____

(4) The results of any disciplinary proceedings taken against me were:

_____

_____

_____

(5) Since the later of my Application for Admission in Form 2.1 or my last Application for Renewal or Reinstatement in Form 2.22, no claims for lawyer's professional liability insurance are pending or have been made against me as a member of the societies or bodies listed in subsection (1), other than:

_____

_____

_____

(6) The results of any claims for lawyer's professional liability insurance listed in subsection (5) were:

_____

_____

_____

6. Annexed to this application are
   - (a) a certificate from each provincial or territorial law society of which I am a member stating
     - (i) my standing,
     - (ii) the period of time during which I have been listed as an active member of the society or body,
     - (iii) whether disciplinary proceedings are pending against me, and
     - (iv) the nature and disposition of any disciplinary action that has been taken against me;
   - (c) an Accountant's Report in Form 2.2 or my Application and Lawyer's Undertaking in Form 2.3 or a statement indicating that I am joining a partnership that, or becoming associated with a member who, has filed a Certificate of Accountant and Member in Form 2.4;
   - (d) the insurance levy or my Insurance Exemption Certificate and Undertaking attached;
   - (e) the assurance fund levy; and
   - (f) the prescribed application and admission fees.

7. I certify that the information I have provided in or annexed to this application is correct.

8. I undertake with the Law Society of the Northwest Territories that I will, during my enrolment, well and faithfully keep and perform all my obligations as a barrister and solicitor and as a member of the Society and abide by the *Legal Profession Act*, the *Rules of the Law Society of the Northwest Territories* and the requirements of the Law Society.

9. I authorize the Law Society of the Northwest Territories to make enquiries of any person, other law societies, any government, any official or body, including the police or academic authority, with regard to any of the statements in this application or in any document provided in connection with this application. I authorize any law society of which I am or ever have been a member or any other persons or organizations enquired of, under this authorization, to provide all information requested.

10. I consent to receiving emails from the Law Society of the Northwest Territories apprising members and other interested parties of relevant information such as, but not limited to, key dates, meetings, events, general community notices and professional development opportunities. I understand that I may withdraw my consent at any time by clicking the "unsubscribe" link at the bottom of the emails. I understand that if I unsubscribe from the emails I assume full and sole responsibility for regularly visiting the website of the Society for regulatory and other Notices as well as general information relevant to my membership in the Society.

Dated at _____ on _____, 20 _____

_____

(*signature of applicant*)

The personal information collected in this form will be used by the Law Society of the Northwest Territories for one or more purposes contemplated by the *Legal Profession Act*, the *Rules of the Law Society of the Northwest Territories*, the *Code of Professional Conduct*, or a resolution of the Executive, and will be accessible to all departments of the Law Society and where applicable the Alberta Lawyers Insurance Association. The information may be used or disclosed by the Society, now or in the future, for regulatory purposes, including 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 Executive Director of the Law Society at (867) 873-3828.

INSURANCE EXEMPTION
CERTIFICATE AND UNDERTAKING
(*Form 2.21*)

TO: The Executive
Law Society of the Northwest Territories

I, _____ CERTIFY THAT
(*print or type name*)

☐

1. I am an active member or am applying for membership in the Law Society of the Northwest Territories.
2. I am employed by, and my professional services are provided exclusively to:
   (a) a government agency; or
   (b) an employer who does not practice law.
3. I do not render or will not be rendering legal services of any kind to the public in the Northwest Territories with the possible exception of: providing *pro bono* professional services to the public through the Law Line Program or a similar program approved by the Law Society of the Northwest Territories.

- OR -

☐

1. I am an active member or am applying for membership in the Law Society of the Northwest Territories.
2. I do not ordinarily reside or carry out my principal practice of law in the Northwest Territories.
3. I am covered by errors and omissions insurance which provides indemnification to a minimum of $1,000,000.00 per occurrence and $2,000,000.00 aggregate and which covers my practice of the law in the Northwest Territories, which insurance is carried through the following insurer or Law Society:
   _____ .
4. I will provide further information, upon request, respecting my insurance coverage.

I UNDERTAKE to notify the Law Society immediately if there is a change in my status such that the foregoing statements are no longer applicable.

Dated at _____ on _____, 20 _____

_____
(*signature*)

LAW SOCIETY
OF THE NORTHWEST TERRITORIES

FORM 2.2

ACCOUNTANTS REPORT

[Paragraphs 40(1)(d), 49(d), 51(d), 57(2)(c), 82(1)(a), 83(1)(c), 104(1)(a) and 104(2)(a)]

1. On _____, 20_____, I/we inspected the books of account of the legal practice of _____.

2. The purpose of my/our attendance was to ascertain the nature of the books of account kept by the member.

3. Based on the inspection, I/we report:
   a. that the books of account kept by the member are sufficient to meet the requirements of Section 91 of the Rules of the Law Society of the Northwest Territories;

   b. that the member has opened an account designated as a clients' trust account for trust moneys as required by section 44 of the *Legal Profession Act*

   c. that the fiscal year of the member ends on _____ in each year.

DATED at _____ in the Northwest Territories

on the _____day of _____, 20_____.

_____

Accountant

LAW SOCIETY
OF THE NORTHWEST TERRITORIES

FORM 2.3

APPLICATION AND LAWYER'S UNDERTAKING

(Paragraphs 40(1)(d), 49(d), 51(2)(d), 52(2)(e), 57(2)(c), 82(1)(a), 83(1)(c) and 104(1)(a))

TO: The Secretary

Law Society of the Northwest Territories

I, _____ , of _____
(*full name*)

UNDERTAKE THAT:.

(*Select those boxes that apply*)

☐ I am applying for membership in the Law Society of the Northwest Territories.

☐ I am applying for a change of status from an inactive to an active member of the Law Society.

☐ I will be employed at a law firm that maintains a trust account in the Northwest Territories.

I will not maintain a clients' trust account in the Northwest Territories with respect to this membership.

If I do set up a client's trust account in the Northwest Territories, I will immediately notify the Law Society and I will comply with the Rules of the Law Society of the Northwest Territories and any other requirements of the Law Society.

I make this undertaking in place of completing an Accountant's Report in Form 2.2 under the Rules of the Law Society of the Northwest Territories, conscientiously believing it to be true.

Dated at _____ on _____ , 20 _____

_____
(*signature of applicant lawyer*)

LAW SOCIETY
OF THE NORTHWEST TERRITORIES

INSURANCE EXEMPTION CERTIFICATE AND UNDERTAKING

[Rules 40(1)(e), 49(e), 51(2)(e), 51(5)(d), 52(2)(f), 57(2)(d), 119(6)]

TO: The Executive
Law Society of the Northwest Territories

I, _____ HEREBY CERTIFY THAT,
[print or type name]

[Check either 1. or 2. as appropriate.]

☐ 1. a) I am an active member or am applying for membership in the Law Society of the Northwest Territories;

b) I am employed by, and my professional services are provided exclusively to:
- a government agency; or
- an employer who does not practice law; and

c) I do not render or will not be rendering legal services of any kind to the public in the Northwest Territories with the possible exception of:
- providing pro bono professional services to the public through the Law Line Program or a similar program approved by the Law Society of the Northwest Territories.

- OR -

☐ 2. a) I am an active member or am applying for membership in the Law Society of the Northwest Territories;

b) I do not ordinarily reside or carry out my principal practice of law in the Northwest Territories;

c) I am covered by errors and omissions insurance which provides indemnification to a minimum of $1,000,000.00 per occurrence and $2,000,000.00 aggregate and which covers my practice of the law in the Northwest Territories, which insurance is carried through:

_____; and
[name of Insurer and Law Society]

d) I will provide further information, upon request, respecting my insurance coverage.

I UNDERTAKE to notify the Law Society immediately if there is a change in my status such that the foregoing statements are no longer applicable.

DATED at _____, this _____ day of _____, 20_____.

_____
Signature