



Law Society
of Saskatchewan

Future of Legal Services Initiative Final Report

April 30, 2026

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Introduction

Through the Future of Legal Services Initiative, the Law Society of Saskatchewan expanded access to legal services, implementing thirteen recommendations from the Final Report of the Legal Services Task Team, a joint project with the Ministry of Justice of the Government of Saskatchewan.¹ The Law Society and the Ministry of Justice share a common interest in improving access to legal services and justice for the benefit of the public.

The Law Society committed to expanding access to legal services in a responsible and sustainable manner, balancing the need for assuring public protection with enhancing legal service accessibility. The Future of Legal Services Initiative was guided by a series of principles:

- Serve the public interest, minimizing risk to the public
- Promote access to legal services, recognizing different types of expertise and qualifications
- Address areas of legal need
- Adopt proportionality between licensing requirements, services and risks
- Encourage innovation.

As of October 1, 2025, all thirteen recommendations have been implemented. On October 1, 2025, the Government of Saskatchewan proclaimed outstanding sections of *Bill No. 163 (an Act to amend The Legal Profession Act, 1990)* and regulations to formalize the limited licensing of legal professionals in Saskatchewan. As of January 1, 2026, limited licensees are part of the legal system in Saskatchewan. They are insured and licensed by the Law Society of Saskatchewan to serve the public and support access to legal services.

This report provides a final overview of implementation of the Future of Legal Services Initiative and specifically the Limited Licensing Pilot and lessons learned. Thanks are extended to the many stakeholders who contributed to advancing this initiative in Saskatchewan.

¹ Legal Services Task Team, *Final Report of the Legal Services Task Team*, 2018, https://www.lawsociety.sk.ca/wp-content/uploads/2020/03/107840-legal_services_task_team_report_august_14-2018-1.pdf.

Background

In 2015, the Ministry of Justice and the Law Society of Saskatchewan jointly undertook a project to explore whether service providers other than lawyers could be permitted to provide some legal services in Saskatchewan. In 2017, a Task Team was appointed to consider a range of approaches, and consultations were undertaken resulting in thirteen recommendations to strengthen the regulation and provision of legal services in the province.

Since 2018, the Law Society advanced implementation of the recommendations in collaboration with the Ministry of Justice. **Annex I** details outreach and communication activities undertaken, which also included efforts to better connect lawyers and consumers of legal services in support of an accessible legal system.

Legal Services Task Team Recommendations		
No.	Recommendation	Status
Government Responsibility		
1	Modernize the legislation regulating the provision of legal services.	Complete
2A	Define “practice of law” in the legislation; Provide the Law Society with the authority to define “legal information” in the <i>Law Society of Saskatchewan Rules</i> .	Complete
5B	Amend <i>The Legal Profession Act, 1990 (Act)</i> to relocate the list [of exemptions] to the <i>Rules</i> so that the Law Society can amend the list.	Complete
6A	Amend the <i>Act</i> to allow for the creation of new categories of membership in the Law Society.	Complete
7A	Amend the <i>Act</i> to: (i) allow service providers to practise law with a limited license on a case-by-case basis; ² and (ii) provide the Law Society with licensing authority.	Complete
Law Society Responsibility		
2B	Create [legal information] guidelines to help the public.	Complete
3	Other than the provision of legal information, continue to regulate all other legal services to some degree.	Complete
4	Examine the restrictions on direct supervision requirements for staff.	Complete
5A	Expand the list of exceptions [exemptions] to the prohibition against practicing law. ³	Complete
Joint Responsibility		
6B	Enact subordinate legislation to create new categories of membership.	Complete
7B	Enact principles to guide licensing.	Complete
8	Enact rules, subject to Ministerial approval, to create a limited licensing process with appropriate and proportional licensing requirements.	Complete
9	Conduct or support pilot projects to experiment with certain types of limited licenses.	Complete

Implementation was advanced in stages:

² *Ibid.*, p. 80. The Legal Services Task Team identified that “instead of trying to design a ‘one-size-fits-all’ structure, the Law Society could grant limited licenses to practise law on a case-by-case basis ... Limited licenses can be much more flexible and could be customizable for each provider, depending on the circumstances of each case, including type of service, area of law, and prospective clients.”

³ Section 31 of *The Legal Profession Act, 1990* details exceptions to unauthorized practice which permits certain classes of persons to be exempted from the prohibition against the unauthorized practice of law. Subsection 10(k.1) of *The Legal Profession Act, 1990* grants authority to the Law Society to exempt persons and classes of persons from the prohibition against the unauthorized practice of law. As a condition of the exemption, compliance with terms and conditions may be required. Rule 1002 of *The Law Society of Saskatchewan Rules* outlines categories of exemption from the unauthorized practice of law as well as associated functions and terms and conditions.

- 1. Stage 1: Practice of law and exemptions to unauthorized practice (2018-2019)**
This stage encompassed legislative and rule changes and notice of a period of discovery to advance recommendations 1, 2A, and 5B. On January 1, 2020, *The Legal Profession Act, 1990*, was amended to include a definition⁴ of the practice of law and to modernize the legislation regarding legal services to provide more flexibility for future developments related to new categories of legal service providers.
- 2. Stage 2: Legal information guidelines and discovery phase (2020-2021)**
This stage focused on developing policy and guidance related to deregulating legal information and introducing Legal Information Guidelines,⁵ adopting a permissive approach to direct supervision, and outlining policy for exemptions from the unauthorized practice of law.⁶ Data was documented from the discovery period to advance recommendations 2B, 3, 4, 5A, and 7B.
- 3. Stage 3: Pilot program (2022-2025)**
This stage transitioned individuals identified through the discovery period to exempted status or participation in a Limited Licensing Pilot, which was also opened to other interested participants. The Pilot ran from January 2022 to December 2025 with data documented and reported to implement recommendation 9 and to inform the regulatory framework for limited licensing.
- 4. Stage 4: Flexible regulatory structure (2026+)**
From October 1, 2025, with the proclamation of outstanding sections of *Bill No. 163 (an Act to amend The Legal Profession Act, 1990)* and regulations, limited licensing was formalized in Saskatchewan. This was accompanied by amendments to the *Law Society of Saskatchewan Rules* to:
 - Provide a proportional regulatory framework for limited licensees (Part 10 of the *Rules*)
 - Incorporate limited licensees throughout the *Rules*
 - Recognize substantially similar but separate Codes of Professional Conduct for lawyers and limited licenseesImplementation of this stage addressed the final recommendations 6A, 6B, 7A and 8.

The remainder of this report summarizes what was learned from the Limited Licensing Pilot that led to the formalization of limited licensing in Saskatchewan and the completion of implementation of the recommendations from the Legal Services Task Team Final Report.

⁴ Section 29.1 of *The Legal Profession Act, 1990* includes a definition of the practice of law which describes the application of legal principles and judgment by a person trained in the law as related to: giving legal advice, drafting or completing legal documents, representing a party, and negotiating legal rights or responsibilities.

⁵ Law Society of Saskatchewan, *Legal Information Guidelines*, 2022, <https://www.lawsociety.sk.ca/wp-content/uploads/2022/07/Legal-Information-Guidelines-2022.pdf>.

⁶ In July 2021, the Law Society and Ministry of Justice participated in a joint workshop that reviewed a policy framework for exemptions and agreed that a list of factors and criteria should be considered for exemption, including whether the proposed exemption: addresses specific unmet legal need; demonstrates existence of qualification, experience, or (ongoing) training requirements related to the legal services provided; focuses on a limited scope of legal services in terms of activity; manages risks posed by (a) the nature of the legal services, the likelihood risks may materialize, and any mitigating factors; and (b) the organizational structure for delivery of the legal services, the likelihood risks may materialize, and any mitigating factors; considers the stability/dynamism of the legal services being provided; considers the intention/capacity of the provider to effectively deliver legal services; offers some form of oversight/supervision; identifies protection/recourse for members of the public for substandard legal service delivery; contemplates whether fees may be charged for services; considers whether conditional terms are necessary; provides an increase in consumer choice; recognizes different types of expertise and qualifications; encourages innovation; or is more suitable for another authorization mechanism (e.g., limited licensing). See: Law Society of Saskatchewan, *Frequently Asked Questions – Practice of Law Exceptions and Exemptions*, <https://www.lawsociety.sk.ca/wp-content/uploads/faq-practice-of-law-and-exceptions-and-exemptions.pdf>.

Limited Licensing Pilot

The Limited Licensing Pilot was introduced by the Law Society in January 2022 and concluded in December 2025. It extended a limited authorization to practice law to individuals not licensed as a lawyer on a case-by-case basis. As recognized in the Legal Services Task Team Final Report, this did not create an entirely new professional group with a common scope of practice, but recognized context-specific needs that could be served by limited licensees operating within a specific, individualized scope of practice reflecting their education, training, and experience. As this was a novel approach to legal regulation in Canada, the Pilot and consultation supported the development of appropriate rules and regulation which came into effect on October 1, 2025, with the first limited licences issued from January 1, 2026.

Application to the Pilot

Through an application form, individuals applied to the Pilot to request authorization to deliver legal services in limited areas of practice. Applications were considered by the Law Society's Future of Legal Services Committee according to a risk-based framework that considered three main criteria:

1. **Access to legal services:** Was there an identified legal need being met through the services? Did the services fill a gap, providing underserved markets and locations with access to legal services?
2. **Scope and competency:** What competencies were required to deliver the limited scope of services effectively?⁷ How was this addressed by the applicant's education, training and experience, personal history, and capacities as related to the area of practice, type of service, and needed professional development?
3. **Risk management and consumer protection:** What level of risk was identified for protection of the public interest? How was this addressed by the applicant's intention and capability to comply with regulation, recourse available to the public, and proxy monitoring and oversight for the limited scope services?

Annex II outlines these criteria more comprehensively. There were also several qualifications to the Pilot:

- *Non-eligibility:* suspended or disbarred lawyers were not eligible to apply, nor were individuals who received notice of unauthorized practice by the Law Society of Saskatchewan prior to January 1, 2022. Making false or materially misleading statements in the application was a basis for loss of authorization to practice within the Pilot.
- *Ongoing duties:* participation in the Pilot did not alter requirements imposed by other regulatory bodies nor did authorization to practice law through the Pilot release entities or individuals from conforming to all other applicable laws and regulations.

⁷ For commentary and linked research with respect to minimum competence for lawyers, see: Law21, *Defining Lawyer Competence*, 2021, <https://www.law21.ca/2021/08/defining-lawyer-competence>; and Institute for the Advancement of the American Legal System, *Building a Better Bar: Capturing Minimum Competence*, 2020, <https://iaals.du.edu/projects/building-better-bar-capturing-minimum-competence-bb>. The Law Society of Saskatchewan has adopted the Western Canada Competency Profile for lawyers: <https://www.lawsociety.sk.ca/members/becoming-a-lawyer-in-saskatchewan/international-applicants/western-canada-competency-profile/>.

- *Capacity/priorities*: the Law Society reserved the right to assess its capacity to effectively pilot and monitor the range of services and providers in the public interest with a view to priority needs and services.
- *Agreement*: participants entered into an agreement with the Law Society which set out terms and conditions which included: maintaining eligibility, scope of legal services, conditions, information disclosure, reporting and monitoring, complaint handling, and duration.

Based on the criteria and parameters, applicants were approved or not approved for participation in the Pilot.

Pilot Participation, Monitoring, and Analysis

Once accepted into the Pilot, a Letter of Agreement was issued to Pilot participants, detailing the scope of services authorized, any conditions, and maintenance of eligibility, including information disclosure, complaint handling and reporting, and monitoring requirements.

Data was collected throughout the Pilot to help inform the development of a regulatory structure for limited licensing in Saskatchewan and for broader access to justice learning. Data collected included:

- reporting directly from Pilot participants
- reviews from consumers
- feedback from consultations related to five themes - education, co-regulation, insurance, professional responsibility, and complaints and recourse
- reports from audits conducted by Practice Advisors.

Additionally, literature was monitored with respect to areas of legal need and access to justice for the duration of the Pilot.⁸

Data Limitations

Importantly, while mixed sources and triangulation of data were considered, there exist limitations to the data collected. Direct reporting from Pilot participants was detailed but limited to ten categories:

- Number of client inquiries
- Number of clients served
- Geographic location of clients
- Nature of clients' legal matters
- Legal outcomes for clients
- Financial outcomes for clients
- Amount clients paid for services
- Approximate length of services to clients
- Number of complaints received and how handled
- Any additional items of relevance for the Pilot (e.g., continuing professional development courses undertaken).

⁸ See, for example: Laura Savage, Canadian Centre for Justice and Community Safety Statistics, Statistics Canada, *Experiences of Serious Problems or Disputes in Saskatchewan*, 2021; and Bryce Stoliker, Lisa Jewell, Brea Lowenberger, and Heather Heavin, *A Legal Needs Survey in the Province of Saskatchewan: Perspectives of Lawyers and Legal and Non-Legal Service Providers*, 2023, <https://law.usask.ca/createjustice/projects/legal-needs-survey-report-final-2023-03-31952.pdf>.

The applicability of reporting categories across practice areas was mixed, and reporting at times required clarification. For example, follow-up questions regarding legal outcomes or geographic location were sometimes required to help capture accurate data from all Pilot participants.

Additionally, consumer reviews were optional and often provided an indication of satisfaction with the services received but did not always provide in depth analysis of the services. Stakeholder feedback from consultations was limited by the engagement of participants and perceptions (as opposed to experience) that at times did not rely on objective data or understanding of risk. Finally, Practice Advisor audits were conducted on a limited number of Pilot participants that met the criteria of not being part of the discovery period and practicing in areas focused on transactional work.

Pilot Data and Insights – Overall

As of December 31, 2025, there were 44 applicants to the Pilot and 9,165 clients served across more than 300 locations in Saskatchewan. The Pilot was operational for four years, from January 1, 2022 to December 31, 2025.

Applicants	Applicants Not Approved	Applicants Approved	Participants on December 31, 2025 ⁽⁹⁾	Participant Transitions ⁽¹⁰⁾
44	6	38	28	10
Client Inquiries	Clients Served	Client Geographic Locations	Consumer Reviews or Feedback: Positive or Neutral	Consumer Reviews or Feedback: Negative or Concerns
28,739 ¹¹	9,165	300+	180 positive (94%) 4 neutral (2%)	8 negative or potential indication of consumer harm (4%)

Applicants approved in the Pilot were authorized to practice in areas that were grouped as:

- Matters before administrative tribunals and Provincial Court such as small claims, traffic matters, and summary conviction matters under the *Criminal Code*
- Family law services limited to separation agreements, uncontested or joint divorce, and parenting arrangements
- Future planning services limited to wills, powers of attorney, guardianship, and health care directives
- Administration of estates not exceeding \$25,000
- Limited corporate legal services, contracts, and land title transfers and interest registrations and discharges
- Preparing for self-representation in court.

⁹ As at December 31, there were 23 active participants, with 5 having applied and been accepted to the Pilot with conditions pending (e.g., clarification around form of practice or insurance).

¹⁰ There were a number of reasons for transitions or exits from the Pilot which ranged from changes in employment (5) to retirements (3) to changes in circumstances making participation in the Pilot not feasible (2). There were no removals related to consumer harm or public protection concerns.

¹¹ Potential clients often make inquiries before engaging a legal professional. In some Pilot service contexts (e.g., property tax assessment appeals), there was a high volume of inquiry regarding legal services, but not all clients elected or were candidates for services and therefore no services were provided beyond an initial meeting or inquiry.

Pilot Data and Insights – Legal Need and Affordability

The Legal Services Task Team reviewed the available literature on access to justice issues and referenced key data regarding unmet legal needs and identified common problems that are disruptive and have adverse ripple effects into communities and society at large. From the public survey conducted, respondents indicated that the most common types of service needed were the preparation of documents (such as wills, real estate documents, or contracts) and legal advice. The most common areas of law needed were real estate, wills and estates, family, small claims, criminal, and corporate/commercial.¹²

Throughout their consultations, the Task Team identified priority areas where the supply of legal services does not match demand and the types of legal assistance needed in the areas of:

- administrative law
- consumer and debtor law
- criminal law
- family law
- immigration law
- small claims matters.¹³

Participants in the Pilot contributed to practice in these areas, except for immigration law. Since the release of the Legal Services Task Team report, there have been important developments in the regulation of immigration services. In November 2021, the federal College of Immigration and Citizenship Consultants was created, which provides licensing and oversight in the public interest for the practice of Regulated Canadian Immigration Consultants and Regulated International Student Immigration Advisors.¹⁴ In turn, the Government of Saskatchewan provides a linked licensing mechanism for Immigration Consultants and Foreign Worker Recruiters in Saskatchewan.¹⁵

Following the Task Team report, subsequent studies also reinforced and expanded earlier findings related to legal needs. In a 2021 provincial report as part of a national study¹⁶ on serious legal problems, Statistics Canada found that 19% of people living in Saskatchewan reported experiencing at least one serious problem in the three years preceding the survey. The three most common problems were:

- a large purchase or service
- housing-related problems
- receiving government assistance.

Additional areas of priority included: employment, discrimination/harassment, debt, immigration, personal injury, contact with the police, family relationships, and wills.¹⁷

¹² Legal Services Task Team, *supra*, note 1, p.106.

¹³ Legal Services Task Team, *supra*, note 1, p.42.

¹⁴ College of Immigration and Citizenship Consultants: <https://www.college-ic.ca/>.

¹⁵ Government of Saskatchewan, Immigration Consultant and Foreign Worker Recruiter Licensing and Responsibilities: <https://www.saskatchewan.ca/residents/moving-to-saskatchewan/provide-immigration-services/immigration-consultant-and-foreign-worker-recruiter-licensing-and-responsibilities-licensing-information>.

¹⁶ Statistics Canada, *Experiences of Serious Problems or Disputes in the Canadian Provinces*, 2021: <https://www150.statcan.gc.ca/n1/en/pub/85-002-x/2022001/article/00001-eng.pdf>.

¹⁷ Laura Savage, *supra*, note 8.

These findings align with an earlier national study where the authors noted that criminal charges affect very few individuals overall and the most common types of problems experienced by adult Canadians include:

- consumer, debt, and employment issues
- problems related to neighbors, discrimination and family (relationship) issues
- wills, medical treatment, housing, personal injury, disability, and social assistance.¹⁸

A 2022 provincial study of legal needs identified the five most common justice-related problems reported by community organizations and lawyers:¹⁹

Community Organizations	Lawyers
<ul style="list-style-type: none"> • criminal matters • family (relationship breakdown) • social assistance • housing • money or debt tied with family (other) 	<ul style="list-style-type: none"> • family • criminal • immigration/refugee • housing/residential tenancies • Aboriginal or Indigenous

Understandings of need and priority are rooted in the realities and experiences of study respondents. Saskatchewan-specific data indicates that only three in ten (28%) people report contacting a lawyer to help resolve their legal problem, leaving many lawyers with a limited view of legal needs.²⁰ In this same study, lawyer respondents also reported that the eligibility criteria for free, subsidized, or low-cost legal services are too restrictive and there are not an adequate number of services available to support the legal needs of their communities. Community organizations reported that the legal system is difficult to navigate for those looking for legal support for their justice-related problem and communities in which they operated did not offer adequate legal support and services. They also reported the most common reasons it is difficult for individuals to access the legal support(s) they need:

- limited financial resources for legal representation/accessing legal support (70%)
- limited personal resources to support attendance at legal appointments (66%)
- limited understanding of the formal justice system (63%)
- cultural barriers (63%)
- limited knowledge of legal rights and responsibilities (61%).

Overall, with some exceptions, priority areas of need were met by participants in the Pilot to varying degrees. Pilot participants also contributed to less common areas of need identified in the Legal Services Task Team report, such as future planning services and corporate legal services. Pilot participants identified clients in these areas as middle to low-income clients and small business owners who faced challenges affording legal fees.

The Future of Legal Services Committee considered another key aspect of the Legal Services Task Team report when including areas of practice in the Pilot: advancing consumer choice.

With respect to future planning services and wills specifically, choice is commonly cited by consumers of legal services. Stakeholders such as the Ministry of Justice offer a free will self-

¹⁸ Farrow, Trevor C. W. and Currie, Ab and Aylwin, Nicole and Jacobs, Lesley and Northrup, David and Moore, Lisa, *Everyday Legal Problems and the Cost of Justice in Canada: Overview Report*, 2016: [https://www.cfcj-fcj.org/sites/default/files/Everyday Legal Problems and the Cost of Justice in Canada - Overview Report.pdf](https://www.cfcj-fcj.org/sites/default/files/Everyday_Legal_Problems_and_the_Cost_of_Justice_in_Canada_-_Overview_Report.pdf).

¹⁹ Bryce Stoliker, Lisa Jewell, Brea Lowenberger, and Heather Heavin, *supra* note 8.

²⁰ Laura Savage, *supra*, note 8.

help kit to facilitate access, which is indicative of changes in this area of practice.²¹ There has been growth of online service providers and accompanying technology-focused regulatory sandboxes²² to help develop appropriate regulation. Consumers are expressing interest in different forms of access and choice of providers, aligned with their needs.

While there is limited research in Canada targeting small business owners as a group of legal consumers, recent research in the United States identifies that the “majority of Americans and small businesses are being left behind, and a more concerted national effort is needed to address this distinct and alarming access gap.”²³ There are similar concerns in Canada regarding access to justice and affordability.²⁴

Data from the Government of Saskatchewan provides additional insight into Saskatchewan realities. In 2024, Saskatchewan’s average weekly earnings were \$1,216, slightly below the national average of \$1,261.²⁵ Based on data from 2024, lawyers in Western Canada are billing \$303-529 per hour on average and 74% report using billable hours.²⁶ An individual earning minimum wage (\$15.35 per hour as of October 1, 2025) would need to work between 20 and 34 hours to afford one hour of legal assistance.

Demographic trends within the province also offer insights. The most recent census reports the population of Saskatchewan is increasing, while the number of active lawyers in private practice in Saskatchewan is declining slightly based on 2024 to 2025 data.²⁷

Finally, it is noted that the Task Team anticipated that not all legal needs would be addressed through limited licensing, especially without funding support:

*Some of the innovations that could be made possible by the Task Team’s recommendations may require public investment, particularly where the target population for increased access to legal services are unable to afford services in the current marketplace. Presently, the demand for publicly-funded legal services is greater than the supply, and some existing services struggle to maintain funding.*²⁸

²¹ Government of Saskatchewan, Wills: <https://www.saskatchewan.ca/residents/justice-crime-and-the-law/answering-legal-questions/wills>.

²² Law Society of Ontario, Access to Innovation Program: <https://lso.ca/about-lso/access-to-innovation>.

²³ Institute for the Advancement of the American Legal System, Above the Line Network, 2024, <https://iaals.du.edu/projects/above-the-line-network>.

²⁴ Trevor C.W. Farrow and Lesley A. Jacobs, *The Justice Crisis – The Cost and Value of Accessing Law*, UBC Press, 2020.

²⁵ Government of Saskatchewan, 2022 Economic Review:

<https://publications.saskatchewan.ca/api/v1/products/86384/formats/149859/download>.

²⁶ Canadian Lawyer, *The State of the Canadian Legal Fee Landscape: An In-depth report*, 2024,

<https://www.canadianlawyermag.com/cl-plus/data-reports/the-state-of-the-canadian-legal-fee-landscape-an-in-depth-report/389271>. The survey also reported that 64 percent of respondent firms had plans to increase fees.

²⁷ Law Society of Saskatchewan, Annual and Financial Reports: <https://www.lawsociety.sk.ca/news-media-and-publications/annual-and-financial-reports/>.

²⁸ Legal Services Task Team, *supra* note 1, p. V.

Pilot Data and Insights – Access to Legal Services

Pilot participants in a range of practice areas also contributed to other issues raised in the Legal Services Task Team report. The Law Society monitored whether the Pilot responded to the range of needs identified by the Legal Services Task Team which focused on several objectives for access to legal services especially in underserved markets/locations:

- affordability
- consumer choice for a range of competent service providers
- finding a legal service provider willing/able to take on a matter
- services in rural and remote communities
- services in own language/culture.

With consideration for these objectives, a framework for measurement of the Pilot was developed to help assess if the Pilot contributed to addressing the issues and objectives identified. Sources of data included Pilot applications, reporting from Pilot participants, and consumer reviews, all of which were compared with existing data sources. Overall, reporting information from the Pilot indicated:

- interest from consumers
- a positive impact on affordability of legal services based on average legal fees for Western Canada
- an overall increase in consumer choice
- reach to locations outside of major centers (Regina and Saskatoon).

Objective	Sources and Indicators	Findings from Pilot
Affordability	<ul style="list-style-type: none"> • <i>Reporting</i>: amount client paid for services as reported by Pilot participants as compared to <i>Canadian Lawyer</i> averages for Western Canada. • <i>Consumer Reviews</i>: references to lower costs or affordability in a consumer review. 	<ul style="list-style-type: none"> • <i>Reporting</i>: participants identified price ranges from \$0-\$1,100 which were less than reported averages for lawyers offering similar services.²⁹ • <i>Consumer Reviews</i>: 23 consumer reviews referenced more reasonable or affordable billing.
Consumer choice	Choice was increased by the number of participants in the Pilot as well as other regulatory changes under the Future of Legal Services Initiative, including exemption categories and providing greater scope for services provided by paraprofessionals (e.g., paralegals or legal assistants) under direct supervision.	<ul style="list-style-type: none"> • 38 applicants were approved and 33 were active at different times during the four-year Pilot. • 12 categories of exemptions in the <i>Law Society of Saskatchewan Rules</i> allow for the provision of legal services by non-lawyers. • 1,370 individuals identified as paraprofessionals in Saskatchewan in the 2016 census. <p>Overall, these three categories – limited licensing, exemptions, and paraprofessionals supervised by lawyers – offer increased choice for consumers.</p>

²⁹ It is important to acknowledge that direct comparison of fees is difficult and Western Canadian averages are the best available proxy indicator in the absence of specific data for Saskatchewan but may be slightly lower or higher depending on context. See: Canadian Lawyer, *Legal Fees Survey*, 2019, https://www.canadianlawyermag.com/staticcontent/AttachedDocs/CL_Apr_19-survey.pdf; and Canadian Lawyer, *The State of the Canadian Legal Fee Landscape: An In-depth Report*, 2024, <https://www.canadianlawyermag.com/cl-plus/data-reports/the-state-of-the-canadian-legal-fee-landscape-an-in-depth-report/389271>.

Objective	Sources and Indicators	Findings from Pilot
Finding a legal service provider	<i>Reporting:</i> volume of clients inquiring about services or being served as reported by Pilot participants.	<i>Reporting:</i> participants identified 28,739 inquiries and 9,165 clients served. ³⁰
Rural and remote communities	<ul style="list-style-type: none"> • <i>Applications:</i> the number of applicants approved in the Pilot located outside of Regina and Saskatoon. • <i>Reporting:</i> the geographic locations of clients receiving services in the Pilot, especially those outside of Regina and Saskatoon. • <i>Consumer Reviews:</i> references to access in a rural or remote community. 	<ul style="list-style-type: none"> • <i>Applications:</i> from the number of applicants approved to participate in the Pilot, 29% were from Regina, 25% from Saskatoon, 21% from Saskatchewan locations outside of Regina and Saskatoon, and 25% from outside of the province. • <i>Reporting:</i> locations of clients were reported for 300+ locations in Saskatchewan outside of Regina or Saskatoon. • <i>Consumer Reviews:</i> one consumer review referenced accessing legal services in a rural community.
Services in own language/culture	Data on participant demographic diversity was not collected during the Pilot but will be collected as part of limited licensee registration and licensing with the Law Society, similar to lawyers.	Data will be available in 2027 following the first year of licensing.

As noted, the Law Society also engaged in consultation with stakeholders, inviting feedback and dialogue on issues in contemplation as part of a limited licensing regime: education; intersecting regulatory bodies or professional groups; insurance; professional responsibility (e.g., Code of Professional Conduct); and complaints or recourse.

³⁰ *Supra*, note 11.

Consultation Findings

Education

Consultation questions included:

- What accredited educational classes/programs exist in Saskatchewan and Canada that can be accessed by limited licensees?
- What types of courses would most support limited licensees?
- What educational institutions in Saskatchewan may be interested in developing new educational opportunities for limited licensees?

Direct outreach occurred with the following educational institutions or groups providing services to or in Saskatchewan with law-related courses or programs identified:³¹

Institution	Law-relevant Courses or Programs ⁽³²⁾
Canadian Centre for Professional Legal Education	<ul style="list-style-type: none"> • Practice Readiness Education Program (PREP) • Accelerated PREP • Legal Research and Writing Course
First Nations University of Canada	Law-related courses and continuing education
Foundation of Administrative Justice	<ul style="list-style-type: none"> • Certificate in Tribunal Administrative Justice • Advanced Certificate in Tribunal Administrative Justice Program
Saskatchewan Polytechnic	Law-related courses and continuing education <ul style="list-style-type: none"> • Commercial Law (LAW-220) • Conflict Resolution (YCW-285) • Construction Law (LAW-300) • Criminal Justice System (CORR-167) • Health Care Law and Ethics (HINF-262) • Jurisprudence and Ethics (ETHC-184) • Law and Ethics (LAW-100) • Restorative Justice (LEGL-161) • Youth Criminal Justice (SPSY-184)
Saskatoon Business College	Diploma programs <ul style="list-style-type: none"> • Legal Administrative Assistant • Legal Assistant (Paralegal)
University of Regina Human Justice Studies	Degree programs and law-related courses
University of Saskatchewan College of Law	Degree program (JD)

Overall, educational institutions were interested in supporting limited licensees to achieve their educational goals and identified relevant programs and courses. The institutions identified a mix of courses focused on substantive law as well as legal practice skills (legal drafting, advocacy, etc.). For many institutions, it would be possible to enroll in specific courses, but for several, completion of the entire degree or certificate program would be required. Developing new or targeted courses was of interest to many of these institutions, while they also noted resource constraints or the need for funding to develop new classes. Finally, some institutions identified a

³¹ Feedback was also collected by talking to groups of internationally trained lawyers who hold international legal credentials. They identified that limited licensing may be an attractive option to pursue in full or on an interim basis while the National Committee on Accreditation process is pursued to achieve equivalency in credentialing in Canada.

³² Current at the time of consultation – courses and programs are subject to change.

trend towards micro-credentialing or competency identification within specific fields that could help keep course development costs low.

Through the Pilot application process, the Law Society recorded the combined education and training of the 44 applicants:

Institution or Organization	Education or Training
Academy of Learning	<ul style="list-style-type: none"> • Legal Assistant Diploma
ADR Saskatchewan	<ul style="list-style-type: none"> • Certificates in Arbitration and Mediation
ADR Institute of Canada	<ul style="list-style-type: none"> • Certificates in Arbitration and Mediation
Algonquin College	<ul style="list-style-type: none"> • Diploma in Hotel and Restaurant Management
American Society of Appraisers	<ul style="list-style-type: none"> • Certificate in Personal Property, Gems and Jewelry and Machinery and Technical Specialties
Athabasca University	<ul style="list-style-type: none"> • Bachelor of Science - General
Bow Valley College	<ul style="list-style-type: none"> • Legal Assistant Diploma
Brock University	<ul style="list-style-type: none"> • Bachelor of Political Science (focus in Public Law)
BZ University (Pakistan)	<ul style="list-style-type: none"> • Bachelor of Social Science
California School of Law	<ul style="list-style-type: none"> • Juris Doctor (in progress)
Canadian Police College	<ul style="list-style-type: none"> • Forensic Identification Specialization
CDI College	<ul style="list-style-type: none"> • Diploma in Business Administration • Diploma in Paralegal Communications
CSIC e-Academy	<ul style="list-style-type: none"> • Immigration Practitioner Diploma
Dispute Resolution Office	<ul style="list-style-type: none"> • Course in Resolving Conflict Constructively
Fanshawe College	<ul style="list-style-type: none"> • Paralegal Studies
Family Mediation Canada	<ul style="list-style-type: none"> • Course in High Conflict
Foundation of Administrative Justice	<ul style="list-style-type: none"> • Certificate courses
Humber College	<ul style="list-style-type: none"> • Bachelor of Applied Arts in Paralegal Studies • Diploma in Paralegal Studies
Institute of Corporate Directors and Rotman School of Management	<ul style="list-style-type: none"> • Certificate in Not-for-Profit Governance
Lakeland College	<ul style="list-style-type: none"> • Diploma in Business Administration (specialization in Appraisal and Assessment)
Lambton College	<ul style="list-style-type: none"> • Sports and Recreation Management
Legal Coaches Association	<ul style="list-style-type: none"> • Certificate courses
Minot State University	<ul style="list-style-type: none"> • Master of Science (focus in Sports Management in progress)
McGill University	<ul style="list-style-type: none"> • Course in Executive Development
Mount Royal University	<ul style="list-style-type: none"> • Certificate in Contract Management
National Academy of Internal Affairs (Ukraine)	<ul style="list-style-type: none"> • Masters in Law
Queens University	<ul style="list-style-type: none"> • Diploma in Immigration and Citizen Law
Royal Canadian Mounted Police Depot	<ul style="list-style-type: none"> • Training
Saskatchewan Polytechnic	<ul style="list-style-type: none"> • Certificate in Applied Project Management • Certificate in Business • Diploma in Financial Services
Saskatoon Business College	<ul style="list-style-type: none"> • Legal Administrative Assistant and Legal Assistant Diploma
Seneca Polytechnic	<ul style="list-style-type: none"> • Paralegal Diploma
Shahjalal University of Science and Technology	<ul style="list-style-type: none"> • Bachelor of Anthropology
Sheridan College	<ul style="list-style-type: none"> • Paralegal Diploma

Society of Trust and Estate Practitioners Canada	<ul style="list-style-type: none"> Trust and Estate Diploma Program
Southern Alberta Institute of Technology (SAIT)	<ul style="list-style-type: none"> Legal Assistant (Paralegal) Diploma
Trios College	<ul style="list-style-type: none"> Law Clerk Diploma
United International University	<ul style="list-style-type: none"> Master of Business Administration
University of British Columbia	<ul style="list-style-type: none"> Diploma in Urban Land Economics (with a specialization in Assessment) Degree in Business Real Estate (with a focus in Mass Appraisal Assessment) Certificate in Real Property Assessment
University of Calgary	<ul style="list-style-type: none"> Course in Technical Writing
University of Dhaka	<ul style="list-style-type: none"> Bachelor of Laws
University of Manitoba	<ul style="list-style-type: none"> Certificate in Rehabilitation Case Management
University of New Haven	<ul style="list-style-type: none"> Master of Forensic Science
University of Ottawa	<ul style="list-style-type: none"> Bachelor of Social Science (focus in Criminology and Sociology)
University of Punjab	<ul style="list-style-type: none"> Bachelor of Law Diploma in Labour Laws
University of Regina	<ul style="list-style-type: none"> Bachelor of Business Administration Bachelor of Education Human Justice Studies Psychology
University of Saskatchewan <ul style="list-style-type: none"> College of Law Edwards School of Business Johnson Shoyama Graduate School of Public Policy 	<ul style="list-style-type: none"> Bachelor of Commerce Certificate in Education Certificate in Geography Certificate in Public Sector Governance Certificate in Project Management Course in Family Law Extended Learning Course in Family Justice 1: Conflict Engagement, Conflict Resolution and Communication Master of Public Administration
University of South Asia	<ul style="list-style-type: none"> Master of Law
Vancouver Community College	<ul style="list-style-type: none"> Corporate Paralegal Program
Western University Canada	<ul style="list-style-type: none"> Bachelor of Arts (Geography)
York University Osgoode Hall Law School	<ul style="list-style-type: none"> Certificate in Family Law Skills and Practice Certificate in Risk Management

In some instances, Pilot participants also brought supporting specializations or designations to their areas of practice:

Designations	
<ul style="list-style-type: none"> Certified Financial Planner (CFP) Canadian Risk Management (CRM) 	<ul style="list-style-type: none"> Certified Disability Management Professional (CDMP) Certified Medical Tourism Professional (CMTP)

Pilot participants also demonstrated ongoing training. During the Pilot, participants identified training offered by the Law Society as well as professional development courses through the Alberta Association of Professional Paralegals and similar continuing professional development for paralegals licensed in Ontario. As some were regulated professionals in other sectors, they also met continuing professional development requirements to maintain licensure or status in another profession. The Law Society recorded courses and training taken by the 44 applicants:

Courses	Training
<ul style="list-style-type: none"> • Canadian Securities • Dealing with Difficult People • Drafting Mediation Statements • Mediation and Conflict • Mental Health First Aid • Mortgage Associate • PrimaPrep LSAT Prep • Renert Centre LSAT Prep 	<ul style="list-style-type: none"> • Advancing Continuous Improvements in the Family Justice System • Anderson v. Anderson and What it Means for Practice as EFDR Professionals • Changes to Saskatchewan Child Support Calculations • Coercive Control, Parental Alienation and General Updates • Maintenance Enforcement Office • Mediation in Business Insolvency • Mediation, Property Division, Support • Opportunities for Arbitrators and Small and Medium Business Disputes • Parenting Coordinator • Safe and Together Model CORE • Screening for Intimate Partner Violence • The Collective Impact of a Well-Being Focus in Family Law • Trauma-Informed Approaches in Family Dispute Resolution

Overall, there existed a number of courses and programs in Saskatchewan and across Canada that assisted limited licensees with educational qualifications and ongoing training that were a mix of substantive law and practical skills. Institutions expressed interest in providing educational opportunities to limited licensees in Saskatchewan, but many identified resource or scaling issues, noting viability increases with the volume of limited licensees.

Limited Licensing Regulatory Framework – Education

The consultation informed the regulatory framework for licensing, which requires the following Canadian education or work experience:

- a degree in justice-related studies from a recognized school;
- a certificate or courses from a recognized school in the subject area related to their scope of practice;
- a law degree from a Canadian common law faculty or a Certificate of Qualification; or
- a high school diploma and five years of supervised related substantive legal experience.³³

A recognized school is defined as “an educational institution offering a degree, certificate or targeted courses in justice-related studies or subject areas related to a limited licensee’s scope of practice”.³⁴

Limited licensees must also complete six hours of continuing professional development training annually, two hours of which must relate to ethics.

Learn more: [Recognized Schools – Application for Admission as a Limited Licensee](#)

³³ An affidavit must be submitted by a supervisor that confirms knowledge of the applicant, satisfactory length of service, identified practice of law activities (that need to correlate to permitted services), active engagement in professional practice by the supervisor, sworn acknowledgement that the applicant is suitable to be admitted as a limited licensee in the legal profession.

³⁴ Among other factors, recognition considers whether a school is: already recognized by the Federation of Law Societies or another law society in Canada, an existing educational partner, providing Canadian legal education relevant to Canadian paraprofessional practice, and verifiable (e.g., direct contact and recognized by the Government of Canada or Saskatchewan). Consideration for the addition or removal of a school may include document review, searches, research and interviews, or relying on subject matter experts.

Co-regulation

Consultation questions included:

- What other regulatory bodies or professional groups intersect with limited licensees?

Through the application process, the Law Society monitored where co-regulation might apply. The following 30 co-regulators or professional associations were identified in applications:

Regulators and Professional Associations
<ul style="list-style-type: none">• ADR Canada and ADR Saskatchewan• Alberta Assessors Association• Alberta Association of Professional Paralegals• American Society of Appraisers• Bangladesh Bar Council• Canadian Association of Paralegals• Canadian Property Tax Association• Canadian Securities Institute• Canadian Society of Professionals in Disability Management• Claims Association of Manitoba• Conflict Resolution Saskatchewan• Early Family Dispute Resolution Office• Family Mediation Canada• Financial and Consumer Affairs Authority• Human Resources Professional Association• Institute of Municipal Assessors• Insurance Council of Saskatchewan• Insurance Institute of Canada• International Association of Assessing Officers• Lahore Bar Association• Law Society of British Columbia• Law Society of Ontario• Ontario Paralegals Association• Pakistan Bar Council• Punjab Bar Council• Risk and Insurance Management Society• Saskatchewan Assessment Appraisers' Association• Saskatchewan Institute of Agrologists• Saskatchewan Real Estate Commission• Society of Trust and Estate Practitioners Canada

While not all Pilot participants were co-regulated or belonged to professional associations, a majority did, particularly where there was an overlap in the substantive focus of an area of practice or client base. While this was not a determinative factor and not applicable in all instances, in several of the practice areas associated with higher risk, there was an additional layer of risk management or oversight provided through co-regulation.

Insurance

Consultation questions included:

- What professional liability insurance options exist for limited licensees?

Through the Pilot, a risk mitigation measure included consideration for whether an applicant had insurance for professional negligence or errors and omissions. The Law Society reviewed the professional liability insurance reported by participants which included coverage by 17 separate insurers.

Additionally, the Canadian Lawyers Insurance Association (CLIA) expressed interest in providing coverage for limited licensing and a claims process similar to the program for lawyers in four Canadian jurisdictions (Yukon, Northwest Territories, Nunavut and Prince Edward Island). Identified benefits of insurance provided by the Canadian Lawyers Insurance Association included:

- a mandate in the public interest
- ongoing insight into claims allowing for targeted loss prevention and insight into the risks associated with licensing lawyers and limited licensees
- the availability of tail coverage.

Through consultation, viable options were determined to exist both within the insurance market and through the Canadian Lawyers Insurance Association. Ultimately, mandated insurance through Canadian Lawyers Insurance Association was adopted as the preferred pathway, due to the established relationship providing insurance for lawyers, the ability to monitor claims, and the availability of tail coverage, which was not available from market policies.

Limited Licensing Regulatory Framework – Insurance and Indemnification

The consultation informed the regulatory framework for licensing, and limited licensees are required to carry insurance and indemnification coverage. This coverage provides compensation to members of the public for financial losses caused when a limited licensee has been negligent and, more rarely, when a limited licensee has stolen money from a client or other party.

Learn more: [FAQ – Claims for Negligence of Theft by Limited Licensees](#)
[FAQ – Errors and Omissions and Cybersecurity Insurance for Limited Licensees](#)

Professional Responsibility

Consultation questions included:

- What scope and application for a Code of Professional Conduct for limited licensees is desirable?

Throughout the Pilot, feedback was received on ethical issues arising or reported through Consumer Reviews. The Saskatchewan *Code of Professional Conduct for Lawyers* provided a primary starting point for ethical matters as limited licensees were delivering legal services to the public and engaging in the practice of law, although within a limited scope and with some differentiation (e.g., trust accounts not permitted).

A Working Group of eleven Pilot participants provided insights and contributed to the development of a *Code of Professional Conduct for Limited Licensees*. Expert Brent Cotter, K.C. provided advice and drafting assistance, with particular consideration for two areas – fiduciary duties and solicitor-client privilege. As a result of exchanges with the Working Group, the drafting approach aligned ethical conduct in the practice of law while recognizing some differentiation between lawyers’ and limited licensees’ obligations.

A stand-alone Code was created but rooted in the professional ethical obligations of lawyers. This allowed for more precise application to each class of licensee and created clear expectations as to the standards by which all licensees are held accountable, helping to build public trust, confidence and consistency in the legal services being delivered and regulated.

Solicitor-Client Privilege

An important question was the degree to which the legal concept of solicitor-client privilege applies to limited licensees. For instance, limited licensees do not have legislated solicitor-client privilege, as is the case with courtworkers. The *Justice and Attorney General Act* extends solicitor-client privilege to courtworkers and excludes courtworkers from liability for any of their work performed in good faith.³⁵

Analysis from expert Brent Cotter, K.C. identified that it is likely that the legal duty of solicitor-client privilege will be made applicable to licensee-client communications where the prerequisites for solicitor-client privilege are established. However, this is not conclusive as the issue has not been fully considered by courts.

As background, Cotter identifies that Wigmore’s historical description of privilege is:

*(1) Where legal advice of any kind is sought (2) from a professional legal advisor, in his capacity as such, (3) the communications relating to that purpose, (4) made in confidence (5) by the client, (6) are at his instance permanently protected (7) from disclosure by himself or by the legal adviser, (8) except the protection be waived.*³⁶

Generally, the approach to privilege has been to recognize solicitor-client privilege as a class privilege limited to practicing lawyers. Developments in this area have trended toward an expansion of the scope of privilege derived from privilege being recognized as a constitutionally protected right, and an appreciation that the core justification of privilege is to protect the

³⁵ *The Justice and Attorney General Act*, SS 1983, c J-4.3, ss 13.1-13.2.

³⁶ John H. Wigmore, *Wigmore on Evidence*, McNaughton rev. ed., Boston: Little Brown, 1961 vol. 8 at s. 2292.

interests of a client when seeking legal advice. It is on this basis that Adam Dodek argues, in his leading text, *Solicitor-Client Privilege* that privilege extends to independent paralegals:

The privilege should include communications with regulated paralegals in Ontario because they now clearly constitute “professional legal advisers” under the Wigmore test. Paralegals are now subject to regulation by the Law Society of Upper Canada, including Rules of Professional Conduct that largely parallel those for lawyers in the province. Regulated paralegals in Ontario are subject to the same stringent confidentiality obligations as lawyers. The Legislature of Ontario has explicitly authorized paralegals to provide legal services under the regulation of the Law Society of Upper Canada, which has imposed stringent educational, ethical, competency, and insurance requirements. In short, there is no doubt that in Ontario at least paralegals have become “professional legal advisers”. There are many legal practices where clients are now able to choose between retaining the services of a paralegal or a lawyer.

If the privilege is meant to inure for the benefit of the client, a client should be able to enjoy its benefits, whether she seeks legal advice from a solicitor or from a paralegal in Ontario. Moreover, all the rationales for the privilege ... also support the extension of the privilege to regulated paralegals in Ontario. A client-centric approach to the privilege mandates that communication with paralegals also be encompassed within the privilege.³⁷

In an Ontario Superior Court decision, the application of class privilege was found to require “an identifiable group, namely paralegals licensed by the Law Society.”³⁸ Arguably, individuals licensed by the Law Society of Saskatchewan to deliver a limited scope of legal services meets the identifiable group criterion.

In the referenced decision, one party sought the disclosure of communications between a client and paralegal. The court identified regulated paralegals as an identifiable group to which the analogous class privilege associated with solicitor-client communications would apply. While the paralegal in question was not yet regulated, the court found that all the elements to support privilege were present and held that the client-paralegal communications should be protected from disclosure.

Similar arguments might be used for a variety of groups including patent agents, with consequences for reporting to tax and financial authorities. However, the extension of class privilege is not yet completely established as there are identifiable groups such as notary publics that have not been viewed as having solicitor-client privilege.

At present, the application of solicitor-client privilege to non-lawyer legal service providers remains not fully decided. Consequently, the benefit of solicitor-client privilege cannot be communicated to clients nor relied on by limited licensees in the same manner as it might be by lawyers. While confirmation of confidentiality is possible, solicitor-client privilege is not as legally certain for limited licensees.³⁹ The establishment of limited licensees as an “identifiable group” of regulated licensees remains a question open to judicial consideration and determination.

³⁷ Adam M. Dodek, *Solicitor-Client Privilege*, LexisNexis Canada Inc., 2014 at 87-88.

³⁸ *Chancey v. Dharmadi*, 2007, CanLII 28332 (ON SC), at 39, <<https://canlii.ca/t/1s60z>>.

³⁹ A limited licensee is bound by confidentiality and information they are told in confidence by a client cannot be shared unless the law or duty requires disclosure. There is not yet established law that supports an independent right to privilege for limited licensees in the same manner that solicitor-client privilege protects from disclosure communications between lawyers and their clients regarding legal advice.

Limited Licensing Regulatory Framework – Professional Responsibility

The consultation informed the regulatory framework for licensing, and limited licensees must complete a mandatory course on the *Code of Professional Conduct for Limited Licensees* provided by the Law Society of Saskatchewan and must adhere to the *Code*.

Learn more: [Code of Conduct of Professional Conduct for Limited Licensees](#)
[Ethics and Professionalism Course for Limited Licensees](#)

Complaints and Recourse

Consultation questions included:

- What scope and application for complaints and recourse for limited licensees is beneficial?

During the Pilot, consideration was given to recourse for the public in the event of a complaint, dissatisfaction with the services provided, or negligence, as well as when negligence might be discovered. Risk management and consumer protection were addressed in several ways:

- *Consumer awareness:* the Law Society's website detailed the limits on regulation by the Law Society for Pilot participants and encouraged consumers and Pilot participants to directly discuss education, training, and experience, professional liability insurance, and fees and rates for services.
- *Application and risk assessment:* applicants to the Pilot were requested to detail how they would manage risks for the public, including any client safeguards (e.g., insurance) as well as how they would respond to consumer complaints. If approved to participate in the Pilot, a participant's Letter of Agreement provided for disclosure that needed to be made to clients in writing with respect to limits on Law Society regulation as well as the availability of a consumer review process.
- *Reporting:* approved Pilot participants were requested to disclose any consumer complaints received and indicate how they were addressed and handled.
- *Consumer Review:* an online form was available on the Law Society's website and identified that consumer reviews were one source of information that helped with oversight of the Pilot and limited licensing. It was noted that the Law Society would not provide individual assistance to consumers seeking resolution of a complaint but would raise issues with Pilot participants and take feedback into account as part of developing a limited licensing framework.

Throughout the Pilot, the Law Society invited consumer reviews and feedback and these were monitored to inform the development of a complaint framework. A modified two-stage framework was used during the Pilot to address any complaints or concerns arising. Stage one considered if there was any evidence of consumer harm, where through lack of competency or inappropriate advice by a Pilot participant a consumer had: failed to exercise legal rights/responsibilities; received an inaccurate legal result; or received or purchased unnecessary legal services.

Stage two considered if any established consumer harm was beyond normal risk thresholds and the response and engagement of the Pilot participant. Based on this assessment, three options were available – to suspend or terminate Pilot participation, to continue with conditional Pilot participation, or to continue with regular Pilot participation.

A total of 192 consumer reviews or feedback from other methods were received.

Total Reviews or Feedback ⁽⁴⁰⁾	Positive Consumer Reviews	Neutral or Non-Specific Consumer Reviews	Negative Consumer Reviews ⁽⁴¹⁾	Negative Stakeholder Feedback
192	180	4	2	6
100%	94%	2%	1%	3%

With respect to the eight negative or potential indications of consumer harm, no complaints were found to be beyond normal risk thresholds or so significant as to lead to removal from the Pilot or inclusion of additional terms and conditions in a Letter of Agreement. Overall, the majority of the eight complaints received identified the need for collegiality and civility between Pilot participants and lawyers representing other parties. The need for guidance through a Code of Professional Conduct was also identified as beneficial.

While complaint matters raised no significant issues for participation in the Pilot, it was anticipated that limited licensees would require a complaints and discipline mechanism. While there is no evidence that limited licensees will have any greater intersection with complaints and discipline than lawyers, professional responsibility is a required component of the regulatory framework for limited licensing as a protection for the public. The feedback from consumer reviews indicates that the professional responsibility requirements for lawyers can serve as a regulatory framework for public protection in the case of limited licensees as well.

Limited Licensing Regulatory Framework – Complaints and Recourse

The consultation informed the regulatory framework for licensing and informed the decision that limited licensees be subject to the same complaints process as lawyers. The Law Society will investigate misconduct or incompetence concerns about limited licensees in the same manner as it will lawyers, applying the standards in the *Code of Professional Conduct for Limited Licensees*, the *Law Society of Saskatchewan Rules*, and *The Legal Profession Act, 1990*.

Learn more: [Code of Conduct of Professional Conduct for Limited Licensees Public Concerns Pathway](#)

⁴⁰ This included Consumer Review forms as well as email or letter correspondence.

⁴¹ This included reviews with a potential indication of consumer harm that was investigated.

Regulatory Framework for Limited Licensing

Based on the two-year discovery period, four-year limited licensing Pilot and surrounding consultation, a regulatory framework for limited licensing was developed with the assistance of expert Mary Ellen Wellsch, K.C., a member of the Legal Services Task Team. This framework was drafted in alignment with *Bill No. 163 (an Act to amend The Legal Profession Act, 1990)* which invited consideration for:

- the eligibility of persons who are not students-at-law or lawyers to be limited licensees, including the criteria for considering an application for a limited licence and the training or education of an applicant for a limited licence
- the fees to be paid by an applicant for a limited licence
- any insurance to be maintained by a limited licensee
- terms and conditions to which a limited licensee may be subject
- the eligibility of limited licensees to vote at an election of benchers
- the eligibility of limited licensees as candidates in an election of benchers
- the competency and discipline provisions that apply to limited licensees.

Annex III details the rules that were developed to regulate limited licensing. These were accompanied by complementary updates to the *Law Society of Saskatchewan Rules* for regulatory coherence as between lawyers and limited licensees.

Annex IV provides Frequently Asked Questions regarding the limited licensing framework in Saskatchewan, and the differences between limited licensees and lawyers are explained. In essence, limited licensees and lawyers have different education, training and admission requirements, and limited licensees have a limited scope of practice while lawyers do not. The application of solicitor-client privilege in relation to limited licensees remains untested.

Conclusion and Next Steps

The Legal Services Task Team report identified thirteen recommendations for implementation, and this final report details data and lessons that informed the development of a flexible regulatory environment with several pathways to licensure, including limited licensing.

Overall, implementation advanced regulation of legal services objectives including:

- greater clarity regarding the unauthorized practice of law
- consideration for services not posing a risk to the public
- greater flexibility in regulation and delivery of legal services.

As of January 1, 2026, limited licensees are part of the legal system in Saskatchewan. They are insured and licensed by the Law Society to serve the public and support access to legal services. This creates a new category of membership and provides authority to issue limited licences to practise law. Associated rules have been enacted to create a limited licensing framework with appropriate and proportional requirements.

These changes formally conclude the Future of Legal Services Initiative. The Law Society will continue with several additional regulatory reforms that consider new forms of business within the practice of law to help realize the full potential of reforms initiated through the Legal Services Task Team report.

The Canadian Bar Association, a national membership and advocacy association for the legal profession, identifies that “team delivery” of legal services could enhance access to justice:

Recognizing the value of a continuum of legal services approach means recognizing the importance of increased diversity and specialization among legal service providers and enhanced capacity to provide comprehensive, cost-efficient services through teams of lawyers, other legal service providers (like paralegals) and providers of related services (like social workers). Teams can deliver more comprehensive and holistic services tailored to people’s needs.

...

The Committee proposes that as a profession and legal community we increase the diversity and range of services available to clients through the integrated team delivery of legal and related services, so that by 2030 the vast majority, in the range of 80%, of [personal legal] services are provided through a team approach. To smooth the way for team delivery of legal and related non-legal services, licensing, insurance and professional and ethical issues such as confidentiality and solicitor-client privilege, have to be resolved.⁴²

To complement the recommendations in the Legal Services Task Team Report, the Law Society will explore rule amendments related to alternative business structures and entity regulation. The long-term aim is to create opportunities for lawyers and limited licensees to work in tandem to help meet legal needs and enhance access to justice.

⁴² Canadian Bar Association, *Reaching Equal Justice Report: An Invitation to Envision and Act*, 2013, p. 95 and 97, https://www.cba.org/CBAMediaLibrary/cba_na/images/Equal%20Justice%20-%20Microsite/PDFs/EqualJusticeFinalReport-eng.pdf.

Annex I – Outreach and Communications

The Law Society provided a series of articles and presentations that outlined the progress of the Future of Legal Services Initiative and engaged with a wide range of stakeholders:

Communications		
*Article	Law Society of Saskatchewan Accepts Recommendations of Legal Services Task Team	Sep 2018
*Article	Update on Law Society Initiatives – Alternative Legal Service Providers	Jan 2019
*Article	Bill 163, <i>The Legal Profession Amendment Act, 2018</i>	May 2019
*Article	Legal Information Guidelines Introduced by the Law Society of Saskatchewan	Feb 2021
*Article	Better Connecting Consumers of Legal Services and Lawyers	Aug 2021
*Article	Better Connecting Consumers of Legal Services and Alternative Legal Service Providers	Nov 2021
*Article	Better Connecting Consumers of Legal Services to Paraprofessionals	Dec 2021
Presentation	Direct Supervision Requirements	Dec 2021
Presentation	Limited Licensing Pilot	Jan 2022
Presentation	Federation of Law Societies	May 2022
Presentation	Saskatchewan Association of Administrative Tribunals	Sep 2022
*Article	Consultation Leads to Code of Conduct Amendments to Better Connect Consumers of Legal Services to Paraprofessionals	Oct 2022
Presentation	Access to Justice Week	Oct 2022
Presentation	Limited Licensing Pilot Year 1	Jan 2023
Presentation	Cross-Border Working Group	Jan 2023
Presentation	Limited Licensing Pilot Year 1.5	Jun 2023
Presentation	Ministry of Justice	Jun 2023
Presentation	Canadian Bar Association	Jun 2023
Presentation	Law Society of Manitoba	Sep 2023
Presentation	Limited Licensing Pilot Year 2	Jan 2024
Update Report	Future of Legal Services Initiative	Mar 2024
Presentation	Law Society of Newfoundland and Labrador	May 2024
Presentation	Law Society of Alberta	Sep 2024
Presentation	Ministry of Justice	Sep 2025
Presentation	Access to Justice Week	Oct 2025
Presentation	Law Society of British Columbia	Nov 2025
Presentation	Saskatchewan Trial Lawyers Association	Jan 2026
Presentation	Canadian Bar Association (Manitoba) Mid-Winter Meeting	Jan 2026
Presentation	College of Law	Mar 2026
Final Report	Future of Legal Services Initiative	Apr 2026

* The articles are reproduced below.

During 2022-2023, the Law Society met with Bar Associations across the province, to inform and dialogue with lawyers about the Pilot. These meetings were attended by 72 lawyers and highlighted:

- shared concern for the issue of access to legal services and justice but a range of perspectives on the seriousness of this problem and mixed familiarity with existing data;

- support for increased funding for Legal Aid which is consistently viewed as not covering the range of issues those of limited means encounter and not providing support for a wide enough range of incomes;
- important clarifications regarding the existing regulatory structure including exceptions, exemptions, direct supervision, legal information and the definition of the practice of law; and
- interest in the Pilot and targeted dialogue regarding: the volume and education, training and experience of participants; areas of practice and scope; the anticipated regulatory structure and how it will intersect with practice by lawyers; and opportunities for internationally trained lawyers.

The Canadian Bar Association Saskatchewan Branch also undertook consultation and 29 participants shared 12 ideas in a Thought Exchange which received 186 ratings by participants.⁴³

Approximately 20 public or legal sector stakeholders also engaged with the Law Society on the Pilot through inquiries or feedback on issues such as sandbox innovations, eligibility, agent activities or impressions on access to justice issues. Two law students wrote and shared papers focused on limited licensing regulation and developments across North America. These insights supplemented the consultations undertaken by the Task Team and 14 inquiries received during the discovery period following outreach through public notices and 174 contacts.

Article – Law Society of Saskatchewan Accepts Recommendations of Legal Services Task Team (Sep 2018)

The Benchers of the Law Society of Saskatchewan (LSS) have considered the work of the Legal Services Task Team and have accepted the recommendations as outlined in the Task Team’s final report.

The Legal Services Task Team, a collaborative effort of the Law Society of Saskatchewan and the Ministry of Justice, was appointed in 2017 to examine the possibility of allowing non-lawyers to provide some legal services in Saskatchewan, consider a spectrum of options, and develop recommendations for further consideration by the Benchers and the Minister of Justice. The Task Team comprised 11 members, each with a different background relating to legal services.

The Benchers of the Law Society of Saskatchewan express appreciation for the extensive work of the Co-Chairs and the Legal Services Task Team and staff working group in examining this complex issue and commend those involved throughout the consultation process.

Subject to acceptance of the recommendations by the Government of Saskatchewan, and the requisite legislative amendments, the Law Society of Saskatchewan will implement the recommendations.

⁴³ Canadian Bar Association – Saskatchewan Branch, Thought Exchange, March 2024, <https://my.thoughtexchange.com/scroll/406866131/welcome>.

Update on Law Society Initiatives - Alternative Legal Service Providers (Jan 2019)

In 2017, a Task Team was appointed to explore the possibility of allowing non-lawyers to provide some legal services and develop recommendations for consideration by the Benchers of the Law Society and the Ministry of Justice about the appropriate role, if any, of non-lawyers in the provision of legal services. In carrying out its mandate, the Legal Services Task Team considered a wide range of possible approaches to address issues related to access to justice, consumer choice and effective regulation, all the while keeping the public interest central to its determinations. To assist the Task Team's examination, an extensive consultation with members, legal organizations and other stakeholders within Saskatchewan's justice system was conducted.

The Task Team released its final report in August 2018. The report includes a number of recommendations on how to improve the regulation and provision of legal services in the province. The recommendations include:

- providing greater clarity to service providers about what legal services are regulated;
- expanding the list of exceptions to the prohibition against practicing law to recognize existing service providers;
- providing the Law Society with licensing authority to allow service providers to practice law with a limited licence on a case-by-case basis;
- modernizing the legislation regulating legal services to provide more flexibility for future developments in this area;
- creating guidelines to help educate the public about legal services; and
- conducting pilot projects to help develop and test the recommendations.

The Benchers of the Law Society of Saskatchewan accepted the recommendations as outlined in the Task Team's final report on September 14, 2018. Bill 163, which would amend *The Legal Profession Act, 1990* to enable the Law Society to implement the Task Team's recommendations, was introduced in the Saskatchewan Legislature on December 3, 2018. Subject to the passing of Bill 163, the Law Society of Saskatchewan will implement the recommendations on an incremental basis, first beginning with pilot projects to better inform the development of the regulatory framework. The Law Society will continue to consult with the membership and other stakeholders throughout this process.

Article – Bill 163, The Legal Profession Amendment Act, 2018 (May 2019)

On April 2, 2019, [Bill 163](#), *The Legal Profession Amendment Act, 2018*, passed third reading. The Law Society is excited to move towards a more modern approach to regulation, and Bill 163 helps us do that. The amendments to the Act pursuant to Bill 163 are multifaceted and will positively impact the regulation of the practice of law and delivery of legal services in Saskatchewan.

The amendments enable the Law Society to implement several good governance measures which provide greater flexibility to control our own processes. Flexibility will allow us to respond more effectively and in a more timely fashion in order to ensure that regulation remains relevant to the provision of legal services as it evolves over time. This includes allowing Benchers to establish any committees they consider necessary, and to develop the supporting practices and procedures of those committees. As well, the regulatory processes relating to a member's

professional responsibility have appropriately shifted from the Act into the Rules. The amendments have also granted us the ability to develop Rules relating to our Board composition and our electoral process. Again, this provides the flexibility to ensure that we are effective, efficient and able to consider the adoption of any governance practices that, from time to time, the Benchers may determine will make us more effective, efficient or reflective to ensure the necessary skills or perspectives exist on the Board.

The Benchers will be discussing governance initiatives at our annual retreat in June. Following that, we will be consulting with the membership to receive feedback on ideas generated during that session.

Finally, as we reported in our *January 2019 post*, Bill 163 , enables the Law Society to implement the recommendations of the Legal Services Task Team. The Task Team released its *final report* in August, 2018 and included a number of recommendations on how to improve the regulation and provision of legal services in the province. The recommendations include:

- providing greater clarity to service providers about what legal services are regulated;
- expanding the list of exceptions to the prohibition against practicing law to recognize existing service providers;
- providing the Law Society with licensing authority to allow service providers to practice law with a limited license on a case-by-case basis;
- modernizing the legislation regulating legal services to provide more flexibility for future developments in this area;
- creating guidelines to help educate the public about legal services; and
- conducting pilot projects to help develop and test the recommendations.

The Law Society will implement the recommendations on a principled and incremental basis over time, first beginning with consultation and pilot projects to better inform the development of the regulatory framework that will serve the profession and, ultimately, the public interest. The amended Act will not be proclaimed until we have completed this process and overhauled the Law Society Rules in accordance with the amendments. We expect this to be completed by the end of 2019.

Article – Legal Information Guidelines Introduced by the Law Society of Saskatchewan (Feb 2021)

The Law Society of Saskatchewan is pleased to introduce new [Legal Information Guidelines](#). The guidelines address:

- What credible legal information is
- Examples of types of legal information,
- How to assist a member of the public locate credible legal information, and
- How to assist a member of the public utilize legal information.

This tool identifies how legal information providers can assist the public with their information needs. For the public, the guidelines outline what to look for when deciding on which provider to use and how a legal information provider can help.

Saskatchewan's Legal Services Task Team recommended in its [2018 Final Report](#) that legal information guidelines be created to provide greater clarity regarding what legal information is.

Please take a moment to review our guidelines and let us know what you think through our [feedback form](#). We encourage you to share the guidelines widely with colleagues, stakeholders, and other interested parties.

Article - Better Connecting Consumers of Legal Services and Lawyers (Aug 2021)

Given several important initiatives underway, the Future of Legal Services Committee is highlighting key information regarding access to justice and the work of the Committee. Look for information to follow on the existing Notice Form process and next steps in implementing the Legal Services Task Team recommendations [report](#).

In this first article, the focus is on connecting lawyers and clients effectively, drawing on insights from the 2021 Legal Fees [Survey](#) by *Canadian Lawyer* and the 2020 Legal Trends [Report](#) from Clio. The latter analyzes the state of legal practice and consumer expectations, identifying “a critical product-market-fit problem within the legal industry.” Based on aggregated customer data and surveys within the United States, the “average lawyer delivers legal services in a way that is fundamentally outdated when compared to the needs of today’s clients.”¹

There can be real harm when people cannot access legal services and attempt to resolve legal matters without qualified professional guidance. For those dealing with life-changing matters such as employment problems, incapacity and wills, debt, eviction, discrimination, personal injury, family separation and parenting time, among others, the absence of legal advice and guidance can result in adverse outcomes. This includes, as noted in Canadian studies, otherwise avoidable problems like physical and mental health problems, loss of housing, and relationship breakdown. Legal problems have significant social and economic consequences annually, costed in a Canadian study as:²

- \$248 million in social assistance payments
- \$450 million in employment insurance payments
- \$101 million in health care costs

Studies also consistently demonstrate a gap - the public would like assistance with their legal needs / problems and feel outcomes would be better if they received assistance, but often cannot afford lawyers and the formal system. Clio reports that consumers consider most important when hiring a lawyer:

- Good reviews / recommendations
- Lower prices and discounts
- Payment plans
- Fixed fees
- Serving the community

Yet, these aspects have traditionally not registered as fully for the legal profession, creating a disconnect between lawyers and their potential clients.

¹ Clio, “2020 Legal Trends Report,” 2020, available: <https://www.clio.com/resources/legal-trends/2020-report/>.

² Canadian Forum on Civil Justice, “Everyday Legal Problems and the Cost of Justice in Canada,” 2016, available: https://www.cfcj-fcjc.org/sites/default/files/Everyday_Legal_Problems_and_the_Cost_of_Justice_in_Canada_-_Overview_Report.pdf. See also: Department of Justice Canada, “The Legal Problems of Everyday Life The Nature, Extent and Consequences of Justiciable Problems Experienced by Canadians,” 2009, available: https://www.justice.gc.ca/eng/rp-pr/csj-sjc/jsp-sjp/rr07_la1-rr07_a1/rr07_la1.pdf.

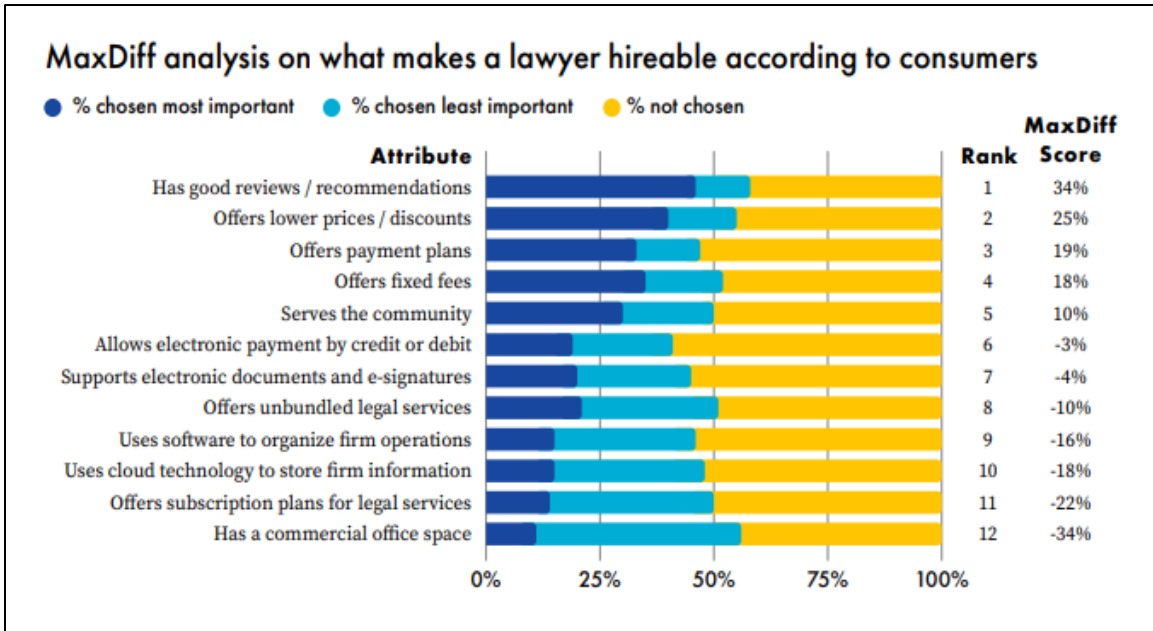


Figure 1: Consumer ranked attributes, Clio 2020

The presented MaxDiff analysis³ indicates opportunities for lawyers and clients to come together more effectively, including in currently underserved markets, aiming to help more individuals access legal services.

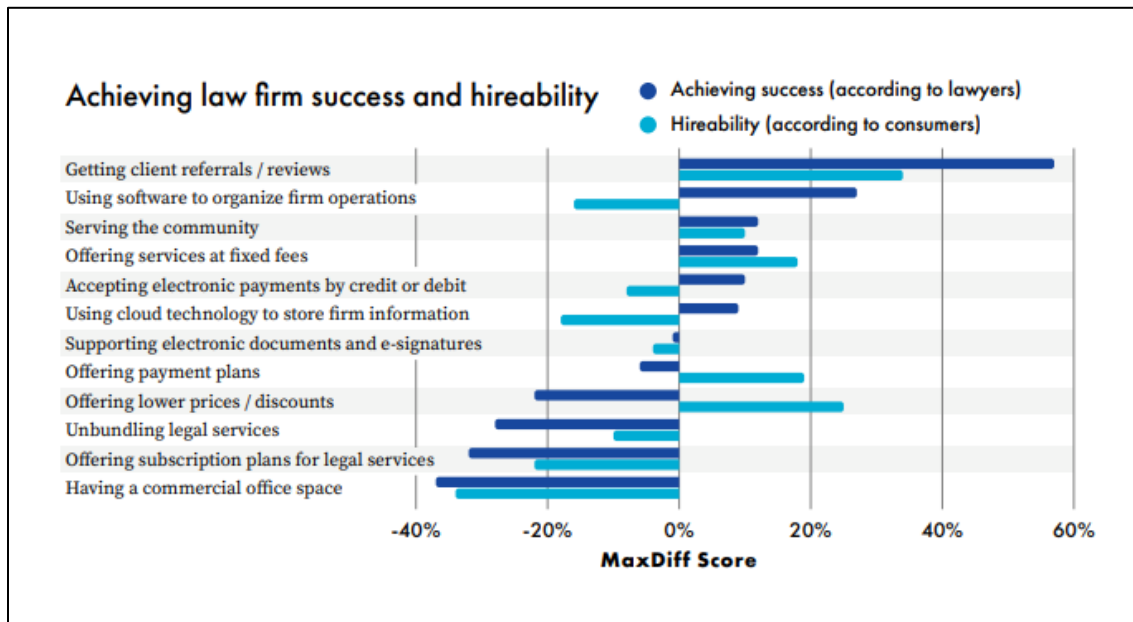


Figure 2: Success and hireability according to lawyers and consumers, Clio 2020

³ As explained in the report, a MaxDiff analysis means survey respondents review “several lists of randomized items and identify the most and least important. The method requires respondents to make a series of trade-off decisions so that we can determine the degree of importance relative to all other factors. In reviewing the data from over 2,000 respondents that include legal professionals and consumers, we can calculate the percentage of times each item was chosen as the most and least important among the list of items. We then subtract the percentage of times that an item was selected as the least important from the percentage of times it was selected as the most important. The result gives us a MaxDiff score, which indicates the overall consensus among respondents as to which items are the most and least important overall.”

The Clio report highlights that developing more client-centered service models can reduce barriers for clients in need of legal representation. For instance, clients rank highly services at fixed fees and according to the survey data, 63% of law firms indicated that they offered at least some of their services at a fixed rate. However, past research also identifies a barrier of transparency among many firms:

“Based on an in-depth study of lawyer responsiveness included in the 2019 *Legal Trends Report*, where a random sample of 1,000 law firms were contacted by email, and 500 were contacted by phone, 73% wouldn’t provide information on rates and fees through email, and 43% wouldn’t discuss rates and fees over the phone.

As a key ranking factor that determines a lawyer’s hireability, providing more cost transparency up front with clients will help clients make better decisions with regards to pursuing their legal problems. This transparency may involve developing a rate sheet of fixed prices for individual services, and being more forthcoming of them, but it could also take the form of estimates on hourly work.”⁴

In essence, “lawyers who implement more flexible and transparent billing models for their legal services will create advantages for accessing what has traditionally been an underserved portion of the market.”⁵

Interestingly, in the *Canadian Lawyer’s 2021 Legal Fees Survey*, more than 3% of respondents had lowered or will lower fees due in part to “COVID-19 efficiencies”.⁶ The survey also reports ways lawyers are working with clients to review bills, provide modified hourly rate models or courtesy discounts, and offer payment plans. Almost 60% of respondents said they offered fee packages or bundles, while 58% offered blended hourly rates.

High Impact

The Law Society Find A Lawyer directory attracts more than 20,000 people looking for legal services from lawyers each year.

Enhancing the Law Society Lawyer Directory

These studies provide evidence-based information to help better connect consumers of legal services and lawyers. They consistently demonstrate that clients and consumers value and want the services of lawyers, but struggle with understanding billing practices, the value of services offered, and their own legal needs.

As an initial step forward, the Law Society has introduced [Legal Information Guidelines](#) to support the dissemination of credible legal information. For legal information providers, the guidelines outline how they can and cannot assist the public. For the public, the guidelines outline what to look for when deciding on which provider to use and how they can help. The guidelines address:

- What credible legal information is;
- Examples of types of legal information;
- How to assist a member of the public locate credible legal information; and
- How to assist a member of the public utilize legal information.

⁴ Clio, “2020 Legal Trends Report,” 2020, at 67.

⁵ Clio, “2020 Legal Trends Report,” 2020, at 69.

⁶ Canadian Lawyer, “Legal services in a most unusual year,” 2021, available: <https://www.canadianlawyermag.com/surveys-reports/legal-fees/legal-services-in-a-most-unusual-year-2021-legal-fees-survey/356483>.

Additionally, the Law Society has updated its Find A Lawyer directory to help potential clients locate lawyers in an area of practice, geographic locale, or preferred language. Consumers may now also search for *limited scope* or *legal coaching* services. During 2021, the Law Society will introduce options to search by service and pricing and payment models and expand on related explanations for the public. Members of the Law Society are encouraged to update their external Member Profile to indicate their service and payment offerings in addition to their areas of practice and languages of service. Identified new options for selection include:

Service Models

- Free initial meeting
- Legal coaching
- Limited scope
- Virtual appointments

Pricing and Payment Models

- Alternative fee/payment arrangements (e.g. subscription-based services, payment plans)⁷
- Contingency fees (restricted in certain matters)
- Fixed or flat rate fees
- Hourly rate fees

The Find A Lawyer directory attracts more than 20,000 visitors every year and the Law Society is looking for ways to make this service more user-friendly and beneficial to both clients and lawyers through enhanced searchability. These strengthened options provide opportunity for lawyers and clients to better come together and resolve legal problems.

Article - Better Connecting Consumers of Legal Services and Alternative Legal Service Providers (Nov 2021)

Given several important initiatives underway, the Future of Legal Services Committee is highlighting key information regarding access to justice and the work of the Committee. Look for information to continue to follow on next steps in implementing the Legal Services Task Team recommendations [report](#).

In the first article, the focus was on how legal information can help and ways lawyers can communicate their services and billing practices more transparently to clients, better responding to client priorities and concerns to effectively resolve legal problems. As highlighted in this article, there can be real harm when people cannot access legal services and attempt to resolve legal matters without qualified professional guidance. For those dealing with life-changing matters involving legal issues, the absence of legal advice and support can result in adverse outcomes.

Additionally, there remains an access to legal services gap as identified in the Legal Services Task Team final report. Current studies are underway to better understand this issue in Saskatchewan, however the most recent data available in Canada highlights that 52% of people reported experiencing a justice-related problem over a two-year period.¹

⁷ A recent article identifies nine types of fee arrangements alternative to the billable hour: 1. Fixed or flat fees; 2. Capped fees; 3. Blended fees; 4. Success or performance incentives; 5. Unbundled legal services; 6. Payment plans; 7. Sliding scale fees; 8. Contingency fees; and 9. Subscriptions. See: Clio, 'Alternative Fee Arrangements for Law Firms: 9 Examples', 2021, available: <https://www.clio.com/blog/alternative-fee-arrangements/>.

¹ World Justice Project, *Global insights on access to justice: Findings from the World Justice Project general population poll in 101 countries*, 2019, available: <https://worldjusticeproject.org/sites/default/files/documents/WJP-A2J-2019.pdf>. This is supplemented by



Key Data

"Nearly one-third (30%) of respondents had justice-related problems that had not been resolved."

Earlier data for Saskatchewan indicates individuals most frequently experienced problems related to consumerism, debt, family (relationship breakdown), discrimination, and housing.² Additionally, a 2016 study highlights that nearly one-third (30%) of respondents had justice-related problems that had not been resolved, with an additional 15% who had one problem resolved with another problem ongoing.³ Among those with at least one unresolved problem, 16% reported the ongoing problems had become worse. Essentially, there exist serious access to justice gaps and individuals with unmet legal need.

As a partial response to this known need, the Legal Services Task Team recommended developing a regulatory framework for alternative legal service providers to support access to legal services. The recommendations included:

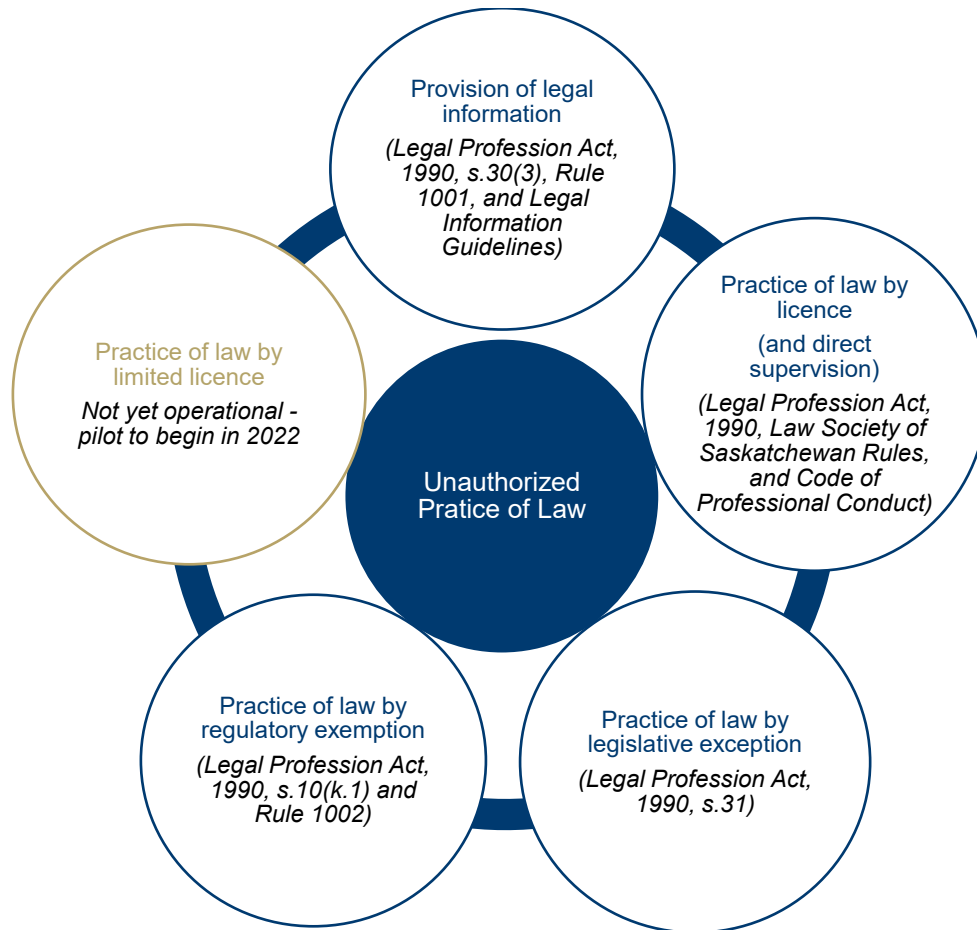
- modernizing the legislation regulating legal services to provide more flexibility for future developments in this area;
- expanding the list of exemptions to the prohibition against practicing law to recognize existing service providers;
- providing the Law Society with licensing authority to allow service providers to practice law with a limited licence on a case-by-case basis;
- creating guidelines to help educate the public about legal services; and
- conducting pilot projects to help develop and test the recommendations.

In this second article, the focus shifts to alternative legal service providers and how consumers of legal services are beginning to have additional choice with respect to selection of authorized legal service providers. At present, Saskatchewan has a regulatory model which authorizes the practice of law or delivery of legal services in several ways:

prior studies that highlight key access to justice information as reported by the Department of Justice Canada (available at: <https://www.justice.gc.ca/eng/csj-sjc/access-acces/index.html>): in Canada, almost half of the adult population will experience a serious legal problem over the course of a three-year period; many of those reporting one serious legal problem will experience multiple legal problems; barriers related to financial cost, time, complexity, lack of information and availability of services, among others, contribute to legal problems remaining unaddressed; vulnerable and traditionally marginalized populations face additional barriers to accessing justice, including in relation to gender and gender identity, race, culture, age, language, literacy, disability, income and geographical location; and technology can help solve some, but not all, access to justice issues.

² Currie, A., *The legal problems of everyday life: The nature, extent and consequences of justiciable problems experienced by Canadians, 2009*, available: https://www.justice.gc.ca/eng/rp-pr/csj-sjc/jsp-sjp/rr07_la1-rr07_aj1/rr07_la1.pdf.

³ Farrow, T. C. W., Currie, A., Aylwin, N., Jacobs, L., Northrup, D., & Moore, L., *Everyday legal problems and the cost of justice in Canada: Overview report*, 2016, Canadian Forum on Civil Justice, available: <http://www.cfcj-ffcj.org/sites/default/files/Everyday%20Legal%20Problems%20and%20the%20Cost%20of%20Justice%20in%20Canada%20-%20Overview%20Report.pdf>.



To begin, the provision of **legal information**, which encompasses general information about the law and legal procedures for the public, may be provided by any person or persons working within a for-profit or not-for-profit organization, or through an automated service, provided Saskatchewan's [Legal Information Guidelines](#) are adhered to. Legal information is different from legal advice or the practice of law in that it does not interpret and apply legal information for specific circumstances.

It is unlawful for individuals to practice law or provide legal services directly to the public without a license, this is considered the **unauthorized practice of law**. Unlicensed individuals who offer legal services for a fee or misrepresent themselves as lawyers may put the public at risk, and therefore are prohibited from doing so. The Law Society has authority to prosecute individuals who engage in the unlawful practice of law.

However, there are also **exceptions and exemptions to unauthorized practice** which permit alternative legal service providers to deliver legal services in limited circumstances within specified terms to facilitate the administration of justice and access to legal services. These are detailed in section 31 of the *Legal Profession Act, 1990* and Rule 1002 of the Law Society Rules of Professional Conduct:



Exceptions to Unauthorized Practice

Legal Profession Act, 1990, s.31

- a. an articulated student-at-law in specific circumstances;
- b. a lawyer who is not a member of the Law Society of Saskatchewan in specified situations;
- c. a member of a police force appearing for the Crown before a judge of the Provincial Court of Saskatchewan or justice of the peace;
- d. an employee of the Government of Saskatchewan or the Government of Canada prosecuting summary conviction cases for the contravention of an Act or an Act of the Parliament of Canada, or a regulation made pursuant to an Act or an Act of the Parliament of Canada;
- e. a sheriff with respect to proceedings in specified situations;
- f. a person who is a plaintiff or defendant in proceedings and who commences, prosecutes or defends in the person's own name an action or proceeding in a court of civil or criminal jurisdiction;
- g. a person preparing a document for the person's own use or in relation to a proceeding to which the person is a party.

Exemptions to Unauthorized Practice

Rules of the Law Society of Saskatchewan, s.1002 (as at November, 2021)

- i. a person serving in a neutral capacity as a mediator or conciliator;
- ii. a person participating in labour negotiations, arbitrations, conciliations or proceedings respecting collective bargaining rights or agreements;
- iii. a person exercising an adjudicative function pursuant to statutory authority;
- iv. a person acting as a legislative lobbyist;
- v. a public officer acting within the scope of the person's authority as a public officer;
- vi. a person employed by the government to act as a lay representative before administrative agencies or tribunals;
- vii. a notary public exercising the powers conferred on the notary public by law;
- viii. a person who delivers courtworker services to Aboriginal people through an Aboriginal delivery agency that has contracted with the Government of Saskatchewan or the Government of Canada to deliver courtworker services as part of the Aboriginal Courtworker Program;
- ix. a person authorized to practice law in accordance with any provincial or federal statute;
- x. an officer or employee of an incorporated or unincorporated organization preparing a document for the use of the organization or for an action or matter to which the organization is a party;
- xi. a university law student in respect of services permitted to be provided by that student in accordance with the Rules;
- xii. an individual who is representing a person in an administrative adjudicative proceeding if the administrative tribunal determines that the individual would be of assistance to the person and the tribunal; and
- xiii. an individual who is appearing in a court as an agent pursuant to The Small Claims Act, 2016, The Summary Offences Procedure Act, 1990, or the Criminal Code of Canada, provided that they are unpaid as required by clause 30(2) of the Act.

There exists a variety of alternative legal service providers who are not lawyers, but who are authorized to facilitate the administration of justice and access to legal services.

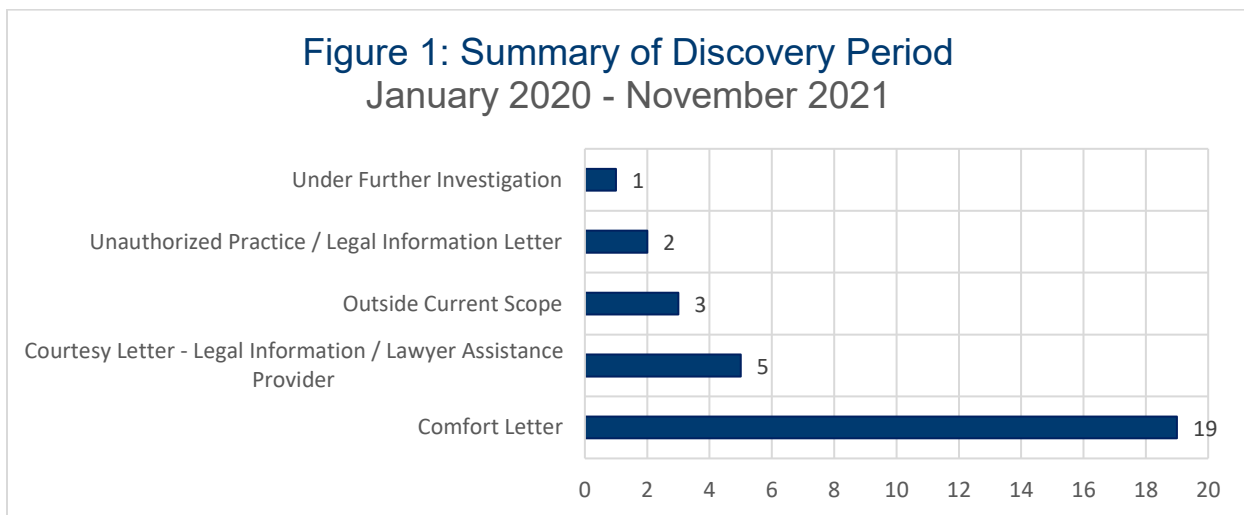
Additionally, the Law Society is developing a framework for **limited licensing** to authorize additional alternative legal service providers. Since January 2020, a Discovery Period has been open to allow alternative (non-lawyer) legal service providers to identify themselves to the Law Society through a Notice Form with the aim to:

- refine existing exemptions and expand the list of exemptions to unauthorized practice; and
- develop a framework for limited licenses for legal services that can be granted by the Law Society on a case-by-case basis.

Learning from the Discovery Period and Transitioning to Pilot Projects

The Discovery Period provides data for evidence-based decision-making to help better connect consumers of legal services and alternative legal service providers.

As of November 2021, the Discovery Period involved contacting 162 organizations and receiving 14 inquiries. In November 2021, final outreach and an information session will be held to encourage submission of any additional Notice Forms. To date, 30 notices have been received and considered by the Law Society and resulted in the issuance of comfort (19) and courtesy (5) letters, an indication that outside current scope (3), notice of unauthorized practice (2), or further investigation by the Law Society (1). Figure 1 provides a summary of the Discovery Period (January 2020 to November 2021).



A risk-based approach has been adopted, and criteria considered for risk assessment and issuance of courtesy, comfort, or unauthorized practice letters includes:

1. Pre-existing (January 2020) services / length of time
2. Insurance
3. Nature of services
4. Experience
5. Fees charged
6. Access to justice
7. Complaints, lawsuits, criminal prosecutions and indication towards respect for the rule of law and the administration of justice

The alternative legal service providers who have submitted notice are delivering services in a range of areas of limited scope in known areas of access to justice concern or niche areas for specific groups. Often, lower costing and efficiencies are identified, helping those with difficulty affording legal services access legal advice and assistance.

In January 2022, the Law Society will transition from the Discovery Period to Pilot Projects, inviting participation from Notice Form providers or other interested individuals. The Law Society is not creating an entirely new professional group with a robust regulatory structure, but is considering how to extend a limited authority to practice law to alternative (non-lawyer) legal service providers on a case-by-case basis through limited licensing. There are context-specific needs that can be serviced by alternative legal service providers operating within a specific, individualized scope of practice reflecting the knowledge, training, and experience of the service provider.

The overall goal of implementing a limited license program is to enhance access to legal services for underserved Saskatchewan individuals balanced with ensuring public protection. As the granting of a limited license to practice law is a novel approach to legal regulation in Canada, a new licensing system needs to be developed. The development of the limited licensing system involves pilot projects and additional consultation to support the advancement of appropriate rules and regulation.

Further information about the consultation questions and the parameters for the pilot project are available on the Law Society's [website](#).

Conclusion

Better connecting consumers of legal services and alternative legal service providers is an important step to support access to legal services and therefore improved access to justice in Saskatchewan.

Article - Better Connecting Consumers of Legal Services to Paraprofessionals (Dec 2021)

Given several important initiatives underway, the Future of Legal Services Committee is highlighting key information regarding access to justice and the work of the Committee. Look for information to follow on continued next steps in implementing the Legal Services Task Team recommendations [report](#).

In this series of articles, the focus has been on connecting consumer of legal services to lawyers and alternative legal service providers effectively. In this article, the focus turns to connecting consumers of legal services and legal assistants / paralegals more effectively.



Key Data

According to 2016 census data, there are approximately 1,370 individuals identifying as either legal assistants or paralegals in Saskatchewan.

According to census data, there are approximately 1,370 individuals identifying as either legal assistants or paralegals as of 2016 in Saskatchewan. This is an important group of legal service providers and the Law Society is considering ways to reduce regulatory barriers, while maintaining protection of the public, to help drive efficiencies in the provision of legal services by legal assistants and paralegals.

In focus are options to expand the scope of practice and degree of independence for supervised staff like legal assistants and paralegals. This can enable lawyers to charge less for services that are provided by staff, thereby increasing access to legal services and consumer choice.

While there is no official designation of ‘paralegal’, in Saskatchewan, those working under the supervision of a lawyer may refer to themselves as paralegals. Similarly, there are no formal educational requirements for those working as paralegals under the supervision of a lawyer, although education programs of varying scope and length are offered throughout Canada, including in Saskatchewan. While there is no governing body for these paraprofessionals, their work is directly supervised by practicing lawyers. Under the Saskatchewan Code of Professional Conduct:

“A lawyer has complete professional responsibility for all business entrusted to him or her and must directly supervise staff and assistants to whom the lawyer delegates particular tasks and functions.”

The policy basis for direct supervision is to ensure that legal work is completed properly and ethically so that clients receive competent and professional legal services. Commentary in the Code expands on the understanding of this arrangement and is more permissive:

- allowing lawyers to permit delegation of some tasks to a staff person working under their supervision; and
- setting out a list of activities that non-lawyers, even under the supervision of a lawyer, must not do.

The Task Team considered whether expanding the scope of practice and degree of independence for supervised staff such as legal assistants and paralegals working in law firms could enable lawyers to charge less for services, thereby increasing access to legal services and consumer choice. Importantly, some legal matters can be performed unsupervised by paralegals and legal assistants and this can benefit access to legal services and offer more affordable legal services.

Approaches in different jurisdictions offer ideas for consideration in Saskatchewan. In particular, the parameters of the Law Society of British Columbia’s approach to ‘designated paralegals,’ has attributes that can support greater independence of paraprofessionals working under the supervision of a lawyer in Saskatchewan. For instance, the scope and independence of a legal assistant or paralegal is specific to the staff person’s level of skill and training and may not be the same as the parameters of another staff person’s scope and degree of independence. Additionally, delegation is an active process whereby the supervising lawyer affords a staff person independence based on their skills, training, and character to perform enhanced functions.

A survey of lawyers and clients in British Columbia about the use of designated paralegals indicated that the cost of legal services was lowered in those cases and that clients were satisfied with the service they received.⁴

The overall aim of reviewing direct supervision requirements in Saskatchewan is to expand the scope of practice and degree of independence for supervised staff. This removes a regulatory barrier that could enable lawyers to charge less for services provided by staff, thereby increasing access to legal services and consumer choice. The Task Team concluded that:

- each lawyer supervising staff in Saskatchewan should be permitted to make their own determinations about the staff person’s qualifications, knowing that they would ultimately be responsible for that work; and
- it had not received enough guidance through consultation to recommend specific parameters for an expanded set of functions that could be delegated to staff persons.

Consulting on the Role of Legal Assistants and Paralegals in Saskatchewan

As the Law Society advances amendments to the Saskatchewan Code relating to direct supervision of legal assistants and paralegals, we invite feedback and input from lawyers and legal assistants and paralegals on this important topic. Consultation is planned during December 2021 and January 2022 in a variety of formats:

Join an Online Webinar Discussion	Complete a Survey	Contact the Law Society Directly
December 9, 2021 @ 12:00 PM January 12, 2022 @ 12:00 PM	Survey for lawyers and legal assistants or paralegals	Email: consultation@lawsociety.sk.ca

The Law Society looks forward to receiving feedback on taking forward permissive and effective regulation that permits a lawyer to delegate work and duties appropriately, according to the skills, training and character suitability of the supervised legal assistant or paralegal. This can help increase access to legal services and more effectively connect consumers of legal services and legal assistants / paralegals to support greater access to justice.

Article - Consultation Leads to Code of Conduct Amendments to Better Connect Consumers of Legal Services to Paraprofessionals (Oct 2022)

Given several important initiatives underway, the Future of Legal Services Committee is highlighting key information regarding access to justice and the work of the [Committee](#). Look for information to follow on continued next steps in implementing the Legal Services Task Team recommendations [report](#).

In this series of articles, the focus has been on connecting consumer of legal services to lawyers, alternative legal service providers, and paraprofessionals effectively. This article provides updated information following consultation with respect to paraprofessionals or specifically the legal assistants / paralegals who are directly supervised by practicing lawyers.

⁴ See: Law Society of British Columbia, 'Designated Paralegal Survey 2016', available: <https://www.lawsociety.bc.ca/Website/media/Shared/docs/practice/resources/DesignatedParalegalSurvey.pdf>

Background

In December 2021, the Law Society initiated consultation on the role of legal assistants and paralegals in Saskatchewan with consideration to advancing amendments to the Saskatchewan Code of Conduct relating to direct supervision. We invited feedback and input from lawyers and legal assistants and paralegals on this important topic as well as from the Saskatchewan Lawyers Insurance Association (SLIA).

During December 2021 and January 2022, 133 lawyers and paraprofessionals participated in two online [information and feedback sessions](#) and 324 completed an online survey, which is just under a ten percent participation rate for lawyers and paraprofessional respondents based on best available data:

- 189 completes from lawyers (9.41% participation based on the distribution list of 2,008); and
- 135 completes from paraprofessionals (9.85% participation based on understanding of 1,370 paraprofessionals in Saskatchewan (2016 census)).

Survey Findings

Fast Fact

A majority of lawyer respondents (76%) identified that utilizing paraprofessionals helps deliver legal services at a lower cost to clients.

A majority of lawyer respondents (76%) identified that utilizing paraprofessionals helps deliver legal services at a lower cost to clients and with the help of paraprofessionals, 30% have taken on matters they otherwise may not have due to a clients' inability to pay. Factors informing supervision are in line with what is identified in the Code of Conduct with additional insights such as: workload; intelligence, loyalty, trust worthiness, and reliability; unique needs of the client as a result of high level of conflict; risk associated with the matter; and complexity of issues.

Paraprofessionals identified their education and training as predominately on the job training (63%) and certificate courses (48%) while (4%) reported no formal education or legal administration degrees. In detailing educational qualifications, a human justice degree was often cited as well as degrees related to administration or business.

Paraprofessionals indicated their areas of work fairly equally (30%) across real estate, corporate and commercial, wills, trusts and estates, and litigation but identified significant other work as well (50%). Lawyers indicated paraprofessionals were working most in real estate matters (63%), corporate commercial (44%), wills, trusts and estates (37%), and litigation (24%) with less focus on other areas (25%). Lawyers and paraprofessionals collectively highlighted additional contributions, sometimes specialized, including: administrative law; alternative dispute resolution; criminal and prosecutions; family and child protection; fee collection; insolvency and foreclosure; labour and employment; and traffic matters.



Fast Facts

A majority of lawyers (64%) felt they should be able to make their own determinations about delegation to their staff knowing they would ultimately be responsible for the work. A majority of paraprofessionals (75%) supported expanded parameters and agreed (82%) that this should be at the discretion of supervising lawyers.

Lawyers who supported expanded parameters (30%) or didn't know (25%) were collectively more but individually less than lawyers who did not support expanded parameters (46%) which is an important indication. However, 44% of lawyer respondents agreed with the statement that clients deserve new and cost-effective ways of receiving legal services, and this entails varying the rule on supervision of non-lawyers. 35% of lawyer respondents disagreed with this statement and 21% did not know. Overall, 64% of lawyers felt they should be able to make their own determinations about their staff knowing they would ultimately be responsible for the work while 26% disagreed and 11% did not know.

Importantly, the majority of paraprofessionals (75%) supported expanded parameters and agreed (65%) with varying supervision of non-lawyers, with 82% also agreeing that this should be at the discretion of supervising lawyers.

Feedback from Saskatchewan Lawyers' Insurance Association

SLIA detailed that matters involving delegation to a non-lawyer employee represented 1.9% of claims (35/1845) or 0.35% of the total paid out (\$99,186 out of \$28,673,497) since 1989. Lawyer's mandatory liability coverage insures against errors in the rendering of Professional Services and Professional Services means services normally provided or supervised by a lawyer within the scope of the usual lawyer-client relationship. With respect to the proposed amendments, SLIA emphasized that the work of all staff to whom tasks are delegated is to be supervised by the lawyer. To the extent SLIA has seen claims arise from tasks delegated to non-lawyers, the claims arise mainly from the failure of the lawyer to review the work of the staff person thoroughly, or in some instances at all. With greater delegation of tasks to staff, lawyers should be even more diligent in their ultimate supervision of the work and their review of the work product.

Approved Amendments to the Code of Conduct

The Future of Legal Services Committee and Board of the Law Society reviewed the consultation findings carefully and in line with the Legal Services Task Team report, concluded that amendment to the Saskatchewan Code of Conduct to focus on permissive and effective direct supervision was warranted, with continued regulation of the supervising lawyer. Several conclusions were noted:

- there is majority support from paraprofessionals for expanded parameters and from lawyers for determining in their discretion, what tasks to delegate based on their staff's qualifications; and
- liability coverage may, but is not likely, to be significantly impacted, provided delegated services remain within professional services normally provided or supervised by a lawyer within the scope of the usual lawyer-client relationship and lawyers maintain supervisory diligence.

As a result, the amendments to the Saskatchewan Code of Conduct are as follows:



Section 3.6-1	Commentary 1 amended to reinforce that what is fair and reasonable with respect to fees includes consideration for work undertaken by non-lawyer staff / paraprofessionals.
Section 6.1-1	Commentary 1 amended to reflect that the extent of supervision should encompass additional elements including workload, the demonstrated ethics, trustworthiness, and reliability of the non-lawyer, and risk/complexity of the matter. Commentary 5 amended and 6 removed to reinforce that all work delegated should adhere to whether the professional and legal judgment of the lawyer is required.
Section 6.1-3	Section elements partially removed and elaborated to permit delegation at a lawyer's discretion with the exception of legal advice and professional legal judgment, trust undertakings (with exceptions), and activities that lawyers may also not undertake.

These amendments to the Code of Conduct allow greater flexibility for staff working under the supervision of a lawyer to provide delegated legal services without extension to providing legal advice, trust undertakings, or making legal argument and it is important to have in mind the following parameters:

Lawyer responsibility	A lawyer maintains complete professional responsibility for all professional services and business entrusted to them and must supervise staff and assistants to whom the lawyer delegates particular tasks and functions.
Lawyer responsibility - education	The responsibility to educate staff remains with the lawyer and the extent of supervision depends on: <ul style="list-style-type: none"> • the type of legal matter and particular matter in question; • the degree of standardization and repetitiveness of the matter; • the experience and specialized training of the non-lawyer working on the matter; and • any additional factors which include workload, ability, demonstrated ethics, trustworthiness and reliability of the non-lawyer, and risk/complexity of the matter.
Lawyer responsibility - review	A lawyer must review the non-lawyer's work at appropriate intervals, maintain a direct relationship with the client and ensure that no unauthorized person working under their supervision: <ul style="list-style-type: none"> • gives legal advice; • gives or accepts trust conditions; • acts in matters requiring professional legal judgment; • undertakes duties that only lawyers may perform; or • performs things that lawyers themselves may not do.
Lawyer responsibility - billing	Lawyers have parallel professional responsibilities for reasonable fees and billing practices, avoiding hidden fees, making legal services available efficiently and conveniently, and not using means that are false or misleading in offering legal services and not otherwise bringing the profession or the administration of justice into disrepute. There remains professional ethical responsibility in the Code of Conduct: <ul style="list-style-type: none"> • for reasonable fees and billing practices (3.6-1); • making legal services available efficiently and conveniently (4.1-1); and • not using means that are false or misleading in offering legal services and not otherwise bringing the profession or the administration of justice into disrepute (4.1-2).

Conclusion

Importantly, under the new amendments, lawyers maintain responsibility for all delegation at their discretion – it is not mandatory but rather possible to expand delegation in appropriate instances where the skills, knowledge, and experience of staff so permit.

It also remains at the discretion of individual law firms, lawyers, and their staff to assign titles such as legal assistant or paralegal and there is no common educational standard or approach within Saskatchewan to application and use of these terms but lawyers are required to supervise staff within their employ, regardless of title.

Permitting additional practice of law activities by paraprofessionals under the supervision of a lawyer is an important change and contributes to:

- efficiencies in the practice of law;
- reduced costs for clients;
- greater access to legal services for the public; and
- effective delivery of legal services.

With the introduction of the amendments to the Code of Conduct, the Law Society is hosting a Continuing Professional Development workshop series focused on the benefits of appropriate delegation for both lawyers and clients and avoiding pitfalls.

The Future of Legal Services Committee will continue to provide updates on important initiatives and invites comments and input at: consultation@lawsociety.sk.ca.

Annex II – Risk-Based Framework for Assessment of Pilot Applications

1. Need – Access to Legal Services

Is there an identified legal need being met through the services? Does the service fill a gap, providing underserved markets and locations with access to legal services (reference to Legal Problems Survey, Legal Needs Assessment, Task Team Final Report and related access to justice literature)?

Yes – services described meet a known legal need and applicant provides insights with respect to proposed clients / areas of practice and legal service need

Mixed – some services described meet a known legal need and some indication applicant has insights into clients and access to legal service needs

No – services described do not meet a known legal need or applicant does not provide insight with respect to proposed clients / areas of practice

2. Scope - Competence

What competencies may be required to deliver services effectively?

Experience	<p>Does the provider have experience (education, training, related work experience) in the area of service?</p> <ul style="list-style-type: none"> Yes – education or training present in the form of a LLB or JD, paralegal studies or certificate, foundational legal courses (civil procedure, contracts), interviewing techniques, law and legal process, administrative law and process, law office procedures, legal research, writing and analysis, professional responsibility, etc.; over ten years of related experience (Low Risk) Mixed – some education or training identified but limited in nature or not entirely related to legal services proposed; under ten years of related experience (Medium Risk) NO - no education or training identified; very limited or no experience (High Risk)
Complaints	<p>Has the provider been the subject of complaints, lawsuits, criminal prosecutions, or other concerns that identify potential for integrity problems or consideration for the rule of law and administration of justice?</p> <ul style="list-style-type: none"> No issues identified - negative results from Law Society of Saskatchewan and CanLii name and business name search, negative basic criminal record check (Low Risk) Issues identified – mixed results or further investigation required from Law Society of Saskatchewan or CanLii search, negative basic criminal record check (Medium Risk) Significant issues identified - results from Law Society of Saskatchewan or CanLii search, incomplete or positive criminal record check, or ineligible due to suspension or disbarred status or notice of unauthorized practice by the Law Society of Saskatchewan prior to January 1, 2022 (High Risk or Inadmissible)
Capacity – area of practice	<p>Are these high-risk areas of practice requiring more thorough analysis due to complexity?</p> <ul style="list-style-type: none"> High Risk – based on experience regulating lawyers, areas of practice identified as highest risk are estate law, family law, and real estate



	<ul style="list-style-type: none"> • Medium-Low Risk – all areas of practice have the potential to be high risk but routine, transactional or repetitive areas of practice or areas with limited or simplified procedural elements tend towards lower risk
Capacity - type of service	<p>Are the types of services high-risk with potential prejudice/harm to the public if delivered without specific legal education or training?</p> <ul style="list-style-type: none"> • High Risk – tending towards complex procedural or evidentiary elements, moving beyond transactional or simplified procedures • Low-Medium Risk – focused on basic services in areas of low value or complexity as opposed to high level strategic advice
Capacity – professional development	<p>Do the legal services require ongoing regular continuing education to deliver effectively?</p> <ul style="list-style-type: none"> • High Risk – rapid changes in the law or practice evident • Medium-Low Risk – all areas of practice benefit from ongoing continuing professional development but transactional or more routine areas are less likely to be impacted by legislative changes or developments in case law
<p>3. Risk Management – Consumer Protection</p> <p><i>What level of risk is identified for protection of the public interest?</i></p>	
Compliance - <i>Intention</i>	<p>What is the provider’s desire to comply with regulation and achieve objectives?</p> <ul style="list-style-type: none"> • High Risk – provider has not complied with transition from Notice Form process, is unresponsive to Law Society, lacks insight in application form responses, or has provided incomplete information in application form • Medium-Low Risk – provider has proactively engaged with the Law Society, demonstrates insight in application form responses, and has satisfied information submission in application form
Compliance - <i>Capability</i>	<p>What is the provider’s capability to comply with regulation and achieve objectives?</p> <ul style="list-style-type: none"> • High Risk – provider lacks organizational information or insight in relation to risk, handling of consumer complaints, or understanding of areas of practice • Medium-Low Risk - provider demonstrates organizational structure and insight in relation to risk, handling of consumer complaints, and understanding of areas of practice
Recourse	<p>Is a form of insurance coverage in place in relation to the provision of legal services?</p> <ul style="list-style-type: none"> • Yes – explanation of professional liability coverage and proof of insurance indicated (Low-Medium Risk) • No – no professional liability insurance indicated (Higher Risk)
Oversight / Scrutiny	<p>Is there proxy monitoring / oversight evident for the services?</p> <ul style="list-style-type: none"> • Yes – government agencies, courts, or other practitioners would interact with provider and offer some form of oversight (Low-Medium Risk) • Mixed – oversight would be evident in some instances from government agencies, courts, or other practitioners (Low-Medium Risk) • No – oversight opportunities would be limited given the nature of the services (Higher Risk)

Annex III – Law Society of Saskatchewan Rules and Limited Licensing

Amendments were made to the *Law Society of Saskatchewan Rules* to ensure regulatory coherence with limited licensing.

Part	Amendments (as of January 1, 2026)
Part 1	<ul style="list-style-type: none"> Updated Rule 101 and definitions of Code, lawyer, and member
Part 3	<ul style="list-style-type: none"> Enacted Rule 315.1 to permit election of a limited licensee as Benchler (subject to approval at Annual General Meeting in 2026)
Part 7	<ul style="list-style-type: none"> Updated Rule 701 and definition of applicant and add definition of “license to practise” Updated Rule 702 to restrict practice of law activities for limited licensees Updated Rule 715 to include admission of limited licensees and limited names entered on the Roll to lawyers Updated Rule 729 to apply to limited licensees
Part 10	<ul style="list-style-type: none"> Updated Rule 1001 and definition of limited licence, limited licensee, and Limited Licensing Pilot Updated Rule 1002 and exemptions (i) and (xii) Enacted Rules 1003-1011 to provide a regulatory framework for limited licensing (see below)
Part 11	<ul style="list-style-type: none"> Updated Rule 1101 to apply to limited licensees
Part 12	<ul style="list-style-type: none"> Updated Rule 1202 to address insurance for limited licensees
Part 13	<ul style="list-style-type: none"> Updated Part to provide a separate assurance fund for limited licensees to compensate clients for losses suffered as a result of theft or misappropriation by a limited licensee
Part 15	<ul style="list-style-type: none"> Updated Part to detail accounting rules applicable to limited licensees and limit rules relating to trust accounting to lawyers
Part 16	<ul style="list-style-type: none"> Updated Part to detail reporting rules applicable to limited licensees and limit rules relating to trust accounts to lawyers
Part 18	<ul style="list-style-type: none"> Updated Part to detail applicability of forms of practice to limited licensees and their ability to operate in professional corporations or limited liability partnerships
Part 19	<ul style="list-style-type: none"> Updated Rule 901 and definition of retainer agreement to exclude limited licensees
Part 21	<ul style="list-style-type: none"> Updated Rule 2101 to address that limited licensees will not be permitted to participate in plans for prepaid legal services
Schedule 1.1	<p>Adopted Schedule 1.1 to include fees payable by limited licensees:</p> <ul style="list-style-type: none"> Part A. Active Member Annual Fee Limited Licensee Practice fee - \$275 per area of services permitted in Rule 1005 Limited Licensee Special Fund assessment (included in Practice fee) – \$25 Part C. Liability Insurance Assessment Limited Licensee Annual Assessment - \$750 Part E. Admission as a Lawyer / Limited Licensee Fees Limited Licensee admission application fee - \$175 Limited Licensee enrollment fee - \$175

PART 10
(as of January 1, 2026)

Alternative Legal Services Providers and Limited Licensees

A. Definitions and Interpretation

Definitions and Interpretation

1001 In this Part:

“**legal information**” means, for the purposes of subsections 10(p.1) and 30(3) of the Act, the provision of legal information of a general nature about the law and legal procedures to members of the public.

“**limited licence**” means a licence issued to a person pursuant to section 24.1 of the Act entitling the person to engage in the limited practice of law in Saskatchewan.

“**limited licensee**” means a person recognized as a member who has been issued a limited licence to engage in the limited practice of law pursuant to this Part and in accordance with subsection 2(2.2) of the Act.

“**Limited Licencing Pilot**” means the Pilot program delivered by the Society from January 3, 2022 to December 31, 2025, allowing individuals not otherwise authorized, to engage in the practice of law and deliver a limited scope of legal services to inform the development of the limited licensing regulatory framework.

“**recognized professional dispute resolution association or regulatory association**” means, for the purposes of subrule 1002(1)(a)(i)(A), the following: ADR Institute of Canada or Saskatchewan; Family Mediation Canada; Mediate BC; Family Dispute Resolution Institute of Ontario; Ontario Association for Family Mediation; Saskatchewan College of Psychologists; Saskatchewan Association of Social Workers; and other organizations as may be recognized by the Executive Director.

“**recognized school**” means, for the purpose of subrules 1006(1)(a) and 1006(1)(b), an educational institution offering a degree, certificate or targeted courses in justice-related studies or subject areas related to a limited licensee’s scope of practice as may be determined by the Executive Director.

B. Exemptions

Exemptions from the Prohibition Against the Unauthorized Practice of Law

1002(1) Subject to subrule (2), for the purposes of subsections 10(k.1) and 31(i) of the Act:

- (a) the following persons are exempt from the prohibition against the unauthorized practice of law in section 30 of the Act insofar as they are carrying out the functions mentioned in subrules (i) to (xii):
 - (i) a person serving in a neutral capacity as a mediator or parenting coordinator provided:



- (A) the person is employed or contracted by the Government of Saskatchewan or is a member of a recognized professional dispute resolution association or regulatory association other than the Law Society of Saskatchewan;
- (B) if a family mediator, the person meets statutory requirements set out in *The King's Bench Act, 2023 and Regulations*; and
- (C) if a parenting coordinator, the person meets statutory requirements set out in *The Children's Law Regulations, 2021*;
- (ii) a person participating in labour negotiations, arbitrations, conciliations or proceedings respecting collective bargaining rights or agreements;
- (iii) a person exercising an adjudicative function pursuant to statutory authority;
- (iv) a person acting as a lobbyist provided they are in compliance with *The Lobbyists Act* for Saskatchewan;
- (v) a public officer acting within the scope of the person's authority as a public officer;
- (vi) a person employed by or currently funded through a service agreement or otherwise demonstrably accountable to the government to act as a lay representative before administrative agencies or tribunals;
- (vii) a notary public exercising the powers conferred on the notary public pursuant to statutory authority;
- (viii) a person who delivers courtworker services to Aboriginal people through an Aboriginal delivery agency that has contracted with the Government of Saskatchewan or the Government of Canada to deliver courtworker services as part of the Aboriginal Courtworker Program;
- (ix) a person authorized in accordance with any provincial or federal statute to engage in activities listed in section 29.1 of the Act;
- (x) an officer or employee of an incorporated or unincorporated organization preparing a document for the use of the organization or for an action or matter to which the organization is a party;
- (xi) a university law student in respect of services delivered through an approved pro bono program and provided that:
 - (A) subject to the Act, The King's Bench Rules of Court, the Criminal Code, and subrule (B) a university law student may perform any legal service under the direct supervision of a lawyer that the supervising lawyer (a) is personally competent to perform; and (b) is satisfied that the university law student is competent to perform because of the direct supervision.
 - (B) a university law student shall not give or accept a professional undertaking.
- (xii) an individual who is representing a person in an administrative adjudicative proceeding if the administrative tribunal determines that the individual would be of assistance to the person and the tribunal and:
 - (A) the individual is not appearing habitually before the tribunal; or
 - (B) the individual or their employer does not charge a fee directly to the person unless authorized to do so by the governing legislation of the tribunal;
- (b) subject to the following, the Executive Director or the Executive Director's designate may provisionally allow any person not otherwise authorized to provide



legal services to do so on a temporary basis, subject to any conditions and restrictions that the Executive Director considers appropriate:

- (i) the Benchers shall review the provisional authorization given by the Executive Director at their earliest opportunity; and
- (ii) the Benchers may:
 - (A) confirm the provisional authorization of the Executive Director, subject to any conditions and restrictions that the Benchers consider appropriate, in which case the temporary authorization is deemed to be approved; or
 - (B) refuse to confirm the decision of the Executive Director.

(2) Subrule (1)(a)(xii) and (b) do not exempt the following persons from the prohibition against unauthorized practice:

- (a) a former member who has been disbarred and has not been reinstated;
- (b) a member who is under suspension for any reason;
- (c) a person who has been denied admission on the basis that the person is not suitable to practise, as defined in Part 7 or that admission would otherwise be inimical to the best interests of the public;
- (d) a person against whom an injunction has been issued pursuant to section 32 of the Act during the time that the injunction is in effect.

C. Limited Licensees

Limited Licences

1003 The Society may provide limited licences to persons in accordance with Rules 1004 to 1011.

Application for Limited License

1004(1) Subject to Rules 729 and 1005 to 1008, the Executive Director may approve applications for a limited licence pursuant to Rule 1003.

(2) The Executive Director may, upon application in the prescribed form, exempt participants of the Limited Licensing Pilot from completing the application for a limited license, in whole or in part.

Permitted Services

1005(1) Subject to subrule (2) and in accordance with section 29.1 of the Act, applicants may apply for a limited licence to:

- (a) give advice, negotiate, draft or complete legal documents and represent clients for proceedings limited to specific administrative tribunals established under an Act of the Legislature of Saskatchewan or under an Act of Parliament as authorized by the Executive Director in respect of a specific applicant;
- (b) give advice, negotiate, draft or complete legal documents and represent clients for proceedings limited to Provincial Court where authorized by any provincial or federal statute and as authorized by the Executive Director in respect of a specific applicant;
- (c) give advice, draft or complete legal documents for future planning services limited to wills, powers of attorney, guardianship and health care directives;
- (d) give advice, draft or complete legal documents and represent clients for proceedings as set out in section 9 of *The Administration of Estates Act*;



- (e) give advice and draft or complete legal documents for corporate legal services limited to incorporations, registrations, and restorations of legal entities, act as registered and records office for legal entities, prepare, maintain, and review corporate records, prepare and file notices, annual returns, and articles of incorporation, dissolution, revival, and amendment involving name changes, and prepare resolutions enabling any of the foregoing or otherwise made in the ordinary course of business;
 - (f) give advice, negotiate and draft or complete legal documents for land title transfers and interest registrations and discharges limited to services specifically authorized by the Executive Director in respect of a specific applicant;
 - (g) give advice, negotiate and draft or complete legal documents for family law services limited to separation agreements, uncontested or joint divorce and parenting arrangements;
 - (h) give advice, negotiate and draft or complete contracts limited to services specifically authorized by the Executive Director in respect of a specific applicant;
 - (i) give advice and assist clients in preparation for self-representation in court, including accompanying the client to court, but excluding representing the client in court unless specifically directed by the presiding judge.
- (2) A limited licensee may, subject to Rule 729, apply to the Executive Director for an amendment to their licence expanding the scope of permitted services:
- (a) in accordance with subrule 1005(1); and
 - (b) to additional services not included in 1005(1)(a)-(i).
- (3) A limited licensee may apply to the Executive Director for an amendment to their licence reducing the scope of permitted services, subject to subrule (4).
- (4) In exercising the authority granted in subrule (3), the Executive Director shall consider whether:
- (a) the member has made adequate arrangements for clients, including management of:
 - (i) open and closed files;
 - (ii) wills and wills indices;
 - (iii) titles and other important documents and records;
 - (iv) other valuables; and
 - (v) other matters necessary for the protection of the public.
 - (b) granting the application is inimical to the public interest or the members or would harm the standing of the legal profession.

Education or Work Experience

1006(1) A limited licensee must have the following Canadian education or work experience:

- (a) a degree in justice-related studies from a recognized school;
- (b) a certificate or targeted courses from a recognized school in the subject area related to the scope of practice;
- (c) a Bachelor's degree or Juris Doctor from a common law faculty of law in a Canadian university approved by the Federation of Law Societies of Canada or a Certificate of Qualification issued by the National Committee on Accreditation of the Federation of Law Societies of Canada; or
- (d) a high school diploma and five years of supervised related substantive legal experience.

(2) Prior to admission, a limited licensee must complete the Society's mandatory course on *The Code of Professional Conduct for Limited Licensees*.

[Rule 1006(1) amended, December 4, 2025]

Continuing Professional Development

1007 A limited licensee must comply with the requirements of Rule 721.

Insurance

1008 A limited licensee must have and maintain insurance through the Society in accordance with Part 12.

Accounting and Reporting Requirements

1009 A limited licensee must comply with applicable accounting and reporting requirements in accordance with Parts 15 and 16.

[Rule 1010 – Intentionally left blank]

Requirements and Prohibitions

1011(1) A limited licensee must:

- (a) reside and be legally entitled to work in Canada; and
- (b) comply with the *Code of Professional Conduct for Limited Licensees*.

(2) No limited licensee is permitted to:

- (a) hold funds or any other property of a client in trust;
- (b) enter into a retainer agreement as defined in Rule 1901; or
- (c) participate in a plan for prepaid legal services as defined in Rule 2101.

Annex IV – Frequently Asked Questions – Limited Licensing

As of January 1, 2026, limited licensees are part of the legal system in Saskatchewan. They are insured and licensed by the Law Society of Saskatchewan to serve the public and support access to legal services.

What is a limited licensee?

A limited licensee is an individual who is not admitted as a lawyer with the Law Society but has been granted a limited licence to practice law that is restricted to specific areas of practice reflecting their education, training, or experience relevant to the delivery of legal services.

What can limited licensees do?

Depending on their licence, limited licensees can provide advice and negotiate with respect to legal rights and responsibilities, draft or complete legal documents, or represent an entity or person at an administrative tribunal or Provincial Court.

Limited licensees are licensed in different areas of the law, based on their education, training, and experience. At present, limited licensees can help people in Saskatchewan with the following permitted services:

- Cases before administrative tribunals and Provincial Court such as small claims, traffic matters, and summary conviction matters under the *Criminal Code*
- Family law services limited to separation agreements, uncontested or joint divorce, and parenting arrangements
- Future planning services limited to wills, powers of attorney, guardianship, and health care directives
- Administration of estates not exceeding \$25,000
- Limited corporate legal services, contracts, and land title transfers and interest registrations and discharges
- Preparing for self-representation in court as related to permitted services

Some limited licensees may also provide notary public services.

What education or training do limited licensees have?

Limited licensees have the following Canadian education or work experience:

- a degree in justice-related studies from a recognized school;
- a certificate or courses from a recognized school in the subject area related to their scope of practice;
- a law degree from a Canadian common law faculty or a Certificate of Qualification; or
- a high school diploma and five years of supervised related substantive legal experience.

A [recognized school](#) is “an educational institution offering a degree, certificate or targeted courses in justice-related studies or subject areas related to a limited licensee’s scope of practice...”.

Limited licensees must also complete six hours of continuing professional development training annually, two hours of which must relate to ethics.

Are limited licensees more affordable than lawyers?

Limited licensees can provide an affordable option for those in need of legal services or representation. Like lawyers, limited licensees may offer different pricing and payment models. Before hiring a limited licensee, ask them about their fees and rates for services. Having more options for affordable legal services helps to reduce the number of people without assistance in resolving their legal issues. This also helps to guide people away from seeking advice from non-regulated individuals who are not bound by ethical conduct and are not insured for negligence or mistakes.

Are limited licensees bound by ethical guidelines?

Yes. Limited licensees must complete a mandatory course on the *Code of Professional Conduct for Limited Licensees* provided by the Law Society of Saskatchewan and must adhere to the *Code*.

Can a limited licensee ask for a retainer or money in advance?

No. Limited licensees cannot accept money in advance (in trust) for the delivery of legal services.

Does a limited licensee have lawyer-client or solicitor-client privilege?

Maybe. A limited licensee is bound by confidentiality and information they are told in confidence by a client cannot be shared unless the law or duty requires disclosure. However, unlike lawyers, there is not yet established law that supports an independent right to privilege for limited licensees.

Solicitor-client privilege protects from disclosure communications between lawyers and their clients regarding legal advice. Some courts have identified lawyer-client or solicitor-client privilege to apply to paralegals, but a court decision related to limited licensees has not yet occurred. As this is not yet a decided matter, clients and limited licensees should be cautious.

Can a limited licensee provide independent legal advice?

Yes. Within their permitted services, a limited licensee can independently represent people and provide independent legal advice.

Can a limited licensee give and accept undertakings and trust conditions?

Yes. Similar to lawyers, a limited licensee may give and accept undertakings and trust conditions. Also similar to lawyers, there is no obligation to accept undertakings and trust conditions from a limited licensee.

In what business structure can a limited licensee practice?

Limited licensees can practice as a sole proprietorship or limited liability partnership or work at a law firm. Some limited licensees may also work for an organization or corporation.



What are differences between limited licensees and lawyers?

Limited licensees and lawyers have different education, training and admission requirements and limited licensees have a limited scope of practice while lawyers do not have limits on their practice. Limited licensees are not permitted to hold funds in trust, lawyers can.

Saskatchewan Standards	Lawyers	Limited Licensees
Education/work experience	Yes	Yes (more limited)
Training and admission	Yes	Yes (more limited)
Continuing professional development	Yes - 12 hours (2 ethics) annually	Yes - 6 hours (2 ethics) annually
Scope of practice	No limits on practice	Limits on practice
Ethical standards	Yes - <i>Code of Professional Conduct for Lawyers</i>	Yes - <i>Code of Professional Conduct for Limited Licensees</i>
Solicitor-client privilege	Yes	Maybe (not guaranteed)
Complaint and discipline process	Yes	Yes
Professional liability insurance	Yes	Yes
Ability to operate a trust account	Yes	No
Regulatory oversight body	Yes	Yes

Questions?

Please contact the Law Society of Saskatchewan:
Phone: 306-569-8242
Email: reception@lawsociety.sk.ca