Pathways Evaluation
Interim Results: Years One to Three

The Law Society of Upper Canada
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Prepared by
Dr. A. Sidiq Ali, PhD CE
Senior Evaluation Consultant

Cheryl Backlund, Rhea Harduwar & Amanda Brijmohan
Associate Consultants
Executive Summary

The Pathways to the Profession Pilot Project or Pathways is a response to the Law Society of Upper Canada’s Articling Task Force’s Final Report of October 2012. One alternative pathway to traditional articling, and enhancements to traditional articling were created to address the issues brought forth in this report. Together, the Law Practice Program/Programme de pratique du droit (hereafter referred to as the “LPP/PPD” in the general sense and when the results have been combined, “LPP” for the English program at Ryerson and “PPD” for the French program at the University of Ottawa) and the enhanced Articling Program are the Pathways to the Profession pilot project. Work on each pathway commenced in early 2013; this evaluation commenced in December of the same year.

It is important to note that at this juncture, in year three of the evaluation, while we have three years of licensing process data for the 2014-2015, 2015-2016, and 2016-2017 cohorts, and two years of post-license data (for the 2014-2015 and 2015-2016 cohorts), we do not have post-license information on the 2016-2017 LPP/PPD and enhanced Articling program. We will have these data in the Spring of 2018. Still, with accumulated data, we are beginning to solidify our findings.

Further, it is imperative to consider that even though both programs or pathways exist to address similar competency development to prepare candidates for entry-level practice – that is transitional, experiential training - the LPP/PPD and the Articling Program are substantively different in terms of their structure and delivery. Structurally, the LPP/PPD on the one hand is eight months in length, consisting of a four-month course in a mostly virtual environment with a four-month work placement; the Articling Program on the other hand, consists of a 10-month work placement. From a delivery perspective, we see the LPP/PPD has the largest proportions of their work placements in small firms or sole-practices, with a good proportion of these placements unpaid; the Articling Program has the largest proportions of their placements in medium-sized law firms, with the vast majority of the placements reported as being paid. We also note that the largest proportion of candidates in the LPP/PPD are exposed to Corporate/Commercial Law practice in work placements, and the largest proportions of candidates in the Articling Program are exposed to Civil Litigation, either Defendant and Plaintiff, in their placements.

However, in addition to similar foci in competency development and outcomes for such, further parallels in delivery exist as well, as proportionally, the placement locations are predominantly in the Toronto area, followed by the East (Ottawa). So, it is fair to say that the goals for competency development in each pathway are the same, but how they aim to achieve those goals differ substantively.

Each pathway is evaluated on its own merit and then compared with the other, where possible. However, any variances in the results when comparing the two pathways may be attributable, at least in part, to the difference in structure and delivery of the two programs. It is a challenge to disentangle the sources (program structure and/or delivery) of marked differences in program outcomes\(^1\) (e.g., calls to the Bar, hire-backs, first-year practice). Still, at this juncture we see some trends in aspects of program delivery and outcomes beginning to emerge.

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\(^1\) Intended program outcomes are the production of competent lawyers for entry level practice – See Appendix 1. Calls to the Bar and hire-backs are key performance indicators of such. Post-call practice areas and types are not direct, intended outcomes of the Pathways project, but these data are helpful in contextualizing program effectiveness.
The interim year three evaluation is based on the following cohorts of candidates:

**Table i - The Evaluation Cohorts**

<table>
<thead>
<tr>
<th>Category</th>
<th>Articling Program</th>
<th></th>
<th></th>
<th>Law Practice Program/Programme de pratique du droit</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Year One</td>
<td>Year Two</td>
<td>Year Three</td>
<td>Year One</td>
<td>Year Two</td>
<td>Year Three</td>
</tr>
<tr>
<td>Program Enrollment²</td>
<td>2,019</td>
<td>1,878</td>
<td>1,915</td>
<td>281 (260 LPP/21 PPD)</td>
<td>280 (262 LPP/19 PPD)</td>
<td>291 (265 LPP/26 PPD)</td>
</tr>
<tr>
<td>Less those articling candidates who began their placement after the first Tuesday in August and before April 30³</td>
<td>- 542</td>
<td>- 452</td>
<td>- 481</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Less those candidates who withdrew from the Articling Program, or from the LPP/PPD after program start dates, have not completed, or were licensed prior to May</td>
<td>- 22</td>
<td>- 34</td>
<td>- 23</td>
<td>- 41 (38 LPP/3 PPD)</td>
<td>- 50⁴ (42 LPP/8 PPD)</td>
<td>- 38⁵ (33 LPP, 5 PPD)</td>
</tr>
<tr>
<td>Evaluation Cohorts</td>
<td>1,455</td>
<td>1,392</td>
<td>1,411</td>
<td>238 (221 LPP/17 PPD)</td>
<td>230 (219 LPP/11 PPD)</td>
<td>243 (222 LPP/21 PPD)</td>
</tr>
</tbody>
</table>

**The Law Practice Program/Programme de pratique du droit**

- 281 licensing candidates were enrolled in the LPP/PPD on the start date of the programs in August 2014; one candidate was not successful in completing the program, 41 (15%) withdrew from the program, and one candidate had yet to begin a work placement at the time of receipt of final reporting from the LPP/PPD providers; therefore, the Year One cohort of LPP/PPD candidates for the evaluation is 238.
- 280 licensing candidates were enrolled in the LPP/PPD on the start date of the programs in August 2015 and 50 (18%) withdrew from the program; therefore, the Year Two cohort of LPP/PPD candidates for the evaluation is 230. Six (6) candidates have not yet completed their work placement as at June 30, 2016.
- 291 licensing candidates were enrolled in the LPP/PPD on the start date of the programs in August 2016 and 38 (13%) withdrew from the programs after the start dates; therefore,

² Number of candidates who started an articling placement or the LPP/PPD in the Licensing Process year (May 1 to April 30)
³ Number of candidates who started an articling placement after the first Tuesday in August and on or before April 30. For the evaluation purposes, only those candidates who started an articling placement between May 1 and the first Tuesday in August, and were therefore expected to complete the Articling Program prior to the calls to the Bar of the following year, are included in the evaluation cohorts.
⁴ Plus six (6) candidates who have not yet completed their work placement as at June 30, 2016
⁵ Plus ten (10) candidates who have not yet completed their work placement as at June 30, 2017
the **Year Three** cohort of LPP/PPD candidates for the evaluation is 243. Ten (10) candidates have not yet completed their work placement as at June 30, 2017.

- All 238 LPP/PPD candidates received work placements, with 71% of the work placements being paid in **Year One**; All 230 LPP/PPD candidates received work placements, with 73% of the work placements being paid in **Year Two**. All eleven (11) of the PPD Year Two placements were paid. In **Year Three**, all 243 LPP/PPD candidates received placements and 73% of them were paid (72% in LPP and 81% in PPD).

- The LPP/PPD is made up mostly of candidates that did not choose the LPP/PPD as their first choice for transitional, experiential training. The population of the LPP/PPD is slightly over 50% internationally-educated and slightly under 50% Canadian-educated on average, most candidates are English-speaking; and the LPP/PPD has greater proportional representation in candidates that identify themselves as “Racialized,” “Francophone,” “People with a Disability,” “Indigenous,” and “Age 40+” than the Articling Program population.

**The Articling Program**

- 1,477 licensing candidates began an articling placement between May 1, 2014 and the first Tuesday in August 2014; 22 of these candidates either withdrew from articling or were licensed before June 2015; therefore, the **Year One** cohort of articling candidates for the evaluation is 1,455.

- 1,243 Articling Principals supervised the 1,455 articling candidates in the **Year One** evaluation cohort.

- 1,426 began an articling placement between May 1, 2015 and the first Tuesday in August 2015; 34 of these candidates either withdrew from articling or were licensed before June 2016; therefore, the **Year Two** cohort of articling candidates for the evaluation is 1,392.

- 1,221 Articling Principals supervised the 1,392 articling candidates in the **Year Two** evaluation cohort.

- 1,434 began an articling placement between May 1, 2016 and the first Tuesday in August 2016; 21 of these candidates either withdrew from articling or were licensed before June 2017; therefore, the **Year Three** cohort of articling candidates for the evaluation is 1,411.

- 1,225 Articling Principals supervised the 1,411 articling candidates in the **Year Three** evaluation cohort.

- Articling Program survey results tell us that about 97% of the articling placements are paid for both **Year One** and **Year Two** and 98% in **Year Three**.

- The Articling Program is comprised mostly of recent graduates of Ontario-based, Canadian law schools and are mostly English-speaking. Most of the articling placements are in law firms, with medium-sized firms accounting for the greatest proportion of articling placements.

**Development of the pathways:**

- Goals for transitional, experiential learning were articulated, incorporating *fairness, accessibility* and *objectivity* and each pathway is founded on the same core competencies for entry-to-practice level lawyers.
Enhancements to the Articling Program were developed and implemented for the 2014-2015 Licensing Process.

The LPP was delivered for the first time at Ryerson University beginning in August 2014 and the PPD was delivered for the first time at the University of Ottawa in September 2014 for French-language candidates.

Tools for measuring candidates’, and Principals’ perceptions have been developed and used, including surveys to target post-call candidates’ perceptions and their employers’ perceptions.

The various enhancements to the Articling Program, focusing on behaviourally-anchored rating scales (BARS) for task-exposure and performance assessment in articling were all developed and are being utilized. A related training component, including emailed instructions and directions in a video on how to use the BARS to Articling Principals and articling candidates has been delivered; the effectiveness of these instructions has not been determined.

Evaluation of the pathways - Findings

Various user perceptions in both the LPP/PPD and Articling Program have been measured, but there is more measurement to be completed, based on our evaluation framework (see Appendix 2). Generally, the pathways are delivering fair, objective and accessible transitional, experiential training. Though some aspects of each pathway are not viewed by candidates to be fair, such as search for work placement in the LPP/PPD and the articling placement hiring process. Still, we see further negative perceptions of the LPP/PPD from candidates, due to its relative newness and speculation regarding its value in aiding candidates to secure employment after licensing. But this negative sentiment appears to be decreasing. Also, most of the candidates in the LPP/PPD report that it was not their first choice for experiential training, but this percentage is decreasing.

Candidates in the LPP/PPD have been assessed for their learning in defined areas of skills and tasks; all were meeting or exceeding the competency expectations. The clear majority of candidates in the Articling Program show they are meeting or exceeding expectations in the five competency-based tasks.

Articling Principals showed almost universal compliance in submitting the new Experiential Training Plan, and performance assessment of candidates in articling and their task-exposure has occurred. Competency coverage in articling placements is generally very high, except for Transactional/Advisory Matters, Negotiation and Advocacy. It is noted, however, that relevancy of competencies across types and areas of practice is not universal. Further, about half the articling placements focus on one to four areas of law practice.

Candidates in both pathways and Articling Principals rate generally high levels of effectiveness and value for the pathways, however there were some specific areas that drew their ire, such as: the work placement process in the LPP/PPD, remuneration in the LPP/PPD work placements, and the purpose and act of completing the new reporting requirements from both candidates’ and Principals’ perspectives in the Articling Program.

There seems to be some substantive differences in the scales and metrics for candidates’ performance assessment between the two pathways. These differences make valid inter-
pathway comparison of candidate performance on the specified competencies extremely difficult.

- The candidates in the Articling Program are being called to the Bar, hired back, and are practising law in their first-year post-license at greater proportions than candidates in the LPP/PPD. For example, about 60% of those in the LPP/PPD are called to the Bar in June of their licensing year, compared to just over 90% of those in the Articling Program; of those who expect to be called to the Bar, about just over a third on average of those in the LPP/PPD expected to be hired back by their placement organization compared to about just under half on average of those in the Articling Program. Additionally, there are proportionally more lawyers from the Articling Program than from the LPP/PPD who are practising law in their first year: 82% versus 67% in Year One. But in Year Two, the proportion of the lawyers from the LPP/PPD who are practising law in their first year rose to 72% while the proportion from articling stayed at 82%. Further, about one-quarter on average of the LPP/PPD new lawyers are Sole Practitioners, compared to about 6% on average from the Articling Program. Finally, in Year One, only 16% of the new lawyers from the LPP/PPD are working as an Associate in a Professional Business, when 48% of the new lawyers who articled are working in this capacity. But in Year Two, these proportions of working as Associate in a Professional Business were 23% for the LPP/PPD and 44% for articling.

- At this juncture, based on the key metrics of called to the Bar, hire-backs and first-year practice, the Articling Program is out-performing the LPP/PPD. However, on some of these key metrics, such as “Practising law in their first year” and “Working as an Associate in a Professional Business,” the gap between the LPP/PPD and articling is closing. Further, though there is still negative sentiment about the LPP/PPD, especially as an alternate pathway to articling, we are hearing less of this negative sentiment. Finally, we are seeing an increased proportion of candidates declaring that the LPP/PPD was their first-choice for experiential training.

In summary, at this juncture of the program operation, we see indications that each pathway is supporting the licensing candidates’ opportunity to obtain transitional experiential training as required by the Licensing Process in part by delivering fair, objective and accessible experiential training, though there are some aspects of each that are not considered fair by the candidates. The experiential training in each pathway is developing the competencies of candidates necessary for entry-level practice, as deemed by the competency development assessment tools. These tools, however, are incongruent between pathways, so comparing the effectiveness of the pathways based on these tools is not advised.

Comparison of the effectiveness of competency development for entry-level practice is made through various perceptual measures of value and effectiveness, which indicated each pathway thus far is valuable and effective experiential training. However, since a stated, intended outcome of the pathways is the production of competent entry-level lawyers, we must look to key performance metrics such as calls to the Bar and hire-backs as indicators of pathway effectiveness. At this point in time, the Articling Program is out-performing the LPP/PPD, based on the metrics of “Called to the Bar,” “Hired-back,” and “Practising law in the first-year post-license,” but the gaps are closing. Still, to separate program structure and delivery from competency development and related outcomes will be difficult, nonetheless must be taken into account when judging the effectiveness of each pathway.
Given the different structures, and some key delivery disparities of each pathway, one should expect the Articling Program to produce a greater relative number of competent entry-level lawyers. A key question becomes, “By how much more should we expect the Articling Program to outperform the LPP/PPD based on the structures of each pathway?” To answer this question, we must disentangle the pathway structures and delivery from competency development, or at the very least be mindful of this entanglement. In other words, for example, as we move into Year Four of the Pathways, how much weight do we put on the structure of the LPP/PPD versus the competency development within the LPP/PPD in producing relatively fewer competent entry-level lawyers than the Articling Program?
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1. Background

Having acknowledged that experiential training is an integral part of the Licensing Process for lawyers, and having accepted that the current experiential training pathway, articling, is no longer able to provide sufficient opportunities to support all candidates for licensing, the Law Society of Upper Canada has embarked upon a three-year plan of redevelopment in the Licensing Process that will address the expanded provision of transitional experiential learning.  

The response, the **Pathways to the Profession Pilot Project** (*Pathways Project*), was to develop an additional path to licensing, a Law Practice Program/Programme de pratique du droit (hereafter referred to as the “LPP/PPD” in the general sense and when the results have been combined, “LPP” for the English program at Ryerson and “PPD” for the French program at the University of Ottawa), and to concurrently enhance the existing Articling Program. The goal of the *Pathways* Project will be to gather evidenced-based information on the implementation and outcomes of the two pathways through formalized, systematic program evaluation methods, with a view to measuring the effectiveness of those pathways to produce competent lawyers for entry into the profession. Ultimately, Convocation of the Law Society will use this information to assess the continuation of either or both pathways.  

Throughout this report, the *Pathways Project*, which commenced in earnest in early 2013, and its two component programs (*pathways*), which began operation in the 2014-2015 Licensing Process year, is a professional credentialing program. A program can be thought of as a group of related activities that is intended to achieve one or several objectives, of which specified outcomes are included. Programs are means-ends relationships that are designed and implemented purposively (McDavid & Hawthorn, 2006).

Research & Evaluation Consulting Inc. (RaECon) was contracted to use its resources of nationally-recognized evaluation expertise in conducting the evaluation of the *Pathways Project*, to provide the Society with external, objective information required to make sound, insightful judgements on the relevance and effectiveness of *Pathways*. RaECon’s work on the evaluation of *Pathways* commenced in the fall of 2013.

**This report summarizes program activities and evaluation results, which are as current as of June 30, 2017.**

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7 From the Pathways Purpose and Objectives Statements (December 2013) based on *Pathways to the Profession: A Roadmap for the Reform of Lawyer Licensing in Ontario*: The Law Society of Upper Canada.
2. Approach to the Evaluation

At RaECon we pride ourselves on our general approach to program evaluation, upholding the *Program Evaluation Standards*\(^8\) for our industry. We stress the utility of the evaluation findings for our clientele and take a collaborative approach, inviting input from the client throughout the evaluation process, whilst upholding a strict professional code of ethics. Details on our approach to evaluation are presented next.

**Utilization-Focused**

Following the general approach of utilization-focused evaluation (Patton, 2008), we are aware that the process of conducting an evaluation is just as important as the end product, the evaluation report itself. The focus on providing information that is useful and contributes to learning is particularly important for the continued operation of the programs, and is one of our core beliefs. We work with the *Pathways* team at the Law Society to ensure that we are examining the relevant documents and data, engaging the appropriate stakeholders and identifying the findings that will result in recommendations that will help Convocation make informed decisions.

**Participatory**

This evaluation has been carried out in a participatory manner (see Cousins & Earl, 1992, 1995), as this embodies a collaborative process that leads to interaction between the evaluator(s) and the community or stakeholders in order to make the results fully comprehensible and useable. Much work in conjunction with the Law Society *Pathways* team, under the leadership of the Society’s Executive Director of Professional Development and Competence, has occurred throughout the evaluative process and in preparation of this report.

**Ethical**

We apply the Canadian Evaluation Society’s (CES) guidelines for Ethical conduct,\(^9\) focusing on competence, integrity and accountability, as our operating standards for ethical evaluation service delivery. Our general approach is also consistent with the principles outlined in the *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans*\(^10\), including respect for human dignity, respect for free and informed consent, respect for vulnerable persons, respect for privacy and confidentiality, respect for justice and inclusiveness, recognizing the potential for harm and maximizing benefits for all who are involved.

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\(^9\) Available at http://evaluationcanada.ca/ethics

**Evaluation Questions**

The Evaluation Questions presented next are aimed at relevance and effectiveness of the *Pathways Program*:

1. **Does the Law Practice Program/Programme de pratique du droit provide licensing candidates with effective transitional experiential training in defined areas of skills and tasks considered necessary for entry-level practice?**

2. **Does the Articling Program provide licensing candidates with effective transitional experiential training in defined areas of skills and tasks considered necessary for entry-level practice?**

3. **How does each pathway, Law Practice Program/Programme de pratique du droit and Articling, support the licensing candidates’ opportunity to obtain the transitional experiential training requirement of the Licensing Process?**

4. **Is one Pathway, Law Practice Program/Programme de pratique du droit or Articling, more effective in delivering transitional experiential training in defined areas of skills and tasks considered necessary for entry-level practice?**

**Licensing Process Candidates in the Pathways**

For the **first** year of Pathways, approximately 77% of the licensing candidates selected the Articling Program and approximately 13% of licensing candidates opted for the LPP/PPD. The remaining licensing candidates are either exempted from the Experiential Training Requirement or have not yet informed the Law Society of their choice of *pathway* for experiential training.

For the **second** year of Pathways, approximately 79% of the licensing candidates selected the Articling Program and approximately 12% of licensing candidates opted for the LPP/PPD. The remaining licensing candidates are either exempted from the Experiential Training Requirement or have not yet informed the Law Society of their choice of *pathway* for experiential training.

For the **third** year of Pathways, approximately 77% of the licensing candidates selected the Articling Program and approximately 14% of licensing candidates opted for the LPP/PPD. The remaining licensing candidates are either exempted from the Experiential Training Requirement or have not yet informed the Law Society of their choice of *pathway* for experiential training.
Evaluation Cohort

Table 1 below presents the Pathways statistics of enrollment and withdrawals from each program arriving at the number of candidates in the Years One through Three evaluation cohorts for each pathway. The evaluation cohorts are the group of candidates that are being studied for the purposes of the evaluation of pathways. As presented below, we see a slightly smaller cohort for Year Two than Year One, but a larger Cohort for Year Three than Year Two.

Table 1: Evaluation Cohorts: Years One through Three

<table>
<thead>
<tr>
<th>Category</th>
<th>Articling Program</th>
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<td>Year Two</td>
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<td>Evaluation Cohorts</td>
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<td>(221 LPP/17 PPD)</td>
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</table>

Perceptual Measures and Instruments Developed and Implemented

Various data collection tools were developed and implemented to aid in the gathering of evaluation data. These tools will be described next.

Exposure and Performance Measures for the Articling Program

Behaviourally-Anchored Rating Scales (BARS) tools were developed by an external vendor for the Law Society with the aid of various law practitioners in early in 2014 for first use in the 2014-2015 Articling Program (Year One).

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\(^{11}\) Number of candidates who started an articling placement or the LPP/PPD in the Licensing Process year (May 1 to April 30)

\(^{12}\) Number of candidates who started an articling placement after the first Tuesday in August and on or before April 30. For the evaluation purposes, only those candidates who started an articling placement between May 1 and the first Tuesday in August, and were therefore expected to complete the Articling Program prior to the calls to the Bar of the following year, are included in the evaluation cohorts.

\(^{13}\) Plus six (6) candidates who have not yet completed their work placement as at June 30, 2016

\(^{14}\) Plus ten (10) candidates who have not yet completed their work placement as at June 30, 2017

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Surveys and Focus Group Protocols

Surveys and Focus Group protocols were developed and implemented to gather both quantitative and qualitative perceptual data from candidates, from Articling Principals (Years One through Three), and from the newly licensed practising lawyers in the Year One and their employers, on various aspects of each of the pathways. For Year Two, newly practising lawyers were surveyed, but due to lack of response for Year One, employers’ perceptions are no longer being sought for input.

The following data collection tools have been developed and implemented for the Pathways evaluation:

1. Law Practice Program/Programme de pratique du droit Entry Survey
2. Law Practice Program/Programme de pratique du droit Withdrawal Survey
3. Law Practice Program/Programme de pratique du droit Focus Group Protocol
4. Articling Program Focus Group Protocol
5. Law Practice Program/Programme de pratique du droit Exit Survey
6. Articling Program Survey for Candidates
7. Articling Program Survey for Principals
8. Law Practice Program/Programme de pratique du droit Post-License Survey/Focus Group Protocol for New Lawyers
9. Law Practice Program/Programme de pratique du droit Post-License Survey/Focus Group Protocol for Employers of New Lawyers
10. Articling Program Post-License Survey for New Lawyers
11. Articling Program Post-License Survey/Focus Group Protocol for Employers of New Lawyers

We attempted to measure Year One (2014-2015) cohort’s perceptions with all the aforementioned instruments. However, as previously mentioned, there was very little interest in employers to participate in focus groups, so ultimately, they were not conducted. Year Two (2015-2016) cohort’s perceptions have been measured by all the instruments, except the post-license survey/focus groups for employers, as it was decided that due to the lack of interest expressed by employers with the Year One cohort, these data collection activities would be discontinued. For Year Three (2016-2017), we have data from the first seven instruments, and will reach out to newly practising lawyers from this cohort in 2018.

All surveys are aimed or targeted at all candidates and in the case of the Articling Program, the candidates’ Principals, those lawyers in the Year One and Year Two cohorts who are currently practising law, and their employers in Year One. Focus groups are conducted for a small sample of candidates in each of the pathways. Focus group participants were selected by The Law Society of Upper Canada to fulfill the evaluation sampling requirement for equity-seeking strata.

It should be noted that in the evaluation framework, it was planned to conduct Focus Groups with the newly licensed practising lawyers in the Year One cohorts and their employers. However, efforts to facilitate these data collection activities were not fruitful. Every effort was made to secure the time of Year One LPP/PPD and Articling Program new lawyers and their employers to participate in in-person Focus Groups, but after several e-mail and phone call invitations, there
was not enough new lawyers and employers who agreed to participate. An inadequate sample size would potentially bias results. The format of the Focus Groups was then changed to an online meeting (using WebEx) in hopes of encouraging more people to participate, but this did not increase uptake of participation. As a result, it was decided to conduct a survey for employers of the new lawyers instead, along with the scheduled survey for new lawyers to gather their feedback. Again, however, the response rate for the employers was very low. So, for Year Two and beyond, a decision was made collectively by RaECon and The Law Society of Upper Canada to forgo the employer perceptions.

Data Collection Instruments and Response Rates

The Law Practice Program/Programme de pratique du droit Entry Survey
Administered in August, prior to the start of the LPP/PPD, this survey is aimed at understanding the candidates’ rationale for enrolling in the LPP/PPD and their expectations for the program.

Year One: 220/277 (79%) responded, which is an accurate snapshot of the targeted population and the data may be viewed as reliable.

Year Two: 202/310 (65%) responded, which is reasonably accurate snapshot of the targeted population and the data may be viewed as reasonably reliable.

Year Three: 211/359 (59%) responded, which is reasonably accurate snapshot of the targeted population and the data may be viewed as reasonably reliable.

Law Practice Program/Programme de pratique du droit Withdrawal Survey
Administered in November and February, this brief survey is aimed at the LPP/PPD candidates who withdrew from the program, and to understand their rationale for doing so.

Year One: 29/40 (73%) responded, which is an accurate snapshot of the targeted population and the data may be viewed as reliable.

Year Two: 32/50 (64%) responded, which is reasonably accurate snapshot of the targeted population and the data may be viewed as reasonably reliable.

Year Three: 18/38 (47%) responded, which is fairly accurate snapshot of the targeted population and the data may be viewed as fairly reliable.

Law Practice Program/Programme de pratique and Articling Program Focus Groups Protocol
These Focus Group interview protocols are designed to probe deeper into candidates’ perceptions of the relative strengths and weaknesses of the experiential training they have received in each program, specifically asking about program value and fairness. The Focus Groups for the LPP/PPD are conducted in April both in Toronto and Ottawa, and the Articling Program Focus Groups occur in Toronto during the first week of May. Typically, there are 8 to 12 Focus Group participants per session.

Law Practice Program/Programme de pratique Exit Survey
This survey was administered at the end of April in Year One and early in May, immediately following the end of the Program, in Years Two and Three. The survey is sent after the Focus
Groups so we may ask questions to a broader audience about any topics raised in the Focus Groups. Additionally, this survey re-visits the concepts of strengths and weaknesses of the experiential training as well as fairness and value.

**Year One:** 185/240 (77%) responded, which is an **accurate** snapshot of the targeted population and the data may be viewed as **reliable**.

**Year Two:** 163/231 (71%) responded, which is an **accurate** snapshot of the targeted population and the data may be viewed as **reliable**.

**Year Three:** 112/233 (48%) responded, which is **fairly accurate** snapshot of the targeted population and the data may be viewed as **fairly reliable**.

### Articling Survey for Candidates
This survey is administered end of May, after the Focus Groups so we may ask questions to a broader audience about any topics raised in the Focus Groups. Additionally, this survey re-visits the concepts of strengths and weaknesses of the experiential training as well as fairness and value.

**Year One:** 636/1,455 (44%) responded, which is a **less accurate** snapshot of the targeted population and the data may be viewed as **unreliable**; and interpretations and findings are made with caution.

**Year Two:** 614/1,392 (44%) responded, which is **less accurate** snapshot of the targeted population and the data may be viewed as **unreliable**; and interpretations and findings are made with caution.

**Year Three:** 358/1,411 (25%) responded, which is **poor** snapshot of the targeted population and the data may be viewed as **unreliable**; and interpretations and findings are made with caution.

### Articling Survey for Principals
Administered at the end of May and early June, this survey re-visits the concepts of strengths and weaknesses of the experiential training as well as fairness and value all from the Principals’ perspectives.

**Year One:** 487/1,243 (39%) responded, which is a **less accurate** snapshot of the targeted population and the data may be viewed as **unreliable**; and interpretations and findings are made with caution.

**Year Two:** 358/1,221 (29%) responded, which is **less accurate** snapshot of the targeted population and the data may be viewed as **unreliable**; and interpretations and findings are made with caution.

**Year Three:** 208/1,225 (17%) responded, which is **poor** snapshot of the targeted population and the data may be viewed as **unreliable**; and interpretations and findings are made with caution.

It may be noted that the response rate for Articling Principals is somewhat misleading as, in the interest of gathering as much feedback as possible, law firm administrators had the option completed surveys on behalf of or in addition to their Articling Principal(s) at their firm, and their individual responses may be representative of several placements at their law firm.
Law Practice Program/Programme de pratique Post-License Survey for New Lawyers and Employers

This survey is aimed at practising new lawyers who completed the 2014-2015 (Year One) LPP/PPD and their employers to gauge their views on the relative strengths and weaknesses in the experiential training received by the new lawyers with regards to their preparation for practice. The survey, sent as two separate surveys in one link to maximize distribution, is administered in April of the year post-licensing.

**Year One New Lawyers:** 65/124 (52%) responded, which is reasonably accurate snapshot of the targeting population and the data may be viewed as reasonably reliable.

**Year One Employers:** We received just one (1) response from an employer of a new lawyer who completed the 2014-15 LPP/PPD from 77 potential respondents. The Law Society does not have manager/supervisor contact information for licensees and therefore relied on the new lawyers to forward the survey to their manager/supervisor to complete. **With only one (1) response, there are insufficient data to report on the perceptions of the employers of new lawyers who completed the LPP/PPD.**

For the Year Two cohort, as previously noted, this survey was intended for new lawyers only.

**Year Two New Lawyers:** 46/135 (34%) responded, which is less than accurate snapshot of the targeting population and the data may be viewed as unreliable; and interpretations and findings are made with caution.

Articling Program Post-License Survey for New Lawyers and Employers

This survey is aimed at practising new lawyers who were a part of the Year One and Year Two Articling Program evaluation cohorts and the employers of the Year One cohort to gauge their views on the relative strengths and weaknesses in the experiential training received by the new lawyers with regards to their preparation for practice. The survey, sent as two separate surveys in one link to maximize distribution, is administered in April of the year post-licensing.

**Year One New Lawyers:** 339/1,138 (30%) responded, which is a less than accurate snapshot of the targeted population and the data may be viewed as unreliable; and interpretations and findings are made with caution.

**Year One Employers:** We received just 22 responses from employers from 1,048 potential respondents, which is a 2% response rate. The Law Society does not have manager/supervisor contact information for licensees and therefore relied on the new lawyers to forward the survey to their manager/supervisor to fill in. **With only 22 responses, these data are a less than accurate snapshot of the targeted population and the data may be viewed as highly unreliable; and interpretations and findings are made with caution.**

**Year Two New Lawyers:** 113/1,086 (10%) responded, which is a poor snapshot of the targeted population and the data may be viewed as unreliable; and interpretations and findings are made with caution.

For the Year Two cohort, as previously noted, this survey was intended for new lawyers only.
Trends and Interpretation

Overall, we are seeing there is a **declining response rate trend**, though enrollment in both pathways is increasing. For example, the LPP/PPD Entry Survey combined response rate declined from 79% in Year One, to 65% in year Two, to 59% in Year Three. Similarly, the LPP/PPD Exit Survey overall response rates declined from 77% to 64% to 44% for Years One through Three, respectively. The Articling Principals Survey response rate declined from 39% in Year One to 29% in Year Two to 17% in Year Three. Last year the only survey that did not have declining response rates was the Articling Program Candidates’ Survey, which had an unimpressive 44% response rate in each of Year One and Year Two. This year, however, the response rate for the Articling Program Candidates’ Survey dropped to 25%.

Similarly, for the new lawyer surveys, the overall LPP/PPD response rate declined from 52% to 34%, and the Articling Program response rate declined from 30% to 10%.

It is noted here that The Law Society of Upper Canada had undertaken another survey study involving the Year Two and Year Three Articling Program cohorts immediately after the the Articling Program New Lawyer Survey and immediately before the Articling Program Candidates’ Survey, and this in all likelihood negatively impacted these cohorts’ survey response rates.

**When there are relatively few data to report because of very low response rates, we cannot reliably report results.** Where we have not reported results for a given group (e.g., New Lawyers from the PPD, and employers of New Lawyers from the LPP) it is because we do not have the necessary data to do so. The overall trend of declining response rates for the Pathways Evaluation survey tools is troubling.
3. Keys to Transitional, Experiential Training

Both the Law Practice Program/Programme de pratique and the enhanced Articling Program were designed and implemented to fulfill the need for transitional, experiential training for lawyer candidates. The Law Society of Upper Canada set the standards for each of the Pathways component programs with five goals in mind:

**Five Goals of Transitional Training**¹⁵

1. Application of defined practice and problem-solving skills through contextual or experiential learning.
2. Consideration of practice management issues, including the business of law.
3. Application of ethical and professionalism principles in professional, practical and transactional contexts.
4. Socialization from candidate to practitioner.
5. Introduction to systemic mentoring.

**Fairness, Accessibility and Objectivity**

Further, the Law Society of Upper Canada’s goals for each of the pathways was a need for each to be designed and implemented to be fair, accessible and objective. These three key terms will be defined for context, next.

**Fairness**

A process or decision is considered fair in the regulatory context when all the following are demonstrated:

- **Substantive fairness**: ensuring the fairness of the decision itself. A decision itself must be fair, and to be fair it must meet pre-determined and defensible criteria. A decision must be reasonable and the reasoning behind the decision must be understandable to the people affected.

- **Procedural fairness**: ensuring the fairness of the decision-making process. There is a structure in place to ensure that fairness is embedded in the steps to be followed before, during and after decisions are made. This structure ensures that the process is timely and that individuals have equal opportunity to participate in the registration process and demonstrate their ability to practise.

- **Relational fairness**: ensuring that people are treated fairly during the decision-making process by considering and addressing their perception about the process and decision.¹⁶

For the context of the Pathways programs, fairness also means the removal of unreasonable process barriers, but the goal of the process remains ensuring the competence of those who are licensed. The primary substantive concern is competence and the primary process concern is fairness.¹⁷

¹⁶ From the Office of the Fairness Commissioner, provided by the Law Society of Upper Canada, January 5, 2015.
Accessibility refers to the pathways being reachable, attainable, easily understood, and meeting the needs of people from a variety of backgrounds and a variety of characteristics, including: ethnicity, race, abilities, disabilities, age, gender, language abilities; and preferred learning styles and abilities. The pathways will acknowledge that people learn in a variety of ways, being proactive and inclusive ways of designing assessment of competencies, removing barriers to learning before they can affect any candidate. Both the LPP/PPD and the enhanced Articling Program will identify and clearly express the essential entry-level competencies, while recognizing that candidates can express understanding of these competencies in multiple ways.\textsuperscript{11}

Objectivity is judgement based on observable phenomena and uninfluenced by emotions or personal prejudices; and uninfluenced by personal feelings or opinions in considering and representing facts. Data gathered from the reporting requirements in the LPP/PPD and the Articling Program will objectively measure whether each pathway, as a regulatory requirement, accomplishes its goals.

The data should have objective and demonstrable standards to:

- Identify and articulate the goals of the LPP/PPD and of the Articling Program;
- Formulate criteria to measure whether those articulated goals are being achieved in each pathway;
- Ensure that the articling experience is reasonably consistent for all articling candidates and ensure that the LPP/PPD experience is reasonably consistent for all LPP/PPD candidates; and
- Assess whether candidates in each pathway have demonstrated the practical skills and knowledge necessary for entry-level lawyers.\textsuperscript{18}

\textsuperscript{18} Provided by the Law Society of Upper Canada, January 5, 2015.
4. Overview of the Law Practice Program and the Programme de pratique du droit

The following information has been taken directly from Ryerson University’s and The University of Ottawa’s own annual reporting to The Law Society of Upper Canada. The evaluation did not necessarily confirm or assess the merits of the statements made.

Law Practice Program

The Ryerson Law Practice Program (LPP) was established in 2014 as a 3 year pilot by the Law Society of Upper Canada (LSUC), and was renewed by the LSUC for a further two years, to June 2019. This is the completion of the third full year of the pilot, and we embark on the first year of the two-year renewal. The 2 public reasons for the pilot can be summarized as:

1. To address the shortage of articling positions
2. To develop an experiential path to licensing that provides for the consistent development and assessment of the key core skills identified and required by the LSUC, through 7 substantive areas of law.

The Ryerson LPP consists of 17 weeks of training, followed by a 16 week work placement. The training consists of 3 weeks in person plus 14 weeks interactive online all based on developing necessary skills by “working/completing tasks” on files developed by subject matter experts (specially trained actors often play the clients). The candidates are organized into “firms”, have a principal acting as a mentor, and are assessed in different ways on the over 100 different tasks they undertake. The LPP makes the assessment whether they have met the LSUC standard. The training helps them “hit the ground running” in their work placement, which has the same status as an articling placement. It is assessed, initially by the supervising lawyer, and ultimately by the LPP.

The 8 month LPP: How the Training and Work Placement Fit Together

Think about running your own general practice law firm, with three other partners, incorporating technology and online opportunities. That is what our Candidates do when they begin the Ryerson LPP each August. The LPP is an innovative rigorous eight-month lawyer licensing program, now completing its third year. The LPP is comprised of 2 sessions: a four-month Training Component (late August to mid-December) and a four-month Work Placement (January to April). The LPP aims to prepare licensing candidates to hit the ground running and ensure they meet the standards expected of new lawyers, as set by the LSUC.

The Training Component: Introducing the Virtual Law Firm (VLF)

During the Training Component, candidates are randomly placed into virtual law firms (VLFs) of approximately four people. This ensures that LPP Candidates are exposed to group dynamics from the very beginning, which is relevant to today’s successful professional development. We have had 60 firms in each of Years 1, 2 and 3. Each firm is paired with a Mentor, who is a member of the legal profession in Ontario. Our Mentors come from across the province, average about 15 years of practice, and cover all areas of practice and workplace settings (clinics, government, private practice of all sizes, in-house counsel). In fact, to ensure that all VLFs obtain access to more than one “voice”, we rotate mentors mid-way after the second in-person week, to ensure firms have the benefit of different perspectives and experiences. These Mentors act as “Supervising Lawyers” for the VLFs, meeting with the entire firm once weekly for 17 weeks via webinar, and then bi-weekly with individual Candidates. During these interactions, Mentors and firms review the case file work...
that the Candidates have been working on that week, or have coming up, as well as discuss specific themes of Professionalism and Ethics, Practice and Client Management. Candidates can get additional assistance from Subject Matter Experts, or the LPP, in addition to their Mentor, when they have questions.

**Competencies and Practice Areas**

So what do the candidates do during the Training Component? The LPP is “work” not school. We expect that they have completed their legal education and we prepare them for the world of practice. On the basis of the expectations of the LSUC’s mandate, our goal is to develop and assess in our candidates the following skills (broadly):

- Professionalism and Ethics
- Analysis
- Research (legal and otherwise)
- Communications (oral and written)
- Practice Management
- Client Management

How do we develop these skills? Our Candidates meet at Ryerson 3 times for a week at a time (launch week end of August; middle of October; and middle of December). These 3 weeks offer Candidates the opportunity to engage in intensive workshops or panels (eg Trial Advocacy, Corporate Counsel), meet each other (future colleagues) as well as members of the profession. The rest of the 14 weeks they are “working” in a simulated environment, responding to lawyer and client requests on a rapid, regular, intense basis. Their work is “delivered” via case files in the subject areas mandated by the LSUC:

- Administrative Law (previously a Landlord/Tenant matter; this year an Immigration matter);
- Business Law
- Civil Litigation (in 2016, both an employment file and a Construction Mediation file)
- Criminal Law
- Family Law
- Real Estate Law
- Wills & Estates Law

**Input by the Profession: Subject Matter Experts, Mentors and Assessors**

Each of the case files is developed by a Subject Matter Expert (SME), a leading Ontario practitioner in their field. The SME develops/updates a background story, online reference resources, precedents and “typical” file assignments. These assignments (approximately 100 in 2016) include client meetings, to opening a file to research, responding to clients’ questions, to drafting or reviewing contracts or pleadings, through to arguing or presenting before a court or tribunal…and then billing and collecting fees. Candidates receive these assignments throughout the business day/week as “emails” from “Senior Partners” in the relevant practice area. The case files are layered, beginning with work on one, then a second, eventually with all seven, therefore also building the skill of professional prioritization (aka practice management). Sometimes VLFs are working on a single file for a day or two; other times they are juggling the expectations of multiple files...as is the case in “real world” practice. The VLFs have access to both legal research platforms of WestlawNext Canada and QuickLaw (as well as practice management tools by both
companies offered typically to new lawyers); Clio, the practice management docketing and billing platform; Teranet and Lawyer Done Deal (for their real estate files).

VLFs connect with their Mentors, each other, Managing Partners, Subject Matter Experts and their clients virtually through webconferencing and other online platforms (eg video “meetings”). Who are these clients, you might ask? In five of the files, the VLFs have the benefit of live-actor simulators, trained on the file and the requirement of “client management” skills, through Ryerson’s specialized Interpersonal Skills Teaching Centre (ISTC – see: http://www.ryerson.ca/istc). ISTC’s research has shown that these simulations are “more realistic than role play and more powerful than case studies.” These simulators will offer VLFs the same “client” in a file over the course of several months, with live and webconferencing interactions.

Candidates submit some work through their firm, most individually. They are offered feedback by their Mentors on some of their work (particularly as they first begin the work), or self-assess based on model answers available by the SMEs (and then discussed during the weekly Firm Meetings with the Mentors). In addition, however, Candidates will be assessed by other members of the profession as specific Assessors for particular subject matter tasks (Motions, Client meetings, Negotiations, Opening/Closing Statements, Cross/Direct Examinations, Submissions, Bail Hearing, Supervisor Meetings), during the 2nd and 3rd in-person meetings. Candidates are assessed monthly by their Mentors on all six of the competencies noted above. Candidates are assessed as “Developing”, “Meets Expectations” or “Exceeds Expectations” by their Mentors and Assessors, and overall success depends on consistent and developing performance throughout the four months.

Where there are issues, Candidates are supported during the Training Component to develop and, where necessary, are remediated after the Training Component until competency is ascertained.

**Intensive Training Components and Additional Subject Matter Experiences**

Every year, Candidates benefit from a number of additional sessions. Here are a few examples: Since 2015, LPP Candidates have benefitted from the delivery of an Intensive Trial Advocacy training program by Sheila Block (Torys LLP) and Prof. James Seckinger (Notre Dame Law School), together with over 50 senior litigators. These senior lawyers participate for one entire day in each of our in-person weeks (ie one in each of August, October and December) to offer demonstrations, workshops and feedback to our LPP Candidates on Trial Advocacy techniques.

In 2016, building on a Corporate Counsel information panel developed by Ryerson’s Office of the Counsel, the LPP Introduced a Corporate Counsel Intensive, which included both a panel Webinar on General Guidelines for Becoming an Effective In-House Counsel and a December Panel Workshop developed by Judy Naiberg (Sony Music Canada), Lynn Korbak (Toyota Canada), Thomas Santram (Cineplex Inc.) and Stephen Scholtz (CIBC). Two Corporate Financial Literacy Webinars were also developed and delivered by Brian Livingston (formerly with Imperial Oil), Dealing with Clients, People and the Rest of the Business World, as well as a final December Corporate Financial Literacy and Workshop (Corporate Counsel Negotiation Workshop).

LPP Candidates were also introduced to a live Wellness panel in August (including Doron Gold and Orlando DaSilva) and to Webinars by the Intellectual Property Institute of Canada (IPIC), the Ontario e-Discovery Implementation Committee, LawPro and the LSUC.
The Business Plan and A2J Innovation Challenge Proposals

In addition to their file work, VLFs also work together to develop a Business Plan for their firm. This Plan includes the areas in which they intend to practice, the business structure they propose to implement, their plans to develop a client base, and a financial pitch to a bank to secure financing. In addition to the Business Plan, firms also develop an Access to Justice Innovation Challenge...an idea/concept to help promote the delivery of justice faster, more efficiently and in a more cost conscious manner. Seven of the 60 firms are selected to make a “pitch” of their idea to a panel of judges, with one firm ultimately winning the Challenge. Each year the winning team’s prize has been a one-on-one lunch and audience with Chief Justice Strathy at Osgoode Hall to discuss the winning Proposal.

The Work Placement

Candidates move on to the four-month Work Placement only after they have successfully completed the Training Component. We recruit employers on the basis that our Candidates are ready to “hit the ground running” in January. Our employers span the range of practice areas and office settings across the province. Candidates are prepared for both general and more focused practice areas for their Work Placements.

Securing Work Placements

Once an LPP Candidate has successfully completed the 4-month intensive Training Component they are eligible to begin their work placement. LPP Candidates can secure work placements in two ways: 1) by applying to the job postings we have secured through the program’s outreach efforts; and/or 2) conducting outreach to potential employers they would like to work with which we then review and confirm the work placement’s eligibility. Almost all LPP Candidates secure their work placements through applying to the job postings the Work Placement Office secures and posts in our PlacePro database. In each of the first 3 years of the LPP, we had 100% placement of eligible Candidates. In total, more than 670 Candidates have been placed.

To secure the over 670 work placement job postings, during the first three years of the program, the Work Placement Office, along with the outreach efforts of the overall LPP team, made many phone calls to prospective employers, attended and presented at numerous legal association and legal conference events, as well as, placed advertisements in a variety of legal publications including the Ontario Reports, Canadian Lawyer Magazine, the Lawyers Weekly, Precedent Magazine, Legal Association Newsletters and, other publications.

The Work Placement Office works diligently throughout the year to develop the work placement opportunities with potential employers. In addition to conducting many outreach phone calls, they conduct numerous follow-up calls to confirm the employers participation (i.e. to get the Employer Profile Form from the employer to create the placement position); the position is then vetted and posted for LPP Candidates to apply to; once the position closes the LPP Candidate applications are then reviewed to create a shortlist that employers can review; the applications are then submitted to the employers along with a link to all the applications submitted for their placement position; follow-up calls are then placed to confirm which candidates the employer would like to interview; and again, follow-up calls are made to confirm who the employer has decided to hire. Once the LPP Candidate accepts the position the Work Placement Office sends a completed Work Placement Agreement and Education Plan to the employer and the LPP Candidate to sign and return. The employer also receives a Pre-Placement FAQ & Checklist to assist them in preparing for their LPP Candidate’s arrival in January.
Within the current legal and economic environment, over the past three years, the Work Placement Office has been able to create over 670 work placement opportunities that would not have otherwise existed in Ontario. Over 70% of roles are paid (72% in year 3, with only 11% of these representing stipends). We believe this compares favourably with what is actually going on with articling. The participating employers include large and small employers across all legal sectors from private practice to in-house and legal clinics to all 3 levels of government.

**In-Placement Check-Ins**

During the four-month work placement period the Work Placement Office conducts two in-depth checkin calls with each employer as well as an in-depth check-in call with the LPP Candidate. These check-in calls provide us with the opportunity to gather feedback on the LPP Candidate’s performance, as well as, the LPP Candidate’s experience. The feedback received during the employer check-in calls can be very insightful and, in most instances, quite extraordinary. Employers tend to immediately comment on how well-prepared the LPP Candidate was to “hit the ground running”. In fact, they often mention that they operate at a significantly higher level than other licensing candidates they have encountered in the past. Similarly, LPP Candidates during their check-in calls also comment on how prepared they felt arriving into the new work environment particularly since many of the experiences they are engaging in are tasks they prepared for or completed during the Training Component.

In addition to the formal check-in calls, the Work Placement Office reminds both employers and LPP Candidates that they are always available to support them with any matters that may arise during the work placement. In some cases this may mean acting as a facilitator or providing additional resource support to the employer or the LPP Candidate.

**Post-Placement Success**

Early indications are that LPP Candidates, once called, are meeting with excellent employment success. Within six months of their call to the Bar 75% of LPP Candidates from year one are working full-time in law. In year two, 80% were working full-time in law within six months of their call to the Bar.

**Programme de pratique du droit**

Attached to this report is a report produced by the Law Society of Upper Canada providing the data collected about the Programme de pratique du droit for the Evaluation of Pathways: Years One to Three.

The Programme de pratique du droit referred to as the PPD is an eight-month program, including a four-month intensive in-person practice program in a simulated law firm followed by a four-month placement in a legal workplace.

Ottawa PPD’s innovative practice program has been designed in consultation with experienced lawyers. Its objective is to allow students to master all the skills necessary to offer quality French legal services and to succeed in their professional careers. The practice program consists of eight practice modules:

1. civil litigation;
2. administrative law;
3. commercial law;
4. criminal law;  
5. family law;  
6. real estate law;  
7. wills and estates law, and;  
8. establishing and managing a firm.

Within a simulated law firm, candidates familiarized themselves with all aspects of the legal practice including communicating with clients, legal researching and drafting, strategic decision-making, oral argument, computerized firm management, time management, billing, professional responsibility, developing a business plan, and networking.

Since July 2014, the PPD has occupied offices at 554 King Edward Street, on the University of Ottawa campus. This is a three-storey house (the first floor is entirely accessible) with several offices, a reception desk, a conference room, a photocopying room, a lounge, a kitchen, and a lunch area. These offices are used by the PPD staff, the practising trainers, and the candidates. This year, given the large number of candidates, certain candidates occupied the offices located at 556 King Edward.

This building is the main site for training during the training component. Each candidate has access to a workstation in an office with a filing cabinet. Candidates also have access to a letterbox, wireless Internet, and printers. The offices are perfectly suitable to the PPD’s needs because their layout makes them look like a functional lawyer’s office. This facilitates the students learning by giving them the opportunity to manage simulated legal issues in a real work environment.

During the 2016-2017 training component, the PPD candidates accomplished over 90 tasks testing more than 80 skills in seven (7) areas of law. They were also exposed to all the aspects of practice management, including respect for professional obligations, development of business acumen, initiation in the practice of law in a rural environment, and community engagement. In the work placement component, candidates had the opportunity to implement their new skills acquired during the PPD training component by working in a variety of legal environments, like national unions, governmental agencies, small firms, and government.

On September 6, 2016, the candidates had the opportunity to participate in a simulated meeting with partners at Genest et avocats (i.e. the practising trainers and supervising lawyers of the PPD). During the meeting, the partners reminisced about their first two years in practice and their successes. Little by little, they also discussed the future of the firm and explored possibilities of expanding by opening one or several offices in Sudbury, Timmins, and/or Hawkesbury. The partners discussed issues relating to this idea (changes in the legal profession, access to justice in French, shortage of lawyers in the North and other rural regions, the increased funding for Legal Aid Ontario certificates). At the end, the partners asked the students-at-law to study the possibilities of opening one satellite office in Sudbury. The candidates explored that possibility and developed a business case for the partners during the training component.

The PPD added three supervising lawyers to its team for the 2016 training component. This year, because of the large number of candidates, we have recruited an extra person to facilitate a fourth working group.

Their role was to moderate work groups every other week with the candidates. The goal of those small groups was to closely follow the candidates’ progress and give them more individualized feedback on legal drafting, practice management, and file management. Also, the discussion
groups were used as a forum to discuss and share on issues relating to the professional obligations of a lawyer.

Based on the feedback we received from the 2014-15 candidates, and the success of the mentoring program during 2015-16, we have offered once again a mentoring program for our candidates. In that program, we offer each candidate a chance to be matched with a member of the legal community as their mentor for the duration of the program. The goal is to give the candidates contact with lawyers and members of the legal profession in formal or informal settings, and to learn more about the practice of law from the solid experience of their mentors.

In order to improve the training component for the pilot project’s third year, we asked the candidates to complete surveys to have their feedback on the training component. Our survey included questions on the following:

- Modules and practising trainers, including assessment;
- Professional development days;
- Resources offered by the PPD;
- Services offered by the University of Ottawa.

**Workshop of AJEFO on Advocacy**

Thanks to a generous grant from AJEFO, all candidates were able to participate in a workshop on advocacy at AJEFO that was held on September 21, 2016. It was an excellent networking opportunity for the candidates.

The workshop was in two parts. First, plenary sessions facilitated by lawyers and judges helped participants to find out about several techniques and issues facing barristers during discovery. Secondly, practical group exercises helped participants put in practice the techniques learned at the plenary sessions.

The learning methods used in that workshop were diverse and interactive. The workshop and the booklet of the participant were based on training sessions developed by The Advocacy Club and were adapted by the Association des juristes d’expression française de l’Ontario (AJEFO), Mr. Marc Smith (Forget Smith Morel), Ms. Margot Leduc Pomerleau (McBride Bond Christian LLP) and Ms. Éliane Lachaîne (Burn Tucker Lachaîne).

**Governmental Law Module**

Because certain candidates acquired federal or provincial government work placements in 2016 and 2017, the PPD deemed it important to initiate all candidates in the practice of federal or government law through a short learning module on an issue linked to personal rights within a governmental context. Thanks to the PPD’s close relationship with the federal government, two lawyers from the Human Rights Law Section of Justice Canada were able to share their insights with respect to the role of a lawyer in the public sector. They tackled certain issues connected with the practice of law in a governmental context, such as knowing how to determine who the client is in this context, what issues are tied to government practice, in addition to the way of preparing legal advice and drafting other key documents for ministers and other officials. The candidates then drafted a memorandum of intent on behalf of a senior ministry official regarding a question of language rights droits and the Official Languages Act. In addition to the employers involved in the governmental internships, found this exercise to be extremely useful for learning purposes.
In the training component, the PPD received the following special guests to address our candidates:

- Presentation of a WestLaw representative;
- Presentation of Ontario Legal Aid Ottawa regional office
- Presentation of Action logement representative;
- Presentation of a lawyer from the Clinique juridique francophone de l’est d’Ottawa;
- Presentation of a member of a federal tribunal offering advice on advocacy in administrative law;
- Presentation of an in-house lawyer from a national union to give an overview on administrative law;
- Panel on family law;
- Conference on community stakeholders in criminal law, including representatives from:
  - Maison Fraternité
  - Centre de services juridiques pour femmes francophones de l’Ontario
  - Ticket defence program; and
  - A visit from the treasurer of the Law Society of Upper Canada.

**Mobile Clinic in Sudbury**

During the access to justice week in Ontario, certain PPD candidates joined an initiative organized by the Ottawa Legal Information Centre that was held in Sudbury. Working with six supervising lawyers, 11 PPD candidates participated in a temporary free legal clinic in a shopping mall located in downtown Sudbury. At that clinic, these PPD candidates and the volunteer lawyers offered free legal information to litigants in the areas of family law, employment law, wills and estates, housing law and income maintenance. That clinic was offered in the afternoon of October 27 and the morning of October 28, 2016. The organizers estimate that about 75 litigants were helped.

**Day on specializations**

On December 12, 2016, we organized a panel on the career possibilities in law with representatives from the following work places:

- Unions;
- Legal clinics and NGO;
- Small firms;
- Government;
- In house lawyers; and
- Quasi-government agencies.

The candidates then had the opportunity to break out in small groups according to their placement work environment to attend training to prepare to the placement. That training session was followed by a networking dinner.

**PLACEMENT COMPONENT**

**Matching Process**

In September 2016, we started the process of matching the candidates with employers. In that process, we proposed four placements to each candidate, taking into account their fields of
interest, as well as the employers’ selection criteria. Our goals in proposing these placements to the candidates, instead of only posting the jobs and asking the candidates to apply to their choice placement, was to maximize their chances of success, to filter the applications for the employers, and respect our accommodation obligations with respect to the Ontario Human Rights Code. Pursuant to the PPD policy on placements, the candidates must undertake all possible and necessary efforts to obtain the placements that are proposed.

To give each candidate the best chances of success, three members of the Career and Professional Development Centre (the “Career Centre”) of the Law Faculty were available to review their résumés and their presentation letters. Those same people were and are still available to help the candidates with preparing for interviews through simulated interviews.

Assessment of Placement Skills

Audit of the placement beginning

In January 2016, we called each candidate to do our audit at the beginning of the placement. During these 30-minute discussions, we discussed their learning goals for the placement component. We also took this opportunity to look at the skills assessment process during the placement and to confirm some information from the candidates concerning their placements such as the start date of the placement and their salary.

Reflection Journal

With a view to improving the training component for the 2016-2017 year, we asked candidates to make regular entries in a reflection journal in order to more closely document their progress. This also allowed us to check that all the candidates were well supported during their placements.

Midterm assessment

Mid-February, we communicated with all the employers and the candidates to make our mid-session assessment of placements. Each supervisor provided detailed feedback regarding their candidates’ performance. We also asked the candidates to complete a self-assessment about their performance and their progress in the placement.

As per the PPD policy regarding the placement component, if a candidate’s mid-session assessment is not entirely positive, the directors reserve the right to follow up with the supervisor to discuss in more detail the candidate’s performance. This year, however, no follow-up was necessary since the feedback from employers was generally positive.

Final Assessment

The final assessment of placements was done at the end of April. When the feedback on a candidate was not entirely satisfactory, we followed up with the placement supervisor to determine if the candidate had satisfied the Placement component requirements.

Assistance to Transitioning into the Legal Workplace

In order to support the candidates in their transition into the practice of law, we organized a luncheon on the following topics:
- preparation of a résumé and a cover letter for lawyer positions;
- networking;
- ways to stay competitive in the legal workplace;
- access to the hidden job market; and

**Linguistic test**

To ensure a certain quality of the French-Language within the program, the University of Ottawa’s PPD created a linguistic test for candidates who did not study law in French but would like to register in the PPD. The passing mark established by the PPD, in consultation with two legal writing experts, was 65%.

**Year One**: one candidate passed and two candidates failed and were therefore denied entry into the program. In **Year Two** and **Year Three**, none of the candidates had to write the test because they all did their law studies in French.
5. Overview of the Articling Program

Articling Principals and candidates were informed that new evaluative measures, as part of an enhanced Articling Program, mirror those in the Law Practice Program and over the course of the Pathways Pilot Project the Law Society will study the effectiveness of both pathways in preparing candidates for entry to the profession. They were also informed via email\(^\text{10}\) that in addition to the current Articling Program requirements, there are two new requirements for Principals and one new requirement for candidates’ effective for placements starting on or after May 1, 2014:

1. The Articling Principal to file an **Experiential Training Plan** for the articling placement before the start of the articling placement or within 10 business days of the start. The purpose of the Experiential Training Plan is to assure that the articling placement will provide the candidate with a meaningful training experience. The preparation of plans will also help promote a level of consistency in application of skills competencies across articling placements.

2. The Articling Principal and the articling candidate *each* file a **Record of Experiential Training in Articling Program** at the end of the articling placement or within 10 business days of end. The Record of Experiential Training in Articling Program is a BARS-based reporting requirement designed to gather information about the candidate’s exposure to the experiential training competencies and about the level of the candidate’s performance in relation to the performance appraisal competencies, during their placement.

**Experiential Training Plan Template**

The online experiential training plan template asks Articling Principals the following questions and the answers formulate the training plan:

1. What level of administrative support will be available to the candidate during the placement?
2. How will the articling placement support the candidate’s fulfillment of each of the experiential training competencies?
3. How will the Articling Principal appraise the performance of the candidate undertaking the five tasks, based on the performance appraisal competencies?
4. Will there be a process for ongoing provision of feedback to the candidate about the candidate’s performance? And an opportunity for the candidate to discuss, in confidence, any problems or areas of concern about the articling placement and to ask for guidance and advice about their work?
5. Any additional information about the placement?

**BARS-based Measurement Tools, used for Principal and Candidate Reporting**

Skills-based task exposure and performance appraisal in the Articling Program are now measured by Behaviourally-Anchored Rating Scales (BARS). These scales have been developed by The Performance Assessment Group (an external vendor) with input from practising lawyers, the

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\(^\text{10}\) Text provided by the Law Society of Upper Canada (December 8, 2014).
Society, and other legal professionals, such as student administrators in large law firms and Principals from government and other settings.

The BARS tools are aligned to the experiential training competency areas of the enhanced Articling Program.

Experiential Training Competency Categories:

1. Professional responsibility
2. Interviewing
3. Fact investigation and legal research
4. Drafting and legal writing
5. Planning and advising
6. File and practice management
7. Negotiation
8. Advocacy
9. Transactional/Advisory matters

Performance Appraisal Competency Categories and the Five Tasks:

1. Establishing the Client Relationship - Task: Interview a Client
2. Conducting the Matter: Matter Management - Task: Draft a Legal Opinion
3. Conducting the Matter: Advocacy - Task: Represent a Client in an Appearance or Through Some Form of Alternative Dispute Resolution or Settlement Process
4. Ethics and Professionalism - Task: Professional Responsibility Assessment
5. Practice Management - Task: Use of Law Firm/Legal Practice Management Systems

A section of a BARS tool for skills task exposure is provided here.

<table>
<thead>
<tr>
<th>2. INTERVIEWING</th>
<th>ANCHORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attend interviews with witnesses and/or experts.</td>
<td>5 Independently conducted witness and/or expert interviews.</td>
</tr>
<tr>
<td></td>
<td>4 Jointly conducted witness and/or expert interviews.</td>
</tr>
<tr>
<td></td>
<td>3 Participated in witness and/or expert interviews.</td>
</tr>
<tr>
<td></td>
<td>2 Observed witness and/or expert interviews.</td>
</tr>
<tr>
<td></td>
<td>1 Not applicable in this context.</td>
</tr>
</tbody>
</table>
A section of a BARS tool for **performance appraisal** is provided here.

<table>
<thead>
<tr>
<th>Skill Competency</th>
<th>Competency To Be Assessed</th>
<th>BEHAVIOURAL ANCHORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interviewing a Client</td>
<td>Determines the client’s legal needs.</td>
<td>5</td>
</tr>
<tr>
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<td>4</td>
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<td></td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>Not applicable in this context</td>
</tr>
</tbody>
</table>

In March 2014, a paper pilot test of the BARS was conducted with a diverse group of Principals and candidates to gain a more comprehensive understanding of how this tool will work and to identify areas where it could be improved. The Performance Assessment Group analysed the results of the pilot test and refined the tool, as required.

It is unclear at this juncture whether emailed instructions or directions in a video on how to use the BARS were effective. In the documentation provided by the external vendor, the Performance Assessment Group,20 a short section is devoted to “Using the Results of the Performance Assessment Tool,” (p.4) but the ever important *How to use the Performance Assessment Tool* was not addressed.

As task exposure measurement and performance appraisal are both enhancements, new to the Articling Program and the Articling Principals, founded on BARS, which require psychometric rigour to develop and validate, adequate instruction and training on how to use the BARS-based tools is an important and necessary piece of the Pathways Project, accounted for in the Outputs of the logic model.

We know training involved a detailed email as well as an instructional video. However, effectiveness of this training has not been measured directly.

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20 *Assessment of the Law Society of Upper Canada’s Articling Program* (September 2013).
6. Evaluation of the Keys to Transitional, Experiential Training

a. Fairness, Accessibility and Objectivity of the Training

**Law Practice Program**

Figure 1 shows us that respondents were generally satisfied, that is “Satisfied,” “Quite Satisfied,” and “Most Satisfied” with all the aspects of the administration of the Law Practice Program listed.

Respondents in **Year One** were the “Most Satisfied” with the **Responsiveness of LPP Administration to Personal Issues** in the greatest proportion (42%) and “Least Satisfied” with **Fairness of the Process to Secure a Work Placement** in the greatest proportion (24%). Respondents in **Year Two** were most “Most Satisfied” with **Fairness of the Admissions Process** (44%) and were also “Least Satisfied” with **Fairness of the Process to Secure a Work Placement** (17%). Respondents in **Year Three** were also “Most Satisfied” with **Fairness of the Admissions Process** and **Responsiveness of LPP Administration to Personal Issues** (45% each) and were also “Least Satisfied” with **Fairness of the Process to Secure a Work Placement** (26%).

The former result is consistent with what was reported in the Law Practice Program Focus Groups, but the low proportion (6%) of “Least Satisfied” with **Marketing/ Branding of the Law Practice Program** is inconsistent with what was reported in the Focus Groups in **Year One**. The **Year Two** Focus Groups also mentioned that branding and marketing of the LPP as well as the nomenclature used to describe candidates in the program (e.g., candidate or student at law was preferred to student) was a sore point among some participants. However, in **Year Three**, there were voices of concern that the Placement Office at Ryerson University made unfair demands of candidates to have placements secured early in the program year, or face expulsion; thus, denying candidates accessibility to the bar.

Further, the **Manageability of Training Course Workload** “Least Satisfaction” ratings were also relatively low (3%, 3% and 2%, respectively), which is consistent with Focus Group results for all evaluation cohorts.

**SECTION SIX SUMMARY**

- Fairness of the process to secure a work placement remains the aspect of LPP administration with the least amount of satisfaction among candidates, but fairness of the admissions continues to be the most satisfying.
- Internationally-educated candidates were generally more satisfied than Canadian-educated on most aspects of LPP administration but the gap is narrowing.
- Relevance of the work at the placement continues to garner the greatest satisfaction from candidates in the Articling Program.
- Fairness of the articling placement search process and accessibility of the Articling Program continue to show the least satisfaction among candidates in the Articling Program.
- Most Articling Principals agree that the Articling Program is fair, accessible, relevant and objective. However, fewer are indicating it is accessible.
- There is almost universal compliance in the new reporting requirements of the Articling Program, but the perceived value of these requirements is low.
- Candidates in the Articling Program continue to receive more exposure to **Fact Investigation and Legal Research** as well as **File and Practice Management**, and least exposed to **Transactional/Advisory Matters** and Advocacy.
The greatest changes in proportion of “Quite Satisfied” and “Most Satisfied” from Year One to Year Two were decreases in Fairness of the Admissions Process and Manageability of the Training Course Workload at 5% and 6%, respectively; and increases in Fairness of the Process to Secure a Work Placement and Accessibility of Work Placements at 4% and 5%, respectively. The increases, however, were in the two categories with the least amount of satisfaction across both cohorts. Fairness of the Training Course Assessments and Relevance of the Training Course Work remained essentially unchanged across the cohorts.

The greatest changes in proportion of “Quite Satisfied” and “Most Satisfied” from Year Two to Year Three was a marked decrease in Responsiveness of LPP Administration to Personal Issues (~9%) and an increase in Manageability of the Training Course Workload (~13%).

Canadian-Educated versus Internationally-Educated

Those respondents who graduated from law schools outside Canada were generally “Quite Satisfied” and “Most Satisfied” in greater proportions than their colleagues who graduated from Canadian law schools on all aspects of Administration of the Law Practice Program, except Manageability of Training Course Workload for the first two evaluation cohorts.

In Year One, the proportion of graduates of law schools outside of Canada were “Quite Satisfied” and “Most Satisfied” with Marketing/Branding of the Law Practice Program was 20% higher than the proportion of fellow candidates who graduated from Canadian law schools. The proportion of graduates of law schools in Canada were “Quite Satisfied” and “Most Satisfied” with Manageability of Training Course Workload and was 3% higher than the proportion of fellow candidates who graduated from non-Canadian law schools.

In Year Two, the candidates who graduated from Canadian law schools were four-times more “Least Satisfied” by proportion than their internationally-educated colleagues in Fairness of the Admissions Process and Marketing/Branding of the LPP.

On average in both Year One and Year Two, the proportion of graduates of non-Canadian law schools expressed they were “Quite Satisfied” and “Most Satisfied” was 9% and 8% higher across each of the aspects of the Administration of the Law Practice Program, respectively.
In Year Three, graduates of international law schools and their Canadian-educated colleagues were “Quite Satisfied” and “Most Satisfied” in Fairness of the Process to Secure a Work Placement and Accessibility of Work Placements in essentially the same proportions.
Figure 1. Candidates’ Satisfaction Ratings of Aspects of the Administration of the LPP/PPD (Years One through Three)
Administration of the Law Practice Program

LPP candidates were asked if they had any additional comments about the administration of the LPP and there were 32 responses to this question in Year One:

Numerous themes were expressed, but none in any great numbers. Some respondents directed compliments to the Ryerson Program Directors and “LPP Administration team,” and some mentioned issues with the work placement process, which was “convoluted,” “should have been arranged earlier,” and “... badly needs to be changed.” The work placement process was also targeted as being “heavily in the GTA,” and that placements should be “paid.” Others mentioned that the training course workload was “too light,” and “considerably light.” Many of these themes were also expressed in the LPP Focus Groups.

There were 31 responses to this question in Year Two:

The majority of the comments aimed at questioning the fairness of the admission process, citing the fact that everyone who applied for admission into the LPP was admitted. So, while this may seem to be an equitable process, candidates preferred a “vetting” process so not all applicants were admitted. Another theme identified in many responses was focused on critiquing the policy (which many respondents mistakenly perceived to be the Law Society’s policy, when it is an LPP provider policy) of accepting the first placement that is offered. In this light, still, many respondents stated that the “forced acceptance is unfair.” Still, several comments were made to highlight positive aspects of the administration, specifically regarding the dedication of the “LPP administration and staff.”

There were just 23 responses in Year Three, and three general themes emerged:

• Candidates felt the administration team was very dedicated and supportive, and that the program was focussed and the admissions process fair.

• Candidates suggested that there be more “transparency” and monitoring in the job application and work placement process, and that candidates have more control and choice about their work placement offers.

• Candidates requested that additional work placements be offered outside of the GTA. One candidate, summed their sentiments about location of placements: “There is a focus on work placements in Toronto. For those living outside of Toronto this is not only inconvenient, but extremely expensive.” Further, candidates suggested the amount and difficulty of assignments be increased, and that any issues that may arise when dealing with virtual firms be easier to address.

LPP New Lawyer

Eighty percent (80%) of the respondents to the New Lawyer Survey from the Year One cohort, reported they were working in the type of practice they were considering before becoming licensed; 81% of these new lawyers reported they were practising in the areas of law they were considering before becoming licensed; and 88% of these new lawyers reported they were practising in the location they were considering before becoming licensed. These data may be indicative of accessibility to desired practice, areas of law and location offered by the LPP.

However, we are reminded here that only 119 of the Year One cohort’s original 238 candidates qualified as practising New Lawyers (those paying 100% LSUC fees), and the response rate for the
New Lawyer Survey was 53%, or just 63 lawyers. So, in absolute numbers, 80% of the respondents to this survey translates to just over 20% of the **Year One cohort**, or specifically, **50 lawyers** and 88% is **55 lawyers** or 23% of the **Year One cohort**.

Seventy-four percent (74%) of the respondents to the New Lawyer Survey from the **Year Two** cohort, reported they were working in the type of practice they were considering before becoming licensed; 65% of these new lawyers reported they were practising in the areas of law they were considering before becoming licensed; and 84% of these new lawyers reported they were practising in the location they were considering before becoming licensed. These data show relatively a smaller proportion of new lawyers from the LPP are working in the type of practice, area of practice and location of practice compared to the previous year’s cohort. However, these data may be still be good indicators of accessibility to desired practice, areas of law and location offered by the LPP.

However, we are reminded here that only 135 of the **Year Two** cohort’s original 231 candidates qualified as New Lawyers (those with a practising status), and the response rate for the New Lawyer Survey was 35%, or just 47 lawyers. So, in absolute numbers, 70% of the respondents to this survey translates to just over 14% of the **Year Two cohort**, or specifically, **33 lawyers**; 65% is **30 lawyers** or just 13% of the **Year Two cohort**; and 85% is 40 lawyers or just 17% of the **Year Two cohort**.

**Programme de pratique du droit**

In **Year One**, the greatest proportion of the 13 respondents were “Quite Satisfied” and “Most Satisfied” on *Relevance of Training Program Course Work* (92%) and the smallest proportion of the respondents were “Quite Satisfied” and “Most Satisfied” on *Accessibility of Work Placements* (33%).

In **Year Two**, 100% of the 6 respondents were “Quite Satisfied” and “Most Satisfied” in all aspects of the LPP Administration, except for *Marketing/Branding of the LPP* and *Relevance of the Training Course Work* in which 1 candidate was “Satisfied.”

When comparing the LPP and PPD candidates’ ratings on the various aspects of the LPP/PPD, *Relevance of the Training Course Work* was rated by a slightly greater proportion (39%) of the respondents to the English LPP Exit Survey; this relevance aspect garnered only about 17% for “Most Satisfied” ratings from the respondents to the PPD Exit Survey in **Year One**. *Responsiveness of the LPP Administration to Personal Issues* (42% - LPP and 33% - PPD) also received relatively large proportions of “Most Satisfied” from the articling candidates and the LPP/PPD candidates, respectively in **Year One**.

These comparisons are not made with the **Year Two** and **Year Three** data as there were too few respondents in the PPD to make these comparisons meaningful.

However, candidates in the **Year Three** PPD were asked to describe how the PPD addresses the special needs and characteristics of the Franco-Ontario legal community. French language candidates mentioned that all aspects of the PPD were conducted in French and provided opportunities to work with the Francophone community. One candidate summed up this sentiment:
“The PPD takes into account the reality of Franco-Ontarians throughout the program. Candidates are made aware of the importance of providing quality legal services in French and are trained to offer these legal services in quality French.”

The Articling Program
Figure 2 (next page) shows in all Years data that the greatest proportion of “Most Satisfied” ratings from respondents to the Articling Program Candidates’ Survey were in the Relevance of the work at the articling placement (38%, 35%, 32% Years One through Three, respectively). The smallest proportion of “Most Satisfied” ratings from respondents was for Fairness of the articling placement search process (13%, 9%, 11%) followed by Accessibility of articling placements (16%, 12%, 12%) and Fairness of the Articling Program (19%, 13%, 15%).
Figure 2. Candidates' Satisfaction Ratings for Aspects of the Articling Program (Years One through Three)
Articling Principals

Figure 3 (below) shows that in All Years, most of Articling Principals “Agree” or “Strongly Agree” that the Articling Program is fair, accessible, relevant and objective. Many Principals expressed the sentiment that the Articling Program was a necessary step for training lawyers, or that the program itself was good at doing so. However, the proportion of “Strongly Agree” for accessibility is getting smaller over time.

<table>
<thead>
<tr>
<th>Statements</th>
<th>Percent of Respondents</th>
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</thead>
<tbody>
<tr>
<td>The Articling Program is fair experiential training for licensing candidates.</td>
<td></td>
</tr>
<tr>
<td>The Articling Program is accessible experiential training for licensing candidates.</td>
<td></td>
</tr>
<tr>
<td>The articling placement organization was able to provide relevant work to the articling candidate.</td>
<td></td>
</tr>
<tr>
<td>The Articling Program is objective in the appraisal of articling candidates’ competency development and performance.</td>
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**Year Two**

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<th>Percent of Respondents</th>
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</thead>
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<td>The Law Society of Upper Canada’s Articling Program is fair* experiential training for licensing candidates.</td>
<td></td>
</tr>
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<td>The Law Society of Upper Canada’s Articling Program is accessible** experiential training for licensing candidates.</td>
<td></td>
</tr>
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<td>The articling placement was able to provide relevant work to the articling candidate.</td>
<td></td>
</tr>
<tr>
<td>The Law Society of Upper Canada’s Articling Program is objective in the appraisal of articling candidates’ competency development and performance.</td>
<td></td>
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**Year Three**

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<th>Statements</th>
<th>Percent of Respondents</th>
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<tbody>
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<td>The Law Society of Upper Canada’s Articling Program is fair* experiential training for licensing candidates.</td>
<td></td>
</tr>
<tr>
<td>The Law Society of Upper Canada’s Articling Program is accessible** experiential training for licensing candidates.</td>
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</tr>
<tr>
<td>The Law Society of Upper Canada’s Articling Program is objective in the appraisal of articling candidates’ competency development and performance.</td>
<td></td>
</tr>
</tbody>
</table>

1 - Strongly Disagree  2 - Disagree  3 - Neither Agree or Disagree  4 - Agree  5 - Strongly Agree

*Note: Fairness is indicated with an asterisk, and accessibility is indicated with a double asterisk.

Figure 3. Articling Principals’ Agreement with Statements about Aspects of the Articling Program (Years One through Three)
Articling Program New Lawyer

Eighty-five percent (85%) of the respondents to the New Lawyer Survey from the Year One cohort, who had completed the Articling Program one year ago, reported they were working in the type of practice they were considering before becoming licensed; 76% of these new lawyers reported they were practising in the areas of law they were considering before becoming licensed; and 87% of these new lawyers reported they were practising in the location they were considering before becoming licensed. These data may be indicative of accessibility to desired practice, areas of law and location offered by the Articling Program. Again, however, we contextualize these results in terms of the response rate for the New Lawyer Survey. Just 339 new lawyers responded to this survey, representing a 30% response rate. So, 85% of this group is 288 lawyers. In total then, 288 of the original 1,455 in Year One cohort, is just 20%.

Figure 4 below shows a comparison of these data in Articling Program New Lawyers and LPP/PPD New Lawyers in terms of response rates and true representation of the Years One and Two cohort for meaningful comparison. As noted previously, proportionally, fewer new lawyers from the LPP/PPD expressed they were working in the Type, Area, and Location they considered pre-licensing in Year Two than in Year One. But of more import here is that we cannot make that comparison for the Articling Program, as the response to the Year Two New Lawyer survey was too low (10%).

**Figure 4. Comparison of Access to Desired Aspects of Employment in Post-Licensing New Lawyers (Years One and Two)**
Articling Program - Employer

All 12 respondents to the hire-back question on the Articling Program Employer Survey indicated that they indeed hired back a candidate, with 7 (58%) reporting that they hired back a single candidate. The data are sparse here, and we cannot draw safe conclusions for access to employment.

As previously noted, this survey was discontinued for Year Two due to lack of response from employers.
Exposure to the Experiential Training Competencies in Law Practice Program/Programme de pratique du droit

The LPP/PPD training course is designed to simulate the experience of working in a law firm, with the goal that candidates learn by doing. Working with various scenarios that replicate client matters commonly addressed by entry-level lawyers, candidates will take the necessary steps to resolve the clients’ matters, while developing the skills and undertaking the tasks outlined in Sections 2 (skills) and 3 (tasks) of the National Entry to Practice Competency Profile for Lawyers and Quebec Notaries:21

Skills

- Ethics and Professionalism Skills
- Oral and Written Communication Skills
- Analytical Skills
- Research Skills
- Client Relationship Management Skills
- Practice Management Skills

Tasks

- General Tasks
  - Ethics, professionalism and practice management
  - Establishing client relationship
  - Conducting matter
  - Concluding retainer

- Adjudication/Alternative Dispute Resolution
  - Draft pleading
  - Draft court order
  - Prepare or respond to motion or application (civil or criminal)
  - Interview and brief witness
  - Conduct simple hearing or trial before an adjudicative body
  - Prepare list of documents or an affidavit of documents
  - Request and produce/disclose documents
  - Draft brief

- Transactional/Advisory Matters
  - Conduct basic commercial transaction
  - Conduct basic real property transaction
  - Incorporate company
  - Register partnership
  - Draft corporate resolution
  - Maintain corporate records

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21 Federation of Law Societies of Canada (pp. 2-7), September 2012.
The LPP/PPD Providers provide this training in a variety of practice areas including: civil litigation, criminal law, family law, wills and estates, real estate, administrative law and business law, as well as human rights and immigration law.

Further information about competency exposure in the LPP can be found in section d) Assessment of Performance in Core Competencies, on page 69.

**Exposure to the Experiential Training Competencies in the Articling Program**
Articling Principal and articling candidate compliance with the new reporting requirements in the 2014-2015 (Year One) Articling Program is fairly high.

- 98% of Articling Principals filed an Experiential Training Plan;
- 93% of Articling Principals filed their report about the candidates’ exposure levels to the experiential training competencies during the placement;
- 94% of articling candidates filed ratings on their exposure levels to the experiential training competencies; and
- 88% of Articling Principals filed an appraisal of the candidate’s performance relating to the performance assessment competencies.

Articling Principal and articling candidate compliance with the new reporting requirements in the 2015-2016 (Year Two) Articling Program was slightly higher than the previous year, with the most increase in filing of appraisal of the candidate’s performance relating to the performance assessment competencies.

- 99% of Articling Principals filed an Experiential Training Plan;
- 94% of Articling Principals filed their report about the candidates’ exposure levels to the experiential training competencies during the placement;
- 95% of articling candidates filed ratings on their exposure levels to the experiential training competencies; and
- 93% of Articling Principals filed an appraisal of the candidate’s performance relating to the performance assessment competencies.

Articling Principal and articling candidate compliance with the new reporting requirements in the 2016-2017 (Year Three) Articling Program was slightly lower than the previous year, with the most increase in filing of appraisal of the candidate’s performance relating to the performance assessment competencies.

- 98% of Articling Principals filed an Experiential Training Plan;
- 93% of Articling Principals filed their report about the candidates’ exposure levels to the experiential training competencies during the placement;
• 94% of articling candidates filed ratings on their exposure levels to the experiential training competencies; and
• 91% of Articling Principals filed an appraisal of the candidate’s performance relating to the performance assessment competencies.

Figure 5 (next page) presents a summary of the exposure to the Experiential Training Competencies as reported by Principals and candidates on each of their reports for **Year One**. We see that there is **congruence** between both sources. We see the most regular exposure in *Fact Investigation and Legal Research* as well as *File and Practice Management*, with the most N/As in *Transactional/Advisory Matters* and *Advocacy*. 
Comparison on Experiential Training Competency Coverage as Reported by Principals (P) and Candidates (C) on the Record of Experiential Training in Articling Program (Year One)

Figure 5. Comparison on Experiential Training Competency Exposure as Reported by Principals and Candidates (Year One)
Figure 6 below presents a summary of the exposure to the Experiential Training Competencies as reported by Principals and candidates on each of their reports for 2015-2016, or **Year Two**. We see that there is **congruence** between both sources. As in **Year One** we also see the most regular exposure in **Fact Investigation and Legal Research** as well as **File and Practice Management**, with the most N/As in **Transactional/Advisory Matters** and **Advocacy**.

*Figure 6. Comparison on Experiential Training Competency Exposure as Reported by Principals and Candidates (Year Two)*
Figure 7 below presents a summary of the exposure to the Experiential Training Competencies as reported by Principals and candidates on each of their reports for 2016-2017, or Year Three. We see that there is congruence between both sources. As in Years One and Two we also see the most regular exposure in Fact Investigation and Legal Research as well as File and Practice Management, with the most N/As in Transactional/Advisory Matters and Advocacy.

**Figure 7. Comparison on Experiential Training Competency Exposure as Reported by Principals (P) and Candidates (C) on the Record of Experiential Training in Articling Program (Year Three)**

<table>
<thead>
<tr>
<th>Experiential Training Competencies</th>
<th>Percent of Reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ethics and Professional Responsibility (P)</td>
<td></td>
</tr>
<tr>
<td>Ethics and Professional Responsibility (C)</td>
<td></td>
</tr>
<tr>
<td>Interviewing (P)</td>
<td></td>
</tr>
<tr>
<td>Interviewing (C)</td>
<td></td>
</tr>
<tr>
<td>Fact Investigation and Legal Research (P)</td>
<td></td>
</tr>
<tr>
<td>Fact Investigation and Legal Research (C)</td>
<td></td>
</tr>
<tr>
<td>Drafting and Legal Writing (P)</td>
<td></td>
</tr>
<tr>
<td>Drafting and Legal Writing (C)</td>
<td></td>
</tr>
<tr>
<td>Planning and Advising (P)</td>
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<tr>
<td>Planning and Advising (C)</td>
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<tr>
<td>File and Practice Management (P)</td>
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<td>File and Practice Management (C)</td>
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<td>Negotiation (P)</td>
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<tr>
<td>Negotiation (C)</td>
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<td>Advocacy (P)</td>
<td></td>
</tr>
<tr>
<td>Advocacy (C)</td>
<td></td>
</tr>
<tr>
<td>Transactional/Advisory Matters (P)</td>
<td></td>
</tr>
<tr>
<td>Transactional/Advisory Matters (C)</td>
<td></td>
</tr>
</tbody>
</table>

- 5 - Regularly exposed to and/or experienced
- 4 - Frequently exposed to and/or experienced
- 3 - Occasionally exposed to and/or experienced
- 2 - Rarely exposed to and/or experienced
- 1 - N/A
N/A for Exposure to the Experiential Training Competencies

If N/A was reported by a Principal or candidate on the Record of Experiential Training in Articling Program for an experiential training competency, it means that exposure to that competency was not applicable in the placement context and that the candidate did not receive exposure to that competency. In All Years, we see Transactional/Advisory Matters, Advocacy and Negotiation were the competency categories that most often received an N/A rating.

However, we find that candidates were “Regularly” exposed to Fact Investigation and Legal Research, and File and Practice Management on more than 50% of the experiential training competencies reports by both candidates and Principals. Drafting and Legal Writing were next with the most “regular” exposure with almost 50% reported by Principals and candidates. We see very similar results for both All Years.

When N/A was reported for a competency, the Principal and/or candidate was then required to provide commentary to explain why. In most of the cases, an N/A response is a result of the placement setting. Placements at the following settings had difficulty providing the candidate exposure to certain competencies: Government or Public, Crown, In-house, Legal Clinic, Tribunal and NGO. Also, some candidates at law firms were not exposed to some competencies because of the scope of available relevant solicitor or barrister work at the firm.

Most of explanations given about why the competency was not applicable during the placement were “the placement offers no opportunity to expose the candidate to this competency”, “the competency is not applicable during a clerkship”, “we don’t have clients”, “we do not engage in litigation work”, “we engage in litigation work only”, and “not applicable in context of placement”. Some competencies, such as conflicts checking, conducting a negotiation, and conduct a hearing or trial where permitted, were not fulfilled as the placement organizations did not provide an opportunity for articling candidates to do these activities. In addition, certain placement organizations do not engage in transactional (solicitor) matters.

Table 2 on the following page shows the competencies that articling candidates were most often not exposed to during their placement, for all years.22 We see a great deal of consistency over the three years with essentially the same competencies appearing on the list. In Year Three, Advocacy - Request, provide or participate in document disclosure as required (e.g., affidavits of documents, Crown disclosure, Children’s Aid Society) has dropped off the list, but File and Practice Management - Use a Tickler System (bring forward and limitation dates) has appeared. This is the first competency from File and Practice Management to appear on the list.

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22 Threshold of 15% of placements that reported N/A for each competency. Year One is 218 or more candidates; Year Two is for 209 or more candidates; and Year Three is for 198 or more candidates.
<table>
<thead>
<tr>
<th>Competency Category</th>
<th>Competency</th>
<th>Number of N/A Ratings (Year One)</th>
<th>Number of N/A Ratings (Year Two)</th>
<th>Number of N/A Ratings (Year Three)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Transactional/ Advisory Matters</strong></td>
<td>Participate in closing</td>
<td>698 (52%)</td>
<td>641 (48%)</td>
<td>638 (48%)</td>
</tr>
<tr>
<td>Advocacy</td>
<td>Conduct a hearing or trial where permitted (e.g., status hearings, judgment-debtor examinations, Small Claims Court and tribunal matters).</td>
<td>584 (43%)</td>
<td>575 (43%)</td>
<td>614 (46%)</td>
</tr>
<tr>
<td><strong>Transactional/ Advisory Matters</strong></td>
<td>Prepare drafts of relevant transactional documents (e.g., closing agenda, due diligence summaries, resolutions, receipts, requisition letters, purchase agreements, promissory notes, opinions, shareholders agreements, reporting letters)</td>
<td>568 (42%)</td>
<td>546 (41%)</td>
<td>522 (40%)</td>
</tr>
<tr>
<td><strong>Transactional/ Advisory Matters</strong></td>
<td>Fulfill appropriate regulatory requirements and/or identify forum/parties/stakeholders</td>
<td>520 (38%)</td>
<td>497 (38%)</td>
<td>465 (35%)</td>
</tr>
<tr>
<td><strong>Transactional/ Advisory Matters</strong></td>
<td>Use transactional checklists as appropriate (e.g., due diligence checklist, closing agenda)</td>
<td>470 (35%)</td>
<td>367 (28%)</td>
<td>431 (33%)</td>
</tr>
<tr>
<td><strong>Transactional/ Advisory Matters</strong></td>
<td>Conduct and/or review relevant searches (e.g., PPSA, Bulk Sales Act&gt;, bankruptcy, executions, title, corporate names, tax certificates, trademarks, liens).</td>
<td>456 (34%)</td>
<td>462 (35%)</td>
<td>436 (33%)</td>
</tr>
<tr>
<td>Negotiation</td>
<td>Conduct negotiations under supervision of a lawyer (e.g., small claims, simple tribunal matter)</td>
<td>429 (32%)</td>
<td>437 (33%)</td>
<td>420 (32%)</td>
</tr>
<tr>
<td>Advocacy</td>
<td>Attend court or tribunal, where permitted, to speak to routine administrative matters (e.g., unopposed adjournments, uncontested and consent motions, and set dates).</td>
<td>381 (28%)</td>
<td>344 (26%)</td>
<td>389 (29%)</td>
</tr>
<tr>
<td>Negotiation</td>
<td>Observe forms of alternative dispute resolution (e.g., mediation, arbitration, conciliation)</td>
<td>346 (26%)</td>
<td>321 (24%)</td>
<td>358 (27%)</td>
</tr>
<tr>
<td>Advocacy</td>
<td>Prepare clients or witnesses for trial or other examination</td>
<td>322 (24%)</td>
<td>315 (24%)</td>
<td>304 (23%)</td>
</tr>
<tr>
<td>Interviewing</td>
<td>Attend interviews with witnesses and/or experts</td>
<td>308 (23%)</td>
<td>295 (22%)</td>
<td>302 (23%)</td>
</tr>
<tr>
<td>Interviewing</td>
<td>Prepare witness statements, affidavits, or other court documents based on interview</td>
<td>287 (21%)</td>
<td>246 (19%)</td>
<td>242 (18%)</td>
</tr>
<tr>
<td><strong>File and Practice Management</strong></td>
<td>Use a Tickler System (bring forward and limitation dates)</td>
<td>-</td>
<td>-</td>
<td>217 (16%)</td>
</tr>
<tr>
<td>Advocacy</td>
<td>Request, provide or participate in document disclosure as required (e.g., affidavits of documents, Crown disclosure, Children’s Aid Society).</td>
<td>229 (17%)</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Data provided by Law Society Staff: July 2, 2015, June 8, 2016, June 27, 2017
Law Practice Program/Programme de pratique du droit New Lawyer

Figure 8 (following page) shows that for the most-part all the skills candidates were exposed to in their experiential training in the LPP/PPD are “Very” to “Highly” relevant from the perspective of newly-practicing lawyers who completed the LPP/PPD via the Years One and Two New Lawyer Surveys. Only Transactional /Advisory Matters and Use of Law Firm/Legal Practice Management Systems had fewer than 50% of the respondents rate them as “Very” to “Highly” relevant for Year One. This latter result is contradictory to what both Year One (of which these new lawyers belong) and Year Two cohorts report in the forthcoming section on Growth in Practical Skills Development. The highest percentage of respondents rating “Very” or “Highly” relevant were in Interviewing and File and Practice Management; both results support results from the upcoming section on Growth in Practical Skills Development.

For Year Two, there were no skills that garnered fewer than 50% of the respondents for “Very” to “Highly” relevant. Also, like Year One, Drafting and Legal Writing as well as File and Practice Management gained the highest percentages of “Very” or “Highly” relevant. Use of Law Firm/Legal Practice Management Systems had the largest increase from Year One to Year Two in “Highly” relevant going from 23% in Year One to 38% in Year Two. For both years, Transactional /Advisory Matters was among the lowest two skills in proportion of “Highly” relevant.
Articling Program New Lawyer

Figure 9 (following page) shows that for the most-part all the skills candidates were exposed to in their experiential training in the Articling Program are “Very” to “Highly” relevant from the perspective of newly-practicing lawyers who completed the Articling Program in Years One and Year Two. Only Transactional /Advisory Matters and Use of Law Firm/Legal Practice Management Systems had fewer than 50% of the respondents rate them as “Very” to “Highly” relevant in both Years, but Negotiation in Year Two also did not garner more than 50% of respondents’ rating as “Very” or “Highly” relevant. Drafting and Legal Writing had 87% of the respondents rate this skill as “Very” or “Highly” relevant in Year One and 81% in Year Two; supporting the results of the forthcoming section on Growth in Practical Skills Development. Fact
Investigation and Legal Research had the greatest proportion in each year rating as “Very” or “Highly” relevant at 75% for each year.

Figure 9. Articling Program New Lawyer Ratings of Skills Relevancy (Years One and Two)

Articling Program Employer
There are few data to report here for Year One, but of the 14 respondents, all indicated that Fact Investigation and Legal Research as well as Drafting and Legal Writing were “Very” and “Highly” relevant skills for candidates to develop in the Articling Program. The survey was discontinued for Year Two.
c. Growth in Practical Skills Development

Law Practice Program
Figure 10 (following page) illustrates that there was mostly “Ample” to “Tremendous” growth in mastery of most competency areas as reported by the LPP candidates in all Years. File and Practice Management shows the most-reported “Tremendous” growth in all cohorts with 29% 35% and 51% for Years One through Three, respectively; followed by Use of Law Firm/Legal Practice Management Systems with 28%, 30% and 47% for Years One through Three, respectively. Both results show an increase in “Tremendous” growth from Year One to Year Two to Year Three. Drafting and Legal Writing also showed high reports of “Tremendous” growth, but a slight decline from Year One (33%) to Year Two (26%), but a large increase to 41% in Year Three. In total, Year Three respondents reported the highest levels of “Tremendous” growth thus far.

“Minimal” growth was reported the most in Negotiation (6%), Advocacy (7%), and Transactional/Advisory Matters (6%) in Year One, but there was fewer reports of “Minimal” growth in these skills in Year Two with Negotiation at 3%, Advocacy at 1% and Transactional/Advisory Matters at 4%. Year Three shows similar results to Year Two for the relative scarcity of reports for “Minimal” growth, with the highest being just 5% for each of Fact Investigation and Legal Research, and Drafting and Legal Writing.

Programme de pratique du droit
In Year One, the majority of the PPD candidates reported “Ample” growth to “Tremendous” growth in all skills competencies areas, with Ethics and Professional Responsibilities showing the most growth and Transactional/Advisory Matters and File and Practice Management showing the least. These results are considerably different than the result from their English counterparts.

In Year Two, there are relatively few data points to report any results other than all six respondents reported “Ample” growth to “Tremendous” growth in Interviewing, and Planning and Advising.

In Year Three, as a result of a formatting issue on the survey software, the responses to this question were not useable.
Figure 10. LPP/PPD Candidates’ Growth Ratings in the Mastery of Skills Competencies (Years One through Three)
Canadian-Educated versus Internationally-Educated Candidates

For Year One, those graduates of law schools outside of Canada indicated considerably more total “Ample” and “Tremendous” growth than their counterparts who graduated from Canadian law schools in some of the skills areas: Interviewing (78% to 68%), Fact Investigation and Legal Research (80% to 61%), Planning and Advising (72% to 56%), File and Practice Management (74% to 51%), Negotiation (70% to 50%), Advocacy (67% to 46%) and Transactional/Advisory Matters (62% to 53%).

For Year Two, those graduates of law schools outside of Canada indicated considerably more total “Ample” and “Tremendous” growth than their counterparts who graduated from Canadian law schools in many of the skills areas: Ethics and Professional Responsibility (77% to 55%), Interviewing (80% to 61%), Fact Investigation and Legal Research (75% to 62%), Drafting and Legal Writing (81% to 62%), Planning and Advising (74% to 55%), File and Practice Management (78% to 68%), Negotiation (63% to 53%), Transactional/Advisory Matters (62% to 54%), and Use of Law Firm/Legal Practice Management Systems (71% to 61%).

For Year Three, those graduates of law schools outside of Canada indicated considerably more total “Ample” and “Tremendous” growth than their counterparts who graduated from Canadian law schools in all the skills areas once again: Ethics and Professional Responsibility (89% to 60%), Interviewing (87% to 68%), Fact Investigation and Legal Research (80% to 64%), Drafting and Legal Writing (82% to 70%), Planning and Advising (79% to 60%), File and Practice Management (86% to 66%), Negotiation (75% to 53%), Advocacy (80% to 62%), Transactional/Advisory Matters (69% to 53%), and Use of Law Firm/Legal Practice Management Systems (83% to 64%).

Law Practice Program New Lawyer

When we asked the new lawyers, who completed the 2014-2015 LPP (Year One), what they considered to be their greatest strengths when practising law, most respondents listed “organization” as one of their greatest strengths, along with “client communication skills,” “research and writing,” and flexibility of knowledge; the examples from four respondents illustrate this result:

“The strength that I was able to demonstrate to the Partners upon hiring was in legal research and writing. I have since demonstrated proficiency in strategizing and client management.”

“Interviewing clients and maintaining their expectations. Writing, and doing research.”

“Compassion and understanding for clients; flexibility and adaptability; appreciation, understanding and willingness to learn from diverse populations; legal research; communication and advocacy.”
“The ability to bring a vast amount of knowledge of multiple areas of practice (obtained during the LPP) to only a couple areas of practice.”

Organizational skills are not specifically a skills competency area in the LPP, but may be related to the indications of “Ample” and “Tremendous” growth in File and Practice Management and Use of Law Firm/Legal Practice Management Systems while these new lawyers were candidates in the LPP. Further, client communication strengths may be indicative of similar reports of growth in Interviewing. Reported strengths in research and writing may also be linked to reports of “Ample” and “Tremendous” growth in Drafting and Legal Writing and Fact Investigation and Legal Research while these new lawyers were in their experiential training in the LPP.

New lawyers who completed the 2015-2016 LPP (Year Two) most often mentioned their technical skills in “research,” writing/drafting, “client interaction” and “advocacy” as strengths in their practice of law. The same group had not reported as much growth in the related skills competencies, such as Drafting and Legal Writing, Fact Investigation and Legal Research than in other skills competencies on their Exit survey the previous year, but did do so for Advocacy. Some new lawyers also mentioned their knowledge and experience were strengths as well as their time management and organization, like the previous cohort. Interpersonal skills such as listening, diligence, passion and empathy were also seen as strengths by some new lawyers. These “soft” skills may be related to the skills competency areas of File and Practice Management and Use of Law Firm/Legal Practice Management Systems and Interviewing, in which relatively high amounts of growth were reported on their LPP Exit Survey the previous year. Some quotes from Year Two’s new lawyers from the LPP are presented next to illustrate the previously points:

“I believe I have strong legal research and writing skills. I am detail-oriented. I believe I can make clients feel at ease.”

“Strong research & writing skills, good listening skills, good communication skills.”

“Advocacy, client management.”

“Solid knowledge of the law, time management skills.”

Conversely, new lawyers from both the Year One and Year Two LPP reported that their current challenges in practice are centred on a perceived lack of experience, as well as lack of confidence in personal ability and professional interactions, and lack of time management in properly preparing and managing workload, for example:

“Juggling too many files, keeping emotional distance from clients, gaining confidence without much assistance, the overall unhelpfulness of most court procedure.”
“Firms/companies wanting you to have expertise or working knowledge in every time of law they practice, even if a recent graduate.”

“General lack of experience. Law school did virtually nothing to prepare me for the realities of working in a law firm, and the LPP didn’t do enough.”

“I need to become more confident in myself and believe in the fact that I am providing adequate legal advice.”

Some new lawyers survey from Year Two specifically mentioned that building clientele and lack of mentorship were also challenges, as exemplified by the following quote:

“Building a book of business from literally nothing has been the largest challenge.”

“Finding sufficient mentorship, pressure to finish work promptly.”

The lack of experience and confidence in the first-year of practising law is understandable, and time-management is a soft-skill, and not usually focused upon in transitional, experiential training. Further, building a business is a challenge faced by new lawyers that put up their own shingle or enter small practices and is likely not an issue faced new lawyers in large firms or in government settings. Of course, lack of mentorship is a challenge that may be faced in numerous placement settings.

Articling Program

Figure 11 (next page) show the greatest proportion of articling candidates across all three Years reported “Tremendous Growth” in Drafting and Legal Writing (48%, 44%, and 44% respectively) and the smallest proportion of respondents reported “Tremendous Growth” in Negotiation (13%, 14%, and 12% respectively). Fact Investigation and Legal Research has shown the second greatest proportion of reported “Tremendous Growth” across each of the three years with 42%, 42% and 39% reporting this, respectively. Transactional/Advisory Matters saw the greatest proportion of respondents’ ratings of “Minimal Growth” at around 28%, 26%, and 26% of respondents, respectively for Years One through Three. Negotiation showed the second greatest proportion of respondents’ ratings of “Minimal Growth” at 17%, 18% and 17% of respondents, respectively across each of the years.
Figure 11. Articling Program Candidates’ Growth Ratings in the Mastery of Skills Competencies (Years One through Three)
Comparison of Candidates’ Growth Ratings in Mastery of Skills Competencies between the Pathways (Year One)

Skills Competencies

<table>
<thead>
<tr>
<th>Articling Program n=583</th>
<th>Law Practice Program n=161</th>
<th>Programme de pratique du droit n=13</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ethics and Professional Responsibility</td>
<td>Ethics and Professional Responsibility</td>
<td>Ethics and Professional Responsibility</td>
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<tr>
<td>Interviewing</td>
<td>Interviewing</td>
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<tr>
<td>Fact Investigation and Legal Research</td>
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<td>Drafting and Legal Writing</td>
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<tr>
<td>Planning and Advising</td>
<td>Planning and Advising</td>
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<td>File and Practice Management</td>
<td>File and Practice Management</td>
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<td>Negotiation</td>
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<td>Advocacy</td>
<td>Advocacy</td>
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<tr>
<td>Transactional/Advisory Matters</td>
<td>Transactional/Advisory Matters</td>
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</tr>
<tr>
<td>Use of Law Firm/Legal Practice Management Systems</td>
<td>Use of Law Firm/Legal Practice Management Systems</td>
<td>Use of Law Firm/Legal Practice Management Systems</td>
</tr>
</tbody>
</table>

*1 - Minimal Growth  2 - Some Growth  3 - Adequate Growth  4 - Ample Growth  5 - Tremendous Growth*

*Figure 12. Comparison of Candidates’ Growth Ratings in Mastery of Skills Competencies between the Pathways (Year One)*
Figures 12 (above) and 13 and 14 on the following pages present a comparative look at each year’s respondents’ growth ratings in mastery of the skills competencies between the articling candidates and each of the LPP and PPD candidate groups. However, extreme caution is required in drawing conclusions from these comparisons, as there are just too few PPD candidates throughout the years but especially in Year Two.

There are marked differences in reports of growth in Fact Investigation and Legal Research as well as Drafting and Legal Writing between the candidates in the Articling Program and the candidates in the LPP/PPD across the years, with those in Articling reporting “Tremendous” and “Ample” growth in greater proportions. However, the gap is reports of “Tremendous” and “Ample” growth between the pathways is decreasing over time.

Further, there are marked differences in growth in File and Practice Management and Use of Law Firm/Legal Practice Management Systems between the candidates in the Articling Program and the candidates in the LPP/PPD across the years, with those in the LPP/PPD reporting “Tremendous” and “Ample” growth in greater proportions. Additionally, the gap is reports of “Tremendous” and “Ample” growth between the pathways is increasing over time.

Similarly, differences in reports of “Tremendous” and “Ample” growth in Ethics and Interviewing have been growing over the years, with more candidates in the LPP/PPD reporting such and relatively fewer candidates in Articling reporting the same.
### Figure 13. Comparison of Candidates’ Growth Ratings in Mastery of Skills Competencies between the Pathways (Year Two)

<table>
<thead>
<tr>
<th>Skills Competencies</th>
<th>Articling Program n=542</th>
<th>Law Practice Program n=144</th>
<th>Programme de pratique du droit n=6</th>
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<td>Ethics and Professional Responsibility</td>
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<td>Interviewing</td>
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<tr>
<td>Fact Investigation and Legal Research</td>
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<tr>
<td>Drafting and Legal Writing</td>
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<tr>
<td>Planning and Advising</td>
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<tr>
<td>File and Practice Management</td>
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<tr>
<td>Negotiation</td>
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<tr>
<td>Advocacy</td>
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<tr>
<td>Transactional/Advisory Matters</td>
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<tr>
<td>Use of Law Firm/Legal Practice Management Systems</td>
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<tr>
<td>Interviewing</td>
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<tr>
<td>Fact Investigation and Legal Research</td>
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<tr>
<td>Drafting and Legal Writing</td>
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<tr>
<td>Planning and Advising</td>
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<tr>
<td>File and Practice Management</td>
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<tr>
<td>Negotiation</td>
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<tr>
<td>Advocacy</td>
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<tr>
<td>Transactional/Advisory Matters</td>
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<tr>
<td>Use of Law Firm/Legal Practice Management Systems</td>
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<tr>
<td>Access to Justice and Language Rights</td>
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</tr>
</tbody>
</table>

- **1** - Minimal Growth
- **2** - Some Growth
- **3** - Adequate Growth
- **4** - Ample Growth
- **5** - Tremendous Growth
Figure 14. Comparison of Candidates’ Growth Ratings in Mastery of Skills Competencies between Articling and the LPP (Year Three)
Articling Program New Lawyer

When we asked new lawyers, who completed the 2014-2015 (Year One) and 2015-2016 (Year Two) Articling Program, what they considered to be their greatest strengths when practising law, they reported that their greatest strengths were in oral and written advocacy, organizational skills, client management/communication skills, and a strong emphasis on work ethic. Comments that best illustrate these themes are presented below:

“Communication skills, time management/organizational skills, client relations.”

“Drafting, oral advocacy, legal knowledge and research skills, critical thinking, interpersonal skills.”

“Very good at listening and understanding client needs; I am very thorough and attentive to detail; I have strong written skills, and am excellent at communication orally with clients and counsel.”

However, according to the data from the Articling Program Candidates’ surveys in Year One and Year Two, Advocacy, Negotiation, and Interviewing were not the greatest growth areas reported. These results are borne out in the next set of results, looking at challenges of first-year new lawyers from the Articling Program.

Like their newly licensed colleagues from the LPP/PPD, many of the first-year new lawyers from the Articling Program felt that the greatest challenge faced when practising law is inexperience, but some in this group also tied inexperience to a lack of confidence in practical skills and client interactions, as well as a lack of mentorship for example:

“Need to gain confidence to push back against stronger (more abrasive) characters; being relatively new, obviously the amount of knowledge that I will have to acquire to develop my practice; stress response patterns (work/life balance); confidence in my own judgement.”

“Lack of experience – most things are new and I don’t have the benefit of past experiences to evaluate against.”

“Lack of practical knowledge of certain legal issues that is difficult to obtain without the relevant experience.”
“Lack of mentorship, keeping up with legislative and policy changes, knowledge of case law, generally: experience actually acting as advocate.”

These new lawyers who completed the 2014-2015 and 2015-2016 Articling Program also frequently listed “time management” as a challenge, like their post-LPP/PPD colleagues, but also reported a challenge was the stress of interacting with “difficult people,” for example:

“Managing high workload; managing competing/shifting priorities; dealing with difficult people.”

“Dealing with difficult clients and the professional/ethical challenges they sometimes present.”

“I'm not naturally detail oriented. I don't have enough time to complete all the tasks I need to.”

Again, time management is a soft skill, not specifically focused upon in the transitional, experiential training, and was also reported by post-LPP/PPD new lawyers. However, dealing with difficult people and client interaction as challenge was a theme that did not emerge from the data on post-LPP/PPD new lawyers.

**Articling Program Employer (Year One only)**

Employers of those new lawyers who were trained in the Articling Program were asked to comment on what skills they have seen in their new lawyer(s) that are indicative of high-quality skill development in the Articling Program.

There were only 13 responses to this question. It was most frequently reported that “research” skills were indicative of high-quality skill development, as well as “professional responsibility,” “drafting,” and “client communication.” Examples of comments that reflect these themes are below:

“Very good sense of professional responsibility, file management, communication to clients and opposing counsel.”

“Practice management skills, organizational skills, research skills.”
“Legal research and writing, and interacting with clients.”

These employers were also asked to comment on a competency area or skill that they have seen in their new lawyer(s) that could have been better developed in the Articling Program.

Again, there were just 13 responses to this question, the most common answer simply being “No” to the question of whether new lawyers could have been better prepared in certain competency areas. The second most frequent response was that “legal research and writing skills” could be improved, followed by certain practical skills. Comments that best illustrate these themes are presented below:

“Not that I can think of.”

“Generally, the hands on practical aspects of being a lawyer in a private practice.”

“Legal research and writing.”

Clearly the indication that legal research and writing was an area that could be improved contradicts the results to the previous question wherein candidates indicated their perception that this was an area of tremendous growth and that they perceived themselves as achieving high-quality skill development; this, however, may be indicative of the range of skill development in different new lawyers.

**Articling Program Principal**

Figure 15 on the next page shows the same basic picture for each of the first Three years, that most of the Principals each year reported that they had “Ample” to “Tremendous” ability to train their articling candidate in the ten skills competencies, ranging from a low of about 45%, 37%, and 40% for *Transactional/Advisory Matters*, in Years One through Three, respectively to a high of 90%, 88% and 89% for *Drafting and Legal Writing* in Years One through Three, respectively. Similarly, we see that *Ethics and Professional Responsibility* has also garnered the highest proportions of “Ample” and “Tremendous” ability to train their articling candidate, with 88%, 84% and 91% in Years One through Three, respectively.
Figure 15. Principals’ Ratings of their Ability to Deliver Training that Promotes Candidates’ Growth in Skills Competencies (Years One through Three)
d. Assessment of Performance in Core Competencies

Law Practice Program
Assessment of candidate learning is designed to fit within the fair, accessible and objective parameters set forth by the Society. In keeping with the replication of law firm experiences, candidates are assessed on their work throughout the course, rather than tested at the end of a particular unit. Throughout the course, candidates are required to work in groups of four to produce numerous documents, ranging from research memoranda to commercial agreements. The weightings of these skills and tasks depend on their importance in the particular case being worked through.

Further, candidates receive individual assessments on research and writing, document drafting, client management, negotiation and advocacy. Candidates must receive an assessment of competent, as a firm and individually, in each practice area to successfully complete the LPP d) Assessment of Performance in Core Competencies training course.24

A five-point rating scale was used by Ryerson University in the Year One training course to appraise candidates’ competencies:

1. E – Exceeding
2. EM – Exceeding/Meeting
3. M – Meeting
4. MD – Meeting/Developing
5. D – Developing

Ryerson provided the Law Society with the Ryerson Law Practice Program Training Program 2014 Portfolio which specifically outlined the categories from which work assignments were completed during the training course:

- General Work File
- Special Firm’s Project
- Administrative Law File
- Business Law File
- Civil Litigation Law File
- Criminal Law File
- Family Law File
- Real Estate Law File
- Wills, Estates Law File
- Additional Non-Specific Law File

Overall candidate performance in Year One is presented in Figure 14 below.

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24 Ryerson University Report to the Law Society, June 2015, June 2016 and May 2017
Figure 16. LPP Candidate Assessment Results for Year One (Fall 2014)
Figure 16 above show us that most candidates are indeed “Meeting” the competency development expectation on all assessments. A considerable proportion of candidates are “Exceeding” or “Exceeding/Meeting” the expectations on all assessments. The Research assessments had the greatest proportion of candidates still at the “Developing” stage; the Miller Memo had almost 30% of candidates at the “Developing” rating. Finally, it seems that over time, more and more candidates were achieving the “Exceeding” or “Exceeding/Meeting” ratings, with the December Criminal Law, Business and Mentor Final assessments showing the greatest percentage of candidates receiving these ratings.

In **Year Two**, a three-point rating scale was used by Ryerson University in the training course to appraise candidates’ competencies:

1. E – Exceeds
2. M – Meets
3. M – Developing

Ryerson provided the Law Society with the *Ryerson Law Practice Program Training Program 2015 Portfolio* which specifically outlined the categories from which work assignments were completed during the training course:

- General File Work
- Special “Firm” Projects
- Administrative Law File - Landlord and Tenant Matter
- Business Law Files (Incorporation and Business Acquisition)
- Civil Litigation Files
- Criminal Law File
- Family File
- Real Estate File
- Wills and Estates File
- Additional Non-Specific Law File

Overall candidate performance in the LPP English training course in **Year Two** is presented in Figure 17 on the following page.
Figure 17 above shows the candidates’ assessment results from **Year Two**. The assessment names have changed from Year One, but the general competencies remain the same. Again, we see most candidates are indeed “Meeting” the competency development expectation on all assessments. A considerable proportion of candidates are “Exceeding” or “Meeting” the
expectations on all assessments. The *Wills and Estates* assessments had the greatest proportion of candidates still at the “Developing” stage; the *Reporting Letter* had just over one-quarter (26%) of candidates at the “Developing” rating. Finally, it seems that over time, more and more candidates were achieving the “Exceeding” ratings, with the December *Criminal and Civil Direct/Cross Examination, and Real Estate Closing* assessments showing the greatest percentage of candidates receiving these ratings.

In **Year Three**, a three-point rating scale was used by Ryerson University in the training course to appraise candidates’ competencies:

4. E – Exceeds  
5. M – Meets  
6. M – Developing

Ryerson provided the Law Society with the *Ryerson Law Practice Program Training Program 2016 Portfolio* which specifically outlined the categories from which work assignments were completed during the training course:

- General File Work  
- Special “Firm” Projects  
- Administrative Law File - Immigration/Refugee Matter  
- Business Law Files (Incorporation and Business Acquisition)  
- Civil Litigation Files  
- Criminal Law File  
- Family File  
- Real Estate File  
- Wills and Estates File  
- Additional Non-Specific Law File

Figure 18 below shows the candidates’ assessment results from **Year Three**. The assessment names have stayed consistent with Year Two, and the general competencies remain the same. Further, and as previously noted, there is now a three-point scale, rather than a five-point scale used to rate the competency development of the candidates. Again, we see most candidates are indeed “Meeting” the competency development expectation on all assessments. A considerable proportion of candidates are “Exceeding” or “Meeting” the expectations on all assessments.
Figure 18. LPP Candidate Assessment Results Year Three (Fall 2016)
LPP Work Placement Assessment

The work placement component of the LPP worked the same way as an articling placement, with a lawyer acting as a Principal, and either individually or together with lawyer colleagues, providing work to and assessing the work of a candidate during the placement. Ryerson obtained this information both during the placement, and at the end, from the Principal and the candidate. Candidates are provided with opportunities to gain further exposure to the nine competency areas, and where applicable are assessed on them:

Most of the work placements were completed at the end of April in each year, and data from the work placements provided to the Society by Ryerson indicated that all work placements, including the exposure to the competency areas, were complete in Year One and Year Two and are expected to be complete Year Three.

As far as the five competency-based tasks (performance appraisal competencies), it has been reported that every one of these tasks were assessed, most in numerous ways during the training component of the LPP.

Programme de pratique du droit

In Year One, Year Two and Year Three, all the skills and tasks listed in the Federation of Law Societies of Canada’s National Competency Profile for lawyers were assessed or addressed at least once – and some at least five times – in the training component via the execution of various tasks in the following areas:

- Civil Litigation
- Commercial Law
- Criminal Law
- Family Law
- Practice Management
- Real Estate Law
- Wills and Estates

To obtain a “Satisfactory” pass for the training component, candidates had to successfully demonstrate all the competencies evaluated in the LPP. All candidates successfully completed the training course in Year One, Year Two and Year Three.

In November and December of 2015 and of 2016, some candidates had the opportunity to take retake activities for the competencies they had not yet successfully demonstrated in the training component. In the case where the candidates did not succeed in a peripheral competence during the retake activities, we sent them a letter to inform them of their gaps and to encourage them to try to fix them in the placement component.

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25 It is noted by Ryerson that the nine competency areas have been further developed or refined during the work placements on a varying basis depending on the practice and nature of the work placement itself.
26 PPD Annual Report from the University of Ottawa, May 2015, June 2016 and May 2017
Candidates received their final training course results at the end of January. Candidates also received a detailed competency assessment report that specifies the rating they received for each skill and task listed in the Federation’s Profile.

In order to improve the training component for the pilot project’s fourth year, the PPD asked the candidates to complete surveys to have their feedback on the training component. Survey included questions on the following:

- Modules and practising trainers, including assessment;
- Professional development days;
- Resources offered by the LPP;
- Services offered by the University.

In Year Two and Year Three, with a view to improving the training component, the PPD asked candidates to make regular entries in a journal of reflection in order to more closely document their progress. This also allowed the university to check that all the candidates were well supported during their internships.

In Year Three, the University called each candidate to conduct an audit at the beginning of the placement. During these 30-minute discussions, the University and the candidate discussed their learning goals for the placement component. They also took this opportunity to look at the skills assessment process during the placement and to confirm some information from the candidates concerning their placements such as the start date of the placement and their salary.

Mid-February, the University communicated with all the employers and the candidates for the mid-session assessment of internships. Each supervisor provided detailed feedback regarding their candidates’ performance. The candidates were also asked to complete a self-assessment about their performance and their progress in the internship.

When the assessments by the supervisors were not entirely positive or identified some gaps, the university followed up with them to discuss in detail the performance of the candidates. That allowed the university to determine if the candidate had satisfied the placement requirements.

Data from the training course and work placement assessments provided to the Society by the University indicated that all Year One, Year Two and Year Three candidates successfully completed the LPP.

Articling Program
The BARS tools allow Articling Principals, candidates and the Law Society of Upper Canada know with a high degree of objectivity whether candidates were exposed to experiential training competencies development in the articling placements, and their performance of such through a Performance Appraisal of Competencies process.

Candidates in the Articling Program have their competencies appraised by their Principals using the BARS tool while they perform the five, prescribed competency-based tasks:

1. **Interview a client** from Establishing a Client Relationship category
2. Draft a legal opinion from Conducting the Matter – Matter Management category
3. Represent the client in an Appearance or through some form of alternative dispute resolution or settlement process from Conducting the Matter – Advocacy category
4. Professional responsibility assessment from Ethics and Professionalism category
5. Use of law firm/legal practice management systems from Practice Management category

Table 3 (next page) shows that in Year One, Principals submitted 1,275 candidate performance appraisals. We see that just about one-third of candidates “significantly exceeds expectations” on all of the applicable-scaled tasks except Conducting the Matter: Advocacy, in which only 27% of the candidates did so. It is unclear if there is a relationship between the relatively low number of candidates “significantly” exceeding expectations and the relative lack of exposure to Advocacy in the articling placements as reported on the Experiential Training Plan and on the skills tasks exposure BARS tools. Generally, almost all candidates met or exceeded the expectations in the four applicable-scaled tasks. Finally, about 87% of the candidates were rated as being able to “successfully” use a Practice Management system.
Table 3: Articling Program Performance Appraisal of Competencies (Year One)

<table>
<thead>
<tr>
<th>Competency-based Tasks</th>
<th>5</th>
<th>4</th>
<th>3</th>
<th>2</th>
<th>1</th>
<th>0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establishing the Client Relationship</td>
<td>32%</td>
<td>32%</td>
<td>26%</td>
<td>1%</td>
<td>1%</td>
<td>8%</td>
</tr>
<tr>
<td>Conducting the Matter: Matter Management</td>
<td>34%</td>
<td>32%</td>
<td>26%</td>
<td>2%</td>
<td>1%</td>
<td>5%</td>
</tr>
<tr>
<td>Conducting the Matter: Advocacy</td>
<td>27%</td>
<td>29%</td>
<td>23%</td>
<td>1%</td>
<td>1%</td>
<td>20%</td>
</tr>
<tr>
<td>Ethics and Professionalism</td>
<td>32%</td>
<td>36%</td>
<td>31%</td>
<td>1%</td>
<td>1%</td>
<td>-</td>
</tr>
<tr>
<td>Practice Management</td>
<td>66%</td>
<td></td>
<td>21%</td>
<td></td>
<td>1%</td>
<td>12%</td>
</tr>
</tbody>
</table>

Table 4 (next page) shows the data for **Year Two**. Principals submitted 1,294 candidate performance appraisals. We see a slight increase over Year One as just over one-third of candidates “significantly exceeds expectations” on all the applicably-scaled tasks except **Conducting the Matter: Advocacy**, in which again only 27% of the candidates did so. It is unclear if there is a relationship between the relatively low number of candidates “significantly” exceeding expectations and the relative lack of exposure to Advocacy in the articling placements as reported on the Experiential Training Plans and on the skills tasks exposure BARS tools. Generally, almost all candidates met or exceeded the expectations in the four applicably-scaled tasks. Finally, again about 87% of the candidates were rated as being able to “successfully” use a Practice Management system.
Table 4: Articling Program Performance Appraisal of Competencies (Year Two)

<table>
<thead>
<tr>
<th>Competency-based Tasks</th>
<th>Significantly exceeded expectations</th>
<th>Exceeded expectations</th>
<th>Met expectations</th>
<th>Met some expectations</th>
<th>Did not meet expectations</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establishing the Client Relationship</td>
<td>33%</td>
<td>34%</td>
<td>24%</td>
<td>1%</td>
<td>0%</td>
<td>9%</td>
</tr>
<tr>
<td>Conducting the Matter: Matter Management</td>
<td>35%</td>
<td>33%</td>
<td>25%</td>
<td>3%</td>
<td>0%</td>
<td>5%</td>
</tr>
<tr>
<td>Conducting the Matter: Advocacy</td>
<td>27%</td>
<td>32%</td>
<td>20%</td>
<td>0%</td>
<td>0%</td>
<td>21%</td>
</tr>
<tr>
<td>Ethics and Professionalism</td>
<td>35%</td>
<td>37%</td>
<td>26%</td>
<td>1%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Practice Management</td>
<td>64%</td>
<td>23%</td>
<td>0%</td>
<td>0%</td>
<td>14%</td>
<td></td>
</tr>
</tbody>
</table>

Table 5 (next page) shows data for Year Three. Principals submitted 1,290 candidate performance appraisals. We see a slight decrease over Year Two in candidates who “Exceeded Expectations” in Establishing the Client Relationship, Conducting the Matter: Advocacy and Ethics and Professionalism. This is balanced out by a slight increase over Year Two in candidates who “Met expectations” in these three tasks. Yet again, about 87% of the candidates were rated as being able to “successfully” use a Practice Management system.
Table 5: Articling Program Performance Appraisal of Competencies (Year Three)

<table>
<thead>
<tr>
<th>Competency-based Tasks</th>
<th>Performance Appraisal of Competencies (Year Three)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N=1,290</td>
</tr>
<tr>
<td></td>
<td>5</td>
</tr>
<tr>
<td>Competency-based Tasks</td>
<td></td>
</tr>
<tr>
<td>Establishing the Client Relationship</td>
<td></td>
</tr>
<tr>
<td>Conducting the Matter: Matter Management</td>
<td></td>
</tr>
<tr>
<td>Conducting the Matter: Advocacy</td>
<td></td>
</tr>
<tr>
<td>Ethics and Professionalism</td>
<td></td>
</tr>
<tr>
<td>Practice Management</td>
<td></td>
</tr>
</tbody>
</table>

N/A = Not Applicable
e. Access to Mentors, Principals and Supervisors, and the Quality and Timeliness of Feedback

Law Practice Program

Mentors

On the LPP Exit Survey, candidates were asked to comment on their experiences with their training course mentors. Many of the comments were aimed at assessing or appraising the quality of the training course mentors. Mostly, these types of comments were positive as mentors were described as “great,” “fantastic,” “knowledgeable,” “supportive” and “showed interest” in the candidate’s learning.

Some appraisal of the mentors was critical for different reasons, but most of these reasons focused on the candidates’ judgement that their mentors lack of expertise in given areas of law practice. This last theme was also present in the Year Two and Year Three comments.

This type of comment is likely tied to the unique learning experience of the Law Practice Program, as it spans seven substantive areas of law and practising lawyers, serving as mentors, would not necessarily have practical experience in all seven areas.

An emergent theme from the LPP Focus Groups was that more timely feedback in training course is necessary for it to be useful to candidates. The following points were expressed by the candidates in the Focus Groups in Year One:

- Candidates feel that marked work and feedback were not meaningful, as it was not made clear what the standards were; disorganization with feedback instills lack of motivation in candidates.
- Candidates suggest quicker feedback; better planning from administration, and more recurrent check-ins.
- Candidates suggest more rigorous marking schemes, and structures for feedback. Also, the feedback needs to be well interpreted by both candidates and mentors, and meaningful.
- More transparency and more communication needs to be had with mentors and administration regarding their time commitments
- Candidates suggest a feedback/marking system that mirrors the in-person week for every assignment.

Figure 19 below shows the effectiveness ratings for Year One with regards to their Mentors. The majority of candidates rated “Effective” or “Most Effective” on all aspects experiential training, with Availability of your mentor to address learning issues receiving just over 83% of ratings as such.
Figure 19. LPP Candidates’ Effectiveness Ratings of Aspects of Experiential Training with Specific Regard to their Mentors (Year One)

In Years Two and Three, the LPP Exit Survey was more directed at each Virtual Firm Mentor, both with a quantitative ratings (forthcoming) and the qualitative commentary. Over the years, Availability of the Mentors to Address Learning Issues received considerably more (~5% each year) “Most Effective” ratings. Quality of the Feedback Provided by Mentors was also consistently rated with among the highest proportion of “Most Effective” in each year.

The qualitative commentary is presented next from each year was also consistent. Many respondents offered feedback regarding the quality of the mentors. The majority of these Year Two and Year Three comments were positive, like Year One highlighting mentors as “fantastic,” “engaged,” and “dedicated” to helping candidates learn, for example:
“I was fortunate to be mentored by extremely dedicated Mentors who cared dearly about our success throughout the licensing process.”

“Both the mentors were very co-operative, most effective and gave me their valued feedback in a timely fashion. They understood my weaknesses, qualifications and worked with me to overcome that. I am at such a different level now in comparison to where and how I started.”

Excellent mentors, both. Different styles, which is likely representative of actual practice/mentoring experiences.”

Certain comments were made to suggest greater diversity in professional experience between the two mentors assigned to a candidate, for example:

“Both mentors were sole practitioners and I feel exposure to a non-sole practitioner would have been valuable for comparison.”

“Both were great, and very different personalities. My only comment is a general one: in my case both mentors were real estate professionals, it would be beneficial to have one solicitor and one litigator.”

However, some respondents in Years Two and Three were critical of their mentors, again like Year One, specifically regarding the quality and timeliness of their feedback, as well as the limitations of their expertise, for example:

“A lot of the feedback depended upon whether or not they had any familiarity with the area of law we were working in at the moment.”

“They did not have enough information about the program to assist me. Sometimes it seemed as if they did not want to be on video.”

“Reviewing the tasks in a timely manner is essential to the motivation and progress of candidates. It’s discouraging to see otherwise from our mentors because they are an important catalyst in the LPP.”
“My second mentor was too busy with their practice and did not have time to review our work or provide meaningful feedback.”

However, what differed noticeably about the Focus Group responses (see Appendix 3 for summary) in **Year Two from Year One** was very few comments about the quality and timeliness of the feedback candidates received from their Mentors. This was a far larger issue in Year One than in Year Two. However, this issue re-surfaced in the **Year Three** Focus Groups as candidates wanted more feedback on how to improve their skills.

Figure 20 below shows the **Year Two** LPP candidates’ ratings for each of their virtual firm mentors. Their second virtual firm mentors received marginally more positive effectiveness ratings on average.

**Figure 20. LPP Candidates’ Effectiveness Ratings for their Virtual Firm Mentors (Year Two)**

![Diagram showing effectiveness ratings for virtual firm mentors in Year Two](image-url)
Figure 21 below shows the **Year Three** LPP candidates’ ratings for each of their virtual firm mentors. These ratings are generally more positive than Year Two’s with greater proportions in the “Most Effective” and “Effective” categories. Their second virtual firm mentors received marginally less positive effectiveness ratings on average. There were only 2 respondents of the 122 that answered this question that indicated they did not have a second virtual firm mentor, so the “Not Applicable” category is left in the graphic as it does not interfere with interpretation.

![LPP Candidates' Effectiveness Ratings for their Virtual Firm Mentors (Year Three)](image)

*Figure 21. LPP Candidates’ Effectiveness Ratings for their Virtual Firm Mentors (Year Two)*
In-Person Week Assessors
We asked the candidates in **Years Two and Three** to rate or comment upon their interaction with their In-Person Week Assessors, and almost two-thirds (65%) of respondents to the LPP Exit Surveys in **Year Two** indicated they were either “Quite Satisfied” or “Most Satisfied” with these Assessors, while just 8% were “Least Satisfied” or “Somewhat Satisfied.” In **Year Three**, 71% of respondents were “Quite Satisfied” or “Most Satisfied” with the Assessors and just 9% were “Least Satisfied” or “Somewhat Satisfied.”

Work Placement Supervisors
Figure 21 on the following page shows that the response category with the most ratings was “Effective” for **Year One**. Together with “Most Effective,” “Effective” had the vast majority of responses, ranging from a low of 67% in total for **Timeliness of the feedback provided by your mentor** to a high 75% for **Quality of the learning experience delivered by your supervisor**. The rating of “Most Effective” received the greatest proportion of responses for **Ability of your supervisor to engage you in experiential learning** (35%). These results are considerably positive for the identified aspects of experiential training, but not as positive as the ratings for the mentors.

Canadian-Educated versus Internationally-Educated Candidates
In **Year One**, there were no substantive differences in responses between those who graduated from a Canadian Law school and those who did not, except for on **Quality of the feedback provided by your supervisor** in which those who were not graduates of a Canadian law school showed more “Effective” and “Most Effective” ratings (73%) than their Canadian law school graduate colleagues (61%).

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![Figure 22. LPP/PPD Candidates' Effectiveness Ratings of Aspects of Experiential Training with Regard to their Supervisors (Year One)](chart.png)
In Year Two, LPP Candidates were asked to rate the effectiveness of *each* of their supervisors, if they had more than one. These data are summarized in Figure 23. Many respondents, however, did not have a second supervisor, so the number of respondents rating the second supervisor is considerably lower (n= 144 for 1st supervisor and n=47 for 2nd supervisor). In general, the proportions of “Most Effective” were slightly higher for the second supervisor.

![Figure 23. LPP/PPD Candidates' Effectiveness Ratings for their Workplace Supervisor(s) (Year Two)](image-url)
In **Year Two**, we see a similar result across each supervisor on each aspect of experiential training on average, which are ratings of “Effective” and “Most Effective” from the majority of candidates. In fact, roughly 10% more candidates in Year Two than in Year One rated their supervisors as being “Most Effective” in the first three aspects listed.

In **all Years** (see Year Three ratings, forthcoming), the most “Most Effective” ratings are in the *Ability of the Supervisor to engage you in experiential learning*. Further, *timeliness of feedback* continues to be the aspect of experiential training that is rated with the least proportion of “Most Effective.” Also, in Years Two and Three, the proportions of “Most Effective” for the second workplace supervisor are slightly higher, but more so especially in *Quality of the Feedback* and *Timeliness of the Feedback*.

**Year Three** ratings are shown on the following page and are considerably higher in proportion of “Most Effective” compared to the previous two years.

**Canadian-Educated versus Internationally-Educated Candidates**

Generally, in **Year Two**, graduates of law schools outside of Canada in the LPP rated their first work placement supervisor as “Effective” and “Most Effective” on all aspects of experiential training in greater proportions than their Canadian-educated colleagues, except for the *ability of the supervisor to engage you in experiential learning*, in which both groups rated “Effective” and “Most Effective” in equal proportions.

For **Year Three**, we did not conduct this analysis as there are too few data in each of the categories for any findings to be considered reliable.
Programme de pratique du droit - Mentors (Practitioner Trainers)

In Year One, the ratings of “Effective” and “Most Effective” garnered the clear majority of results for most of the aspects of experiential training, except for Quality of the feedback provided by your practitioner-trainer and Timeliness of the feedback provided by your practitioner-trainer. These results are similar to what was reported in the PPD Focus Group and what was reported in the LPP in Focus Groups and on the Exit Survey.

In Year Two, all the 6 respondents rated all aspects of their experiential training with specific regard to their Virtual Firm Mentors in the Programme de pratique du droit as “Effective” and “Most Effective.” Timeliness of feedback was not an issue in Year Two, though there were about half as many respondents to the survey question.

In Year Three, Quality of the learning experience offered by your Practitioner Trainer and Capacity of your Practitioner Trainers to make your experiential learning interesting both
garnered 92% or 11 of the 12 respondents’ ratings as “Effective” or “Most Effective.” However, “Timeliness of feedback from your Practitioner Trainers” had just 42% or 5 of the 12 respondents rate it as “Effective” or “Most Effective.”

Supervisors
For Year One, we see in Figure 25 on the next page that respondents to the PPD Exit Survey were most apt to rate aspects of their experiential training with regards to their workplace supervisors with “Most Effective” than any other group, and did so at almost double the proportion of the respondents to the Articling Program Candidates’ Survey. Articling candidates also rated in smaller proportions all aspects of their experiential training as “Effective” or “Most Effective” when compared to the respondents of the LPP/PPD Exit Surveys.

In Year Two, all of 6 respondents rated all aspects of their experiential training with specific regard to their Work Placement Supervisor(s) in the PPD “Moderately Effective” to “Most Effective.” Timeliness of feedback was not an issue in Year Two, though there were about half as many respondents to the survey question.

In Year Three, at least 11 of the 12 respondents (92% or greater) rated all aspects of their experiential training with specific regard to their Work Placement Supervisor(s) in the PPD as “Effective” or “Most Effective.”
Figure 25. Comparison of Effectiveness Ratings for Aspects of Experiential Training between the Pathways (Year Three)
Articling Program - Candidates

Training

In Year One, Articling Program candidates reported that lawyers, for the most part (93%: 49% Principals and 44% another lawyer at the organization), provided most of their training with the experiential training competencies. This percentage of lawyers providing most of the candidates’ training with the experiential training competencies was slightly larger in Year Two (95%: 53% Principals and 42% another lawyer at the organization). In Year Three, the percentage of lawyers providing most of the candidates’ training with the experiential training competencies was again slightly larger than the previous year (96%: 50% Principals and 46% another lawyer at the organization), though the percentage of Principals declined slightly.

Feedback

Candidates in Year One also indicated that the Articling Principal or another lawyer in the organization provided much of the feedback about respondents’ work (94%: 52% Principals and 42% another lawyer at organization), with administrative personnel at the firm not playing a large role (6%). In Year Two, again we see an increased proportion of Principals and other lawyers (96% in total) being involved in experiential training of the candidates, with a slight increase in the involvement of Principals to 55%, with 41% of candidates reporting another lawyer at the organization provided much of feedback on the respondents’ work. In Year Three, again 96% of candidates in total (52% Principals and 44% another lawyer at the organization) indicated that lawyers provided the feedback on their work in articling.

Performance Appraisal

In Year One, there was a very good level of participation by Articling Principals in the performance appraisal of candidates, as over three-quarters (76%) of respondents reported it was their Articling Principal who completed the performance appraisal. So, in Year One, over 27% more Principals were responsible for the respondents’ performance appraisal than were active in the training of the respondents.

In Year Two, there was even more participation by Articling Principals in the performance appraisal of candidates, as over four-fifths (81%) of respondents reported it was their Articling Principal who completed the performance appraisal. So, in Year Two, over 26% more Principals were responsible for the respondents’ performance appraisal than were active in the training of the respondents.

In Year Three, again we see a slight increase in the participation by Articling Principals in the performance appraisal of candidates, as over four-fifths (83%) of respondents reported it was their Articling Principal who completed the performance appraisal. So, in Year Three, over 33% more Principals were responsible for the respondents’ performance appraisal than were active in the training of the respondents. However, one must be mindful here that the response rate for the Articling Candidates’ survey in Year Three was very low (25% compared the about 44% for each of the previous years’ surveys), making these results highly unreliable.
Effectiveness

For Year One, the Comparison of Effectiveness Ratings in Figure 26 (next page) illustrates that Quality of the learning experience received the highest proportion of “Most Effective” ratings at almost 38%. Timeliness of the feedback you received from your Principal or another individual received the highest proportion of “Least Effective” at almost 12%. This latter result was echoed in the Year One Articling Program Focus Groups.

An emergent theme from the Articling Program Focus Groups was that feedback on candidate performance was context-specific (firm-size, Principal style, area of law), and ranged from formal to “no news is good news”. The following points were expressed by the candidates in the Articling Program Focus Groups:

- Candidates’ feel that their experiential learning and development of skills are measured as good as indicated by being given increased responsibility. Positive feedback is seen in the form of your phone is ringing = more responsibility, they trust you, and your work.

- “No news is good news”, or feedback is given if candidates are proactive about requesting it. The onus is on the candidate to seek it out from principals and mentors

- Younger associates will take the time to mark up and provide thorough feedback to articling candidates

- Candidate would like to request for a structured feedback system in government and ministry (public sector)

For Years Two and Three we see similar results on the Comparison of Effectiveness Ratings in Figure 26 below, namely that Quality of the learning experience received the highest proportion of “Most Effective” ratings at 37% and 39%, respectively. Timeliness of the feedback you received from your Principal or another individual received the highest proportion of “Least Effective” at 8% and 9%, respectively. This latter result was also echoed in the Year Two Articling Program Focus Groups and more specifically on the Quality of Feedback in the Year Three Focus Groups.

Generally, feedback on candidate performance was context-specific (firm-size, principal style, area of law), and ranged from formal feedback in structured sessions, though this was a rarity, to “no news is good news,” which tended to be more of the norm across articling contexts in Years Two and Three. Articling Program candidates across all three years suggested that mandatory, pre-scheduled feedback sessions would improve consistency and quality of Principal involvement, especially with regards to offering feedback on the candidates’ work.
Figure 26. Articling Candidates’ Effectiveness Ratings for Aspects of Experiential Training Related to the Principal (Years One through Three)
7. About the Candidates

**Demographic Information** for the Year One and Year Two Evaluation Cohorts, based on Licensing Process Application Data

Figure 27 below shows a comparison of **Years One through Three** evaluation cohorts’ demographic information between candidates in each of the pathways. The Articling Program and LPP/PPD are comparably similar in proportion of: (1) males and females, though the Articling Program has had more females, and the LPP more males. But, in Year Three, this result is reversed; (2) English and French; (3) Indigenous; (4) persons with a disability; and (5) LGBTQ. However, there continues to be a greater proportion of internationally-educated, Racialized, and Age 40+ candidates in the LPP/PPD in each of the evaluation cohorts. Finally, there are more Francophones in the LPP/PPD once again, as in Year Two, Articling had a greater proportion of identified Francophones.

It seems from these three years of demographic data that the LPP/PPD attracts a far greater proportion of **Internationally-educated, Racialized, Francophone and Age 40+ candidates** than the Articling Program.

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27 Demographic data is based on the candidate's choice as to whether he or she would like to self-identify as part of a demographic group.

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**SECTION SEVEN SUMMARY**

- The LPP/PPD continues to show greater proportions of internationally-educated, Racialized and Age 40+ candidates than the Articling Program.
- There is now once again a greater proportion of identified Francophones in the in the LPP/PPD than in the Articling Program.
- The LPP/PPD is balanced in terms of internationally-educated versus Canadian-educated candidates, while fewer than 10% of the candidates in the Articling Program are internationally-educated.
- The University of Ottawa produces more candidates in either pathway than any other law school.
- The clear majority of candidates in the Articling Program graduate law school in the year immediately preceding their licensing year, while just about half of the candidates in the LPP/PPD do.
- The largest proportion of internationally-educated candidates in the pathways receive their law degrees in the U.K., the U.S., and Australia.
Figure 27. Demographics for the Articling Program and Law Practice Program Year One and Year Two Candidates
Figure 28 above illustrates a comparison between the pathways and their proportion of Canadian-educated and internationally-educated candidates. In **Year One**, 124 (52%) candidates in the Law Practice Program/Programme de pratique du droit were internationally-educated candidates; 120 (8%) candidates in the Articling Program are internationally-educated candidates. In **Year Two**, 116 (50%) in the LPP/PPD were internationally-educated while 125 (9%) of the candidates in the Articling Program were internationally-educated candidates. In **Year Three**, 131 (54%) of the candidates in the LPP/PPD were internationally-educated compared to 128 (9%) of the candidates in the Articling Program.

When looking at the schools that provided the legal education for Canadian-educated candidates in the pathways, Figure 29 (next page) presents the law schools by proportion of candidates for **Years One through Three**. Figure 29 illustrates that law schools with the most candidates represented in the LPP/PPD and the Articling Program for both years are the University of Ottawa, Osgoode Hall, Queen’s University, the University of Windsor, Western University and the University of Toronto; all are in Ontario. The University of Ottawa accounts for the most candidates in the pathways across all **three years**.
Figure 29 also illustrates that out of province law schools accounted for a much smaller proportion of the candidates in the pathways, with Thompson Rivers University having no graduates at all in the LPP and Articling Program in both Year One and Year Two and 1% of the candidates in the Year Three LPP/PPD. The University of Alberta had no graduates in either pathway in Year Two but had a handful of graduates in the pathways in Years One and Three. In Year One, the universities of Calgary, Moncton and Montreal also had relatively smaller representation in the pathways; in fact, no graduates of these schools were a part of the Year One Articling Program evaluation cohort, and just a handful in the LPP/PPD. This remained essentially unchanged in Year Two except for a few University of Calgary graduates in both the LPP and Articling Program.

The University of Ottawa’s contingent in the Year Three LPP/PPD (36%) was the highest percentage of candidates from any Canadian law school to any pathway over the three years. Osgoode Hall’s contingent in the Year Three LLP/PPD (8%) was the lowest percentage of candidates in any pathway from that school over the three years. Lakehead University had 1% of the candidates in articling in Year Three. It is the first year for graduates of that law school to participate in either the LPP/PPD or articling, even though it is an integrated program and graduates of that school need not seek transitional experiential training to satisfy licensing requirements.
Law Schools of Canadian-Educated Candidates in the Pathways (Years One through Three)

Percent of Candidates

Alberta
British Columbia
Calgary
Dalhousie
Lakehead
Manitoba
McGill
Moncton
Montreal
New Brunswick
Osgoode Hall
Ottawa
Queens
Saskatchewan
Thompson Rivers
Toronto
Victoria
Western
Windsor

Note: 0% on the chart above is indicative of less than 0.5% of candidates

Figure 29. Law Schools for the Canadian-Trained Candidates in the Pathways (Years One through Three)
Figure 30 above presents the graduating years of candidates enrolled in the pathways for each evaluation cohort. We see that the clear majority (between 89% and 91%) of the articling candidates graduated law school in the same year as their enrollment in the Licensing Process, while about half to three-fifths (46% in Year One, 58% in Year Two, and 60% in Year Three) of the candidates in the LPP/PPD graduated in the same year as their enrollment in the Licensing Process. We see that more and more candidates in the LPP/PPD are entering the licensing process the same year as law school graduation. Further, fewer and fewer candidates in the LPP/PPD are entering the licensing process (11% in Year One, 10% in Year Two and 5% in Year Three) from law school three years or more previous to their enrollment in the Licensing Process, compared to a steady and small 1% of those in the Articling Program in all three evaluation cohorts. With these data and data from Figure 22, it appears that the LPP/PPD continues to be the pathway with the more mature candidates.
Figure 31 below illustrates where the internationally-educated candidates in each pathway in each cohort received their law school education. For all years, most internationally-educated candidates receive their law degrees in the United Kingdom, the United States, Australia and to a lesser extent, India and Nigeria.

Figure 31. Most-Selected Countries /Jurisdictions of Law School for Internationally-Educated Candidates (Years One through Three)
Preference for the Law Practice Program/Programme de pratique du droit

Based on data from the LPP/PPD Entry Survey, just 38% of respondents to the survey in **Year One** indicated that the Law Practice Program/Programme de pratique du droit was their first choice for experiential training. This figure dropped to 27% in **Year Two** but rebounded back up to 40% for **Year Three**.

In **Year One**, almost two-thirds (64%) of candidates who responded to the LPP/PPD Entry Survey did not graduate from a Canadian law school, and these respondents were considerably more likely (45% to 28%) to have selected the LPP/PPD as their first choice for experiential training than the Canadian law school graduates.

In **Year Two**, just over half (51%) of the respondents to the LPP/PPD Entry Survey did not graduate from a Canadian Law School, and these respondents were still more likely (33% to 20%) to have selected the LPP as their first choice for experiential training than their Canadian law school colleagues.

In **Year Three**, almost three-fifths (59%) of the respondents to the LPP/PPD Entry Survey did not graduate from a Canadian Law School, and these respondents were more likely (44% to 35%) to have selected the LPP/PPD as their first choice for experiential training than the Canadian law school graduates, but the gap between the two groups has closed by 4% each year.

Further, in **Year One**, some 39% of graduates from law schools outside Canada did so between 2007 and 1999 or selected “Other,” contrasted with just 4% of graduates from Canadian law schools who indicated they graduated pre-2008 or selected “Other.” Of this seemingly more mature group of graduates from foreign law schools (pre-2008 or “Other”), more than two to one (32 to 15, or 68%) indicated that the Law Practice Program was their first choice for experiential training.

Similarly, in **Year Two**, some 40% of graduates from law schools outside Canada did so between 2008 and 1999 or selected “Other,” contrasted with just 6% of graduates from Canadian law schools who indicated they graduated pre-2009 or selected “Other.” But, of this seemingly more mature group of graduates from foreign law schools (pre-2009 or “Other”), just over half (18 to 13, or 56%) indicated that the Law Practice Program was their first choice for experiential training.

Again, in **Year Three**, some 33% of graduates from law schools outside Canada did so between 2009 and 1999 or selected “Other,” contrasted with just 2% of graduates from Canadian law schools who indicated they graduated pre-2010 or selected “Other.” Again, of this seemingly more mature group of graduates from foreign law schools (pre-2009 or “Other”), only 28% of them indicated that the Law Practice Program was their first choice for experiential training. This is a considerable decline from previous years.

**Comparison of Post-License Types of Practice Consideration between LPP/PPD and Articling Program**

Figure 28 on the following page shows the comparison between results from the Articling Program Candidates’ Survey and the results from the Law Practice Program/Programme de pratique du droit Exit Survey. We see that in each of the **three years**, those respondents enrolled in the Articling Program were considering “Private Practice” in a much larger proportion (67%,
63%, and 66% for Year One through Three, respectively) than their colleagues who responded to the LPP/PPD Exit Surveys (45%, 56%, and 49% Years One through Three, respectively); and about the same proportion in each of these groups throughout the years (about 2%) were considering “Non-practising,” with the exception of the Year Two Articling Program Survey respondents, of whom 4% were considering “Non-practising.” In each of Years One through Three, proportionally, more respondents from the LPP/PPD Exit Surveys were considering “Practising but not in a Law Firm” or were “Undecided” than their colleagues who responded to the Articling Program Candidates’ Survey.

Figure 32. Consideration for Post-License Practice Type for Candidates in each Pathway (Years One through Three)

Comparison of Candidates’ Post-License Area(s) of Law Consideration28 between LPP/PPD and Articling Program

Figure 29 (forthcoming) shows that in Year One, Articling Program Candidates’ Survey respondents selected in greater proportions than their colleagues in the LPP/PPD the areas of Aboriginal Law (9% vs 8%), Bankruptcy Law (6% vs 5%), Civil Litigation – Defendant (38% vs 34%), Construction Law (10% vs 3%), Environmental Law (9% vs 7%), Language Rights Law (3% vs 2%), and Private Practice (45% vs 56%).

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28 When asked about placement considerations (areas of practice, and location), candidates responding to surveys could select more than one option, hence totals exceed 100%.
vs 2%), and “Other” (10% vs 8%). Note that respondents could select one or more areas of law when completing the survey. Those in the LPP/PPD selected Immigration Law, Real Estate Law and Wills, Trusts and Estates in much greater proportions than their colleagues in the Articling Program. The “Other” category was selected by almost 10% of the respondents and the areas of law most selected were Health Law and Municipal Law.

Figure 30 (forthcoming) shows that in **Year Two**, Articling Program Candidates’ Survey respondents selected in greater proportions than their colleagues in the LPP/PPD the area of Aboriginal Law (10% vs 9%), which is like Year One. But unlike in Year One, the Articling Program candidates did not select any other area of law in greater proportions than their colleagues in the LPP. Like Year One, those in the LPP/PPD selected Immigration Law, Real Estate Law and Wills, Trusts and Estates in much greater proportions than their colleagues in the Articling Program. But in Year Two, those in the LPP/PPD selected Corporate Commercial Law in a much greater proportion than their colleagues in the Articling Program. Note that respondents could select one or more areas of law when completing the survey. Again, as in Year One, the “Other” category was selected by about 10% of the respondents and the areas of law most selected were Health Law and Municipal Law.

Figure 31 (forthcoming) shows that in **Year Three**, once again candidates in Articling selected *Civil Litigation both Civil and Defendant* the most. These two practice areas were the only ones where a greater proportion of responses came from Articling than the LPP/PPD. Please note, due to a change in the online survey platform, the chart scale now shows a percentage of total responses as opposed to a percentage of respondents. Further, like Year Two, a greater percentage of responses for candidates in the LPP/PPD chose Corporate Commercial Law than any other practice area. Also, a greater proportion of candidates’ responses from the LPP/PPD selected *Aboriginal Law* than their counterparts in Articling, which was a different result than last year.
Figure 33. Comparison of Post-License Areas of Law Consideration between LPP/PPD and Articling Program (Year One)
Figure 34. Comparison of Post-License Areas of Law Consideration between LPP/PPD and Articling Program (Year Two)
Figure 35. Comparison of Post-License Areas of Law Consideration between LPP/PPD and Articling Program (Year Three)
Comparison of Candidates’ Post-License Location Consideration\textsuperscript{29} between LPP/PPD and Articling Program

Figure 32 on the following page shows a comparison of the responses from the Articling Program Candidates’ Survey and the LPP/PPD Exit Surveys for all three evaluation cohorts. We see that in the first two cohorts, about 75\% of respondents in each of the pathways considered Toronto (GTA) as a location for practice. But in Year Three, the 83\% of the responding candidates in Articling selected Toronto, while the LPP/PPD showed the opposite, with a decline to about 66\% of the respondents.

Next most-selected in the first two years was the East with about one-quarter of the combined respondents in the LPP/PPD and about one-fifth of the respondents in the Articling Program choosing that area. However, again we see in Year Three a slight departure from this percentage, as selections of the East by respondents in the LPP/PPD declined to about 15\%.

In the first two years, about one in ten respondents in the LPP/PPD were “Undecided,” which was more than two times the proportion of the respondents in the Articling Program. However, in Year Three, the percentage of “Undecided” in the LPP/PPD dropped to about one in twenty, which is closer to the trend established by respondents in the Articling Program.

The Northwest location was selected by the smallest proportion of each group of respondents in each of the three years.

\textsuperscript{29} When asked about placement considerations (areas of practice, and location), candidates responding to surveys could select more than one option, hence totals exceed 100\%. 
Figure 36. Comparison of Post-License Location Preference between LPP and Articling Program (Years One through Three)
8. The Search for a Placement

Law Practice Program/Programme de pratique du droit

Year One

In Year One, 38% of the respondents to the LPP/PPD Entry Survey reported that the LPP/PPD was their first choice for experiential training, compared to 27% for Year Two. When asked why the LPP/PPD was their first choice, many of the comments from the Year One candidates mentioned “articling position” did so in reference to respondents’ status as “foreign” or “foreign-trained” and perceiving a difficulty in obtaining an articling position or opportunity. Many comments also mentioned that the Law Practice Program was “broad in scope,” “innovative” and exposed candidates to the “Canadian legal system,” “many “areas of law” and was akin to programs offered in the “UK and Ireland.” Comments from Year Two were very similar, as many of the respondents reported that the LPP/PPD offered them “practical experience,” others noted the “innovative” approach to the LPP delivery, and several indicated that the focus in seven areas of law was “broad” and “comprehensive.” Still, respondents who are internationally-educated described that they felt like they did not have the same “opportunity” as their Canadian-educated colleagues to join “better” firms, some mentioning that as an internationally-educated candidate, they were out of the “regulated articling application cycle.”

In Year One, of the 62% of the candidates in the LPP/PPD that indicated the Law Practice Program was not their first choice for experiential training, a great many responded that they “wanted” or “preferred” the “traditional route” of “Articling” or an “articling placement” rather than the Law Practice Program and “tried” to “secure (an Articling) position.” Some of the respondents commented that Articling was preferable for “financial reasons” or because it was “paid.” Some comments mentioned that not having an articling position would be a “stigma” and that after “completing” the LPP it would be difficult to find “employment after call to the Bar.”

SECTION EIGHT
SUMMARY

- An increasing percentage (38% in Year One and 27% in Year Two and 40% in Year Three) of candidates in the LPP/PPD reported that it was their first choice for experiential training.

- LPP focus group participants indicated they perceived the work placement process to be unfair and recall of Year Three candidates suggest treatment by Ryerson’s placement office was condescending and rude.

- There is a significant discrepancy between perceptions of candidates in the Articling Program and Articling Principals as to the ratio of applications per articling placement.

- Internationally-educated or out-of-province candidates in the Articling Program feel disadvantaged in access to articling placements.

- Principals report that they offer articling placements: to recruit new members of the firm; as a responsibility to the profession; and because they can pay relatively lower rates for candidates in articling, compared to first-year associates, for much of the same type of work.
Year Two
In **Year Two**, most of the almost three-quarters (73%) that indicated they did not choose the LPP/PPD as their first choice for experiential training had responses that were related to three main themes: (i) candidates prefer articling because it is paid, longer in duration, providing more income than the LPP/PPD, thus “disadvantaging” those in the LPP/PPD; (ii) candidates prefer articling because it is “traditional,” and are wary of the “perception of the legal community” which see the LPP/PPD the lower of a “two-tier” system of experiential training, creating a “stigma” around the LPP/PPD and its candidates, which may be “detrimental” in finding post-call employment; and (iii) many respondents declared they could not find and articling placement, so enrolled in the LPP as a result.

Year Three
In **Year Three**, Overall, 40% of the total respondents reported that the LPP/PPD was their first choice for experiential training. This result also follows a trend (see Figure 33) that each year a minority of respondents indicate that the LPP/PPD was their first choice for transitional, experiential training. Though, as illustrated in Figure 33 below, **Year Three** has the greatest proportion of respondents indicating the LPP/PPD was their first choice.

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**Figure 37. LPP/PPD Entry Survey Respondents’ - Indication the LPP was 1st Choice (Years One through Three)**

- Graduates of Canadian Law Schools indicating the LPP was 1st Choice
- Graduates of International Law Schools indicating the LPP was 1st Choice
- All Respondents
In Year Three, about 44% of those graduates from law schools outside of Canada indicated that the LPP/PPD was their first choice for transitional, experiential training, while about one-third (35%) of those who graduated from Canadian law schools also reported that the LPP/PPD was their first choice for transitional, experiential training.

Many of the Year Three respondents reported that the LPP/PPD offered them “practical skills,” others noted they favoured the “virtual” approach of the LPP/PPD delivery, and several indicated that the focus in seven areas of law was “broad” and “comprehensive.” Still, respondents felt like the LPP/PPD best prepared them for “private” or “sole” practice. Others mentioned the structure of the LPP/PPD with the four-month training and four-month work placement offered “standardized” or “guaranteed training and placement.” There were also a number of responses that referred to the LPP/PPD as “prestigious,” or “highly recommended.” Some Internationally-educated respondents reported that the LPP/PPD offered the best option for “insight into the legal environment in Canada.”

We still see the same general themes to the responses as to why the LPP/PPD was not the first-choice for experiential training for the majority of the candidates responding to the LPP/PPD Entry Survey in Year Three. Almost all responses were related to three main themes: (i) candidates prefer articling because it is “traditional,” offering an “income” or “better compensation;” and (ii) they are wary of the “perception of the LPP” by employers, and relatedly the “stigma” around the LPP and its candidates, which may “hinder future job opportunities” - this latter point is mentioned more in this year’s results than in previous years, though there are no evaluation data to support the claim; and (iii) many respondents declared they could not find and articling placement, so enrolled in the LPP/PPD as a result.

Qualitative Data on Search for Placements from the LPP Entry Survey
In all three evaluation cohorts, almost all (99%) of the respondents to this question, indicated that they had searched for an articling placement. Just under half (45%) of those that declared they searched for an articling placement graduated from a Canadian law school in Year One as did just over half (52%) in Year Two, and 44% in Year Three.

We then asked those candidates who declared they searched for an articling placement to tell us about their search. Many of the responses in Year One mentioned “extensive” searches or “searched for an articling position” but were “unsuccessful” in receiving an articling “placement.” Some respondents had submitted “applications” to “law firms,” and mentioned that they “received” “interviews” but found the pursuit of articling positions “difficult” for many reasons, including that firms were “not hiring or already hired” for their articling positions. In Year Two, several respondents reported that law firms were simply not hiring, either as a holdover affect from the recession of 2008 or because they hired their summer students for articling placements. A great many respondents indicated that they had sent out dozens of applications, received only a few interviews, if any, and no offers. Others, who described themselves as internationally-educated candidates felt that the timing of the official application process was difficult for them to adhere to. Some candidates claimed they were not hired because they were “mature,” a “minority,” a “non-traditional” law school graduate.
Finally, some respondents, did not say much other than their searches were, “fruitless,” “terrible,” “futile,” “daunting” and the like.

In Year Three, overwhelmingly, the respondents described how they “applied” and “searched,” for articling placements and how some were granted interviews, but all were “not successful,” “unsuccessful,” or “failed” to land an articling placement. Some respondents cited a competitive market as a reason for their “failures” but most did not elaborate as to why they were unsuccessful. Of those respondents who did elaborate, many were NCA (internationally-educated) candidates who felt the articling search time was “off-cycle” for them, and relatedly that their NCA exam results were not ready to show prospective articling organizations. Still, many respondents described the search for an articling position as “hideous and frustrating,” “challenging,” and even “soul crushing.”

Work Placement Search Process
An emergent theme from all three evaluation cohorts during the LPP/PPD Focus Groups was that the LPP work placements search process was unfair. They felt that forcing candidates to take the first call-back though it may not be in their best interest due to its area of practice, location or pay, was unfair, as was the lack of transparency regarding work placement location and salary conditions.

The LPP Exit Survey results echoed these comments in all cohorts as well. The fact that many work placements were unpaid and that the placement process was not “transparent” were sore points for some candidates. In one of the LPP/PPD Focus Groups in Year One, a candidate stated that she/he should not have to be faced with doubts and fears that s/he would not find a position, since they are participating, and paying for the program.

In the Year Three LPP Focus Groups, a new theme emerged about the work search placement process that made some participants very upset. Focus group participants recounted how they were asked to leave the LPP if they had not found work placement. Some participants were asked to leave the LPP in the summer prior to the training course because they did not have a work placement lined-up. One of these participants described getting a phone call from the Ryerson placement office supervisor, who told the participant that the reason they had not found a work placement prior to the training course was because they graduated law school in 2012, and therefore, “you might not be that competitive.” Another LPP focus group participant said they were asked by the same placement office supervisor to leave the LPP in December as the training course was finishing because they had not found a work placement at that juncture. The overwhelming consensus from the focus groups was that Ryerson placed too much emphasis on maintaining a 100% placement rate for the LPP, and would rather have candidates drop out rather than “tarnish” their perfect placement rate. Additionally, some equity-seeking LPP focus group participants recalled how the Ryerson placement office suggested that the candidates look for work placements “in their own communities,” insinuating that Black candidates should look for work placements in firms that service the Black community, for example. In general, Year Three

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30 National Committee on Accreditation of the Federation of Law Societies of Canada assesses legal education credentials obtained outside of Canada, or in a civil law degree program in Canada, for individuals applying to a law society in a Canadian common law jurisdiction (www.flsc.ca/en/nca).
LPP Focus Groups articulated that the Ryerson placement office was often rude and condescending to candidates.

Withdrawal from the LPP/PPD
Of the respondents to the LPP/PPD Withdrawal Surveys, 65% or 15 of the 23 received their legal education from a Canadian law school in Year One and 61% (14 of 23) in Year Two. Just short of two-thirds of the withdrawal survey respondents are from those educated in Canada. So, we may say at this point, Canadian law school graduates in the LPP/PPD, just under half the LPP/PPD population over two evaluation cohorts, withdrew from the LPP/PPD at almost twice the proportion as their internationally-educated counterparts.

When asked why they withdrew from the LPP/PPD, most responses in both evaluation cohorts focussed on looking for and finding an articling placement. Almost half (48%) of the responses indicated that the candidate had found an articling placement in Year One; this figure was over 60% (15 of 24) for Year Two. Of those 11 respondents that indicated they had found an articling placement in Year One, eight of the placements or around 73% were paid; this figure was 100% (15 of 15) for Year Two. Relatively few people reported that the Law Practice Program did not meet their needs (22%) in Year One and just 8% reported so in Year Two. Two of the five responses to the question in Year One relate to the geography of the Law Practice Program/Programme de pratique du droit placements; another two responses related to finances and the other response was critical in general of the Law Practice Program. In Year Two, both responses indicated the respondents felt the LPP/PPD was geared to younger candidates.

In Year Three, thirty-eight licensing candidates were sent the survey links. Twenty-Four English responses and 1 French response were recorded on the survey website, producing an overall response rate of 58.1%, lower than the 61.7% from last year. However, six of the English survey responses were completely blank, making a usable response rate of 44.2%, which is down considerably from the 57.4% of usable responses from last year.

Candidates in all three evaluation cohorts were also asked to provide “any other comments about why you chose to withdraw from the Law Practice Program/Programme de pratique du droit.” All responding candidates in all cohorts offered commentary. Many of the responses to this question centered around two predominant themes, both of which are financially-driven: (1) the issue of the Law Practice Program placements being unpaid; and closely related, (2) the search for a paid articling placement. However, in Year-Three, reasons for withdrawal from the LPP ranged from the commentary of one candidate who withdrew after finding an articling placement:

*The profession perceives students who graduate the LPP program as inferior to articling students. Even if the program isn’t inferior, this perception is self-fulfilling, in that the remainder students unable to find articling positions, enroll in it. So accurate or not, I wouldn’t want to risk damaging my career by being seen to have completed a second-tier licensing option.*
Two withdrew for personal reasons and a candidate who claimed that it was the administrative issue that forced their withdrawal.

Articling Program

Figure 34 shows us a comparison of what was reported by **Year Ones through Three** Articling Principals and articling candidates regarding the number of applications per articling position, respectively. These data show that the greatest proportion of candidates (41.4% on average) reported that they applied to between 1 and 10 articling positions before obtaining theirs, while the largest proportion of Principals (38.8% on average) indicated that more than 50 applications per position were received.

![Comparison of Applications per Articling Position between Articling Candidates and Articling Principals](image)

**Figure 38. Comparison of Applications per Articling Position between Articling Candidates and Articling Principals (Average Years One through Three)**
Competition among Candidates
An emergent theme uncovered from Articling Program Focus Groups in all evaluation cohorts about the articling placements search is that out-of-province or out-of-country candidates are disadvantaged in access to articling positions. Candidates also felt that the search process puts those who are interested in social justice/child protection work at a disadvantage, as there is a deficit of paid opportunities and effective job search resources to help candidates find these positions.

The following comments exemplify these sentiments:

“Candidate feels confined by jurisdiction deadlines for hiring and accepting and applying for positions within and out of province. It was stressful navigating different deadlines especially for those who were internationally educated.”

“Career offices are not highlighting an equitable amount of positions for articling positions; emphasis is given to corporate, Bay Street style positions, and there is a lack of postings on social justice, criminal, and family.”

Further, ever-increasing commentary from the Focus Group participants suggest that the competition for articles is intense and many candidates are taking articles that are not necessarily in their areas of interest, geographic location or pay, just to secure the placement to satisfy the experiential training requirement of the licensing process. Year Three participants suggested that securing articles was often resultant of their determination and initiative. These candidates more so than their predecessors were alarmed at the amount of low-paying or non-paying articling positions that have arisen due to the fierce competition for articles. They blame the The Law Society of Upper Canada and practising lawyers for this situation:

“Because the Law Society does not regulate remuneration, I think that a lot of lawyers are taking advantage that there’s a crisis to get not only do they get they’re continuing education hours satisfied through having an articling student, but they get an articling student for free.”

Principals
On their survey, the Articling Principals were asked why they offer articling placements and there were three emergent themes to the responses in across all years: Recruitment, as firms utilize the candidates in articling positions to fill their hiring needs for entry to practice lawyers at post-call; Responsibility, as respondents felt they had a duty to help train and deliver new lawyers into the profession; and to a much lesser extent Rates, as the pay rate that candidates are remunerated at are below what a first-year associate lawyer earns, so it makes economic sense to some firms to hire articling candidates to perform many of the tasks a first-year lawyer would be expected to complete. The following direct quotations from Principals exemplify these themes:

“Students are an important aspect of our firm’s growth. We hire students from first year summer and bring them all the way through. We take our responsibility seriously to train student and young lawyers.”
“It is a mutually beneficial circumstance where we can assist a student in their progress towards being called to the bar by providing a thorough practical experience in learning criminal procedure and court process while they can provide us with assistance in our practice in a busy law firm. Successful students may also become a source of interest when we look towards hiring new lawyers.”

“We feel a duty to the profession to have a student. Also, the students are our main source of growth in terms of new associates. Finally, they assist greatly with research and other tasks that sometimes can't be fully billed or billed at all.”
9. About the Placements

Law Practice Program/Programme de pratique du droit

Paid vs. Unpaid

In **Year One**, of the 170 (71%) candidates in the LPP who obtained paid work placements; 155 of these placements were for English LPP candidates, serving 70% of the English candidates; and 15 were for PPD candidates, serving 88% of them.

For the PPD, one candidate accepted an unpaid placement because the candidate was not able to find a paid placement, and one candidate accepted an unpaid placement in order to work in a particular city or area of law (and withdrew from competition for paid placements).

In **Year Two**, of the 169 (73%) candidates in the LPP who obtained paid work placements; 158 of these placements were for English LPP candidates, serving 72% of the English LPP candidates, and 11 were for PPD candidates, serving 100% of them.

In **Year Three**, of the 176.5 (73%) candidates in the LPP who obtained paid work placements; 159.5 of these placements were for English LPP candidates, serving 72% of the English candidates; and 17 were for PPD candidates, serving 81% of them.

Location

Figure 39 on the following page shows across all years, the location of LPP/PDD work placements were proportionally on par with articling placement locations except for the greater proportion of LPP/PDD work placements in the Central East and Central West regions. Over the three years, and even with the greater relative proportion of internationally-educated candidates, the LPP/PDD have had no placements outside of Ontario.

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31 When asked about placement considerations (areas of practice, and location), candidates responding to surveys could select more than one option, hence totals exceed 100%.

SECTION NINE SUMMARY

- From program delivery statistics, we know about 71% of the work placements in the LPP/PPD were paid in Year One and 73% were paid in Years Two and Three.
- According to survey data, 97% of the articling placements in both Year One and Year Two were paid and 98% in Year Three.
- The largest proportions (29%, 31%, and 22%, respectively) of work placements in the LPP/PPD were in small firms, while the largest proportions (36%, 37% and 40%, respectively) of articling placements were at medium-sized firms.
- Corporate/Commercial Law was reported as the most common area of practice in LPP/PPD work placements.
- The largest proportion of articling placement practice areas reported by candidates on the Articling Program Survey was Civil Litigation - Defendant in each of the three years.
- Remuneration continues to garner the least satisfaction from all respondents in the pathways.
Figure 39. Comparison of Locations of Work Placements in the LPP/PPD to Locations of Articling Placements in the Articling Program (Years One through Three)
Figure 39 above shows data from **all three years** that indicates a clear majority (> 65%) of the placements in the Articling Program are in the Toronto area, and a slight majority (>50%) of placements for the LPP/PPD are also in the Toronto area. The East is the location that has the next most placements across pathways and cohorts at about 13%-16%. The Northwest has the few placements across pathways and cohorts. Finally, as previously noted, there are no international or out-of-province placements in the LPP/PPD.

**Setting**
Table 5 below presents work placement settings for the **all three years** of the Law Practice Program. In each year, around 20% to 30% of placements were in small law firms, and less than 2 percent was in a large law firm. We see over time, that there continues to be very few placements with the Crown’s office and increasingly more placements in sole practices.

**Table 5: Settings for Work Placements in the LPP/PPD (Years One through Three)**

<table>
<thead>
<tr>
<th>Settings</th>
<th>Year One</th>
<th>Year Two</th>
<th>Year Three</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number of Placements</td>
<td>Percent of Placements</td>
<td>Number of Placements</td>
</tr>
<tr>
<td>Non-governmental organization (NGO)</td>
<td>9</td>
<td>4%</td>
<td>7</td>
</tr>
<tr>
<td>Other</td>
<td>4</td>
<td>2%</td>
<td>5</td>
</tr>
<tr>
<td>(1 Tribunal)</td>
<td></td>
<td></td>
<td>(2 Tribunal)</td>
</tr>
<tr>
<td>Crown’s office</td>
<td>2</td>
<td>1%</td>
<td>2</td>
</tr>
<tr>
<td>Education</td>
<td>6</td>
<td>3%</td>
<td>8</td>
</tr>
<tr>
<td>Government or public agency</td>
<td>37</td>
<td>16%</td>
<td>26.5</td>
</tr>
<tr>
<td>In-house counsel for a private corporation</td>
<td>29</td>
<td>12%</td>
<td>40.5</td>
</tr>
<tr>
<td>Legal clinic</td>
<td>22</td>
<td>9%</td>
<td>14</td>
</tr>
<tr>
<td>Sole Practice</td>
<td>32</td>
<td>13%</td>
<td>39.5</td>
</tr>
<tr>
<td>Small Firm (2-5 lawyers)</td>
<td>68</td>
<td>29%</td>
<td>72</td>
</tr>
<tr>
<td>Medium Firm (6-199 lawyers)</td>
<td>28</td>
<td>12%</td>
<td>14.5</td>
</tr>
<tr>
<td>Large Firm (200+ lawyers)</td>
<td>1</td>
<td>&lt;1%</td>
<td>1</td>
</tr>
</tbody>
</table>

**Areas of Law in the LPP/PPD Work Placements**

In **Year One**, the most common areas of law in LPP/PPD work placements were: Corporate Commercial (11%), Real Estate (9%), Civil Litigation – Plaintiff (8%), Civil Litigation – Defendant (8%), and Wills, Estates, Trusts Law (8%). The least covered areas of law were: Aboriginal Law (1%), Language Rights Law (0%), and International Law (0%). On average, LPP/PPD work placements covered 2.5 areas of law.
In **Year Two**, the most common areas of law in LPP/PPD work placements were: Corporate Commercial (47%), Civil Litigation – Plaintiff (36%), Civil Litigation – Defendant (36%), Real Estate (34%), Employment/Labour Law (34%), and Wills, Estates, Trusts Law (20%). The least covered areas of law were: Tax Law (5%), International Law (4%), and Language Rights Law (3%). On average, LPP work placements covered 1.5 areas of law.

In **Year Three**, the most common areas of law in LPP/PPD work placements were: Corporate Commercial (11%), Civil Litigation – Defendant (10%), Civil Litigation – Plaintiff (9%), Real Estate Law (8%), and Employment/Labour Law (8%). The least covered areas of law were: Bankruptcy Law (1%), International Law (1%), and Language Rights Law (1%), Environmental Law (1%), Tax Law (1%), and Workplace, Safety and Insurance Law (1%). On average, LPP/PPD work placements covered 4 areas of law.

**LPP Candidates’ Satisfaction Ratings for Aspects of Work Placement**

Figure 36 on the next page illustrates that LPP/PPD candidates in **all three evaluation cohorts** experienced the most satisfaction with *Location* of the work placement overall, though it was narrowly edged by *Practice Areas* in Year Three, and the least satisfaction was for *Remuneration* at the work placement, each by a considerable margin. **The latter result is consistent to what was expressed in the Focus Groups.**

Over the years candidates provided additional comments about their work placement. Many of the comments were **positive**, stating that the experience was “fantastic,” “wonderful,” “great,” and “invaluable,” and an “amazing opportunity” despite many of the placements being unpaid. But over the years, it has been difficult for many candidates to separate the work placement from the placement process, and each year commentary like this one expressed by a Year Three candidate is made:

> “The pressure from the program to accept the first placement one is offered means that students are not necessarily taking the best placement for their future career.”
Figure 40. LPP/PPD Candidates' Satisfaction Ratings for Aspects of Work Placement (Years One through Three)
Canadian-Educated versus Internationally-Educated

In **Year One**, those who graduated from law schools outside of Canada were more “Quite Satisfied” and “Most Satisfied” in total (46%) than their Canadian-educated colleagues (36%) in *Remuneration*. But this gap closed considerably in **Year Two** as 41% of internationally-educated were “Quite Satisfied” and “Most Satisfied” compared to 40% of their Canadian-educated colleagues in *Remuneration*. However, in **Year Three**, a greater percentage of graduates of Canadian law schools (47%) indicated they were “Quite Satisfied” and “Most Satisfied” about their remuneration in the LPP work placement than their internationally-educated colleagues (41%).

**Articling Program**

**Paid vs Unpaid**

Of the **Year One** evaluation cohort of articling candidates, survey results tell us that approximately 97% of articling candidates secured paid placements, and 3% were unpaid. We see the same result for the **Year Two** evaluation cohort as again 97% of respondents indicated their placements were paid. This self-report result is up slightly for **Year Three** with 98% of respondents reporting their placements were paid.

**Supervision by Principals**

In **Year One**, there were 1,243 Articling Principals supervising the 1,455 articling candidates that made up the year one evaluation cohort, and most supervised just one candidate; however, 13% of the Principals supervised two candidates. There were 54 placements in the courts in Year One.

In **Year Two**, there were 1,221 Articling Principals supervising the 1,392 articling candidates that made up the year two evaluation cohort, and most supervised just one candidate; however, 14% of the Principals supervised two candidates. There were 48 placements in the courts in Year Two.

In **Year Three**, there were 1,225 Articling Principals supervising the 1,411 articling candidates that made up the year three evaluation cohort, and most supervised just one candidate; however, 4% of the Principals supervised two candidates. There were 44 placements in the courts in Year Two.

**Setting**

Table 6 below show us that taking the Articling Program in **Years One through Three**, the vast majority (69% to 75% each year) of articling placements were in law firms, with medium-sized firms (6-199 lawyers) being the most popular placement setting. Outside the law firm placements, 12% in **Year One**, 13% in **Year Two** and 12% in **Year Three** were in government or public agencies.
Table 6. Settings for Articling Placements (Years One through Three)

<table>
<thead>
<tr>
<th>Settings</th>
<th>Year One</th>
<th></th>
<th>Year Two</th>
<th></th>
<th>Year Three</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number of Placements</td>
<td>Percent of Placements</td>
<td>Number of Placements</td>
<td>Percent of Placements</td>
<td>Number of Placements</td>
<td>Percent of Placements</td>
</tr>
<tr>
<td>Non-governmental organization (NGO)</td>
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<td>13</td>
<td>1%</td>
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<td>1%</td>
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<td>Other</td>
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<td>58</td>
<td>4%</td>
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<td>3%</td>
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<td>3%</td>
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<tr>
<td>Education</td>
<td>1</td>
<td>&lt;1%</td>
<td>2</td>
<td>&lt;1%</td>
<td>1</td>
<td>&lt;1%</td>
</tr>
<tr>
<td>Government or public agency</td>
<td>179</td>
<td>12%</td>
<td>179</td>
<td>13%</td>
<td>167</td>
<td>12%</td>
</tr>
<tr>
<td>In-house counsel for a private corporation</td>
<td>27</td>
<td>2%</td>
<td>22</td>
<td>2%</td>
<td>27</td>
<td>2%</td>
</tr>
<tr>
<td>Legal clinic</td>
<td>28</td>
<td>2%</td>
<td>34</td>
<td>2%</td>
<td>37</td>
<td>3%</td>
</tr>
<tr>
<td>Sole Practice</td>
<td>103</td>
<td>7%</td>
<td>92</td>
<td>7%</td>
<td>100</td>
<td>7%</td>
</tr>
<tr>
<td>Small Firm (2-5 lawyers)</td>
<td>132</td>
<td>9%</td>
<td>129</td>
<td>9%</td>
<td>133</td>
<td>10%</td>
</tr>
<tr>
<td>Medium Firm (6-199 lawyers)</td>
<td>530</td>
<td>36%</td>
<td>514</td>
<td>37%</td>
<td>558</td>
<td>40%</td>
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<td>23%</td>
<td>309</td>
<td>22%</td>
<td>258</td>
<td>19%</td>
</tr>
</tbody>
</table>

Areas of Law at Placements

In **Year One**, according to the Articling Program Survey where respondents were asked to identify all areas they practised in during their articles, the most common areas of law in articling placements were: Civil Litigation - Defendant (selected by 57% of the respondents), Civil Litigation - Plaintiff (57%), Corporate Commercial (49%), Real Estate (44%) and Employment/Labour (43%). The least-covered areas for practice were: Language Rights Law (1%), Poverty Law (4%), Immigration Law (10%), and Aboriginal Law (12%).

Using data from the Experiential Training Plan submissions, about one-quarter (26%) of or 361 placements covered just one area of practice. About another quarter (24%) of or 350 of placements covered two to four practice areas. In all, just about half of all Articling Program placements addressed one to four practice areas.

In **Year Two**, again using the same source data, we see a similarity to Year One as the most common areas of law practice in the articling placements were: Civil Litigation - Defendant (selected by 50% of the respondents), Civil Litigation - Plaintiff (45%), Corporate Commercial (41%), Employment/Labour (37%), and Administrative Law (31%).

In **Year Two**, again using the Training Plan data, just over one-quarter (27%) of or 374 placements covered just one area of law. About another quarter (24%) or (339) of placements
covered two to four practice areas. In all, just about half of all Articling Program placements addressed one to four practice areas.

In **Year Three**, again sourcing the Articling Program Survey for Candidates, we see similarities to the previous two years. However, the metric is different here as we report each area of law as a percentage of the total areas. For example, Civil Litigation – Defendant garnered 14% of the total responses for all practice areas, followed by Civil Litigation – Plaintiff (12%), and Corporate Commercial Law (11%). So, rank order of the top three areas of law practice in articling has not changed over time.

In **Year Three**, again using the Training Plan data, just over one-quarter (26%) of or 366 placements covered just one area of law. About another quarter (24%) or (358) of placements covered two to four practice areas. In all, half of all Articling Program placements addressed one to four or fewer practice areas.

**Administrative Support Available to Articling Candidates**

On the Experiential Training Plan, Articling Principals were asked about the supports in place at the placement for the candidate, and it was reported in **Year One** that 79% of the candidates would have administrative support available to them during their placements compared to 83% of the candidates in **Year Two** and 84% of candidates in **Year Three**.

**Perceptions of Articling Placements**

When asked on the Articling Program for Candidates Survey in **each of the three years**, several candidates in each case provided additional comments about their articling placements. Comments ranged from complimentary to critical. Some of the critical comments were aimed at the Law Society’s lack of “check-ups” on the articling experience and relatedly, the need for more “regulation” of the articling experience. Further commentary was aimed at the perception that articling experiences are “not homogeneous,” or the desire to have a “mentor” during the articling process; these are the very areas the Law Society is addressing with the enhancements to the Articling Program and the new Law Practice Program. Further criticism was directed at the Articling Principals and the reality of “heavy workloads,” long work hours and the perception of low pay for those hours.

Still, many comments were complimentary of the “great learning experience” and “excellent placement,” “practical experience” and mentorship they had in the Articling Program. Some respondents responded that the articling experience was their “dream job,” or that they “loved (my) placement.”

**Comparison of Satisfaction Ratings Between Pathways**

Figure 41 shows a comparison of satisfaction ratings between the Articling Program Candidates’ Survey and the LPP/PPD Exit Surveys in **Year One**. We see that on the one hand, *Location of Placement* (Articling Program, 56% and LPP/PPD, 57%) had the greatest proportion of the respective respondents rate their satisfaction as “Most Satisfied.” *Remuneration* on the other hand, received the most “Least Satisfied” ratings from each respective group with the Articling Program Candidates’ Survey respondents at 14% but the LPP/PPD Exit Survey respondents at 34% was considerably higher. In other words, though there were some feelings of dis-satisfaction
regarding pay from the respondents of the Articling Program Candidates’ Survey, the topic of *Remuneration* was considerably less satisfying to respondents of the LPP/PPD Exit Surveys.

![Comparison of Satisfaction Ratings for Aspects of the Articling and Law Practice Program/Programme de pratique du droit (Year One)](image)

*Figure 41. Comparison of Satisfaction Ratings for Aspects of the Articling and Law Practice Program/Programme de pratique du droit (Year One)*

Figure 42 (next page) shows a comparison of satisfaction ratings between the Articling Program Candidates’ Survey and the Law Practice Program Exit Surveys in **Year Two**. We see very similar results to Year One, for example, *Location of Placement* (Articling Program, 59% and LPP/PPD, 49%) had the greatest proportion of the respective respondents rate their satisfaction as “Most Satisfied.” *Remuneration* on the other hand, received the most “Least Satisfied” ratings from each respective group with the Articling Program Candidates’ Survey respondents at 12% but the LPP/PPD Exit Survey respondents at 24% was considerably higher. In other words, though there were some negative sentiments regarding pay from the respondents of the Articling Program
Candidates’ Survey, the topic of Remuneration was considerably less satisfying to respondents of the LPP/PPD Exit Surveys.

Figure 42. Comparison of Satisfaction Ratings for Aspects of the Articling and Law Practice Program/Programme de pratique du droit (Year Two)

Figure 43 on the next page shows a comparison of satisfaction ratings between the Articling Program Candidates’ Survey and the Law Practice Program Exit Surveys in Year Three. We see very similar results to previous years, for example, Location of Placement (Articling Program, 57% and LPP/PPD, 54%) had the greatest proportion of the respective respondents rate their satisfaction as “Most Satisfied.” Remuneration on the other hand, received the most “Least Satisfied” ratings from each respective group with the Articling Program Candidates’ Survey.
respondents at 14% but the LPP/PPD Exit Survey respondents at 25% was again considerably higher.

Comparison of Satisfaction Ratings for Aspects of the Articling and Law Practice Program/Programme de pratique du droit (Year Three)

Figure 43. Comparison of Satisfaction Ratings for Aspects of the Articling and Law Practice Program/Programme de pratique du droit (Year Three)
10. Financial Impact

Law Practice Program/Programme de pratique du droit

The LPP/PPD Survey provided information as to remuneration for work placements and the financial impact that the LPP/PPD had on the candidates. **Years One through Three** data are presented next.

- **Year One**, 71% (170) of work placements were paid and 29% (68) were unpaid; **Year Two**, 73% (169) of work placements were paid and 27% (61) were unpaid; and **Year Three**, 73% (176.5) were paid and 27% (66.5) were unpaid.
- **Year One**, 70% of the LPP were paid and 88% of the PPD were paid; **Year Two**, 73% of the LPP were paid and 100% of the PPD were paid; and **Year Three**, 72% of the LPP and 81% of the placements in the PPD were paid.
- **Year One**, on the LPP/PPD Exit Survey, 35% of LPP/PPD candidates were “Least Satisfied” and 24% were “Most Satisfied” with the remuneration from their work placements; **Year Two**, 23% were “Least Satisfied” and 21% were most “Most Satisfied;” and **Year Three**, 25% were “Least Satisfied” and 32% were “Most Satisfied.”

In each of the three years, at least three-fifths (76% in Year One, 75% in Year Two, and 63% in Year Three) of the LPP/PPD survey respondents provided comments when asked about the financial impact of the LPP/PPD on their path to licensing. Most of the commentary here focused on the cost of the Licensing Process coupled with the notion that many of the work placements were unpaid, and the paid ones lasted just four months, which together put a significant amount of financial burden on many of the respondents.

A significant portion of commentary came from those who had secured paid placements, but still experienced financial strain due to familial obligations, living expenses, and transportation costs. Despite this, many of these respondents acknowledged that they were still in a lucky position to have received remuneration at all, given the circumstances of many of their colleagues.

SECTION TEN SUMMARY

- The cost of the Licensing Process continues to be mentioned as the largest source of financial impact on candidates in both pathways.
- A greater proportion of respondents on the LPP/PPD Exit Surveys reported they were “most satisfied” with remuneration of their work placement in Year Three than previous years.
- About one-fifth of the respondents to the Articling Program Survey in each year are “most satisfied” with remuneration.
- Over half the respondents in the Articling Program continue to report having their Licensing fees paid for by their articling organization; Licensing fees are not paid by work placement organizations for candidates in the LPP/PPD.
- About 40% of respondents in the Articling Program continue to report having paid leave to prepare and write the Licensing exams.
- Commentary from candidates in the LPP/PPD on open-ended survey questions suggest they feel a greater financial impact from the shorter work placement compared to their colleagues in the Articling Program.
Further contributing to the financial impact was that the Law Practice Program/Programme de pratique du droit is not part of law school; thus, disqualifying candidates as “students,” which made them **ineligible for the Ontario Student Assistance Program (OSAP)**. Additionally, some respondents gave up **part-time jobs** to take the LPP/PPD, only to find out later the workload was relatively light and they could have maintained a part-time job throughout the training course of the program, but others described the course workload to be heavy. Other candidates expressed that notion that they viewed the LPP/PPD cost as another year of tuition. The aforementioned financial impact is summarized by one candidate’s response on the Year Two LPP/PPD Exit Survey:

“It’s put me further in debt by a significant amount. Not only do you have to pay for your own bar fees, everyone has to support themselves on no income for at least 4 months. An additional 4 if, like me, you get an unpaid placement. This program also doesn’t qualify for student loans so if you don’t have financial support or are able to get additional bank loans, you’re out of luck.”

However, many respondents also indicated that though the cost was high, the **benefits** of the Practice Program/Programme de pratique du droit were **valuable**. These ideas, for the most part, were also reported by the candidates who participated in the LPP/PPD Focus Groups; an emergent theme in Focus Groups was that four-month work placements are too short for candidates to leave an impact on the workplace organization, and may therefore jeopardize hire-back.

Still, some respondents, especially in Year Two, indicated they were “**well-paid**,” and that there was “**not much**” or “**no negative impact**.” The following response from a Year Two candidate expresses a more positive look on the financial impact of the LPP:

“It was difficult to have no pay for the 4 months, but luckily I secured a placement that paid very well. However, despite the struggle, the nature of the exposure is much more beneficial than a multitude of articling positions. Prior to selecting the LPP, I had interviewed with and been offered 2 unpaid articling positions that would have been 10 months long and zero chance of hire-back, no opportunity to hold a part-time job outside of the role. The LPP allowed me to maintain a part-time job, and I got a paid placement and have been hired back. Overall, I can’t complain because it worked out for me, but I can imagine that the financial impact can be very difficult for those who didn’t get the same paid opportunities.”

Respondents in Year Three expressed the same ideas as their predecessors. Some key notions that continue to be expressed is that the training course workload is relatively light, and this allows for holding of a part-time job, which may ease some financial burden. Further, like some of their colleagues in the Articling Program, candidates in the LPP/PPD feel that placement wages are not fair, if they were, again some of the financial burdens of the licensing process would be lifted.
**Articling Program**

The Articling Program Survey for Candidates provided information as to remuneration for articling placements and the benefits of articling in having articling organizations pay for Licensing Process fees, providing paid time off for studying for and writing the Licensing Examinations, and hiring-back candidates post-call. These results for **Years One through Three** are summarized as follows:

- In Year One and Year Two, 97% of respondents indicated their articling placement was paid; in Year Three, 98%
- Year One, 57% of respondents reported their Licensing Process fees were paid for by their articling organization; Year Two, 54%; and Year Three, 59%
- Year One, 43% of respondents declared their articling organization provided paid time off to study for and write the Licensing Examinations; Year Two 42%; and Year Three, 40%
- Year One, Remuneration gained a “Quite Satisfied” or “Most Satisfied” rating from about 51% of the articling candidates; Year Two, 54% rated they were “Quite Satisfied” or “Most Satisfied” with Remuneration; and in Year Three this number fell to 46%.

When articling candidates were asked if they had any comments about their pay, about one-quarter to one-third of respondents over the years offered their thoughts. Essentially, responses fell into three main themes: (1) wages were **too low**; many respondents used the term “minimum wage” and suggested that the wages did not cover cost of living or wages outside of Toronto were considerably lower than in Toronto; (2) wages were **fair, competitive, “the going rate for”** their location, or reasonable with many respondents listing their annual or monthly salaries; and (3) a few respondents took to criticizing the **Law Society of Upper Canada** for the costs of licensing and the perceived low rate of pay for articling positions. Criticism of the Law Society of Upper Canada for licensing fees and low wages tended to be long, and some ripe with vitriol.

Very few candidates indicated that their wages were “**great**.” Theme number 1 of the aforementioned was mentioned the most.

When asked about the financial impact of the Experiential Training Requirement of the Licensing Process, commentary in **each of the Years** was generally critical of **costs** and associated **fees** attached to the Licensing Process, especially for those whose firms did not pay their fees. Some respondents felt increased costs were **attributed to the Law Practice Program/Programme de pratique du droit**. Other respondents commented that the financial impact was mitigated by their articling firm paying their fees.
11. Effect on Career Goals

Law Practice Program/Programme de pratique du droit

Career Goals

In Year One, when asked, a very small portion of candidates said they would change career paths away from the practice of law. One candidate said,

“Obviously it’s a fact of circumstance that we all need money and we can’t find a job so I will look in and around the legal profession. I don’t know what changed my mind, but I guess that my disillusionments surrounding what it means to be a lawyer had to do with it.”

In all evaluation cohorts, a few LPP/PPD candidates also said that the broad exposure in practice areas and different placement settings helped give them perspective and solidify their career trajectories. A few mentioned that they would feel competent working in many areas of law because of their training. A comment from a Year Two candidate summarizes these notions well:

“(The LPP) broadened my horizons by introducing me to not only practice areas I hadn’t considered, but also helped me narrow down what kind of practice I wanted. It also forced me to pay close attention to the legal field as a whole and how important innovation was to the future of a successful practice.”

In Year Two, when asked if the LPP had changed their minds on their career goals, 63% of respondents said “No.” But in Year Three, only 45% said “No.”

Practice Types

Figure 44 (next page) shows Years One through Three comparison of results of practice type consideration between the LPP/PPD Entry Survey and Exit Surveys. This figure shows us that the percentage of respondents selecting “Private Practice” did not change over time in Year One, but increased on the Exit Survey in Year Two and Year Three. There were more increases in the percentage of respondents that selected “Practising but not in a law firm” and “Non-practising” in Year One, while these categories declined in proportion from Entry to Exit in Year Two. In Year Three,

SECTION ELEVEN
SUMMARY

❖ Effects on career goals tend to be more positive than negative for both pathways.

❖ Broad exposure to different practice areas helped candidates in the LPP solidify their career trajectories.

❖ More candidates in the LPP/PPD consider “Private practice” for post-license practice, and this proportion grows from program entry to exit. But this proportion is smaller than for candidates in articling.

❖ Relatively few candidates in the LPP/PPD and articling are “undecided” as to the type of post-license practice they are considering, and this proportion decreases from program entry to exit for LPP/PPD.

❖ There were increases in considerations of practice in Civil Litigation - Plaintiff and Poverty Law over time in each LPP/PPD cohort.

❖ Over 40% of candidates in the Articling Program reported effects on career goals on the Articling Program Survey. However, most of the effects were shifts in focus for areas of post-license practice consideration.
“Practising but not in a law firm” increased from Entry to Exit, while “Non-practising” stayed the same, at close to 1.5% of respondents. The proportion of those who were “Undecided” decreased over time from about 26% to 21% in Year One and from about 31% to 23% in Year Two, and from 26% to 15% in Year Three. So, the only recurring trend here is that a smaller proportion of candidates in the LPP/PPD are “Undecided” as to what type of practice they are considering post-license from program entry to program exit.

Figure 44. Comparison of LPP Candidates’ Post-license Type of Practice Consideration on the LPP/PPD Entry and Exit Surveys (Years One through Three)
Practice Areas

Figure 45 (next page) shows a comparison of candidates’ post-license areas of law considerations from the LPP/PPD Entry Surveys and the LPP/PPD Exit Surveys in Years One and Two. Candidates were given the option to select one or more areas of law on the surveys. The most-selected areas on the LPP/PPD Entry Survey tended to be the most-selected areas on the LPP/PPD Exit Survey as well in both cohorts. However, over time from Entry to Exit, we see declines in the Corporate Commercial, Family, Immigration, Human Rights, Real Estate areas. The “Undecided” category increased in Year One and decreased in Year Two. There were increases from Entry to Exit in both cohorts in Civil Litigation – Plaintiff and Poverty Law areas.

For Year Three, Corporate Commercial Law; Real Estate Law; Wills, Estates and Trusts Law; Family Law/Matrimonial Law; and Administrative Law were the top five areas on the LPP/PPD Entry Survey and the same was also true on the Exit Survey except that Corporate Commercial Law had replaced Wills, Estates and Trusts Law.

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32 When asked about placement considerations (areas of practice, and location), candidates responding to surveys could select more than one option, hence totals exceed 100%.
Figure 45. Comparison of Areas for Practice Consideration on the LPP/PPD Entry and Exit Surveys (Year One and Year Two)
Articling Program
Career Goals

On the Articling Program Survey for Candidates for all three cohorts, almost half the respondents (46% in Year One and 41% in Years Two and Three) reported that the Articling Program had changed their minds about their career goals. This result is consistent to what was reported in the Articling Program Focus Groups. An emergent theme in the Articling Program Focus Groups, especially in Year One, was that there is a lack of resources and significant workplace demands while articling and this lead to high stress and contemplation whether the profession is worth pursuing.

A comment from the Year One Articling Program Focus Groups, illustrates this theme that was more prevalent in Year One:

*The current state of articling enables candidates to be treated as cheap labour. Culture promotes emotional physical and mental taxation, and it should be regulated to avoid future problems in life (depression, anxiety, drugs, suicide).*

When asked to explain how the Articling Program changed their career goals, most of these responses in all cohorts were about shifts in focus of actual areas of practice rather than career changes. Yet a few of the responses were expressions of career changes that will take candidates away from the practice of law.

Other comments about a career change in the Articling Program Focus Groups included:

*Candidates’ mention that they cannot afford to change their career goals, until their student debt is paid off.*

*Articling helped inform candidate of the changes she would like to make in pursuing her legal career.*

*Candidates questioned whether or not they would want to pursue law anymore during darker periods in articling; questioned whether it was worth the lifestyle, getting sick (mentally and physically).*

*Demands of the profession are harsh and there is not a lot of support out there, so really need to consider a career change.*

*“I thought that I knew what areas I was interested in based on my schooling but after articling found that I liked another practice area that wasn’t on my radar before. Also, I was able to gain a better understanding of the type of work that each practice group does and consider whether it aligns with my future career plans.”*

Practice Areas

Figure 46 (forthcoming) shows us that of the candidates articling in Year One and Year Two, more candidates had placements in the areas of law of Civil Litigation - Plaintiff, Civil Litigation – Defendant, Corporate Commercial Law, Labour Law and Real Estate Law in the greatest proportions than were considering practice in those areas. The effect of these placements on their career goals may be surmised by the third bar for each cohort, as these are the post-license
placements. These third bars match in size the first bars, anticipated areas for practice more so than with the second bars, the placement areas. This result may be an indication that the articling candidates in each cohort are anticipating practising in areas more aligned to their considerations for practice than their actual placement practices. This result may be indicative of candidates doing their articles in areas that do not necessarily align well with their post-practice considerations and anticipated post-practice areas, but not having articling practice areas dictate post-practice areas.

In **Year Three**, we see in figure 47 the green bars (anticipated practice areas) longer for several practice areas, including Civil Litigation Defendant, Civil Litigation Plaintiff, Corporate Commercial and Real Estate Law than in post-practice consideration (blue bars) and articling practice areas (orange bars). However, we see the anticipated practice areas (green bars) much shorter than the post-practice considerations (blue bars) in the areas of Administrative Law; Poverty Law; Intellectual Property Law; and Wills, Estates and Trusts Law.

The results for all three years show us there is fluidity as well as stability in the alignment of practice areas for post-practice consideration, articling practice and anticipated post-practice. The greater or lesser amount of alignment is likely influenced individuals’ contextual experiences, so it is difficult to state that the articling placement has or does not have an influence on the pursuit of one’s career goals in law, that is the alignment of post-practice consideration and anticipated post-license practice areas.
Figure 46. Comparison of Articling Candidates’ Consideration for Area of Law and Area of Law at Articling Placement (Year One and Year Two)
Figure 47. Comparison of Articling Candidates’ Consideration for Area of Law and Area of Law at Articling Placement (Year Three)
**Comparison of Candidates’ Post-License Consideration for Types of Practice between LPP/PPD and Articling Program in Years One through Three**

Figure 48 shows the comparison between results from this Articling Program Candidates’ Survey and the results from the LPP/PPD Exit Survey for all three evaluation cohorts. We see that those respondents enrolled in the Articling Program were considering private practice in a much larger proportion than their colleagues who responded to the LPP/PPD Exit Surveys, and about the same proportion of these groups (4% or less) were considering not practicing. This latter result contradicts what was reported in the Focus Groups in Year One sessions, as many of those participants from the Articling Program suggested that they would be altering their career choice to outside of law practice. However, in the Year Two Articling Program Focus Groups the notion of not practising did not surface as prevalently as in Year One, but on the Year Two survey, those in the Articling Program selected “Non-practising” at double the proportion than in Year One.

Proportionally, more respondents from the LPP/PPD Exit Surveys were considering “Practicing but not in a law firm” (except in Year Two, where results are just about even) or were “Undecided” than their colleagues in the Articling Program.

![Comparison of Candidates’ Post-license Types of Practice Consideration between LPP/PPD and Articling Program (Years One through Three)](chart.png)

*Figure 48. Comparison Candidates’ Consideration for Types of Post-License Practice between LPP/PPD and Articling Program (Years One through Three)*
12. Withdrawal from Program, Call to the Bar, Hire-Backs, and Years One and Two Post License Practice Data

Withdrawal from the Articling Program

- Less than 1% of candidates in the Articling Program withdrew during Year One, Year Two and Year Three.

Withdrawal from Law Practice Program/ Programme de pratique du droit

- 15% of LPP candidates originally enrolled in the program withdrew in Year One, and this number grew to 18% in Year Two and dropped to 13% for Year Three.

On LPP/PPD Withdrawal Surveys in Years One through Three, most of the respondents indicated they withdrew from the LPP/PPD to seek and/or accept an articling position. The most responses from candidates in the LPP/PPD on their Withdrawal Surveys focused on looking for and finding an articling placement; in Year One almost half (48%) of the responses indicated that the candidate had found an articling placement and of those 11 respondents that indicated they had found an articling placement, eight of the placements or around 73% were paid. Most responses in Year Two (75% in total) focused on looking for and finding an articling placement. Fifteen or almost two-thirds (~63%) of the responses indicated that the candidate had found an articling placement. Of the 15 respondents who indicated they had found an articling placement, all of them reported the placements were paid. In Year Three, there were 18 responses to the LPP Withdrawal Survey and 10 indicated that they had found an articling position, and 9 of these positions were paid. Only two respondents indicated the LPP/PPD was not meeting their expectations.

These data suggest that an articling position was the first choice for experiential training for most of the respondents and when they did secure articles, they withdrew from the LPP/PPD. Very few of the withdrawals from the LPP/PPD led to withdrawals from the Licensing Process.

SECTION TWELVE SUMMARY

- In each year under 60% of candidates in the LPP/PPD reported that they expect to be called to the Bar in their licensing year, compared to just over 90% of the candidates in the Articling Program.

- Of those who expected to be called to the Bar in their licensing year, about one-third of candidates in the LPP/PPD expected to be hired back, compared to almost half of the candidates in the Articling Program.

- There are more lawyers from the Articling Program than from the LPP/PPD who are practising law in their first year: 82% versus 67% from Year One, and 82% versus 72% in Year Two. So, the percentage from Articling working in their 1st year stayed the same, but increased 5% for the LPP/PPD.

- 25% and 26% of the LPP/PPD new lawyers from Years One and Two are Sole Practitioners, compared to 6% and 7%, respectively, from the Articling Program.

- Only 16% of the new lawyers from the LPP are working as an Associate in a Professional Business, when 48% of the new lawyers who articled are working in this capacity in Year One. But in Year Two, these numbers were 23% of those from LPP/PPD and 44% for articling.
Comparing the Pathways on Calls to the Bar

Tables 7 through 9 below show Year Ones through Three, respectively, data on a critical outcome of the pathways, the number and proportion of candidates in each that have been called to the Bar. This summary shows that more than 9 out of 10 candidates in the Articling Program were called to the Bar in each June of 2015, 2016 and 2017, while just under 6 out of 10 candidates in the Law Practice Program/Programme de pratique du droit were called at the same times. So, almost a third fewer candidates by proportion in the LPP/PPD than in the Articling Program planned to be called to the Bar during their year in the pathways.

Forty-three percent (43%) of articling candidates who responded to the Year One Articling Program Survey and 42% and 40% of the respondents from the Year Two and Year Three surveys, respectively, said they took a paid leave from their placement to study for and write the Licensing Examinations. The LPP/PPD does not provide this opportunity. The LPP/PPD Providers strongly recommend that candidates complete both the Barrister and Solicitor Licensing Examinations prior to beginning the LPP/PPD, although they are not required to do so. Candidates who plan to write one or both examinations during the LPP/PPD training course are permitted a day off to write each examination, but no additional time away from the program for studying is available.

It was also noted in the LPP/PPD Focus Groups, especially in Year One, that the expectations of the LPP/PPD may have precluded Licensing Examination preparation.

Table 7: Number of Candidates Who Were Called to the Bar in June 2015 (Year One)

<table>
<thead>
<tr>
<th>Categories</th>
<th>Articling Program</th>
<th>LPP/PPD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Called in June 2015</td>
<td>1,323</td>
<td>141</td>
</tr>
<tr>
<td>Expectation to be hired back at placement organization after call to the Bar</td>
<td>48% of survey respondents indicating expectation to be called to the Bar</td>
<td>35% of survey respondents indicating expectation to be called to the Bar</td>
</tr>
</tbody>
</table>

Table 8: Number of Candidates Who Were Called to the Bar in June 2016 (Year Two)

<table>
<thead>
<tr>
<th>Categories</th>
<th>Articling Program</th>
<th>LPP/PPD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Called in June 2016</td>
<td>1,283</td>
<td>131</td>
</tr>
<tr>
<td>Expectation to be hired back at placement organization after call to the Bar</td>
<td>47% of those survey respondents indicating expectation to be called to the Bar</td>
<td>32% of those survey respondents indicating expectation to be called to the Bar</td>
</tr>
</tbody>
</table>
### Table 9: Number of Candidates Who Were Called to the Bar in June 2016 (Year Three)

<table>
<thead>
<tr>
<th>Categories</th>
<th>Articling Program</th>
<th>LPP/PPD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Called in June 2017</td>
<td>1,289</td>
<td>91%</td>
</tr>
<tr>
<td>Expectation to be hired back at placement organization after call to the Bar</td>
<td>57% of those survey respondents indicating expectation to be called to the Bar</td>
<td>35% of those survey respondents indicating expectation to be called to the Bar</td>
</tr>
</tbody>
</table>

Figure 49 below illustrates a comparison of the proportions of candidates who were called to the Bar between the pathways in all evaluation cohorts. In each year, at least 35% more candidates in the Articling Program are called to the Bar than their LPP/PPD colleagues.

**Figure 49. Comparison of Proportions of Candidates in both Pathways who were called to the Bar in June of their Licensing Year (Years One through Three)**

**Law Practice Program Hire-backs**

As mentioned, in **Year One**, about two-thirds (59%) of LPP candidates were called to the Bar in June 2015. In **Year Two**, 57% were called to the Bar in June 2016 and in **Year Three**, 57% were called to the Bar in June 2017.
In all three cohorts, those that indicated they expect to be called to the Bar in June of their licensing year on the survey were asked if they would be hired back by their work placement organization following their call to the Bar. For **Year One**, 35% of the 105 LPP/PPD candidates that responded on the survey that they expected to be called to the Bar in June 2015, were expecting to be hired back, which is indicative of 36 candidates in total. In **Year Two**, a similar figure of 32% of the 94 candidates that responded on the survey that they expect to be called to the Bar in June 2016 were expecting to be hired back, which is indicative of 30 candidates. In **Year Three**, 35% of the survey respondents or 39 candidates indicated they were hired back. In **all three cohorts** then, about two-thirds of the respondents to the LPP/PPD Exit Surveys indicated that they had not been hired back by their work placement organization.

In **Year One**, of the LPP/PPD candidates that said that they expect to be hired back by their work placement organization, most indicated that they would working in Corporate Commercial Law, Real Estate Law and Wills, Estates and Trusts Law. In **Year Two**, the LPP/PPD candidates that expected to be hired back by their work placement organization, most indicated that they would working in Civil Litigation – Defendant, Family Law/Matrimonial Law, Real Estate Law, and Civil Litigation – Plaintiff. In **Year Three**, the LPP/PPD candidates that expected to be hired back by their work placement organization, most indicated that they would working in Corporate Commercial Law, Real Estate Law, Civil Litigation – Plaintiff and Administrative Law.

**Canadian-Educated versus Internationally-Educated**

In **Year One**, a slightly larger proportion of the respondents who were graduates of law schools outside of Canada (38%) indicated that they would be hired back by their work placement organization after their call to the Bar than their counterparts who graduated from law schools in Canada (31%), and this result held true for **Year Two** as 32% of the internationally-educated and 25% of the Canadian-educated indicated they would be hired back by their placement organization. In **Year Three**, these proportions were reversed for the first time as 39% of internationally-educated respondents indicated they would be called to the Bar in June, compared to 43% of Canadian-educated respondents.

**Comparing the Pathways on Hire-backs**

Figure 50 on next page illustrates that over the three years of the evaluation, the candidates in the Articling Program have greater expectations to be hired back by their placement organization (48%, 47%, and 57% in Years One through Three, respectively) than their colleagues in the LPP/PPD (34%, 32%, and 35% in Years One through Three, respectively).

In sum, however, in both pathways in each year, less than half of the respondents who expected to be called to the Bar in their licensing year expected to be hired back by their placement organization.
Comparison of Candidate Expectations for Hireback (Years One through Three)

Percent of Respondents Indicated they Expected to Be Called to the Bar in June of their Licensing Year

<table>
<thead>
<tr>
<th>Pathway and Year</th>
<th>Articling Program Total (%)</th>
<th>LPP/PPD Total (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year One</td>
<td>48.3</td>
<td>51.7</td>
</tr>
<tr>
<td>Year Two</td>
<td>47.4</td>
<td>52.6</td>
</tr>
<tr>
<td>Year Three</td>
<td>56.7</td>
<td>43.3</td>
</tr>
</tbody>
</table>

- Yes - I Expect to be Hired Back
- No - I Do Not Expect to be Hired Back

Figure 50. Comparison of Candidate Expectations to be Hired Back Post-Licensing (Year One and Year Two)

Year One Post License Practice Data
Seventy percent (70%) or 167 out of the 238 candidates in the Year One LPP/PPD evaluation cohort were called to the Bar in June or September 2015. Ninety-four percent (94%) or 1,371 out of the 1,455 candidates in the Year One Articling Program evaluation cohort, were called to the Bar in June or September 2015. First-year practice information for these candidates, obtained through their 2015 Lawyer Annual Reports, is presented next.

Post License Practice Type
Figure 51 (forthcoming) illustrates the status/type of practice of the new lawyers from each pathway who were called to the Bar in 2015.

We see that the greatest difference between the two pathways is the number of new lawyers who are employed as an Associate in a Professional Business in Ontario. A total of 26 new lawyers or
16% of the LPP cohort are working as an Associate in a Professional Business in Ontario and 658 new lawyers or 48% (three times the proportion from the LPP/PPD) of the Articling Program cohort is working in this capacity.

There is 25% (or 41 lawyers) from the LPP/PPD cohort who are practising as a Sole Practitioner, which is 19% more than those lawyers in the Articling Program group, which has 86 lawyers or 6% of the total who are working as a Sole Practitioner.

There are proportionally more lawyers who completed the LPP/PPD who classified themselves as Retired or Not Working; a total of 25 lawyers in the LPP/PPD cohort (15%) classified themselves this way as opposed to 95 lawyers or 7% of those in the Articling Program cohort.

Finally, there is a greater percentage of lawyers in the LPP/PPD group (18 lawyers or 11%) than the Articling Program group (47 lawyers or 3%) that are Otherwise Employed in Ontario.

Post License Practice Areas and Location

Of those who were called to the Bar in 2015, 124 lawyers from the LPP/PPD (67%) are practising law and 1,133 lawyers from the Articling Program (82%) are practising law. When looking at the areas of practice and location of practice for these groups, there is very little difference between the two.

Regarding practice areas, we looked at those lawyers in each pathway who practice in a particular area of law 25% or more of their time. When comparing the percentages of these lawyers in each group, we see a slightly higher percentage of lawyers from the LPP/PPD practising in Real Estate Law 25% or more of their time (20 lawyers), than lawyers from the Articling Program (82 lawyers).

We also note that, based on percentages in each group, there are more lawyers from the Articling Program who practise in the areas of Civil Litigation Defendant Law 25% or more of their time (224 from the Articling Program versus 9 from the LPP), and the same is true for those practising in Corporate Commercial Law (235 from Articling Program versus 16 from the LPP/PPD).

Proportionately more lawyers from the LPP/PPD (21 or 17% of LPP versus 86 or 7% from the Articling Program) are practising in Central West, including Bruce (Walkerton), Grey (Owen Sound), Dufferin (Orangeville), Wellington (Guelph), Peel (Brampton). This 10% difference in the Central West region is balanced by 10% more lawyers from the Articling Program working in Toronto.
Figure 51. Comparison of Status/Type of Practice New Lawyers from Each Pathway (Year One)
Year Two Post License Practice Data

Seventy-two percent (72%) or 167 out of the 231 candidates in the Year Two LPP/PPD evaluation cohort were called to the Bar in June or September 2016. Ninety-five percent (95%) or 1,326 out of the 1,392 candidates in the Year Two Articling Program evaluation cohort, were called to the Bar in June or September 2016. First-year practice information for these candidates, obtained through their 2016 Lawyer Annual Reports, is presented next.

Post License Practice Type

Figure 52 illustrates the status/type of practice of the new lawyers from each pathway who were called to the Bar in 2016.

We see that the greatest difference between the two pathways is the number of new lawyers who are employed as an Associate in a Professional Business in Ontario. A total of 38 new lawyers or 23% of the LPP/PPD cohort are working as an Associate in a Professional Business in Ontario and 582 new lawyers or 44% (almost double the proportion from the LPP/PPD) of the Articling Program cohort is working in this capacity.

There is 26% (or 44 lawyers) from the LPP/PPD cohort who are practising as a Sole Practitioner, which is 19% more than those lawyers in the Articling Program group, which has 90 lawyers or 7% of the total who are working as a Sole Practitioner.

There are proportionally more lawyers who completed the LPP/PPD who classified themselves as Retired or Not Working; a total of 17 lawyers in the LPP/PPD cohort (10%) classified themselves this way as opposed to 69 lawyers or 5% of those in the Articling Program cohort.

Finally, there is a greater percentage of lawyers in the Articling Program group (138 lawyers or 10%) than the LPP/PPD group (4 lawyers or 2%) that are Employed in Government in Ontario.

Post License Practice Areas and Location

Of those who were called to the Bar in 2016, 120 lawyers from the LPP/PPD (72%) are practising law and 1,093 lawyers from the Articling Program (82%) are practising law.

When looking at the areas of practice and location of practice for these groups, there is little difference between the two.

Regarding practice areas, we looked at those lawyers in each pathway who practice in a particular area of law 25% or more of their time. When comparing the percentages of these lawyers in each group, we see a slightly higher percentage of lawyers from the LPP/PPD practising in Real Estate Law 25% or more of their time (15 lawyers), than lawyers from the Articling Program (86 lawyers). We also see a higher percentage of lawyers from the LPP/PPD practising in Family/Matrimonial Law 25% or more of their time (23 lawyers) than lawyers from the Articling Program (106 lawyers).

We also note that, based on percentages in each group, there are more lawyers from the Articling Program who practice in the areas of Civil Litigation Defendant Law 25% or more of their time (209 from the Articling Program versus 10 from the LPP/PPD), and the same is true for those practising in Securities Law (64 from Articling Program versus none from the LPP/PPD).

With regard to location of practice, proportionately more lawyers from the LPP/PPD (26 or 22% of LPP/PPD versus 77 or 7% from the Articling Program) are practising in Central West, including
Bruce (Walkerton), Grey (Owen Sound), Dufferin (Orangeville), Wellington (Guelph), Peel (Brampton). We also see more lawyers from the LPP (17 or 14% of LPP/PPD versus 87 or 8% from the Articling Program) are practising in Central East, including Muskoka (Bracebridge), Victoria & Haliburton (Lindsay), Simcoe (Barrie), Durham (Whitby), Peterborough (Peterborough), Northumberland (Cobourg).

This 21% difference in the Central West and Central East regions is found by the 20% more lawyers from the Articling Program working in Toronto.
Figure 52. Comparison of Status/Type of Practice New Lawyers from Each Pathway (Year Two)
13. Value of the Law Practice Program/Programme de pratique du droit and the Articling Program

Feedback from both the LPP/PPD and the Articling Program Focus Groups in all three evaluation cohorts indicate that both pathways share these common traits that represent value to candidates:

- Broad exposure in different content areas as well as various legal styles but through different vehicles:
  - In LPP, broad exposure came in training course and was universal; in Articling, broad exposure was across individuals who were in different work placement organizations/settings
- Opportunity to explore what candidates liked and what they didn’t
- Gaining practical experience and applying theory to practice
- Networking and mentorship (formal and informal)
- Appearing more marketable
- Building employer-trust, and growth marked by increased responsibility
- Mentors/Principals that are qualified and involved notably improve the quality and thus value of experiential learning

Law Practice Program/Programme de pratique du droit

Figure 53 on the following page shows a comparison of the Ratings for Value results from the LPP/PPD Exit Survey with those from the LPP/PPD Entry Survey for all three evaluation cohorts. We see that across years a smaller proportion of candidates selected “of little value” and a larger proportion selected “of great value” on the Exit Survey than on the Entry Survey. We may say that perceptions of value increased over time from anticipated value prior to the beginning of the LPP/PPD to the end of the program. Further, we see that over the three years, anticipated “of little value” has decreased over time, and conversely, anticipated “of great value” has increased over time.

SECTION THIRTEEN SUMMARY

- In the LPP/PPD, 81% of Year One candidates, 76% of the Year Two candidates, and 88% of the Year Three candidates said the LPP/PPD was “of good” or “of great” value.
- Candidates’ perceptions of value for the LPP/PPD increase over time in all three cohorts.
- Sources of value are stressed as the practical nature of the training in the LPP/PPD as well as the broad exposure to practice areas and the mentors/networking.
- The work placements, including the process for finding a work placement, remuneration and the duration of work placements, were the sources of least value for candidates in the LPP/PPD.
- In Articling, 75% of Year One candidates rated the Articling Program as “of good value” or “of great value”. This number dropped to 69% in Year Two and 64% in Year Three.
- Candidates in the Articling Program reported the practical experience and tasks such as file carriage, as well as their Principals as mentors, as the greatest sources of value.
- The source of least value as reported by both candidates and Principals in the Articling Program were the enhancements, such as the Record of Experiential Training and the Experiential Training Plan.
Figure 53. Comparison of Candidates’ Ratings of Value on the LPP/PPD Entry and Exit Surveys (Years One through Three)

Most Value
When LPP/PPD candidates were asked on the Exit Surveys to tell us about the most valuable aspect of the LPP/PPD and how this aspect may be improved upon, if necessary, there was feedback offered from about 9 out of 10 of survey respondents.

The main emergent themes in all three cohorts were dominated by the “training course,” or “training component” and its “practical” nature, its exposure of the candidates to “real world” scenarios and “files,” and “exposure” to a “variety,” and “depth” of “different of areas of law” practice. “Firm management” and “managing files” were mentioned many times as the most valuable aspect of the training course, as it fostered skill development and
independence in the candidates. Further, the mentoring and related networking were also frequently mentioned as most valuable.

Least Value
When the candidates were asked on the Exit Survey to tell us about the least valuable aspect of the LPP/PPD and how this aspect may be improved upon, again the vast majority of respondents offered feedback; and a great many focused on the work placement. Specifically, the process for finding a work placement, remuneration of work placements and the duration of work placements were the main sub-themes here. This sentiment matched what was reported in the LPP/PPD Focus Groups in each cohort.

Commentary on the process for finding a work placement was aimed at the perceived “lack of transparency,” and the perception the process did not “involve candidates” well, was “not understandable.” In Year Three especially, comments surface that the Ryerson placement office was more concerned about maintaining a 100% placement record than the needs of candidates, and was often “rude and condescending” to candidates. This perception negatively impacted the historically low value views of the placement process.

Remuneration was a hot topic as candidates reported that all the work placements should be remunerated, when not all were.

Some candidates indicated that the four-month work placement was not enough time to gain ample experience in the specific areas of law practice.

Next most mentioned as the least valuable aspect of the LPP/PPD were components of the training course such as the Real Estate Module (in Years One and Two), meeting times and protocols and the lack of feedback on assignments.

Finally, while the in-person weeks were sometimes criticized, many respondents, especially in Year Two, suggested more of this type of interaction would be beneficial. Further, in a Year Two LPP Focus Group, there was consensus sentiment that candidates in the LPP were not in the “pipeline of law school, to summer at a big law firm, to Bay Street,” so sending Bay Street lawyers to speak to the LPP candidates as panelists was not effective as the LPP candidates viewed themselves as “on completely different career paths” from the panel speakers, so they did not find the panel sessions valuable.

Special Needs and Characteristics of the Franco-Ontarian Legal Community
When the PPD candidates were asked to describe how the PPD addresses the special needs and characteristics of the Franco-Ontarian legal community, 12 out of a possible 13 respondents in Year One answered the question. The answers to this question and were mostly positive in terms of the Law Practice Program, especially delivered in French, providing access to justice for these candidates and the communities they will serve. In Year Two, the candidates said they became aware of the importance of the need to serve the French community and to provide services in French, and meeting people in the area and knowing who to turn to for collaboration. In Year Three, most of the respondents answered the question along similar lines to Year One.
Articling Program - Candidates

Figure 54 (below) shows that across all years that while the respondents to the Articling Program Candidates’ Survey were generally positive in their ratings of value for the Articling Program, they were not as positive as their colleagues who responded to the LPP/PPD Exit Surveys. The ratings for “of great value” dropped considerably from **Year One** (43%) to **Year Two** (32%) in the Articling Program, and stayed roughly the same in **Year Three** (33%). Seventy-five (75%) of articling candidates rated the Articling Program as “of good value” or “of great value” in **Year One**, but this number also dropped to 69% in **Year Two**, and dropped further to 66% in **Year Three**.

![Comparison of Candidates' Value Ratings between the Articling Program and the LPP/PPD Upon Program Exit (Years One through Three)](chart.png)

*Figure 54. Comparison of Candidates’ Value Ratings between the Articling Program and LPP/PPD (Years One through Three)*

**Most Valuable**

In all three years, when the articling candidates were asked to tell us what the most valuable aspect of the Articling Program is, most of the candidate comments were aimed at the “hands-on,” “valuable experience,” “practical experience,” or “actual experience” in the “various areas” of “law practice” that the Articling Program provides. Respondents listed specific aspects of these experiences as well, such as “file carriage,” “client interaction,” and “working with lawyers.” The next emergent theme was focused on the ability of candidates to
work with “amazing,” “wonderful,” “experienced” “Principals,” and “Mentors” in their articling placements. These lawyers provided the candidates with valuable “guidance,” “feedback” and “supervision.” A third emergent theme, though not expressed in the quantities of the first two, centered on provision of commentary for improvement of the Articling Program.

Least Valuable
When the articling candidates were asked to tell us what the least valuable aspect of the Articling Program, responses could be slotted into three main themes. Much of the commentary on least valuable was aimed at various pieces such as the “Experiential Training Plan,” “RET,” the “PRP” or “Ethics” course, and the “Bar Exams.” Each of these topics were considered a “waste of time,” “outdated” or “useless.” The next emergent theme was the “administrative tasks” or “menial tasks” candidates felt like they had to perform in their articling placement. The third emergent theme could be categorized as the “high costs,” “low wages,” and “long hours” respondents reported as representing “unrealistic standards” and the “stressful environment” they were subjected to in the Articling Program.

Articling Program - Principals
Over four out of five Principals that responded to the Articling Program Principals’ Survey (88% in Year One, 81% in Year Two and 83% in Year Three) reported that the Articling Program was “of good value” or “of great value.” Figure 55 on the next page shows Principals were more positive on their value ratings than candidates in in all three years.
Figure 55. Comparison of Value Ratings for the Articling Program between Articling Principals and Articling Candidates (Years One through Three)

Most Valuable
When the Articling Principals were asked what they felt was the most valuable aspect of the Articling Program, the majority of the comments were directed at the “practical,” “hands-on” “experience” in “real world” settings with “broad exposure” to many “areas of law.”
Another emergent theme, though not mentioned as frequently as the first, was what the candidate gains from their Principal, which was characterized as an opportunity to work “side by side” with real lawyers, “mentorship,” a “network,” and “feedback.” The third theme, and certainly not built on the quantity of comments as the others was the formal Law Society “Articling Program” or their firm’s “articling program” in general, with some comparison to the “LPP”; a few of these comments mentioned some of the enhancements.

The following quote from the Year Two data exemplifies these themes:

“You cannot replace hands on experience with a course or course work. Being out in the field, dealing with real situations, real clients, lawyers on the other side and having to manage clients, expectations, deadlines, etcetera is invaluable. It provides hands on experience missing in all other training for lawyers.”

Least Valuable

When asked, the Articling Principals said the least valuable aspects of the Articling Program were the Enhancements to the Articling Program, in which two sub-sets of comments were evident: (a) the mechanics/logistics of completing the online forms/tools, which were characterized as “red tape” and “paperwork;” and (b) the relevance and merit of the reporting tools or the skills competencies to specific types of settings or specific areas of law. The second broad theme was the Articling Program itself in terms of its duration and focus. The third theme was the notion “nothing” was the least valuable aspect of the Articling Program.

In all years, many comments were made to suggest that the Experiential Training Program should be more individualized to each articling experience. Respondents felt that it was too broad and many competencies were not applicable to the professional setting, for example:

“The entire Experiential (sic) Training Program regime, in my view, is a failure. It tries to be a "one size fits all" and fails to recognize that not every articling experience will offer the ability to gain the same competencies. It is burdensome and adds little, other than administrative headaches, to the articling experience.”

Others thought the paperwork was a potential barrier for senior lawyers to continue as Principals:

“Constantly worrying about filing deadlines and ensuring that training plans are filed and the RET is completed is very onerous and discourages senior counsel from wanting to act as a principal.”

According to the Principals’ Value Ratings for Aspects of the Articling Program (see Figure 56, forthcoming), the greatest proportion of responses for “of great value” was in Providing the candidate with opportunities to meet the experiential training competencies with about 9% in Year One, 12% in Year Two and 16% in Year Three, which are relatively low amounts
compared to the proportions of ratings for the other response categories. The majority of responding Principals rated these aspects of the Articling Program in the “of some value” to the “of good value range.”

In **Year One**, the proportions for “of little value” ranged from 19% for *Appraising the performance of the candidate on the five specific tasks related to the performance appraisal competencies* to 36% for *Preparation and filing of the Record of Experiential Training in Articling Program*. But over time, these proportions for “of little value” have decreased such that in **Year Three** the range sits at 9% for *Appraising the performance of the candidate on the five specific tasks related to the performance appraisal competencies* to 20% for *Preparation and filing of the Record of Experiential Training in Articling Program*. These results are indicative of generally higher value ratings for these aspects of the The Law Society of Upper Canada’s Articling Program.
The Enhancements to the Articling Program

Many comments from Articling Principals and articling candidates were critical of the enhancements to the Articling Program, ranging from the online form submission process to the relevancy of competencies for specific areas of law or to size of firms, to Law Society surveys and the limited utility and mandatory nature of the reporting process, especially as some respondents felt their firms were doing a good job of training pre-call lawyers prior to the enhancements.

The Enhancements to the Articling Program were also mentioned most as the “Least Valuable Aspect” of the Articling Program; two sub-sets of comments about them were evident: (a) the mechanics/logistics of completing the online forms/tools, which were characterized as “red tape” and “paperwork;” and (b) the relevance and merit of the reporting tools or the skills competencies to specific types of settings or specific areas of law, for example:

“Although the ETC & PEC (sic) are somewhat helpful as checklists, their appraisal and filing is of little value. This, even more so when many of them do not apply to the areas of practice/articling experience of the students.’’

Focus group feedback in all three evaluation cohorts informed us that articling candidates and their Principals saw little to no value in the Experiential Training Plan; it was completed for compliance with the Law Society only. Though, in Year Three, we heard more comments that the ETP was a helpful guide in charting a course for exposure to various experiences and practice areas of law.
14. Findings

While these findings are still considered preliminary, based on three licensing years’ worth of data, including post-licensing information about Year One and Year Two candidates, they are beginning to stabilize. Findings are presented in thematic area aligned to the four main evaluation questions (see page 10). Each theme will be discussed separately. We are reminded here that the goals for competency development in each pathway are the same, but the way each aim to achieve those goals differ substantively. Any variances between the pathways in the achievement of these goals may attributable, at least in part, to their dissimilar structures and delivery.

a. Effectiveness of each of the Pathways in Providing Transitional Experiential Training in Defined Areas of Skill and Tasks Considered Necessary for Entry-Level Practice

Fairness
Both pathways are providing exposure to the experiential training competencies, growth in practical skills development, and access to mentors and their feedback. However, the quality and timeliness of feedback from the mentors, supervisors and Principals vary. The timeliness of feedback, at least in the LPP/PPD, is less of an issue in Years Two and Three, than it was in Year One. The inconsistencies in feedback and generally “no news is good news” approach continues to occur in the Articling Program.

LPP/PPD is Second-Tier Experiential Training
There is a notion expressed by candidates in the LPP/PPD and even some Articling Principals that the LPP is a second-tier experiential training. The LPP/PPD is a new program and there is general lack of accurate awareness of it in the legal community, which helps stigmatize the LPP/PPD. However, Year Three results indicate that awareness in the legal community is growing and candidates in the LPP/PPD are not expressing this notion of being “second-tier” as much.

Some of the LPP/PPD Focus Group participants expressed that this notion of stigma is linked to nomenclature, for example, “LPP candidate” versus “articling candidate,” when both could be “students at law.” In any case, there seems to be a difference between the two types of candidates in the eyes of the profession, especially from Principals and candidates in Articling. In some instances, the notion that candidates in the LPP/PPD are still in school, because they attend the training course at Ryerson University or the University of Ottawa, contributes to a general feeling of inequality among the pathways.

Also, some of the LPP/PPD Focus Group participants suggested that marketing and branding of the LPP/PPD and its association with Ryerson, which does not have a law school, is partially to blame for the sense of inequality among the pathways, contributing to the stigmatization of the LPP. However, survey data was not representative of the Focus Group comments about marketing or branding of the Ryerson LPP.

On a small-scale but very real basis, a candidate in one of the Year One LPP/PPD Focus Groups who was completing a work placement in the same organization and at the same time as an articling candidate became visibly upset at the way s/he was treated at the placement organization.
compared to the articling candidate in terms of remuneration and responsibilities given. Further, in a Year Two LPP Focus Group, there was consensus sentiment that candidates in the LPP were not in the “pipeline of law school, to summer at a big law firm, to Bay Street,” so sending Bay Street lawyers to speak to the LPP candidates as panelists was not valuable, as the LPP candidates viewed themselves as “on completely different career paths” from the panel speakers. These examples are the manifestation of the stigma associated with the LPP/PPD.

In all three years, there was expressed concern from LPP/PPD Focus Group participants that Ryerson’s placement office treated them unfairly, especially with the rule that candidates had to accept the first offer of a work placement, regardless of interest/location/salary. It seems to some candidates in the LPP/PPD that candidates in Articling can choose their placements. However, the accounts of candidates in articling suggest that fierce competition for articles precludes a sense of choice.

**Length of Work/Articling Placement**

There are several related findings here that contribute to unfairness in the pathways:

- Work placements are 10 months in Articling Program versus four months in LPP/PPD, so there is more time in Articling Program to perform “real world” tasks and direct network with practising lawyers;
- LPP/PPD only paid for four months – if they were paid, and almost 30% in Year One and 27% in Years Two and Three were not paid, compared to 3% of articling placements in Years One and Two and only 2% in Year Three;
- Candidates expressed there was less time for supervisors to build trust, therefore limited responsibility in the LPP/PPD compared to the Articling Program;
- In total, there is not as much “real world” experience in the LPP/PPD as in the Articling Program as even with the LPP/PPD training course, as there is only a total of eight months of experiential training versus 10 months in the Articling Program;
- More than half of the articling candidates get their Licensing Process fees paid for by their articling placement organization (this figure was almost 60% in Year Three as reported by the Articling Program Candidate Survey respondents) and 40% - 43% of articling candidates get their articling organization to pay their salary for the week as they study for and write the Licensing Examinations. There are no comparable quantitative data for the LPP/PPD, but Focus Group data suggest that candidates in the LPP are not afforded these benefits.

**Program Withdrawal, Call to the Bar and Hire-Back Rates**

Further contributing to a sense of unfairness among the pathways is the ever-important metrics of withdrawal from the program, being called to the Bar and being hired back by the placement organization. For example:

- 15% of LPP/PPD candidates originally enrolled in the program withdrew, while less than 1% of candidates in the Articling Program withdrew during Year One; these numbers were 18% and 13% withdrawal for the LPP/PPD and still about 1% withdrawal for the Articling Program in Years Two and Three.
- Year One: 59% of LPP/PPD candidates were called to the Bar in June 2015; 91% of Articling Program candidates were called that month. Year Two: 57% of LPP/PPD candidates were
called to the Bar in June 2016 and 92% of articling candidates were called in June 2016. In Year Three, 57% of LPP/PPD Candidates were called to the Bar in June 2017 compared to 91% of the candidates in articling.

- Based on Year One survey results, 34% of LPP/PPD candidates were expected to be hired back after becoming licensed; 48% of articling candidates were expected to be hired back. Based on Year Two survey results, 32% of LPP/PPD candidates were expected to be hired back after becoming licensed; 47% of articling candidates were expected to be hired back. From Year Three survey results we see that 35% of candidates in LPP/PPD were expecting to be hired back and 57% of thosearticling the were expecting the same.

**Accessibility**

**Choice**

The LPP/PPD is not first choice for almost two-thirds of the LPP/PPD candidates in Year One and almost three-quarters of the candidates in Year Two, but in Year Three this number dropped to 60%. Still, most candidates in the LPP/PPD would prefer to do the Articling Program instead. However, data show that the LPP/PPD is servicing proportionally more candidates than the Articling Program from each of the following demographic categories: internationally-educated, Racialized, Age 40+ and Francophone. Internationally-educated candidates indicated in greater proportions than their Canadian-educated colleagues that the LPP/PPD was their first choice for experiential training.

**Finding a Work/Articling Placement**

From the Focus Group data, we know that many of the candidates in the Articling Program secure their articling position through the firm they had summered with and do not participate in the on-campus interview (OCI) process for articling positions. Still, we also know that good many candidates in the Articling Program apply to several firms and go through numerous interviews to secure their articling position, and find the OCI process very stressful.

We also know that many of the candidates in the LPP/PPD have also gone through the on-campus interview process and been unsuccessful in securing an articling position. Further, the process to secure a work placement in the LPP/PPD was deemed unfair by some as they were forced to take the first work placement offered to them, regardless of fit for area of practice, location or remuneration. All told, the candidates in the LPP/PPD expressed they had a lack of choice when it came to secure a work placement. Both groups of candidates, however, were generally satisfied with their articling/work placement locations and areas of practice. Candidates in articling were satisfied with their placement settings, and those in the LPP/PPD were satisfied with the manageability of their placement’s workload.

**Post-Call Practice Consideration**

In terms of practice types, there is a marked difference between the candidates’ considerations. For example, Year One survey data suggests that two-thirds of respondents in the Articling Program were considering private practice at the end of their program where just 45% of respondents to the LPP/PPD Exit surveys were considering the same. About the same proportion of articling candidates in Year Two were considering private practice, but the proportion of candidates in the LPP/PPD considering the same increased to 55%. Again, in Year Three about
two-thirds of those articling were considering private practice, while almost 50% in the LPP/PPD were considering the same.

Further, about 31% of the LPP/PPD survey respondents were considering practising law but not in a firm, while just 17% of the Articling Program survey respondents considered the same in Year One. However, in Year Two, just about one-fifth of each pathway reported on their surveys that were considering practising but not in a law firm. So, fewer candidates in the LPP/PPD were opting for non-law firm practice considerations in Year Two than Year One, and this result in opposite the results for candidates in the Articling Program. In Year Three, the results reverted to Year One proportions as about one-third of candidates in the LPP/PPD and less than one-fifth of the candidates in Year Three were considering practising but not in a firm.

Finally, an equal proportion of about 75% of each of LPP/PPD and Articling Program survey respondents were considering practice in the GTA, where the majority of the jobs are.

Post-Call Practice (Year One and Year Two)
Proportionally, there are more lawyers from the Articling Program than from the LPP/PPD who are practising law in their first-year post-call: 82% versus 67% for the Year One cohort and 82% to 72% for the Year Two cohort. So, we see growth in proportion of candidates in the LPP/PPD that were practising law a year post-call.

One-quarter (41 lawyers) of the LPP/PPD new lawyers are Sole Practitioners, compared to 6% from the Articling Program (86 lawyers) for the Year One Cohort, and in Year Two, these percentages are 26% for the LPP/PPD and 7% for the Articling Program.

Only 16% and 23% of the new lawyers from the LPP/PPD are working as an Associate in a Professional Business from Year One and Two, respectively, compared to 48% and 44% of the new lawyers from Year One and Year Two, respectively, who articled who are working in this capacity. So again, we see growth in the proportion of post-license graduates of the LPP/PPD in a desirable employment category.

Financial Impact
Based on the data at-hand we may surmise that the (negative) financial impact would be greatest on the candidates in the LPP/PPD as the candidates earn money for less time (4 months) versus their colleagues in the Articling Program who earn for 10 months. Further, there is a considerably greater proportion of placements in the LPP/PPD than the Articling Program that are unpaid. Also, as already noted, many candidates in the Articling Program have their articling organizations pay for their Licensing Process fees and provide paid time off to prepare for and write the Licensing Exams. Finally, we know from the Focus Group data that many candidates in the LPP/PPD had to take on part-time jobs to supplement their income during the Licensing Process, and still some others in the LPP/PPD were told they would not be able to keep a part time job during the training course, so they gave up their part time jobs to complete the LPP/PPD.

Objectivity
There is a good level of consistency in the objectivity of the candidates’ performance assessments in the LPP/PPD training course, as they are all evaluated on the same competencies doing the same tasks, using the same metrics. When the LPP/PPD candidates move into their work
placements, the competencies their performance is appraised on are from the nine competency areas, using a pass/fail or complete/incomplete scale.

The enhancements to the Articling Program bring consistency and objectivity to the performance appraisal of the candidates’ competencies on the five tasks, as well as provide an objective metric for planned and realized competency exposure. Though about 75% of Principals on the surveys agreed or strongly agreed that the Articling Program is objective in appraisal of candidates’ performance, only about one-third (33%) to two-fifths (40%) on average of them saw “good” to “great” value in the formal appraisal of candidates’ performance.

It is important to note here that the objectivity described above does not guarantee demonstrated competency mastery as there is a lack of standardization in how the competencies are assessed between each pathway. Further to the lack of standardization is the lack of assessment rigour in the process which exposes an inherent risk of the Articling Program and the LPP/PPD: leaving the sign-off of the readiness for practice of the candidate in the hands of the Articling Principals or LPP/PPD Providers and out of the hands of the regulator.

**Value and Effectiveness**

From the Record of Experiential Training in Articling Program reporting, it seems that articling candidates’ training goals are being met for the most part, that is when competency exposure is possible in the particular training context.

Both the LPP/PPD and Articling Program show high participant ratings for value and effectiveness, as candidates are provided with:

- Hands-on, real world experience and applying theory to practice;
- Growth opportunities in standardized competency areas;
- Some choice to practice in different areas and settings;
- Mentorship and networking experience; and in many cases
- Remuneration.

Specifically, for example:

- Candidates in the LPP/PPD provided the highest effectiveness ratings to their workplace Supervisors, especially in Years Two and Three;
- Candidates in the Articling Program rated *Quality of the learning experience* the most effective aspect of the Articling Program;
- More candidates in the PPD gave their program “of great value” ratings than any other group of candidates, and in general, the candidates in the LPP/PPD by proportion provided the most “of great value” ratings for their program;
- Candidates in the Articling Program reported the most growth in *Fact Investigation and Legal Research*, as well as *Drafting and Legal Writing*; and
- More Articling Principals than candidates by proportion rated the Articling Program of “great value,” but the data suggests the Principals were rating articling in general, or their specific articling program, and not the enhanced Articling Program.
Both Articling Principals’ and candidates’ perceptions of the enhancements to the Articling Program have not been positive for the most part. There are notions expressed in the survey and Focus Group data that the Record of Experiential Training in Articling Program was viewed only as a compliance piece and had no real impact on candidates’ experiences or growth in the competency areas. Though in Year Three, we started to hear comments from focus group participants that the RET was a useful guide for experiential learning. Further, many of the experiential training competencies were described as inapplicable or irrelevant in specific practice types and areas.

Additionally, there is a feeling among Principals that what they were doing in providing transitional, experiential training for lawyer candidates in the past was fine and there is no need for the enhancements. In fact, Principals rated the enhancements the least valuable aspects of the Articling Program both quantitatively and qualitatively. Finally, the perception that the new reporting requirements were a waste of time or needless paperwork was fairly prevalent among the respondents to the Principals’ and candidates’ surveys.

b. Supporting Candidates’ Opportunity to Obtain the Transitional, Experiential Training Requirement of the Licensing Process

Thus far it is safe to say that the Law Practice Program/Programme de pratique du droit has attracted proportionally more internationally-educated, Racialized, Francophone and Age 40+ candidates than the Articling Program. More than half of the candidates in the LPP/PPD are internationally-educated candidates. Further, almost two-thirds of the candidates in the LPP/PPD did not enroll as their first choice for transitional experiential training, though this number decreased in Year Three (~60%).

Graduates of Canadian law schools, which make up slightly less than half of the LPP/PPD candidate population, withdraw from the LPP at twice the frequency of their internationally-educated counterparts. Further, about one in seven candidates in the LPP/PPD withdraw compared to less than one in a hundred in the Articling Program. Many of the candidates that withdraw from the LPP/PPD chose not to answer a survey as to why they withdrew, and of those that did respond to the survey, the majority left the LPP/PPD because of financial obligations and the perceived “traditional” experience of articling.

The most responses from candidates in the LPP/PPD on their Withdrawal Surveys focused on looking for and finding an articling placement; in Year One almost half (48%) of the responses indicated that the candidate had found an articling placement and of those 11 respondents that indicated they had found an articling placement, eight of the placements or around 73% were paid. Most responses in Year Two (75% in total) focused on looking for and finding an articling placement. Fifteen or almost two-thirds (~63%) of the responses indicated that the candidate had found an articling placement. Of the 15 respondents who indicated they had found an articling placement, all of them reported the placements were paid. These results were very similar in Year Three. These data suggest that an articling position was the first choice for experiential training
for the majority of the respondents and when they did secure articles, they withdrew from the LPP/PPD.

Additionally, and as previously noted, there appears to be a sentiment among candidates that there is a “stigma” attached to the LPP/PPD that may hamper a graduate in obtaining employment. However, we have not heard the relevant thoughts from employers or post-call graduates of the LPP/PPD at this point, so any “stigma” associated with LPP/PPD as far as obtaining employment is merely speculation. However, some preliminary post-call data on Year One and Year Two candidates show that are more sole practitioners from the LPP/PPD than the Articling Program, and the former has proportionally fewer associates than the latter. Further, in general, there are more practising lawyers from the Articling Program (82% and 82%) than from the LPP (67% and 72%) from the Year One and Year Two cohorts, respectively. Still, these numbers are proxy measures for “stigma” or “second-tier” perceptions, and to conclude there is any employment stigma associated with the LPP/PPD, we will require more useable data from employers.

In the Articling Program, where the majority of candidates are recent graduates of Canadian law schools and not Indigenous, Francophone or part of an equality-seeking community in the Ontario legal profession, the compliance with the new reporting requirements is excellent in terms of percentage of Experiential Training Plans filed, but there are substantial amounts of “N/A” in competency areas.

What we do know about the Articling Program reporting thus far is that complete competency coverage in the placement is difficult, especially in non-law firm placement settings. We also know that there was some concern in Year One, stemming from lack of clarity, over what the possible repercussions are for candidates that do not get full competency coverage in articling. This concern did not materialize to the same extent in the Year Two or Year Three Focus Groups.

However, the Articling Program Candidates’ Survey data do not bear the demands of articling out to the same extent as the Focus Groups for Year One. Many Articling Program candidates responding to the surveys in all three years suggested that career paths were being slightly adjusted in what may be construed in a positive way, to different areas of law practice, rather than away from law practice altogether.

**Career Path**

There was a sense from the Focus Groups that the pathways programs affected candidates’ career paths. We know via surveys and Focus Groups data that the LPP/PPD provided those who did not obtain an articling position or did not seek an articling position, with another path toward Licensing. This was especially true for internationally-educated, Racialized and Francophone candidates, as they are represented in the LPP/PPD in greater proportions than in the Articling Program. We also heard in the Year One Focus Groups, exclusively from the Articling Program candidates that the demands of articling, that are financial, emotional (stress), and physical (e.g., working long hours) have turned many away from law practice. Again, these sentiments did not materialize to the same extent in the Year Two or Year Three Focus Groups. However, the Articling Program Candidates’ Survey data do not bear the demands of articling out to the same extent as the Focus Groups for Year One. Many Articling Program candidates responding to the surveys in all three years suggested that career paths were being slightly adjusted in what may be construed in a positive way, to different areas of law practice, rather than away from law practice altogether.
c. Effectiveness of One Pathway over the Other in Delivering Transitional Experiential Training in Defined Areas of Skills and Tasks Considered Necessary for Entry-Level Practice

Performance Assessments
It is clear from the data at-hand that performance measurement has occurred in the LPP/PPD training course and in the articling placements with the new tools. Data from these performance measures show that all the candidates in the LPP/PPD and the vast majority of the candidates in the Articling Program met or exceeded the expectations for their competency development. We also understand that there may be some consideration of a possible common final culminating assessment for candidates in both pathways, but one does not exist currently. This brings to light the current lack of commonality among the performance assessment regimes of the two pathways.33

The measurement tools in each program are different and these tools used dissimilar five-point scales in Year One, and then Ryerson moved to a three-point scale in Year Two, which makes the assessment scales between the pathways even more incongruent. However, we understand that both programs are delivered substantively different, that is their structures are dissimilar, even though theoretically they are addressing similar competency development, which is the purpose for the pathways delivery.

But, a lack of performance assessment commonality makes a comparison of pathway effectiveness based on candidate performance in the defined areas of skills and tasks invalid. In other words, it is very difficult, if not impossible, under the current measurement model to make apples to apples comparison between the two pathways of candidate performance in the competency areas.

However, if the goal of effectiveness for the LPP/PPD and Articling Program in delivery of essential entry-to-practice level skills competency, is to state that each, both or none of the pathways are effective based on their own measures of delivery effectiveness, without accounting for competency mastery, the current model of candidates’ performance measurement on the skills competencies will suffice.

Other Measures that Provide Purpose to the Delivery
To judge the effectiveness of one pathway over the other in delivering transitional experiential training in defined areas of skills and tasks considered necessary for entry-level practice will rely not just on perceptual measures, which are subjective, but on some key performance metrics such as hire-back rate and rate of being called to the Bar, which are measures of the purposeful end-products of the Licensing Process. Ultimately, this purpose of the pathways delivery we believe cannot be extricated from the delivery itself. Therefore, these metrics are the goal of the Licensing Process and the only common metrics in this vein between the programs. Having said that, it is then clear that after three years of the Pathways project, data would suggest the Articling Program

33 The primary author of this report, a Canadian Evaluation Society Credentialed Evaluator, also earned his doctorate degree in psychometrics and educational measurement and is a nationally-recognized expert in the field of credentialing program development, including professional licensure and certification assessment development. He has developed and evaluated high-stakes credentialing programs Fortune 500 companies and Canada’s accounting and restructuring and insolvency professionals.
is more effective than the LPP/PPD in producing competent lawyers for entry-level practice. Although, we see that through key metrics like employment after first year, that the gap between the two pathways is narrowing somewhat.

However, we do not have to make the determination of which pathway is more effective now, especially since we have post-licensing data from just two cohorts at this juncture, and the evaluation is now only half complete. But would it be surprising if we made the same determination after the completion of this study? This evaluator’s opinion is no, based on the common, key metrics. How much of an advantage do candidates in Articling have over their LPP/PPD colleagues in being prepared for the call to the Bar and being hired-back, based on the structure of the pathways and not on competency development within each pathway? It is very difficult to disentangle these data to conclusively determine how many more candidates from articling than from the LPP/PPD we should expect to be called to the Bar and hired back, based on the perceived advantages of the structure of their pathway versus the structure of the LPP. So perhaps, we need to re-visit the wording of this evaluation question, Question #4 from our Evaluation Framework, or at least define more clearly how, or with what data, we may best answer this question.
References


Appendix 1

The Law Society of Upper Canada Pathways to the Profession: The Pilot Project Logic Model—Version 4.2 (December 4, 2014)

**Inputs**
- Financial resources to fund the Law Practice Program (LPP) using candidates’ fees and other monies.
- Human resources at the Society and at the institutions offering the LPP.
- Lawyer candidates opting for the LPP.
- Workplace supervisors.

**Activities (Processes)**
- Through RFP process, develop competency-based LPP for transitional and experiential training, focusing on defined areas of skills and tasks considered necessary for entry-level practice.
- Enhancements to the existing Articling Program, including assessments of candidates’ and Principals’ perceptions, training plans, and candidates’ performance and exposure to skills and tasks in 4 core competency categories (defined by the National Admission Standards), using Behaviourally-Anchored Rating Scales (BARS).

**Products (Outputs)**
- Tools for measuring candidates’ and Principals’ perceptions developed.
- Enhanced Articling Program is implemented and serves lawyer candidates selecting this pathway.
- Candidates’ formal performance appraisal tool developed and candidates trained to use it.
- Training plan template for candidates is developed and candidates and Principals instructed to use it.

**Short-Term Outcomes**
- User (candidates, instructors, work placement supervisors and employers) perceptions of fairness, objectivity and accessibility of the LPP are measured.
- Candidates’ learning in defined areas of skills and tasks for transitional experiential training are assessed in the LPP (define/select).
- User (candidates, Articling Principals and employers) perceptions of fairness, objectivity and accessibility of the Articling Program are measured.
- Formal performance appraisal of candidates in the enhanced Articling Program, using BARS-based tool completed by Articling Principals.
- Candidates’ skills and tasks exposure measurement is using BARS-based tool completed by Articling Principals and Articling Program candidates.

**Medium-Term Outcomes**
- The LPP provides fair, objective and accessible transitional experiential training.
- Candidates demonstrate achievement of entry to practice level competency in defined areas of skills and tasks for transitional experiential training as assessed in the LPP (define/select).
- The Articling Program provides fair, objective and accessible transitional experiential training.
- Candidates demonstrate improved performance on appraisals by Articling Principals.

**Long-Term Outcomes**
- The Law Practice Program is an effective pathway to produce competent lawyers for entry to practice.
- The Articling Program has been enhanced in its fairness, objectivity, and accessibility.
- The Articling Program has been enhanced in its ability to report on candidates’ exposure to defined skills and tasks and on their performance in four core competency categories.
- The Articling Program is an effective pathway to produce competent lawyers for entry to practice.

**Context**

Having acknowledged that experiential training is an integral part of the licensing process for lawyers, and having accepted that the current experiential training pathway, articling, is no longer able to provide sufficient opportunities to support all candidates for licensing, the Law Society of Upper Canada will embark upon a three-year plan of redevelopment in the licensing process that will address the expanded provision of transitional experiential learning. The response will be to develop an additional path to licensing, a Law Practice Program, and to concurrently enhance the existing Articling Program. Ultimately, Consonant of the Law Society will use the evaluation information to assess the contribution of either or both of the pathways.
### Appendix 2

**The Law Society of Upper Canada Pathways to the Profession Pilot Project Evaluation Framework**

<table>
<thead>
<tr>
<th>Evaluation Question</th>
<th>Short-Term Outcomes</th>
<th>Medium-Term Outcomes</th>
<th>Long-Term Outcomes</th>
<th>Target Group</th>
<th>Methodology (Data Collection)</th>
<th>Dimension (Data)</th>
<th>Timelines</th>
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</thead>
<tbody>
<tr>
<td>1. <strong>Does the Law Practice Program (LPP) provide licensing candidates with effective transitional experiential training in defined areas of skills and tasks considered necessary for entry-level practice?</strong></td>
<td>User (candidates, instructors, work placement supervisors and employers) perceptions of fairness, objectivity and accessibility of the LPP are measured.</td>
<td>The LPP provides fair transitional experiential training. The LPP provides objective transitional experiential training. The LPP provides accessible transitional experiential training.</td>
<td>The Law Practice Program is an effective pathway to produce competent lawyers for entry to practice.</td>
<td>Candidates, Candidates, Instructors, Work Placement Supervisors, New calls (LPP)</td>
<td>LPP Entry Survey</td>
<td>Profile of LPP candidate including experiences and needs</td>
<td>September 2014, 2015, 2016</td>
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<td></td>
<td>Candidates' learning in defined areas of skills and tasks for transitional experiential training are assessed in the LPP (define/select).</td>
<td>Candidates demonstrate achievement of entry to practice level competency in defined areas of skills and tasks for transitional experiential training as assessed in the LPP (define/select).</td>
<td></td>
<td></td>
<td>LPP Survey</td>
<td>Perceptions of the value of the LPP with focus on fairness, objectivity and accessibility</td>
<td>April 2015, 2016, 2017</td>
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<td>Post-Entry to Practice Survey Post-Entry to Practice Focus Group</td>
<td>Perceptions of the value of the LPP with focus on rating of transitional skills training for entry to practice.</td>
<td>November 2015, 2016 and 2017</td>
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<td>LPP assessments on defined areas of skills and tasks - submitted by LPP provider</td>
<td>Candidates' performance in the LPP</td>
<td>January 2015, 2016 and 2017 and in May 2015, 2016 and 2017</td>
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<td>Focus group for employers of new calls (LPP)</td>
<td>Perspectives on quality of candidates from LPP</td>
<td>November 2015, 2016 and 2017</td>
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<tr>
<td>Evaluation Question</td>
<td>Short-Term Outcomes</td>
<td>Medium-Term Outcomes</td>
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<tr>
<td>2. Does the Articling Program provide licensing candidates with effective transitional experiential training in defined areas of skills and tasks considered necessary for entry-level practice?</td>
<td>User (candidates, Articling Principals and employers) perceptions of activities, fairness, objectivity and accessibility of the Articling Program are measured. Formal performance appraisal of candidates in the Articling Program, using BARS-based tool by Articling Principals. Formal skills and tasks exposure measurement using BARS-based tool completed by Articling Principals and candidates. Training plans for candidates are submitted by Articling Principals.</td>
<td>The Articling Program provides fair transitional experiential training. The Articling Program provides objective transitional experiential training. The Articling Program provides accessible transitional experiential training. Candidates demonstrate improved performance on appraisals by Articling Principals. Candidates and Principals report on candidates’ exposure to defined skills and tasks during Articling Program. Candidates’ training goals are considered sufficient and are achieved in the Articling Program.</td>
<td>The Articling Program has been enhanced in its fairness, objectivity, and accessibility. The Articling Program is an effective pathway to produce competent lawyers for entry to practice. The Articling Program has been enhanced in its ability to report on candidates’ exposure to defined skills and tasks and on performance in four core competency categories. (two independent outcomes) The Regulator is provided with data to evaluate the effectiveness of the Articling Program.</td>
<td>Candidates and Articling Principals</td>
<td>Articling Program Survey New calls (Articling Program)</td>
<td>Perceptions of the value of the Articling Program with focus on fairness, objectivity and accessibility</td>
<td>May 2015, 2016, 2017</td>
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<td>Employers</td>
<td>Focus group for employers of post-call lawyers</td>
<td>Performance of Articling Program candidates in four core competency categories</td>
<td>December 2015, 2016 and 2017</td>
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<td>Candidates</td>
<td>BARS-based performance appraisal by Principals</td>
<td>The skills and tasks candidates have been exposed to in Articling Program</td>
<td>August through May of each Articling year</td>
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<td>Candidates</td>
<td>BARS-based exposure measurement by Principals and candidates</td>
<td>Achievement and sufficiency of training goals</td>
<td>August through May of each Articling year</td>
</tr>
<tr>
<td>Evaluation Question</td>
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</table>
| 3. How does each pathway, LPP and Articling, support the licensing candidates' opportunity to obtain the transitional experiential training requirement of the Licensing Process? | All of the above for Evaluation Questions 1 and 2.                                  | All of the above for Evaluation Questions 1 and 2.                                  | All of the above for Evaluation Questions 1 and 2.                                  | All of the above for Evaluation Questions 1 and 2. | All of the above for Evaluation Questions 1 and 2. | Perceptions of LPP and Articling Program experiences for equity candidates.    | See above.  
|                                                                                   |                                                                                      |                                                                                   |                                                                                   |              |                               |                                                                               | April/May 2015, 2016 and 2017 |
| 4. Is one Pathway, LPP or Articling, more effective in delivering transitional experiential training in defined areas of skills and tasks considered necessary for entry-level practice? | All of the above for Evaluation Questions 1, 2, and 3.                               | All of the above for Evaluation Questions 1, 2, and 3.                              | All of the above for Evaluation Questions 1, 2, and 3.                              | All of the above for Evaluation Questions 1, 2, and 3. | All of the above for Evaluation Questions 1, 2, and 3. | Perceptions of LPP and Articling Program experiences for equity candidates.    | See above.  
|                                                                                   |                                                                                      |                                                                                   |                                                                                   |              |                               |                                                                               |
Programme de pratique du droit

Data collected about the Programme de pratique du droit for the Evaluation of Pathways: Years One to Three

Pathways to the Profession Pilot Project

Prepared for:
Professional Development and Competence Committee

Prepared by:
Diana C. Miles, Executive Director
Organizational Strategy and Professional Competence
dmiles@lsuc.on.ca
416-947-3328

July 2017
Programme de pratique du droit

The Pathways to the Profession Pilot Project or Pathways is a response to the Law Society of Upper Canada’s Articling Task Force’s Final Report of October 2012. One alternative pathway to traditional articling, and enhancements to traditional articling were created to address the issues brought forth in this report. Together, the Law Practice Program (English Program) and the Programme de pratique du droit (French Program) and the enhanced Articling Program are the Pathways to the Profession pilot project. Work on each pathway commenced in early 2013 and the Evaluation of Pathways commenced in December of the same year.

This report provides the data collected about the PPD for the Evaluation of Pathways: Years One to Three.

The PPD was delivered for the first time at the University of Ottawa in September 2014 and has been delivered annually since that time.

Enrollment and Evaluation Cohorts

<table>
<thead>
<tr>
<th></th>
<th>Year One 2014-15</th>
<th>Year Two 2015-16</th>
<th>Year Three 2016-17</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program Enrollment¹</td>
<td>21</td>
<td>19</td>
<td>26</td>
</tr>
<tr>
<td>Less those candidates who withdrew after program start date or did not complete</td>
<td>5 (1 did not complete)</td>
<td>8</td>
<td>5</td>
</tr>
<tr>
<td>Evaluation Cohorts</td>
<td>16</td>
<td>11</td>
<td>21</td>
</tr>
</tbody>
</table>

Year One: 21 licensing candidates were enrolled in the PPD on the start date of the program in September 2014; one candidate was not successful in completing the program and 4 (19%) withdrew from the program; therefore, the Year One cohort of PPD candidates is 16.

Year Two: 19 licensing candidates were enrolled in the PPD on the start date of the program in August 2015; 8 (42%) withdrew from the program; therefore, the Year Two cohort of PPD candidates is 11.

Year Three: 26 licensing candidates were enrolled in the PPD on the start date of the program in August 2016; 5 (19%) withdrew from the program; therefore, the Year Three cohort of PPD candidates is 21.

¹ Number of candidates who started the PPD in the Licensing Process year (May 1 to April 30)
Tools for Collecting Data from Candidates and New Lawyers

Entry Survey

Administered in August, prior to the start of the PPD, this survey is aimed at understanding the PPD candidates’ rationale for enrolling in the PPD and their expectations for the program.

**Year One:** 15/21 candidates responded = 71% response rate.
**Year Two:** 13/19 candidates responded = 68% response rate.
**Year Three:** 16/26 candidates responded = 65% response rate.

Withdrawal Survey

Administered in November and February, this brief survey is aimed at the PPD candidates who withdrew from the program, and to understand their rationale for doing so.

In **Year One** and **Year Three**, there were no responses to the survey from the candidates who withdrew from the PPD. In **Year Two**, there were 2 responses from candidates who had begun the PPD and then withdrew. Both candidates withdrew because they found articling placements and one indicated that his/her placement was paid.

Focus Groups Protocol

These Focus Group interview protocols are designed to probe deeper into candidates’ perceptions of the relative strengths and weaknesses of the experiential training they have received in each program, specifically asking about program value and fairness.

The Focus Groups for the PPD are conducted each year in April in Ottawa. In **Year One**, the facilitator was English-speaking and a certified translator attended in the event a candidate wanted to express their thoughts in French. In **Year Two** and **Year Three**, the Focus Group was facilitated by a French-speaking consultant. Typically, there are 10 to 12 Focus Group participants per session.

Exit Survey

This survey was administered at the end of April in **Year One** and early in May, immediately following the end of the Program, in **Years Two and Three**. The survey is sent after the Focus Groups so we may ask questions to a broader audience about any topics raised in the Focus Groups. Additionally, this survey re-visits the concepts of strengths and weaknesses of the experiential training as well as fairness and value.

**Year One:** 13/17 candidates responded = 76% response rate
**Year Two:** 6/11 responded = 55% response rate
**Year Three:** 12/26 responded = 46% response rate
Survey of New Lawyers

This survey is aimed at practising new lawyers who completed the 2014-2015 PPD to gauge their views on the relative strengths and weaknesses in the experiential training received by the new lawyers with regards to their preparation for practice. The survey is administered in April of the year post-licensing.

**Year One New Lawyers:** 2/5 lawyers responded = 40% response rate
**Year Two New Lawyers** – 1/4 lawyers responded = 25% response rate
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1. **Overview of the Programme de pratique du droit**

The Programme de pratique du droit, referred to as the PPD, is an eight-month French-language program, which includes a four-month intensive in-person practice program in a simulated law firm followed by a four-month placement in a legal workplace.

Ottawa PPD is an innovative practice program that has been designed in consultation with experienced lawyers. Its objective is to allow students to master all the skills necessary to offer quality French legal services and to succeed in their professional careers.

See page 43 for the University of Ottawa’s 2016-17 Annual Report for the PPD, which provides a comprehensive overview of the program.

2. **Evaluation of the Keys to Transitional, Experiential Training**
   
a) **Fairness, Accessibility and Objectivity of the Training**

Survey Question: Please rate on a scale of 1 to 5 your satisfaction with the following aspects of the administration of the PPD, with 1 being “least satisfied” and 5 being “most satisfied.”

- Fairness of the Admissions Process
- Marketing/Branding of the PPD
- Manageability of Training Program Workload
- Relevance of Training Program Course Work
- Fairness of Training Program Assessments
- Objectivity of Assessments
- Responsiveness of PPD Administration to Personal Issues
- Fairness of Work Placement Process
- Accessibility of Work Placements

In **Year One**, the candidates indicated that they were quite satisfied with the aspects of the administration of the PPD listed. The greatest proportion of respondents were “Quite Satisfied” and “Most Satisfied” on Relevance of Training Program Course Work (92%) and the smallest proportion of the respondents were “Quite Satisfied” and “Most Satisfied” on Accessibility of Work Placements (33%).

Survey Question: If you have any comments about the administration of the PPD, add them here.

The only response to this question in **Year One** is listed below:

1. I think that some assessments were not completed by the practitioner-trainers and that is unfair because the person did not know the instructions during the training period. Also, we had to apply for out of region placements and to accept the first offer, while I had clearly indicated that I did not want to do a placement outside of Ottawa.
Summary of input from Year One Focus Group participants with regard to fairness

- PPD policies pressure candidates to accept the first hire-back regardless of if it is paid or unpaid. (Candidate had an emotional reaction when recounting her experience. She was forced to take the first (unpaid) position offered to her over the second (paid position) due to protocols set out by the program – she regretted this and the placement was also a negative experience for her/him.
- Candidates were held under pretenses that they would fail had they not gotten a position, and faced extreme pressure to take the first position.
- Lack of respect for candidates time; Employers were not punctual with their responses/hire backs.
- Disparity in type of treatment between PPD and articling candidate in the workplace; PPD candidate treated as second rate employee.
- Candidates want more choice in being able to choose which offer they can accept; it’s a question of equal opportunity, and not of luck, or who happens to respond first.

In **Year Two**, all of the respondents were “Satisfied”, “Quite Satisfied” or “Most Satisfied” with all the aspects of the administration of the PPD. Two-thirds of the respondents (67%) said they were most satisfied with the **Accessibility of Work Placements**.

In **Year Three**, on average, all aspects of the administration of the PPD were rated “Satisfied”, “Quite Satisfied” or “Most Satisfied” by the respondents. The top two rated aspects were **Fairness of the Admissions Process** and **Relevance of Training Program Course Work**. The bottom two rated aspects were **Fairness of Training Program Assessments** and **Objectivity of Assessments** but these two aspects were still rated Satisfactory or above by the respondents.

**b) Exposure to the Experiential Training Competencies and Assessment of Performance in Core Competencies**

The following information has been taken directly from The University of Ottawa’s 2016-17 own annual reporting to The Law Society of Upper Canada.

All the skills and tasks listed in the Federation of Law Societies of Canada’s National Competency Profile for lawyers were assessed or addressed at least once – and some at least five times – in the training component via the execution of the various tasks listed below.

- Conducting simple real estate transactions: Sale of a property
- Preparing relevant accounting documents: A statement of allocations
- Managing a file: Sale
- Conducting simple real estate transactions: Purchase of a property
- Drafting opinion letters: Memorandum on the transfer tax
- Managing a file - Sale
- Meeting the client
- Draft a retainer letter
- Drafting a simple will
- Drafting affidavits or solemn declarations: Affidavit of execution
- Drafting power of attorneys: Power of attorney for personal care
- Drafting power of attorneys: Power of attorney for property
- Drafting an end of retainer letter or record letter
- Creating a final invoice
- Managing a file
- Motion for a trust certificate
- Drafting a receipt
- Meeting the client
- Drafting a retainer—establishment of a SPA
- Incorporating a legal entity
- Registering a partnership
- Creating a final invoice—establishment of a SPA
- Drafting business resolutions and bylaws
- Keeping business records up to date
- Negotiating the outcome of disputes or legal problems—Negotiating a commercial transaction
- Conducting simple commercial transactions (purchase and/or sale of a business)
- Creating a final invoice—Sale/purchase of a business
- Drafting an end of retainer letter or record letter—establishment of a SPA
- Managing a file
- Meeting the client
- Drafting a retainer
- Drafting an argument: the statement
- Affidavit of Service of the Motion
- Preparing relevant accounting documents: a statement of allocations (Family law)—Financial statement
- Preparing relevant accounting documents: a statement of allocations—Net Family Property Statement—
- Preparing relevant accounting documents: a statement of allocations—Calculation of support
- Preparing relevant accounting documents: a statement of allocations—Financial disclosure certificate
- Creating an interim invoice
- Drafting opinion letters: email to client
- Negotiating the outcome of disputes or legal problems—Case conference
- Drafting affidavits or statutory declarations: Affidavit of service of motion
- Drafting written presentations: Trial management conference brief
- Drafting simple contracts or agreements: Memorandum of understanding
- Drafting an end of retainer letter or record letter
- Creating a final invoice
- Managing a file
- Preparing a motion—civil or criminal or responding to it: motion record
- Drafting affidavits or statutory declarations: Affidavit in support of a motion
- Meeting the client
- Drafting a retainer
- Drafting a retainer (2)
- Drafting opinion letters: memorandum
- Memorandum (2)
- Drafting reimbursement requests (demand letters)
- Drafting an argument: the statement
- Drafting information for court use
- Drafting affidavits or solemn declarations: Affidavit of service
- Asking for and presenting or sending documents: Examination for discovery
- Meeting and questioning a witness: discovery
- Preparing a list of documents or an affidavit of documents
- Imposing, accepting or refusing engagements
- Negotiating the outcome of disputes or legal problems—Mediation
- Preparing a motion—civil or criminal—or responding to it: Motion record
- Drafting affidavits or solemn declarations: Affidavit of service of motion
- Drafting a court order
- Drafting written presentations—factum in support of a motion
- Drafting a receipt
- Drafting an end of retainer letter or record letter
- Creating a final invoice
- Managing a file
In order to obtain a “Satisfactory” pass for the training component, candidates had to successfully demonstrate all the competencies evaluated in the PPD program.

Once a competency had been evaluated in more than one task carried out during the training component, the PPD conferred a cumulative grade on the candidate for competency skill based on the quality of each task in addition to feedback provided by their practising trainers involved in those specific tasks.

In November and December 2016, some candidates were offered the opportunity to do retake activities for the competencies they had not yet successfully demonstrated in the training component. All candidates, except one, successfully completed their retake activities related to key competencies. In the case where the candidates did not succeed in a peripheral competency during the retake activities, we sent them a letter informing them of their gaps and encouraging them to try to fix them in the placement component.

In January 2016, each candidate was called to conduct the audit at the beginning of the placement. During these 30-minute discussions, their learning goals for the placement component was discussed. The PPD also took this opportunity to look at the skills assessment process during the placement and
to confirm some information from the candidates concerning their placements such as the start date of the placement and their salary.

Mid-February, the PPD communicated with all the employers and the candidates to make mid-session assessment of placements. Each supervisor provided detailed feedback regarding their candidates’ performance. The PPD also asked the candidates to complete a self-assessment about their performance and their progress in the placement.

As per the PPD policy regarding the placement component, if a candidate’s mid-session assessment is not entirely positive, the PPD reserved the right to follow up with the supervisor to discuss the candidate’s performance in more detail.

The final assessment of placements is done at the end of April. When the feedback on a candidate was not entirely satisfactory, the PPD followed up with the placement supervisor to determine if the candidate had satisfied the Work Placement component requirements.

c) Growth in Practical Skills Development

Survey Question: Please rate on a scale of 1 to 5 your growth in the mastery of the following skills competencies, with 1 being “minimal growth” to 5 being “tremendous growth.

- Ethics and Professional Responsibility
- Interviewing
- Fact Investigation and Legal Research
- Drafting and Legal Writing
- Planning and Advising
- File and Practice Management
- Negotiation
- Advocacy
- Transactional/Advisory Matters
- Use of Law Firm/Legal Practice Management Systems

In Year One, The majority of respondents reported “Ample Growth” to “Tremendous Growth” in all of the skills competencies areas, with Ethics and Professional Responsibilities showing the most growth and Transactional/Advisory Matters and File and Practice Management showing the least.

Survey Question: If you have any comments about the growth in the mastery of skills competencies development in the PPD, please enter them here.

The only response in Year One to this question is below:

1. Since I already had acquired several of the skills, my growth is negligible except for the management systems, since I have a certificate in mediation and I have practised mediation and negotiation for many years in the workplace.

Summary of input from Year One Focus Group participants with regard to practical skills development
Practical Skills include: writing briefs, appeals, agreed statements of facts, getting exposure to precedents, docketing time.

Practical Skills/Value: candidates are able to learn and demonstrate oral advocacy skills in small courts.

Candidates appreciated the practicality of being able to apply their knowledge and skill sets in a work place setting.

In **Year Two**, all 6 candidates who responded to this question said that they had “Adequate Growth” “Ample Growth” or “Tremendous Growth” in all the skills competencies listed except for one respondent who said they received just “Some Growth” in Transactional/Advisory Matters.

**Summary of input from Year Two Focus Group participants with regard to practical skills development**

- Candidates discussed development of skills and experience, such as:
  - Observing and conducting cross-examinations and client interviews, accessing important legal issues, observing court proceedings (exposure to methods of defense, the crown, protocol, etc.), observing an entire civil proceeding
- Candidates appreciated the safe learning conditions within the program:
  - “It’s a genuine environment that teaches us to learn without the stress of making mistakes.”
- Candidates noted that the individual workload eliminated the sense of competition amongst colleagues, stating that this enhanced the learning experience and allowed for constructive discussions and support amongst each other.
  - Experience described as being collaborative, but also very independent.
- Candidates appreciated the learning approach and the balance between practice and learning, but would have appreciated more flexibility in choosing which courses to complete.

In **Year Three**, as a result of a formatting issue on the survey software, the responses to this question were not useable. However, 2 respondents to the survey had this to say about the work in the training course:

1. The administration of the PPD was very conciliatory. The workload was very high. On the other hand, it is impossible for me to complain about it, because each task made it possible to acquire a skill or to improve. Unlike the academic studies that are theoretical, the assignments of the PPD were practical which prepared me to succeed well in my placement. In addition, activities within the PPD (visits to the courts, workshops, lectures, etc.) have greatly improved my professional development. The PPD has demystified the law without hiding the challenges such as the difficulties in providing legal services in French.

2. The PPD has made me more aware of the ethical issues that include language rights and vulnerable clients. The knowledge that we have practised the most are those that I master the most. On the other hand, even if I do not master all the ones on the list, the PPD allowed me to familiarize myself with them. When I am doing these tasks in practice, I will be better prepared than if I had not taken the PPD.
Summary of input from Year Three Focus Group participants with regard to practical skills development

- Candidates discussed development of skills and experience, such as:
  - Observing and conducting cross-examinations and client interviews, accessing important legal issues, observing court proceedings (exposure to methods of defense, the crown, protocol, etc.), observing an entire civil proceeding
  
  “We carried out tasks; we were exposed to each area of law. Because we had fictitious clients, our instructor-practitioners weren’t afraid to give us tasks to carry out outside of the normal context of a traditional articling student. At the moment, my placement is in an office that works in criminal law. In the PPD, we did a submission for a client’s appeal. That’s something no articling student would be able to do. We had the chance to dive in, to gain experience, and to receive feedback from professionals. I found it great that the PPD gave us tasks that traditional students don’t carry out, because being a lawyer means being able to carry out these tasks.”

- Candidates noted that the individual workload eliminated the sense of competition amongst colleagues, stating that this enhanced the learning experience and allowed for constructive discussions and support amongst each other.
  - Experience described as being collaborative, but also very independent.

- Candidates appreciated the learning approach and the balance between practice and learning, but would have appreciated more flexibility in choosing which courses to complete.

**d) Access to Practitioner-Trainees and Work Placement Supervisors, and the Quality and Timeliness of Feedback**

Survey Question: Please rate on a scale of 1 to 5 the following aspects of your experiential training with specific regards to your practitioner-trainers in the PPD, with 1 being “least effective” and 5 being “most effective.”

- Quality of the learning experience delivered by your practitioner-trainer
- Availability of your practitioner-trainer to address learning issues
- Ability of your practitioner-trainer to engage you in experiential learning
- Quality of the feedback provided by your practitioner-trainer
- Timeliness of the feedback provided by your practitioner-trainer

In Year One, the ratings of “Effective” and “Most Effective” garnered the vast majority of results for most of the aspects of experiential training, except for Quality of the feedback provided by your practitioner-trainer and Timeliness of the feedback provided by your practitioner-trainer. These results are similar to what was reported in the PPD focus groups.

Survey Question: If you have any comments about your practitioner trainers in the PPD, please enter them here.

1. We have noticed that the choice of teachers, like a miracle, is unanimously part of the same scoring. We would have liked if the choice had been made by the Law Society and not by those who managed the PPD. Thus, the choice would have had the advantage to be impartial, based essentially on merit and not on relations or acquaintances.
2. It would be useful to plan the specific time for feedback in the hourly slots given to each trainer.
3. If you want to obtain an exact and more efficient answer, you should have asked one by one and not to all at once.
4. Some of the practitioner-trainers lack management experience and addressed situations less aptly way that they could have.

In **Year Two**, the ratings for the practitioner trainers were very positive. All aspects of experiential training with regard to the practitioner trainers garnered a rating of “Effective” and “Most Effective”. There were no general comments received from respondents about the practitioner trainers in Year Two.

In **Year Three**, *Quality of the learning experience offered by your Practitioner Trainer and Capacity of your Practitioner Trainers to make your experiential learning interesting* both garnered 92% or 11 of the 12 respondents’ ratings as “Effective” or “Most Effective.” However, *Timeliness of feedback from your Practitioner Trainers* had just 42% or 5 of the 12 respondents rate it as “Effective” or “Most Effective.”

**Survey Question:** If you have any comments about your practitioner trainers in the PPD, please enter them here.

1. Competent and interesting
2. The diversity of the professional background of each practising-instructor has enriched my experience in the PPD.
3. The 4 months of training were crucial to me and contributed to my development as a future lawyer. The tasks accomplished in various Law areas as well as feedback provided by some supervisors were needed to better develop our skills as future lawyers, which is rarely offered to candidates who have attended the traditional 10-month work placement.
4. Most practising-instructor are very involved in the program.

**Survey Question:** Please rate on a scale of 1 to 5 the following aspects of your experiential training with specific regards to your Work Placement supervisors in the PPD, with 1 being “least effective” and 5 being “most effective.”

- Quality of the learning experience delivered by your supervisor
- Availability of your supervisor to address learning issues
- Ability of your supervisor to engage you in experiential learning
- Quality of the feedback provided by your supervisor
- Timeliness of the feedback provided by your supervisor

In **Year One**, the ratings of “Effective” and “Most Effective” garnered the vast majority of results for each of the aspects of experiential training.

**Survey Question:** If you have any comments about your Work Placement supervisor in the PPD, please enter them here.

1. The lawyers who guided us for the first four months, except one on seven, were not available to address certain practical issues. But the real placement of 4 months was very different. It would be encouraging to hire the lawyers who are available.
2. They were excellent
3. Certain supervisors lack management and human resources experience and addressed situations less aptly way that they could have.

In **Year Two**, 5 of the 6 respondents to this question rated their Work Placement supervisor as “Effective” or “Most Effective” on all aspects. None of the respondents commented further on their Work Placement supervisor in Year Two.

In **Year Three**, all respondents rated the Work Placement supervisors as “Effective” or “Most Effective” on all aspects. The two top rated aspects were *Quality of the learning experience delivered by your supervisor* and the *Availability of your supervisor to address learning issues*.

Survey Question: If you have any comments about your Work Placement supervisor in the PPD, please enter them here.

1. I had an ideal supervisor
2. My placement supervisor was an extraordinary man
3. [name] gave practical and complete advice on the profession. He completed ethical reflections with his professional experiences. Is was always very interesting.
4. [name] is an excellent placement principal.

In **Year Two** and **Year Three**, a question about the assessors was added to the Exit Survey.

Survey Question: Please rate on a scale of 1 to 5 how satisfied you are of your assessors, with 1 being “least satisfied” and 5 being “most satisfied.”

In both **Year Two** and **Year Three**, all of the respondents indicated that they were “Quite Satisfied” or “Most Satisfied” with their assessors. None of the respondents indicated that they were less than “Satisfied” with their assessors.

Survey Question: If you have any comments about your assessors in the PPD, please enter them here.

No responses to this question were provided in **Year Two** and just one respondent provided a comment in **Year Three**:

1. Too strict in family law
3. About the Candidates

Demographic information about the PPD candidates for **Years One, Two** and **Three** is provided below.

<table>
<thead>
<tr>
<th>Demographic</th>
<th>Year One 2014-15 (16 candidates)</th>
<th>Year Two 2015-16 (11 candidates)</th>
<th>Year Three 2016-17 (21 candidates)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender</td>
<td>5 female (31%) 11 male (69%)</td>
<td>6 female (55%) 5 male (45%)</td>
<td>12 female (57%) 9 male (43%)</td>
</tr>
<tr>
<td>Language</td>
<td>13 French (81%) 3 English (19%)</td>
<td>6 French (55%) 5 English (45%)</td>
<td>13 French (62%) 8 English (38%)</td>
</tr>
<tr>
<td>Licensing Process Year</td>
<td>13 in 2014-15 (81%) 1 in 2013-14 (6%) 1 in 2012-13 (6%) 1 in 2011-12 (6%)</td>
<td>10 in 2015-16 (91%) 1 in 2014-15 (9%)</td>
<td>16 in 2016-17 (76%) 3 in 2015-16 (14%) 2 in 2014-15 (9%)</td>
</tr>
<tr>
<td>Internationally Educated</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Canadian Educated</td>
<td>16 (100%)</td>
<td>11 (100%)</td>
<td>21 (100%)</td>
</tr>
<tr>
<td>Graduated from University of Ottawa</td>
<td>13 (81%)</td>
<td>10 (91%)</td>
<td>18 (86%)</td>
</tr>
<tr>
<td>Graduated from University of Moncton</td>
<td>2 (13%)</td>
<td>1 (9%)</td>
<td>2 (9%)</td>
</tr>
<tr>
<td>Graduated from University of Montreal</td>
<td>1 (6%)</td>
<td>0</td>
<td>1 (5%)</td>
</tr>
<tr>
<td>Law School Graduation Year</td>
<td>8 in 2014 (50%) 4 in 2013 (25%) 1 in 2012 (6%) 3 before 2012 (19%)</td>
<td>10 in 2015 (91%) 1 in 2014 (9%)</td>
<td>15 in 2016 (71%) 3 in 2015 (14%) 2 in 2014 (9%) 1 in 2013 (5%)</td>
</tr>
<tr>
<td>Racialized</td>
<td>9 (56%)</td>
<td>4 (36%)</td>
<td>9 (43%)</td>
</tr>
<tr>
<td>Indigenous</td>
<td>0</td>
<td>0</td>
<td>1 (5%)</td>
</tr>
<tr>
<td>Person with a disability</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>LGBTQ</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Francophone</td>
<td>13 (81%)</td>
<td>9 (82%)</td>
<td>17 (81%)</td>
</tr>
<tr>
<td>Age 40+</td>
<td>5 (31%)</td>
<td>0</td>
<td>4 (19%)</td>
</tr>
</tbody>
</table>
Considerations for Practice Type, Area and Location

The candidates were asked what type of practice, what areas of practice, and what location they are considering practising once they are licensed before the PPD began and again after they completed the program.

Type of Practice Consideration Pre- and Post-PPD

<table>
<thead>
<tr>
<th>Year</th>
<th>Type of Practice Pre-PPD</th>
<th>Type of Practice Post-PPD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year One</td>
<td>6 candidates or 46% of respondents are considering practising, but not in a law firm (e.g.: in-house counsel, government, public agency), 4 candidates or 31% are undecided and 23% or 3 candidates are considering private practice.</td>
<td>Just over half of the respondents (54%) were considering practicing, but not in a law firm, 5 candidates or 39% were still undecided and just 1 candidate (8%) was considering private practice.</td>
</tr>
<tr>
<td>Year Two</td>
<td>5 candidates or 42% of respondents are considering practising, but not in a law firm, 5 candidates are considering private practice, and 2 candidates or 17% are undecided.</td>
<td>3 candidates or 43% were considering law practice but outside of a law firm, 2 candidates or 33% were considering private practice and just 1 candidate was still undecided.</td>
</tr>
<tr>
<td>Year Three</td>
<td>6 candidates or 38% of respondents are considering practising, but not in a law firm, 5 candidates are considering private practice and 5 candidates or 31% are undecided.</td>
<td>The majority of the respondents (79%) were considering law practice but outside of a law firm, 2 candidates (14%) were considering private practice and just 1 was still undecided.</td>
</tr>
</tbody>
</table>

Areas of Practice Consideration Pre- and Post-PPD

<table>
<thead>
<tr>
<th>Areas of Practice Pre-PPD</th>
<th>Areas of Practice Post-PPD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year One</td>
<td>The top areas of law that the PPD candidates are considering practising are International Law, Administrative Law and Family Law/Matrimonial Law.</td>
</tr>
<tr>
<td>Year Two</td>
<td>The top areas of law that PPD candidates are considering practising are International Law, Administrative Law and Civil Litigation – Defendant and Civil Litigation – Plaintiff.</td>
</tr>
<tr>
<td>Year Three</td>
<td>The top areas of law that PPD candidates are considering practising are Administrative Law, Criminal/Quasi Criminal Law, Employment/Labour Law, Human Rights/Social Justice Law and Immigration Law.</td>
</tr>
</tbody>
</table>
Location of Practice Consideration Pre- and Post-PPD

<table>
<thead>
<tr>
<th>Year</th>
<th>Location of Practice Pre-PPD</th>
<th>Location of Practice Post-PPD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year One</td>
<td>54% of the respondents (7 candidates) are considering practising in the East. The remaining 46% of the respondents answered that they were undecided about where they were going to practice after becoming licensed.</td>
<td>The vast majority of respondents selected the East for their consideration for practice location. Toronto was the second most selected region.</td>
</tr>
<tr>
<td>Year Two</td>
<td>11 of the 13 candidates are considering practising in the East. The next location most considered is Toronto.</td>
<td>Three respondents selected the East for their consideration for practice location, 2 candidates selected Central South and 2 candidates selected Toronto.</td>
</tr>
<tr>
<td>Year Three</td>
<td>10 candidates are considering practising in the East, 2 in Toronto and 6 are undecided.</td>
<td>The vast majority of respondents selected the East for their consideration for practice location. Northeast was the second most selected region.</td>
</tr>
</tbody>
</table>

4. Choice to Enroll in the PPD

Survey Question: Was the Programme de pratique du droit your first choice for experiential training?

In **Year One**, 5 candidates or 38% of the 13 respondents indicated that the PPD was their first choice for experiential training, and 62% of the respondents told us that the PPD was not their first choice.

In **Year Two**, 50% of the respondents (6 candidates), said that the PPD was their first choice for experiential training and 50% of the respondents told us that the PPD was not their first choice for experiential training.

In **Year Three**, 69% of the respondents (11 candidates) indicated that the PPD was their first choice for experiential training; 5 candidates or 31% of the respondents said it was not their first choice.

Proportionately, the number of PPD candidates indicating that the PPD was their first choice for experiential training has steadily increased over the past 3 years from 38% in Year One to 50% in Year Two to 69% in Year Three.

Survey Question: Why was the Programme de pratique du droit your first choice for experiential training?

In **Year One**, of the respondents that said that the PPD was their first choice for experiential training, all 5 candidates told us why:

1. Better training, greater opportunity to article in my area of interest as well as within a government agency
2. Because I did not know what area of law to practice. I don’t know either if I want to practice the profession of lawyer
3. I completed my bachelor in 2001, and I was worried that it would be difficult to find an articling placement and to find my place in a legal environment
4. When I graduated, I was supposed to continue to manage my private company and the time needed as well as the potential salary for the first year was jeopardizing my quality of family life level. Today, my family is better established, I will be able to reduce my salary a bit. Also, I worry that my age is a negative factor to find an articling placement.

5. The description that was given seemed respond more to my training expectations contrary to an articling placement. Also, the sponsorship of the LSUC reassures me on the quality of the training.

In **Year Two**, of the respondents that said that the PPD was their first choice for experiential training, all six candidates told us why:

1. Personal choice
2. After seeing a presentation by [directors of PPD], the PPD seemed to be the best choice to have a complete, varied and in depth training in all the main fields of law. It is also an opportunity to learn practice management, to network a lot and to build a good network at the beginning of a career.
3. We are certain to have an experience that covers specific areas, determined by the Law Society of Ontario (sic). These areas were certainly selected by senior lawyers who get to see every day the reality of the general public’s legal services needs. This allows new lawyers to be ready to serve the public in general. Specialisation can be pursued at a later date. When articling in a lawyer’s office, we are more or less limited to the articling principal’s areas of practice. Furthermore, in the PPD the training sessions are taught by senior lawyers, each with their own approach, and who are available every day, during all the sessions on the day of training, for the sole purpose of providing experiential training. So they are completely available and give their undivided attention to the PPD candidates. This creates more possibilities for communication and interaction between, on the one hand, the teaching lawyers and the candidates, and on the other hand, amongst the candidates themselves. This creates an enriching triangular debate synergy, the catalyst of which being the presence of all the candidates in one place, each with their own knowledge, and the presence and availability of lawyers dedicated to experiential training. This is what the PPD offers, and that is why I chose it. Thank you.
4. Can gain experience in many areas of law.
5. Training is available in French
6. Licensing Process is simpler, and more opportunities to find our which area of law I would like to practice.

In **Year Three**, all of the respondents that said that the PPD was their first choice for experiential training told us why:

1. I completed a Bachelor of Civil Laws and the Quebec Bar training program (including the exams). Unfortunately, the articling placement did not go well. The law firm did not respect the standards of practice and it was traumatizing and they failed an inspection by the Bar. I quit. As I did not want to risk getting a bad position, I was more comfortable having two institutions on which I could count on if something happened (which I hope will not happen): the University of Ottawa and the Law Society of Upper Canada. Also, having been through only one year of common law (national program) the PPD allows me to get a deeper and more complete feel for common law. Finally, the opportunity to be called to the Bar next year is reassuring instead of
waiting to find an articling placement. I have friends who continue to search and, because of this, do not know when they will be called to the Bar.

2. I could not find a traditional articling position.

3. I want more practical law experience and in different areas. In law schools, there is too much focus on 2-3 hour exams that are worth 100% of the final mark for one course. That is unrealistic and so, it is not practical. The exams do not help better the quality of the French in legal texts written by lawyers.

4. Because of the program that it offers

5. Because the PPD offers training in a variety of areas of the law, including a unit on how to start and manage one’s own practice. The PPD also offers an opportunity for networking and precious mentoring through the instructors and the various events. So, I am assured to get a robust yet flexible training that allows me to move towards the legal career of my choice, while at the same time providing me with a professional support system.

6. Because a traditional articling position is hard to find.

7. I was driven more by the configuration of the program, both a theoretical side which gives an opportunity to review the key principles of various legal fields and a very interesting practical side.

8. Because I think that it will give me more confidence to enter the workforce in the sense that this training will spare me the stress of the first few weeks at a law firm.

9. obtain the necessary knowledge to go into private practice

10. Because it is a very good opportunity and there will be many things to learn. It is a nice experience.

11. 8 month program

Survey Question: Why was the Programme de pratique du droit not your first choice for experiential training?

In Year One, when asked why it was not their first choice, all 8 candidates responded:

1. I would have preferred to get criminal law experience while being paid.
2. Because I thought I had an articling placement, but it did not work out.
3. To get an articling placement was my first choice, but finding nothing after 2 years, the PPD is my only option at this point.
4. I would have preferred a traditional articling placement but I did not manage to get one.
5. I wanted experience in a firm leading to a job
6. I would prefer to article rather than doing the PPD.
7. Not well known
8. I had started to look for an articling placement before the creation of the program

In Year Two, 6 candidates responded when asked why the PPD was not their first choice for experiential training:

1. Because it is not possible to have a job for the first 4 months of the program; hence it is difficult to meet my financial needs because the program is full time. I am even considering withdrawing from the program for that reason. It would be better if the program were in the evening, even if it takes longer than the 4 months in class.
2. Stigmatisation between the PPD and the Articling Program (i.e. only those who are not good enough will pursue articling). Lack of remuneration, and the fact that the PPD reinforces the exclusion of women and minorities.

3. I want a paid articling position, practical, authentic, with the legitimacy that a traditional articling program confers. (my concern with legitimacy comes from my concern that the PPD is perceived negatively by employers, I don’t perceive it negatively)

4. People say that those who do it are the people who did not get an articling program

5. I wanted to possibly article in the private sector or in the government

6. I had doubts about the program, as it is new. I was also wondering whether I was reducing my chances on the job market by choosing this program. Some say certain employers view it negatively.

In Year Three, when asked why it was not their first choice, 5 candidates had this to say:

1. I wish I had articulated for 10 months in an area that interested me.
2. I had no success finding an articling position.
3. I submitted applications to over 200 firms in Ontario to find an articling position for 2016-2017 (Ottawa, Toronto, GTA, Timmins). I found that the profession was very much geared towards who you know and not really towards one’s experiences and skills. It is very demoralising. I quite liked the areas of law that the PPD offered, but the program is still seen as a less glamorous articling position and as second rate. I heard that various students in the PPD cannot find a job after going through the program.
4. 4 months without salary – Plus possibly another 4 months. There is still a stigma about not having been able to find a 10 month articling position. Most lawyers do not really know the PPD.
5. I prefer to learn in a work environment.

Survey Question: Did you search for an articling placement?

In Year One, 88% of the respondents searched for an articling placement for 2014-2015. When asked to tell us about their search, 7 candidates told us the following:

1. I applied only to places I truly wanted to work such as: Crown Attorney Ottawa, Legal Excellence Program, Legal Aid, several small law offices, EDC, Ottawa Police and I was not called for any interview. My JD average is 6.8.
2. A nightmare
3. Lawyers do not want to take articling students, especially now that the PPD has been adopted. Lawyers do not believe they now have a professional responsibility to take articling students because there is now another option.
4. I participated in all the recruitment campaigns. In all, I only managed to obtain an interview that unfortunately did not lead to an articling placement.
5. I asked all my contacts in the industry (lawyers for the government, [name of law firm], intellectual property private firm, my family law professor, and La Source)
6. I applied to many articling positions but unfortunately I got none.
7. Search but did not find
In Year Two, all 6 respondents or 100% of the candidates who answered the question as to whether they searched for an articling placement for 2015-2016 said they did. When asked to tell us about their search, all 6 candidates provided commentary:

1. Looking for an articling position was never easy for candidates who don’t have a father, mother, uncle or aunt in the profession. So competition is worse for people like myself. I made looking for an articling position a full-time job this year. I was calling lawyers’ offices and was even offering them to volunteer for them during the summer just to meet lawyers and network, but without success. My current job is not linked in any way to what I studied for the last 5 years.
2. I took part in all articling positions competitions, without success, I participated in numerous networking sessions, and I did my own research, with little success
3. I looked for 3 years. I applied for more than 40 positions – each personalized, often delivered by hand or sent by mail, as well as on those electronic sites. Until today, I have participated in 13 interviews, without getting a single offer.
4. I was very active in my search but some barriers are, sadly, difficult to bring down
5. Since I followed the national program and I was not yet sure if I was going to go for the Barreau du Quebec or the program, I did not have much time to search for an articling position. I applied to more than 50 articling positions and I had interviews, but no articling position
6. I took part in the selection process in Ottawa. I even looked elsewhere in the province, and in other provinces. I took part in interviews in Hamilton, St. John… but I never received a single offer

In Year Three, 5 respondents or 100% of the candidates who answered the question as to whether they searched for an articling placement for 2016-2017 said they did. When asked to tell us about their search, all 5 candidates provided commentary:

1. What interests me are human rights in the NGO environment. These articling positions, if there are any, are unfortunately not posted anywhere. For articling positions that I was able to find, the competition is very significant.
2. I applied for several jobs but to no avail
3. Since my second year of law school, I applied to over 200 firms in Ontario. I got about 7 interviews in total. That is extremely demoralising. A lawyer offered me an articling position, but he let me know that he could not pay me very much and that my tasks would be akin to that of a secretary. So, I decided to opt for the PPD.
4. Competition for summer positions in Ottawa. Competition for the articling positions in Ottawa and Toronto. Sending more than 150 applications for 1 ½ years. I made cold calls/emails. My contacts tried to find me an articling position. There are also many articling positions for which I could not apply since I am too old… which I find very unjust and discriminatory-but the government allows it.
5. I sent a ton of letters
5. About the Work Placements

Paid or Unpaid

In **Year One**, 14 or 88% of the placements were paid and 2 placements, or 12% of the placements were unpaid. In **Year Two**, all 11 placements or 100% of the placements were paid. In **Year Three**, 17 out of the 21 placements (81%) were paid and 4 placements, or 19% of the placements, were unpaid.

### Location

<table>
<thead>
<tr>
<th>Location</th>
<th>Year One 2014-15 (16 placements)</th>
<th>Year Two 2015-16 (11 placements)</th>
<th>Year Three 2016-17 (21 placements)</th>
</tr>
</thead>
<tbody>
<tr>
<td>East²</td>
<td>13.5 (84%)</td>
<td>10 (91%)</td>
<td>19 (90%)</td>
</tr>
<tr>
<td>Northeast³</td>
<td>2 (13%)</td>
<td>0</td>
<td>1 (5%)</td>
</tr>
<tr>
<td>Toronto</td>
<td>0.5 (3%)</td>
<td>1 (9%)</td>
<td>1 (5%)</td>
</tr>
</tbody>
</table>

### Setting

<table>
<thead>
<tr>
<th>Placement Setting</th>
<th>Year One 2014-15 (16 placements)</th>
<th>Year Two 2015-16 (11 placements)</th>
<th>Year Three 2016-17 (21 placements)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government or public agency</td>
<td>5 (31%)</td>
<td>6 (55%)</td>
<td>12 (57%)</td>
</tr>
<tr>
<td>In-house counsel for a private corporation</td>
<td>0</td>
<td>0</td>
<td>1 (5%)</td>
</tr>
<tr>
<td>Legal clinic</td>
<td>4 (25%)</td>
<td>0</td>
<td>1 (5%)</td>
</tr>
<tr>
<td>Medium Firm (6-199 lawyers)</td>
<td>1 (6%)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Non-governmental organization (NGO)</td>
<td>3 (19%)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other</td>
<td>1 Court (6%) + 1 Union (6%)</td>
<td>1 Not for profit (9%) + 2 Union (18%)</td>
<td>1 Not for profit 1 (5%) + 2 Union (10%)</td>
</tr>
<tr>
<td>Small Firm (2-5 lawyers)</td>
<td>1 (6%)</td>
<td>0</td>
<td>2 (10%)</td>
</tr>
<tr>
<td>Sole Practice</td>
<td>0</td>
<td>1 (9%)</td>
<td>1 (5%)</td>
</tr>
<tr>
<td>Tribunal</td>
<td>0</td>
<td>1 (9%)</td>
<td>1 (5%)</td>
</tr>
</tbody>
</table>

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² East, including Prescott/Russell (L’Orignal/Hawkesbury), Ottawa-Carleton (Ottawa), Renfrew (Pembroke), Stormont/Dundas/Glengarry (Cornwall), Lanark (Perth), Lennox & Addington (Napanee), Frontenac (Kingston), Leeds & Grenville (Brockville), Hastings (Belleville)

³ Northeast, including Cochrane (Timmins), Algoma (Sault Ste. Marie), Sudbury (Sudbury), Temiskaming (Haileybury), Nipissing (North Bay), Parry Sound (Parry Sound)
## Practice Areas

<table>
<thead>
<tr>
<th>Year One</th>
<th>Year Two</th>
<th>Year Three</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014-15</td>
<td>2015-16</td>
<td>2016-17</td>
</tr>
<tr>
<td>(16 placements)</td>
<td>(11 placements)</td>
<td>(21 placements)</td>
</tr>
<tr>
<td>● Administrative Law</td>
<td>● Administrative Law (2)</td>
<td>● Administrative and Transportation Law</td>
</tr>
<tr>
<td>● Administrative Law and Criminal Law (2)</td>
<td>● Civil litigation – plaintiff, Employment and Labour law, Wills and Estates, Military Law</td>
<td>● Administrative Law (2)</td>
</tr>
<tr>
<td>● Administrative Law and Employment Law</td>
<td>● Civil litigation - plaintiff, Commercial Law, Criminal/Quasi-Criminal Law, Employment/Labour Law, Family Law, Immigration Law, Real Estate Law, Wills and Estates</td>
<td>● Administrative Litigation, Access to Information</td>
</tr>
<tr>
<td>● Administrative Law and Environmental Law</td>
<td>● Criminal/Quasi Criminal law and Family Law (2)</td>
<td>● Administrative, family and immigration law</td>
</tr>
<tr>
<td>● Administrative Law and Immigration Law</td>
<td>● Employment and Labour Law (2)</td>
<td>● Administrative, linguistic and constitutional law</td>
</tr>
<tr>
<td>● Civil Litigation – Plaintiff</td>
<td>● Finances, Budget and Government Operations</td>
<td>● Administrative, labour/employment</td>
</tr>
<tr>
<td>● Criminal Law (2)</td>
<td></td>
<td>● Civil litigation - Defendant</td>
</tr>
<tr>
<td>● Tax Law</td>
<td></td>
<td>● Criminal/Quasi Criminal</td>
</tr>
<tr>
<td></td>
<td></td>
<td>● Family Law (4)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>● Criminal/Quasi Criminal</td>
</tr>
<tr>
<td></td>
<td></td>
<td>● Finance Law</td>
</tr>
<tr>
<td></td>
<td></td>
<td>● Finance, Budget and Government Operations</td>
</tr>
<tr>
<td></td>
<td></td>
<td>● Health Law and Research</td>
</tr>
<tr>
<td></td>
<td></td>
<td>● Labour and Employment Law (2)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>● Public Law</td>
</tr>
</tbody>
</table>
Survey Question: Please rate on a scale of 1 to 5 your satisfaction with the following aspects of your Work Placement, with 1 being “least satisfied” and 5 being “most satisfied.”

In **Year One**, the majority of the candidates are satisfied with most aspects of their Work Placement.

<table>
<thead>
<tr>
<th></th>
<th>1 – Least Satisfied</th>
<th>2 – Somewhat Satisfied</th>
<th>3 – Satisfied</th>
<th>4 – Quite Satisfied</th>
<th>5 – Most Satisfied</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Practice Area(s)</td>
<td>0 (0.0%)</td>
<td>1 (7.7%)</td>
<td>4 (30.8%)</td>
<td>2 (15.4%)</td>
<td>6 (46.2%)</td>
<td>13</td>
</tr>
<tr>
<td>Location</td>
<td>2 (15.4%)</td>
<td>0 (0.0%)</td>
<td>3 (23.1%)</td>
<td>1 (7.7%)</td>
<td>7 (53.8%)</td>
<td>13</td>
</tr>
<tr>
<td>Remuneration</td>
<td>3 (23.1%)</td>
<td>1 (7.7%)</td>
<td>5 (38.5%)</td>
<td>1 (7.7%)</td>
<td>3 (23.1%)</td>
<td>13</td>
</tr>
<tr>
<td>Manageability of Work Placement Workload</td>
<td>1 (7.7%)</td>
<td>2 (15.4%)</td>
<td>1 (7.7%)</td>
<td>4 (30.8%)</td>
<td>5 (38.5%)</td>
<td>13</td>
</tr>
</tbody>
</table>

Survey Question: If you have any comments about the Work Placement, please enter them here.

The only response to this question in Year One is listed below:

1. I live in Ottawa, and I had to accept a placement in Toronto; except for the location and the compensation which did not cover my housing expenses, the work and the environment were great.

In **Year Two**, all 6 respondents were very satisfied with all the aspects of their Work Placement except for one candidate who was “Least Satisfied” with *Remuneration*.

<table>
<thead>
<tr>
<th></th>
<th>1 - Least Satisfied</th>
<th>2 - Somewhat Satisfied</th>
<th>3 - Satisfied</th>
<th>4 - Quite Satisfied</th>
<th>5 - Most Satisfied</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Practice Area (s)</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
<td>2 (33.3%)</td>
<td>4 (66.7%)</td>
<td>6</td>
</tr>
<tr>
<td>Location</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
<td>1 (16.7%)</td>
<td>5 (83.3%)</td>
<td>6</td>
</tr>
<tr>
<td>Remuneration</td>
<td>1 (16.7%)</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
<td>1 (16.7%)</td>
<td>4 (66.7%)</td>
<td>6</td>
</tr>
<tr>
<td>Manageability of Work Placement Workload</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
<td>6 (100.0%)</td>
<td>6</td>
</tr>
</tbody>
</table>

No additional comments about Work Placements were received from survey respondents in Year Two.
Summary of input from Year Two Focus Group participants with regard to a search for a Work Placement

- Candidates expressed that they “had none of the usual stress in finding an internship” due to a well-organized system, led by [PPD]:
  - Candidates discussed process, stating that Anne collected information regarding individual preferences and interests, contacted relevant employers, and provided each candidates with a list (5-6 places) of places to apply.
  - Candidates acknowledged that they were in a unique position to have all received paid internships
  - Candidates appreciated that their personal responsibilities were respected when it came to location – “Interview choices were taken into consideration for people ... who couldn’t leave Ottawa.”
- Candidates reported that they were prepared well in advance for hiring process, being told to prepare resumes, fulfilling administrative requirements online, and connecting with colleagues for additional information and resources.

Summary of input from Year Two Focus Group participants with regard to their work placement experience

- Candidates expressed contentment in their respective internships, noting that they continue to gain practical experience across different areas of law:
  - Candidates credit the PPD for preparing them for practical tasks (drafting memos, conducting research, etc.)
  - Candidates felt immersed and engaged with the practicalities of the profession
  - Candidates appreciated the exposure to clients from all socio-economic spheres
- Candidates appreciate that [PPD] was able to find internships that value work-life balance:
  - “This is important because it’s different than traditional articling.”
  - One candidate expressed difficulty with added responsibilities and time management, but valued the chance to work independently

In Year Three, the majority of candidates were “Quite Satisfied” or “Most Satisfied” with these aspects of their Work Placement; however, 3 respondents (25%) were “Least Satisfied” with Remuneration.

<table>
<thead>
<tr>
<th></th>
<th>1 - Least Satisfied</th>
<th>2 - Somewhat Satisfied</th>
<th>3 - Satisfied</th>
<th>4 - Quite Satisfied</th>
<th>5 - Most Satisfied</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Practice Area (s)</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
<td>6 (50%)</td>
<td>6 (50%)</td>
<td>12</td>
</tr>
<tr>
<td>Location</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
<td>1 (8%)</td>
<td>1 (8%)</td>
<td>10 (83%)</td>
<td>12</td>
</tr>
<tr>
<td>Remuneration</td>
<td>3 (25%)</td>
<td>0 (0.0%)</td>
<td>1 (8%)</td>
<td>3 (25%)</td>
<td>5 (42%)</td>
<td>12</td>
</tr>
<tr>
<td>Manageability of Work Placement</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
<td>1 (8%)</td>
<td>5 (42%)</td>
<td>6 (50%)</td>
<td>12</td>
</tr>
</tbody>
</table>

25
Survey Question: If you have any comments about the Work Placement, please enter them here.

We received two additional comments about the Work Placements in Year Three:

1. It is a unique experience. I was able to practise mostly in French, which is very rare. The work environment was perfect, I was paid and my supervisor was very encouraging. In addition, I was offered the opportunity to renew my work placement.

2. I could not get a placement through the PPD since most of the employers were outside of Ottawa (Timmins, Sudbury, Cornwall, Windsor) and the pay was below the minimum wage which does not allow me to pay the rent and to buy food in these areas. That said, I searched for my own placement in Ottawa and I was fortunate to find one.

Summary of input from Year Three Focus Group participants with regard to a search for a Work Placement

- Candidates expressed the system was well organized
- Candidates discussed process, stating that the Director collected information regarding individual preferences and interests, contacted relevant employers, and provided each candidate with a list (10 places) of places to apply:
  "The PPD starts in September. In July, the coordinator asked us to identify our fields of interest. In September, you’re notified about ten locations of practical experience where you could be placed. You have to apply to only these ten locations, even if there are thirty in all. In the beginning, I was a bit frustrated about not being able to apply to all thirty locations ... but with hindsight, I’m very satisfied, and I understand the rationale now. The rationale was to find a placement in my fields of interest and also to be able to find a placement. I didn’t perceive this logic in the beginning, but now I think it’s well thought out."
- Candidates acknowledged that they were in a unique position to have all received paid internships:
  "Some placements are unpaid. That’s not so in my case: I’m lucky enough to be paid. But the problem with legal placements is that some of them are unpaid, and that’s not right. I would have been frustrated if I weren’t paid. »
- Candidates reported that they were prepared well in advance for hiring process, being told to prepare resumes, fulfilling administrative requirements online, and connecting with colleagues for additional information and resources.

Summary of input from Year Three Focus Group participants with regard to their Work Placement experience

- Candidates expressed contentment in their respective internships, noting that they continue to gain practical experience across different areas of law:
  - Candidates credit the PPD for preparing them for practical tasks (drafting memos, conducting research, etc.)
  - Candidates felt immersed and engaged with the practicalities of the profession
  - Candidates appreciated the exposure to clients from all socio-economic spheres and in some cases, outside of the Ottawa area:
    "We were sent outside of Ottawa (for example, we carried out mobile clinics in Sudbury). I believe this is a unique opportunity."
6. Financial Impact

Survey Question: If you have any comments on the financial impact of the PPD on your Licensing, please enter them here.

In Year One, there were 11 answers to this question and they were similar to what was said in the Focus Group. The main impact was the unpaid nature of the Work Placements in many cases and the four months of the Training Course, which is also unpaid. The added notion for this group was voiced by at least one respondent: moving expenses to fulfil the Work Placement assignment. All 11 of the responses to this question are provided next:

1. Very expensive to move for only 4 months
2. I didn’t have a paid internship or a job after my internship. Thus, I had increased expenses during the 8 months of the LLP. In brief, I lost a year’s salary.
3. Personally, I have an unpaid internship, which has caused me more difficulty with respect to my personal expenses (rent, transportation, food, cost of bar exams)
4. Very expensive.
5. The PPD helped me improve my financial situation because my internship was paid.
6. No doubt that this process has left me deeply in debt. A paid internship could help, but ultimately my hope is that if I find work I’ll end up paying off everything
7. The lack of recognition of the PPD with respect to student grants and loans. Problems: risk of increased indebtedness of candidates, financial stress, weaker performance...
8. The financial repercussions were extremely significant for me. I had no salary during the fall and I had difficulty meeting my needs. In addition, although my internship paid a salary, it wasn’t large and could not cover all the expenses related to travelling as part of the internship (which was in another city). I also had significant difficulty during the placement component of the internship. Although I adored my internship, I didn’t have the opportunity to make a choice and, if I had had any input in this decision, I would have made a more financially appealing decision. I had to work part-time at my two other jobs during the PPD training simply to have enough money to cover my rent and certain bills. This completely exhausted me and, I’m certain, impacted my performance during the PPD. That said, we were informed that we wouldn’t be paid during the fall and I had agreed to this in registering for the program. However I think it important to point out the financial difficulties I faced, in the hope that this may change in the years to come.
9. Difficult repercussions. A total of eight months without pay or the possibility of employment at the end.
10. The costs are high. We had to pay for the first 4 months, on top of the cost of the bachelor degree, and in addition I had to accept an internship in Toronto, which added to increasing my debt, because my salary barely covered my accommodation for 4 months. In addition, if I hadn’t been able to write the exams in March, I would have experienced further delay.
11. Was expensive, because the program leaves little room for working and supporting one’s needs.

In Year Two, we received the following commentary from the candidates:

1. Taking on additional debt in order to survive for 5 months without pay.
2. Not possible to earn money during the program, no way to earn an income. Not enough spare time either to hold another job at the same time.
Finally, in **Year Three**, the survey respondents had this to say about the financial impact of the PPD:

1. I had a very well paid internship, I repaid my debts.
2. From a financial point of view, the cost of doing the PPD is actually an obstacle for most students, because at the end of the law studies, generally one already has a significant debt, and immediately one has to find the money not only to pay the fees, but to continue to meet their daily needs. I know the costs are necessary and that the program is expensive for the Law Society, but I wonder what it would be able to negotiate with OSAP so that students who choose the PPD have access to a form of loan to survive the duration of the PPD. For example, I had to use a credit card to pay my PPD expenses and live for the duration of the PPD. Today this is a burden on my shoulders and I think that this is the case for many.
3. The benefits of the PPD to its candidates in terms of access to the licence outweigh the financial implications given the fact that the PPD is the way without which these candidates would not have been able to access the practice of law without incurring any other costs or taking any other or more costly steps than the costs of the PPD.
4. Indebtedness
5. I had to do the training component while I was working which is not easy. On the other hand, my placement is paid. The balance was not perfect, but it is there. As for the licence, the only reason I do not have it yet is that I did not do the exams. I postponed them to November for personal reasons. In fact, I was in the process of buying a home. It would have been impossible for me to focus on it. The PPD did not delay or affect me financially with respect to access to my licence.
6. In my view, the PPD is needed to improve the training of future lawyers despite the financial implications, since the public interest requires skilled lawyers in various areas and I remain uncertain whether the traditional placement could meet this requirement, since the level of the supervision and training of students vary from one firm to another.
7. The 4 months of training without remuneration seems a great obstacle at first but I was able to get there by working more during the previous summer and following a well-defined budget. I am also pleased that the PPD costs are shared by all candidates, whether they are in the PPD or on a traditional articling position, otherwise I would not have been able to participate in the PPD for financial reasons if the costs of the PPD were only assumed by the participating candidates.
8. Honestly, the PPD should be a training course for all law students. This is an indispensable training. I do not think there are any particular financial implications. However, the licensing process is certainly very expensive for a student.
9. It seems that the PPD offers better practical training than the traditional articling program. However, it is desirable not to give up income for a few months. There are many 10 months articling positions that are not remunerated or pay very little money (this is certainly worse than giving up an income for four months). The Law Society could expand the PPD and prohibit the posting of jobs that pay less than the minimum wage to help maintain the economic health of new graduates.
7. Call to the Bar, Hire-Back and Years One and Two Post License Practice Data

In **Year One**, 50% of the respondents (6 candidates) were expecting to be called to the bar in June 2015. Five of the six respondents that indicated they would be called to the bar in June of 2015, reported that had not been hired back at their Work Placement organization. The respondent who indicated that they would be hired back by their Work Placement organization reported they would be working in *Corporate Commercial Law, Tax Law and Wills, Estates and Trusts Law*.

Eight of the 16 candidates in Year One, or 50% of the candidates who completed the PPD were called to the bar in 2015.

In **Year Two**, 67% of the respondents (4 of the 6 candidates) were expecting to be called to the bar in June 2016. One of the four respondents who indicated they would be called to the bar in June of 2016 reported that s/he had been hired back at their Work Placement organization and that s/he would be working in the areas of *Aboriginal Law* and *Environmental Law*.

Four of the 11 candidates (36%) in Year Two who completed the PPD were called to the bar in 2016.

In **Year Three**, 3 of the 12 survey respondents (25%) were expecting to be called to the bar in June 2017. One of the 3 who were expecting to be called to the bar had reported that s/he had been hired back at their Work Placement organization and would be working in the areas of *Administrative Law, Employment/Labour Law, Poverty Law, Human Rights/Social Justice Law and Workplace Safety and Insurance Law*.

Five of the 21 candidates (24%) in Year Three who completed the PPD were called to the bar in June 2017.

**Post-license Data from Lawyers’ Annual Report**

Of the 16 **Year One** candidates who completed the 2014-15 PPD, 8 were licensed in 2015 and 5 (63%) had a practising status in 2015 (paying 100% fees to the Law Society). One lawyer was a *Sole Practitioner*, one a *Partner in a Professional Business*, one a *Legal Clinic Lawyer*, 2 were *Employed – Other*, 2 are *Not in Ontario* and one had a status of *New Licensee* which indicates that s/he had no status on record with the Law Society.

Four of these 8 lawyers are located in *Ottawa-Carleton Regional Municipality*, 2 are in the *Province of Quebec*, 1 is in *Toronto* and 1 is in *Sudbury*. In 2015, the 5 practising lawyers practice in the following areas of law 25% or more of their time: *Corporate/Commercial Law, Family/Matrimonial Law, Immigration Law, Tax Law and Wills, Estates, Trusts Law*.

Of the 11 **Year Two** candidates who completed the 2015-16 PPD, 4 were licensed in 2016 and all are Sole Practitioners in Ontario. Two of these lawyers are located in the *East Region*, 1 in *Central South* and 1 in *Toronto*. In 2016, these 4 practising lawyers practice in the following areas of law 25% or more of their time: *Administrative Law, Criminal/Quasi Criminal Law and Family/Matrimonial Law*. 
Data Collected from Practising Lawyers who completed the PPD

A total of 3 lawyers who completed the PPD responded to the New Lawyer Survey in both Year One and Year Two. Two lawyers, or 40% of the targeted group, responded from the Year One cohort; and 1 lawyer (25%) responded from the Year Two cohort. Below is the data collected from these 3 lawyers about their perceptions of the PPD now that they are practising law.

The 2 Year One lawyers are both practising law, but not in a law firm, and this is the type of practice they were considering. One is practising in a Government or Public Agency and one is practising in a Legal Clinic. They are both practising in the areas of law that they were considering: Administrative Law, Human Rights/Social Justice Law, Language Rights Law and Poverty Law. One is located in the Northeast and one is located in the East; one of the lawyers is working in their location of choice and one is not.

The single Year Two lawyer who responded to the survey is in Private Practice working as a Sole Practitioner and this is the type of practice s/he was considering. S/he is also practising in the areas of law that s/he was considering: Civil Litigation—Defendant, Criminal/Quasi Criminal, Immigration Law and Language Rights Law. The lawyer is located in the Central East and this is the location in which s/he was considering practising.

Other information collected from the 3 lawyers in both Year One and Year Two is as follows:

- None of the lawyers were hired back at their Work Placement Organization
- Two lawyers got their “first or second choice” of jobs and 1 did not
- All lawyers indicated that the PPD was “of great value”
- When asked, the strengths they listed when practising law were: negotiation, analysis, providing advice, attention to detail, organization and research and legal drafting
- When asked, the challenges they experience when practising were: his/her sensitivity, impatience with bureaucracy and their time management system
- They told us that the most valuable aspects of the PPD were: file management, working in a simulated firm, and working with forms and courts procedures, the practical knowledge that I received and the excellence in the way to convey them, the chance to have outstanding professors who inspired us to pursue our professional aspirations with their exceptional knowledge and competence in law
- They told us that the least valuable aspects of the PPD were: very few discussions on the extrajudicial conflict resolution, one suggested to put less emphasis on searching titles. One of the lawyers said everything was relevant.
- Other comments from the practising lawyers who completed the PPD:
  - There were some inconsistencies in the way the coordinator of activities worked, s/he established deadlines and changed them at will, while participants could not request changes, while in reality we can request deadline extension to the courts with valid reasons or to try to come to an amicable agreement and avoid litigation.
  - It is an excellent program that I would recommend to all future candidates. I learned a lot. The teaching team is outstanding.
  - The PPD is a comprehensive training that prepares adequately for entry into legal practice. The PPD allows candidates to become independent and resourceful lawyers.
Survey Question: With 1 being “not relevant” to 5 being “highly relevant,” please rate on a scale of 1 to 5 how relevant this skill learned during the PPD is to your current practising activities.

- Ethics and Professional Responsibility
- Interviewing
- Fact Investigation and Legal Research
- Drafting and Legal Writing
- Planning and Advising
- File and Practice Management
- Negotiation
- Advocacy
- Transactional/Advisory Matters
- Use of Law Firm/Legal Practice Management Systems

All 3 lawyers rated all the competencies as being “Relevant”, “Very Relevant” or “Highly Relevant”. The competencies that were rated “Relevant” are Ethics and Professional Responsibility, Interviewing, File and Practice Management and Negotiation. The others were rated “Very Relevant” or “Highly Relevant”. Only Use of Law Firm/Legal Practice Management Systems was rated by all the lawyers as being “Highly Relevant”.

Survey Question: With 1 being “not relevant” to 5 being “highly relevant,” please rate on a scale of 1 to 5 how relevant this skill learned during the PPD is to your current practising activities.

- Interview a Client
- Draft a Legal Opinion
- Represent a Client in an Appearance or Through Some Form of Alternative Dispute Resolution or Settlement Process
- Professional Responsibility Assessment
- Use of Law Firm/Legal Practice Management Systems

When asked to rate the relevancy of the Performance Appraisal Competencies above, all were rated as being “Very Relevant” or “Highly Relevant” by all lawyers except for Professional Responsibility Assessment, which one lawyer rated as “Relevant”.

8. Value of the Programme de pratique du droit

Perceptions of Value Before Starting the PPD

Survey Question: On a scale of 1 to 5, with 1 being "of little value" and 5 being "of great value," rate how valuable you anticipate the Programme de pratique du droit will be in your preparation for entry-level practice.

In Year One, about 7 out of 10 (69%) said that they anticipate that the PPD will be “of good” or “of great” value in their preparation for entry-level practice. When asked to provide any other comments about their decision to enroll in the PPD, 10 candidates provided the following commentary:
1. I am certain the team of reputable practitioners will offer an excellent training. Moreover, I consider opening my [own] office and I believe the exposure to the main areas of law together with knowledge about managing the practice is a valuable gain.

2. I am very motivated to complete this program.

3. I did not have another choice because I was not able to find an articling placement and I graduated already 2 years ago.

4. The program will allow me to find by way

5. Simulated preparation to get back in the legal milieu as well as help in finding a placement

6. Even if the traditional articling was my first choice, the PPD is of as great a value for my preparation and constitutes an initiative highly helpful especially in case of despair.

7. At this stage, I prefer the certainty of the PPD instead of continue to look for a position which could never come

8. Since I did not find an articling placement, the PPD is the only option that is left to complete the articling requirement.

9. I am not sure of the value of the Program, it has not started yet, so we only have some information, I hope that the PPD will facilitate the access to a paid placement, and the possibility to determine more specifically the area in which I want to work. Also, I think that the PPD will help me prepare for the bar exams.

10. The content seems very complete to prepare future practitioners.

In Year Two, three-quarters of the respondents or 75%, said that they anticipate that the PPD will be “of good” or “of great” value in their preparation for entry-level practice. Seven candidates provided the following commentary about their decision to enroll in the PPD:

1. The program is a good solution for people who were not able to find an articling position, but it is not ideal for people who do not have financial support. I requested assistance from the Law Society, but it was rejected, so not working for this whole period is a little difficult

2. For total lack of other options. The French program seems very well designed, but for reasons given above, the PPD is more of a last resort that I did not really want

3. Very convenient for recent immigrants. Excellent alternative when having difficulties fulfilling articling requirements.

4. I am very happy this option is available. It is easier to ask employers to hire you for 4 months rather than for 10 months

5. It was a choice by default and I am waiting to see what it can offer me

6. It was a good alternative and it offers complete training

7. By choosing to go with this program, I freed myself from the stress of not being able to find an articling position. Now I want to move forward with the Licensing Process

In Year Three, almost all of the respondents (94%) said that they anticipate that the PPD will be “of good” or “of great” value in their preparation for entry-level practice. Thirteen candidates provided the following commentary about their decision to enroll in the PPD:

1. First of all, I would like to point out that many people advised me against enrolling. Many lawyers in private practice (met at cocktails) have said that firms are hesitant about hiring someone that they see as having been “incapable of completing / finding” a real articling position. Lawyers from the government seemed more open. Being a student of the national program at the University of Ottawa, I was told that I would be doubly handicapped: PPD and 1
year of studying law. I do not regret my decision. However, it is undeniable that there are many biases against the PPD. I read the information on the program and it is a very enriching and unique experience. Such a training as basic training would not be a bad thing for lawyers. I went through the Bar admission course, the 8 month training, and the PPD seems far more well-rounded. Also, I know what an articling position is and I know that you are confronted to the job without necessarily being supervised. In my eyes, the PPD looks like a tutorial on the legal practice in Ontario. I consider that I made a smart choice. Even if the PPD is a less recognized path, I don’t doubt that it is a path through which one can obtain more skills than a single 10 month articling position.

2. I believe that the PPD will prepare the candidates well for their entry into the profession. I can only hope that it will be adapted enough to my professional interests.

3. I want to be very well prepared to practice law.

4. The PPD seems to fill in the gaps in the curriculums of law schools, and in a better way than the traditional articling positions at that. The PPD has a more holistic approach.

5. I listened to the podcast and took the guided tour. I was impressed, so I chose the PPD.

6. I had exhausted all other articling resources.

7. The training is good according to certain PPD graduates. I do not want to wait to see if I can find an articling position in a year. I prefer to do the PPD than to do an unpaid 10 month articling like I was offered.

8. I was impressed by the quality and the high standards of the training.

9. I wanted an experience that would give me more than simply doing research, but that would really teach me how to apply the law to allow me to start my own practice, while also having mentors and a network ready to support me in my efforts.

10. First of all, the training component is stimulating, then, with the PPD, there are many possibilities to find an articling position and finally, we are better equipped in a legal sense before we enter the profession itself.

11. While I was studying law, I paid close attention to the processes by which articling students were hired, I come to the conclusion that this way of doing things was vitiated. While putting an excessive pressure on the students, the race for articling positions makes them waste an inordinate amount of time. Furthermore, most firms only practice in one or two areas of the law. This robs the articling student of the opportunity to get a closer look at different areas of practice. Furthermore, relying on the testimony of those who went through a traditional articling position, I noticed that, despite a firm’s performance, the training that it gives is not necessarily the best and that is for several reasons: Lack of time, lack of resources... That is how I came to ask myself if there was not another path to the profession. So, I did a little research on the Programme de pratique du droit and I realized that it was exactly what suited me. My decision was mostly motivated by the fact that the program gives an opportunity to explore all the practice options.

12. I think that it is a “can’t miss” practical experience. The PPD seems to be a program that will help me a lot along my next steps with the Law.

13. Useful program
Perceptions of Value After the PPD

Survey Question: On a scale of 1 to 5, with 1 being "of little value" and 5 being "of great value," rate how valuable you found the Programme de pratique du droit will be in your preparation for entry-level practice.

In Year One, three out of four respondents (75%) reported that they found the Programme de pratique du droit to be “of great value”. When asked to tell us about the most valuable aspect of the PPD and how this aspect may be improved upon, if necessary, 11 candidates responded:

1. The quality and the nature of the assignments and exercises
2. The training portion: it was complete! I learned more during those 4 months than during my 4 month placement. The practitioner-trainers were involved in the teaching. The PPD team in Ottawa invested itself a lot in our success. We did good networking. The Francophone legal community was interested by our development and the PPD. I can affirm that the Ottawa PPD is a success.
3. Correction of assignments should be returned to students within a reasonable amount of time, to allow them to identify their mistakes as quickly as possible and correct them during the reattempts.
4. Practice/French precedent.
5. Expose the candidates to all the major areas of law.
6. The most useful aspect is applying the theoretical concepts learned at the faculty. This aspect would be improved by always ensuring that the best practitioners are responsible for training the candidates. The other aspect is contact with the community of practitioners.
7. Being instructed on a variety of areas of law during the training portion. The public law module should involve the participation of practitioners in the public sector (e.g. the federal government).
8. Very useful to receive instruction in various areas of law; the exercises and activities prepare us well for legal practice in general and prepare us well for commencing our internships.
9. Practice management
10. The in-class presentations and the practical assignments were very helpful; improve feedback, which is too slow and sometimes not sufficiently specific.
11. Various modules. Practitioner-instructors should correct the exercises more quickly in order to allow the interns to improve more quickly. My experience is that I repeated the same errors over and over again, due to the fact that it took a long time to grade my preliminary exercises.

When asked to tell us about the least valuable aspect of the PPD and how this aspect may be improved upon, 10 candidates responded and the answers to this question that were on various different aspects of the program:

1. The commercial law module was too short and we didn’t learn anything
2. The internship: we had to have internship for December. We had to accept the first offer even if it wasn’t what we hoped for. The employers we contacted did not respect the timing of the offer, so some of my colleagues had to cancel an interview or opportunity they wanted because they had to accept the first offer from an employer they didn’t want to work for. This is a drawback, because our chances of networking or long-term employment are nil to nonexistent.
3. Some presentations, particularly in the area of public law, were not very useful because certain lawyers who were chosen approached the theoretical aspects of administrative law without explaining or connecting them with the practical aspects. (The process of judicial review, for example). In terms of family law, the lawyers merely sent us some documents without taking the time to explain in person the relevance of the featured clauses. Feedback from practitioner-instructors arrived two months after the work was completed. This caused a backlog, because we found ourselves with several revisions at the same time. In addition, if corrected material were returned in a reasonable time, this would allow students to recall and learn quickly while the ideas are still fresh.

4. No English language precedent or practical experience before the internship.

5. Everything seemed useful


7. More details about the policies of the program were needed “before” starting it, particularly with respect to internships. A specific policy should be imposed on employers (e.g. they can only offer a position after the interview process). The matching process was not fair for everyone.

8. The internship. It would be ideal to establish a deadline for applying, interviews, and recruitment.

9. The person who makes the academic evaluation should be trained in andragogy: we’re adults. Open up the timetable so that candidates can take the Bar exams during this time. The learning process during this time was very useful to me with respect to the exams, but I could only take them in March, without any flexibility because of my internship. Because Ottawa only schedules the swearing-in once a year, if we miss the ceremony in June, we have to wait another year or go to Toronto and the coordination and costs become onerous.

10. Everything was useful, because everything was oriented towards practice.

Summary of input from Year One Focus Group participants with regard to value of the PPD

- Candidates say that program provided practicality and authenticity; it enabled candidates a way to be able to apply content learned in a real and practical setting.
- Value seen in candidates being able to practice skills gained in the workplace settings.
- Value seen in the PPD for helping prepare candidates for barrister and solicitor exams.
- Value seen in the program being able to provide opportunities for candidates to network with higher level lawyers as mentors to which you could pose your questions too.
- Value seen in networking, and in simulating real workplace settings of practice
- Modules highlight avenues of how to open a firm post call (valuable advice)
- Program provides value in helping prep candidates for the bar exam.
- Comprehensive coverage in the training period; instills confidence in being able to practice in practice areas
  - 7 modules provide well need exposure for candidates; Candidates feel better equipped to handle the job.
- Distinctions between the French and English: French program was better and more efficient in providing feedback to candidates.
- Candidates see value in francophone access to French justice; however, they suggest more effort on the part of the program PPD needs to be done to increase access to justice initiatives in the French speaking communities.
Summary of input from Year One Focus Group participants with regard to low value of the PPD

- There is a need for more content covering the public sector; the program is mostly centralized on the private sector (highly valuable for those candidates who want to specialize in the private, but the program needs to address those who want the public.
- Work placements are centralized in Toronto, and not all candidates want to go to Toronto, or can afford to travel and live in Toronto.
- More attention needs to be put into recruiting positions serve the interests of the French Speaking communities; also more attention should be put into the refinement of legal documents and oral advocacy in grammatically correct French.

Summary of input from Year One Focus Group participants with regard to meeting expectations

- Exceeds expectations: practicality, coverage, helped to prep candidates when applying their knowledge and skills in the work placement.
- Candidates felt they were better prepped in terms of professional development (resumes, and cover letters) when ready to look for job placements.

In Year Two, 85% of the respondents (5 candidates) reported that they found the Programme de pratique du droit to be “of good value” (17%) “or “of great value” (67%).

When asked to tell us about the most valuable aspect of the PPD and how this aspect may be improved upon, if necessary, 5 candidates commented:

1. The “in-person” aspect and the active simulation of the program. Having an office, talking with colleagues, meeting clients and going on visits (Courts, detention centre, Wabano Centre) bring the practice of law to life.
2. Group work
3. Becoming more familiar with the tools in each area (forms, software, etc.) and the things to consider.
4. Meeting with clients, being able to see the practical aspects of the law.
5. The most useful aspect is having the practical aspects of seven different areas of law and learning how to run a law office, something we did not get to see during our studies.

When asked to tell us about the least valuable aspect of the PPD and how this aspect may be improved upon, 4 candidates responded:

1. PowerPoints
2. More opportunities to work with different groups, instead of the same people.
3. Repeating certain tasks, lack of coordination between placement principals and practising trainers.
4. The commercial law module could be improved, it lacked substance and practical elements.
Summary of input from Year Two Focus Group participants with regard to value of the PPD

- Candidates found value in the multidisciplinary aspect of the program as a means to explore career options: “Many of us are not certain about which area to specialize in; thus it allows us to observe the practical application rather than just theory.”
- Candidates valued the practicality of the program in preparing them for career development:
  - Candidates agree that the program has instilled a sense of autonomy and responsibility, which translates into increased confidence when formulating legal opinions and interacting with clients.
- Candidates appreciated the quality of the network available to them:
  - “The resources we have access to, the things we discovered, the community, and the contacts are all irreplaceable.”
  - Feel that they are integrated within the legal community
  - Value the support and advice that colleagues and lawyers offer – provides a comprehensive perspective of the profession.
- Candidates found value in exposure to unique learning opportunities:
  - Visiting a detention center – “Changed my perception of the criminal system, of the justice system, and the role of the defense lawyer, how the system should be reformed … it was an experience I would never have had if it weren’t for the PPD.”
- Candidates valued the accommodations made by the PPD to cater to the unique characteristics of the Franco-Ontarian legal community.

Summary of input from Year Two Focus Group participants with regard to low value of the PPD

- Although candidates were generally pleased with job search process, they expressed discontent at the [perceived] LSUC policy of “first offer” acceptance.
  - Suggestion made that LSUC should design a system in which all offers are made at the same time, to ensure optimal experience for each candidates.
- Candidates voiced concerns regarding public perception of the program: “Because it’s different, people think that it’s less valuable.”
- Regarding accessibility of the program: candidates appreciated that the program required them to be physically present, but acknowledged that this was an obstacle for other candidates who have since dropped out of the program.

Summary of input from Year Two Focus Group participants with regard to meeting expectations

- Candidates agree that the program has met initial expectations:
  - “The Programme de pratique du droit has been a lot more difficult and demanding than I expected – but that’s good, that reassures me that I’m capable of being a lawyer.”
- Candidates felt prepared for both public and private areas of law, noting that their experience has been different from those within the English LPP cohort:
  - Candidates attribute their enhanced experience to the approach of being there physically, whereas the English LPP involves virtual learning.
- Candidates reported that they feel more confident in their career development, in terms of exposure to opportunities and choosing a specific practice area
• Suggestion made to spend more time on developing a heightened awareness of mental health as it pertains to client interactions.

In Year Three, 8 respondents reported that they found the PPD to be “of great value,” which represents 67% of respondents. The remaining 4 respondents rated the PPD to be “of good value”.

When asked to tell us about the most valuable aspect of the PPD and how this aspect may be improved upon, if necessary, 11 candidates responded:

1. I had a very good work placement.
2. Incorporate the pre-bar examination success requirement before completing the PPD.
3. The most important part of the PPD is the fact that it put us in touch with experienced lawyers from the legal community. This gave us a clearer idea of the practice of law and allowed us to gain more confidence in ourselves, knowing that we have a network ready to support us in our future practice.
4. Training for work placements and the work placements. Allow more time for assignments and make feedback a priority to help candidates to improve.
5. How to find a work placement.
6. The link with the community. We had networking, not only within the legal community, but also within the broader community. I am referring to AJEFO, but also to the representatives of the various organizations we met. It would be interesting if we could also be offered something in return for our experience. A bit like the trip to Sudbury that provided free legal information. In fact, it would be interesting if there were more opportunities in that way. It is not a critic of the PPD, on the contrary it is an exceptional program full of unique opportunities.
7. The most useful aspect of the PPD was to highlight the importance of technology in the legal profession as well as the tasks we performed during our training such as preparing a motion file, interviewing clients, managing client files, using tools such as Clio to manage clients’ files, advocating in criminal and family law, preparing a will, billing the client, and get feedback from several assessors in various areas.
8. Training in several areas of law allowing us to probe our interests and develop confidence in our legal skills and abilities.
9. Help reduce the stigma associated with PPD.
10. Meetings with clients. It would be nice to have more instructions before meeting the client and to have more consistency in this type of evaluation by multiple assessors.
11. Very simply, it is very practical.

When asked to tell us about the least valuable aspect of the PPD and how this aspect may be improved upon, 10 candidates responded:

1. The instructions were often unclear and it was impossible to ask questions.
2. Reports or entries during the work placement.
3. We were very stressed with deadlines that I did not find relevant, because if we had a little more time we would have handed out assignments of much better quality.
4. Accessibility to the program.
5. The evaluation grids were very complex and time-consuming. It would be practical if they could be simplified.
6. Commercial law - change the instructor
7. The training in commercial law was short and less useful since it did not reflect practical experience. It is necessary to include the training in fiscal law since it constitutes one of the main fields of law today.
8. Provide more training on billing.
9. Preparation of invoices. More information about billing at the beginning of the PPD.
10. The need to redo assignments because we followed the models of the practising-instructors.

Summary of input from Year Three Focus Group participants with regard to value of the PPD

- Candidates found value in the multidisciplinary aspect of the program as a means to explore career options: “With a traditional articling placement, there’s an emphasis on one specific field, whereas we’re exposed to everything in the PPD. That’s really important to have as part of basic training.”
- Candidates valued the practicality of the program in preparing them for career development:
  - Candidates agree that the program has instilled a sense of autonomy and responsibility, which translates into increased confidence when formulating legal opinions and interacting with clients.
- Candidates appreciated the quality of the network available to them:
  - “We also have the ability to learn from our colleagues and to come into contact with areas we didn’t know about. It’s not an exchange program, and we’re not second-class citizens: it’s a different experience adapted to the needs of the candidates. It’s an approach that should be explored more and more to offer alternative ways of working with law.”
  - Feel that they are integrated within the legal community
  - Value the support and advice that colleagues and lawyers offer – provides a comprehensive perspective of the profession.
  - They felt the PPD impacted access to justice in a positive manner: “We talk a lot about access to justice; this program gave us that access.”
- Candidates found value in exposure to unique learning opportunities:
  - “What I wanted was access to legal work where I could work with the most vulnerable people and communities. And my current placement is focused on that. It has allowed me to acquire the experience I wanted. I’m really happy. Someone who does a traditional articling placement doesn’t have access to poverty, immigration, refugees, all these conditions, and is not going to have clients from a shelter.... It’s a different type of placement.”
- Candidates valued the accommodations made by the PPD to cater to the unique characteristics of the Franco-Ontarian legal community.
  - “With respect to language: the PPD instructs in French. We’re taught to work and practise in French. That’s very important for the French-speaking community in Ontario.”

Summary of input from Year Three Focus Group participants with regard to meeting expectations

- Candidates agree that the program has met initial expectations: “We’re satisfied, and the program has even surpassed our expectations (particularly with respect to what we had heard on traditional articles). [All the participants nod in agreement]. And because it’s new, it’s wasn’t something we were familiar with. “
- Candidates felt prepared for both public and private areas of law, and for practice in French:
“It’s very important to continue to offer this program to gradually build and support practices that operate in French. We learned nearly everything in French. Why not continue to practise in French? “
“It gives us a vocabulary resource to practise in French. “

- Candidates reported that they feel more confident in their career development, in terms of exposure to opportunities and choosing a specific practice area

9. Describe how the PPD addresses the special needs and characteristics of the Franco-Ontarian legal community.

In Year One, there were 11 responses to this question.

1. Improve access to justice in the French language for all francophones, no matter their geographic region
2. We networked within the community. We understand the importance of creating tools for working in French because they are nonexistent. We understand what is involved for lawyers offering French language services. But because such lawyers are few, when we intern with a lawyer who is unilingual in English, it is difficult to offer services in French.
3. We raised the issue that this program should embrace the diversity of the Franco-Ontarian legal community. The more inclusive the program, from the perspective of its directors, the more it serves the diverse interests of the Community. Though I may be Canadian, I would like to see some minority practitioners among our instructors.
4. The program is very focused on the Francophonie but it doesn't take into account the anglophone reality of legal practice.
5. By drawing attention to the current needs of the francophone community.
6. Access to justice for Franco-Ontarians depends of the availability of lawyers capable of serving them in the language of their choice. An additional effort could be made to attract candidates from francophone communities so that they understand the realities of working in the field.
7. Increased awareness is important in this respect.
8. We are trained to practice in French. In addition we are exposed to the needs/realities of the francophone community and I believe that this exposure will certainly be an advantage for us throughout our career.
9. Networking in the community
10. All the practitioners-instructors practice in French and English, so we have benefited from their experience in needing to work in both languages, and thus like theirs our reality is having to correspond using documents in English and then translating into French. Because my internship was in Toronto, I benefited from having studied and practiced in French during the September-December program, and then in English from January to April, and I could assist equally with witnesses and testimonies in French and with French terminology.
11. The promotion of French and informing defendants about their right to have legal services in French.

In Year Two, 5 candidates responded:

1. We understand the importance of services in French and of giving good advice and using the tools available (Ajefo, jurisource...)
2. Francophiles
3. Meeting organisations and people who are involved in the area. Knowing who to turn to for collaboration.
4. Through the conferences in which we had to participate, and having to advise clients of their right to receive legal services in French, at every meeting.
5. A lot of effort was put into raising awareness about the need to serve the Francophone community. A great number of activities and guest speakers, to stress the importance providing legal services in French.

In Year Three, there were 11 responses to this question.

1. We do everything in French and we are trained on language rights.
2. The program accompanies French-speaking jurists and takes into account people from different cultural communities. Supervisors and teachers come from francophone communities. The first working language is French although the language requirements when hiring trainees are sometimes essential criteria for employers.
3. In my opinion, the sole fact that the PPD offers this practical training completely in French is already a great advantage for the Franco-Ontarian population. Candidates from the PPD will be better able to offer quality service to their French-speaking clients. In addition, the vast majority of placements were in the Franco-Ontarian community throughout the province. As a result, we are more aware of the challenges faced by this population.
4. Through its large number of Francophone candidates, the PPD is the next generation of competent lawyers capable of offering quality legal services to a French-speaking community in the province, in the French language.
5. The PPD is a school of law practice in French.
6. The PPD offered me a francophone background which includes, knowledge, models and vocabulary in French. In everyday practice, we lack resources in French. The PPD has made it possible to compensate a little for this. 2) Contact with the Franco-Ontarian community. Before the PPD, I had not been able to see the immense needs of the community. We met with several representatives/stakeholders. This created a concern for me to always keep a bilingual practice in optics. 3) Unfortunately, it is difficult to access the profession as a Francophone.
7. The majority of the assignments are written in French to better serve the Francophone community and to better understand the needs of this community. As well, we have received training in linguistic law and we have drafted a business plan in French. The candidates were given the opportunity to provide legal information in French to the Francophone community in Sudbury under the supervision of French-speaking lawyers. Similarly, we welcomed lawyers from the francophone community, and all client interviews were conducted in French.
8. The PPD takes into account the reality of Franco-Ontarians throughout the program. Candidates are made aware of the importance of providing quality legal services in French and are trained to offer these legal services in quality French.
9. The promotion and presence of the PPD at events that promote the Franco-Ontarian legal community.
10. There are very few placements available in a francophone working environment (there are essentially a few places with the federal government, the provincial government and a few firms in Ottawa). The PPD allows Francophones to have a hands-on training in French, which encourages candidates to offer legal services in French after they are called.

11. Learning to work for Francophone clients is very important, because communication is facilitated.
Acknowledgements

This year, the Programme de pratique du droit welcomed a record number of candidates. Indeed, we started the year 2016-17 with twice the number of candidates as last year.

Our challenge in welcoming such a great number of candidates was a success thanks to the hard work of our many partners. As in past years, each 2016-17 candidate was warmly welcomed by our practising trainers, our mentors, our principals and our employers. We thank you once again for your generously giving of yourself to this project.

We thank especially our candidates for 2016-2017 for their dedication to success. All their efforts were well worth the final outcome: your success.
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I. MESSAGE FROM THE ADVISORY COMMITTEE

As the Law Society Pathways pilot project is soon coming to an end, the advisory committee established new specific goals for the year 2017-2018 in order to measure concretely the success of the Programme de pratique du droit (“PPD”) after its three years of existence.

Firstly, the committee asked the direction of the PPD to strive to recruit a record number of candidates. Based on the first two years of activity, the committee and the PPD team set a goal of recruiting 20 candidates for the year 2016-2017. The team was happy to greet 25 candidates in the PPD in September 2016. The important growth in the number of registrations to the PPD speaks to the reputation that the PPD has acquired in the francophone legal community in general, and the student population in particular.

Secondly, the advisory committee wanted to concretely implement the additional mandate of the PPD which is to promote access to justice. It is in this unique perspective that the Clinique mobile à Sudbury was created. Organized in collaboration with the Legal Information centre in Ottawa with the support of the Ontario Legal Aid regional office in Sudbury and the local legal community clinic, the activity aimed to help the candidates to acquire experience in the law business and to develop a desire to serve litigants outside urban centres. Together, eleven candidates participated in the initiative that allowed over 75 litigants to receive legal information in French and in English. You can learn more about it on the Mobile Clinic in this report.

The Mobile Clinic in Sudbury symbolizes the values of the PPD. Like the PPD, the Mobile Clinic is based on the three pillars for responding adequately to the needs of the Franco-Ontarian community: accountability to the community; promotion of linguistic rights; and community engagement. Acknowledging the importance of respecting the principle of linguistic duality, these values will continue to be the common thread in the training offered by the PPD in the next two years and, we hope, the legacy of the PPD in the decision process of the Law Society for all their future projects.

Mr. Ronald F. Caza
President of the PPD Advisory Committee
II. OVERVIEW

a) Team

i. Staff
The PPD staff is composed of two lawyers, one jurist, and a paralegal, all French speaking, who are responsible for the daily operations of the training component and the placement component in consultation with the Law Society of Upper Canada and the assistance of the members of the advisory committee. In February 2017, Ms. Lise Rivet left the PPD. The PPD is happy to have recruited Ms. Christiane Saad, former candidate and project manager for the PPD, to take over the responsibilities for the training component. Ms. Saad started in February 2017.

ii. Advisory Committee
An advisory committee – composed of lawyers, judges, and law professors – has been created. The committee is charged with helping practising trainers design and develop courses, in addition to contributing to the PPD’s community outreach program.

Photo: Members of the PPD advisory committee meet in person once a year to strategically plan the year. The meeting for 2016-2017 was held on April 23, 2016.
The committee is composed of the following members:

1) Professor Louise Bélanger-Hardy (professor in the French Common Law Program in the Faculty of Law – Common Law Section);
2) Mr. Ronald Caza (partner at Caza Saikaley);
3) Madam Justice Célyne Dorval (judge in the Ontario Court of Justice and expert in Criminal Law);
4) Mr. Louis Filion (lawyer in commercial, real estate, and estate law);
5) Ms. Josée Forest-Niesing (lawyer in Estate Law, Real Estate Law, and Family Law; former judge in the Small Claims Court, member of the Honour Society of the University of Ottawa Law School, Northern rep.);
6) Ms. Laurie Joe (judge in the Small Claims Court and lawyer in the West End Legal Services of Ottawa);
7) Ms. Amélie Lavictoire (executive legal counsel and director of the law clerk program at the Federal court of appeal and formerly chair of the Official Languages Committee of the Ontario Bar Association);
8) Ms. Andrée-Anne Martel (Director of the Association of French Speaking Jurists in Ontario (AJEFO));
9) Professor Peter Oliver (professor in the French Common Law Program in the Faculty of Law – Common Law Section); and
10) Ms. Brigitte Pilon (lawyer with Stewarts and Lawyers, instructor in the French Common Law Program and trainer at the PPD);

The advisory committee met twice a year by phone and once a year in person. Also, we regularly communicated with the members to keep them informed about PPD topics and to obtain their advice if needed.

### iii. Practising Trainers

An extensive selection process was designed to allow us to identify practising lawyers most suited to designing and teaching the courses at the PPD. An ad hoc committee, composed of French Common Law professors and a representative of AJEFO, was established to draw up a shortlist of names for each module of the PPD. Lawyers were chosen according to the following criteria:

1) Expertise in their respective areas of law;
2) A solid reputation for professionalism and integrity within the legal community;
3) Language mastery;
4) Engagement and participation within the francophone community;
5) Experience in teaching or in professional legal training;
6) Engagement in promoting access to justice in the French language.

“...We can see clearly that [Mr. Escayola] takes teaching to heart. We loved his sense of humour and his assistance. [He is one] excellent lawyer-practising trainer.”
iv. Supervising Lawyers

The PPD added three supervising lawyers to its team for the 2016 training component. This year, because of the large number of candidates, we have recruited an extra person to facilitate a fourth working group.

Their role was to moderate work groups every other week with the candidates. The goal of those small groups was to closely follow the candidates’ progress and give them more individualized feedback on legal drafting, practice management, and file management. Also, the discussion groups were used as a forum to discuss and share on issues relating to the professional obligations of a lawyer.

“Ms. Skinner was always prepared, civil and ready to answer our questions. She gave us good feedback and even took time to write a note to each of us to remind us that each one has their own assets.”

–PPD Candidate
b) Promotion of the PPD with the student population

In order to be better known by the students, in 2016-2017, we participated in the following events to promote the PPD:

- The Law School Career Fair;
- A door open at the PPD in March 2017;
- The AJEFO conference in 2017;
- Meetings with the career services of McGill University, University of Montréal and University of Sherbrooke.

In order to give law students an overview of the training offered by the PPD, we also sponsored a practical activity in the administrative law course at the Law School of the University of Ottawa. In that activity, second and third-year students were asked to meet a fictitious client, identify her legal issues and offer her advice on a judicial review request. Three former candidates of the PPD participated in the activity as actors and spoke with the students of the experience in the PPD.
c) Promotion of the PPD with the legal community

To make ourselves better known in the legal community, in 2016-2017, we participated in the following events to promote the PPD:

- Annual training sessions of legal clinics in the North and the east of Ontario;
- Annual conference of the County of Carleton Law Association (family law and prosecution sections);
- Round table of Ottawa employers (organized by the Law School, common law section); and
- Annual colloquium of the County of Sudbury Law Association.

Also, the PPD was once again honoured at the AJEFO annual conference in 2016. The director of the PPD presented an update on the program at a panel. Also, the promotional PPD video was officially launched at one of the dinners. The viewing was followed by a presentation by Mr. Ron Caza, president of the PPD advisory committee on the PPD and the importance of getting involved in the education of the future Francophone and Francophile lawyers.
d) Linguistic test

In order to ensure a certain quality of French language within the program, the University of Ottawa’s PPD created a language test for candidates who did not study law in French. The passing mark established by the PPD, in consultation with two experts in legal drafting, was 65%. This year, no candidate had to write a test because they all did their law studies in French.¹

e) Services to candidates

i. Career Centre and Professional Development

In 2014, the PPD reached an agreement with the Career Centre and Professional Development (Career Centre) of the Faculty of Law. According to that agreement, the Career Centre offered the following useful services to the PPD candidates again this year during the matching process:

- Workshops on preparing a legal résumé and cover letters;
- Individualized feedback on the résumés and the cover letters for each candidate;
- Moot interviews during the matching process; and
- Workshops to support candidates in their transition into the legal workplace.

¹ To study in French means taking at least 75% of their courses in French.
ii. Mentoring Program

Based on the feedback we received from the 2014-15 candidates, and the success of the mentoring program during 2015-16, we have offered once again a mentoring program for our candidates. In that program, we offer each candidate a chance to be matched with a member of the legal community as their mentor for the duration of the program. The goal is to give the candidates contact with lawyers and members of the legal profession in formal or informal settings, and to learn more about the practice of law from the solid experience of their mentors.

The candidates had the chance to meet their mentors in person at the Sept 6, 2016, luncheon.
iii. Other Services

The PPD candidates have access to the following services of the University of Ottawa within the training and internship components:

- InfoWeb;
- Blackboard Learn;
- Brian Dickson Library, Faculty of Law;
- Accommodation services of the Faculty of Law, common law section; and
- Access to the fitness centres at University of Ottawa.
III. TRAINING COMPONENT

a) Simulated law Firm

Since July 2014, the PPD has occupied offices at 554 King Edward Street, on the University of Ottawa campus. This is a three-storey house (the first floor is entirely accessible) with several offices, a reception desk, a conference room, a photocopying room, a lounge, a kitchen, and a lunch area. These offices are used by the PPD staff, the practising trainers, and the candidates. This year, given the large number of candidates, certain candidates occupied the offices located at 556 King Edward.

This building is the main site for training during the training component. Each candidate has access to a workstation in an office with a filing cabinet. Candidates also have access to a letterbox, wireless Internet, and printers.

The offices are perfectly suitable to the PPD’s needs because their layout makes them look like a functional lawyer’s office. This facilitates the students learning by giving them the opportunity to manage simulated legal issues in a real work environment.

“Working in a simulated law firm is a brilliant idea! All law students should spend a semester in such an environment before becoming lawyers. That greatly helps getting ready to practise. Congratulations for setting up such a great training!”

- PPD candidate

i. Practice Management Software

In the summer of 2016, we renewed our contracts with the following companies to use their software in our Simulated Law Firm:

- TeraView;
- Lawyer Done Deal (Realtiweb);
- DivorceMate;
- Clio.
The software has been installed on the candidates’ computers to allow them to have access when they do their assignments.

b) **On-line orientation**

In order to better prepare the candidates to working in a simulated law firm, we once again organized a complete on-line orientation for the candidates. It was given on August 29, 30 and 31, 2016. During this orientation, the candidates had the opportunity to participate in interactive Webinars facilitated by the PPD team on the following topics:

- Welcome remarks from management;
- Icebreaker activity; and
- Review of academic and disciplinary policies of the PPD.

In addition, various special guests participated in the on-line orientation and made presentations on the following topics, notably:

- Legal research - a professional development course offered by the team at the University of Ottawa law library;
- Practice management software – an introduction to Clio conducted by a paralegal from a law office in Ottawa;
- Website Cliquezjustice.ca – an introduction to the resource of AJEFO;
- Legal research software - a workshop run by a representative of LexisNexis.

c) **Meeting with the Partners of Genest et avocats**

On September 6, 2016, the candidates had the opportunity to participate in a simulated meeting with partners at Genest et avocats (i.e. the practising trainers and supervising lawyers of the PPD). During the meeting, the partners reminisced about their first two years in practice and their successes. Little by little, they also discussed the future of the firm and explored possibilities of expanding by opening one or several offices in Sudbury, Timmins, and/or Hawkesbury. The partners discussed issues relating to this idea (changes in the legal profession, access to justice in French, shortage of lawyers in the North and other rural regions, the increased funding for Legal Aid Ontario certificates). At the end, the partners asked the students-at-law to study the possibilities of opening one satellite office in Sudbury.

The candidates explored that possibility and developed a business case for the partners during the training component.
Photo: Meeting of Genest et avocats partners on the first day of the training component.
d) Greeting of 2016-17 candidates

To celebrate the arrival of our new candidates, we organized a welcome lunch on September 6, 2016. The president of AJEFO, Ms. Sonia Ouellet, participated in the event as master of ceremonies and introduced the following guests:

- The Honourable Marc R. Labrosse
- Ms. Andrée-Anne Martel, CEO of AJEFO
- Lynne Watt, chair of CCLA
- Rick Haga, CEO of CCLA
- Asfrah Syed-Emond, chair of the Diversity committee of CCLA

Several other members of the legal community were also among us to greet the new candidates.
e) Group Meetings

On September 16, 2016, the candidates had their first meeting with their supervising lawyer in small working groups. The purpose of these small groups was to follow up closely with the progress of the candidates and to offer them more individualized feedback regarding drafting and managing files. Also, the groups helped by discussing and exchanging issues relating to ethics, their professional obligations, access to justice and French-language services, among others. The working groups met every other week after during the training component. The candidates found that the learning format was very useful for their training.

Photo: Two candidates of the PPD at a group meeting.
f) Additional Community Activities and Professional Training Days

In the training component, the candidates had the opportunity to participate in the following additional activities and professional training days:

- A guided visit to the library of the County of Carleton Law Association;
- Participation of the opening ceremony of the Ottawa courthouse;

The candidates also visited the courthouse to observe:

- First Appearance Court
- Bail Hearing Court
- Guilty Plea Court
- Mental Health Court
- Guilty Plea and Referral Court

Also, the candidates met community stakeholders at the court such as representatives of

- The Salvation Army – Diversion Program
- John Howard Society of Ottawa
- Elizabeth Fry Society of Ottawa
- Ontario Legal Aid (criminal law services)
- Collaborative and restorative justice program
- Victim and Witness Assistance Program

The candidates who participated in the temporary clinic were also able to attend a family law session and a criminal law session offered within the annual colloquium of the Sudbury Law Association thanks to a partnership formed with that association. These training sessions were offered in French and focused specifically on newly called lawyers.

During the networking activities, I was pleasantly surprised by the warm welcome that the lawyers gave us. They shared their experiences and were very encouraging. They gave us a feeling of belonging to a community.”

- PPD candidate

In that trip, these candidates had the opportunity to participate in the following activities:

- Visit with in house lawyer of the Union of Ontario Indians and presentation on reconciliation
- Networking activity with Francophone lawyers of Northern Ontario
- Women Networking Breakfast with the Honourable Beverley McLachlin
- “5 à 7” on mentoring organized by the Law Association of Sudbury
We organized equivalent activities for candidates who did not go to Sudbury, such as the observation of lawyers in legal clinics and a visit of the court house.

g) Workshop of AJEFO on Advocacy

Thanks to a generous grant from AJEFO, all candidates were able to participate in a workshop on advocacy at AJEFO that was held on September 21, 2016. It was an excellent networking opportunity for the candidates.

The workshop was in two parts. First, plenary sessions facilitated by lawyers and judges helped participants to find out about several techniques and issues facing barristers during discovery. Secondly, practical group exercises helped participants put in practice the techniques learned at the plenary sessions.

The learning methods used in that workshop were diverse and interactive. The workshop and the booklet of the participant were based on training sessions developed by The Advocacy Club and were adapted by the Association des juristes d’expression française de l’Ontario (AJEFO), Mr. Marc Smith (Forget Smith Morel), Ms. Margot Leduc Pomerleau (McBride Bond Christian LLP) and Ms. Éliane Lachaîne (Burn Tucker Lachaîne).

Photo: The candidates participated in the AJEFO workshop on advocacy on September 21, 2016.
h) Governmental Law Module

Because certain candidates acquired federal or provincial government work placements in 2016 and 2017, the PPD deemed it important to initiate all candidates in the practice of federal or government law through a short learning module on an issue linked to personal rights within a governmental context. Thanks to the PPD’s close relationship with the federal government, two lawyers from the Human Rights Law Section of Justice Canada were able to share their insights with respect to the role of a lawyer in the public sector. They tackled certain issues connected with the practice of law in a governmental context, such as knowing how to determine who the client is in this context, what issues are tied to government practice, in addition to the way of preparing legal advice and drafting other key documents for ministers and other officials. The candidates then drafted a memorandum of intent on behalf of a senior ministry official regarding a question of language rights droits and the *Official Languages Act*. In addition to the employers involved in the governmental internships, found this exercise to be extremely useful for learning purposes.

i) Special Guests

In the training component, the PPD received the following special guests to address our candidates:

- Presentation of a WestLaw representative;
- Presentation of Ontario Legal Aid Ottawa regional office
- Presentation of Action logement representative;
- Presentation of a lawyer from the Clinique juridique francophone de l’est d’Ottawa;
- Presentation of a member of a federal tribunal offering advice on advocacy in administrative law;
- Presentation of an in-house lawyer from a national union to give an overview on administrative law;
- Panel on family law;
- Conference on community stakeholders in criminal law, including representatives from:
  - Maison Fraternité
  - Centre de services juridiques pour femmes francophones de l’Ontario
  - Ticket defence program; and
- A visit from the treasurer of the Law Society of Upper Canada.
j) Mobile Clinic in Sudbury

During the access to justice week in Ontario, certain PPD candidates joined an initiative organized by the Ottawa Legal Information Centre that was held in Sudbury. Working with six supervising lawyers, 11 PPD candidates participated in a temporary free legal clinic in a shopping mall located in downtown Sudbury. At that clinic, these PPD candidates and the volunteer lawyers offered free legal information to litigants in the areas of family law, employment law, wills and estates, housing law and income maintenance. That clinic was offered in the afternoon of October 27 and the morning of October 28, 2016. The organizers estimate that about 75 litigants were helped.
k) Development and presentation of business cases

To close the training component, the candidates had to present the business cases they had developed to assess the viability of opening satellite firms in Hawkesbury, Timmins, and Sudbury. This project also addressed the development of skills relating to law firm management. The candidates addressed the following subjects during their presentations:

- Offers of and demand for legal services in each community;
- Cost of living in each community;
- Availability and costs for renting space in each community;
- Availability of qualified labour in each community;
- Start-up fees and operational costs of a firm.

Our practising trainers and an accountant who had worked with the candidates in the fall were on site to assess the business cases.

Photo: Candidates present their business cases to open a satellite office in Sudbury.
I) Day on specializations

On December 12, 2016, we organized a panel on the career possibilities in law with representatives from the following work places:

- Unions;
- Legal clinics and NGO;
- Small firms;
- Government;
- In house lawyers; and
- Quasi-government agencies.

The candidates then had the opportunity to break out in small groups according to their placement work environment to attend training to prepare for the placement. That training session was followed by a networking dinner.

m) Evening of Acknowledgement

In order to highlight the end of the PPD, we organized an evening of acknowledgement and recognition for our candidates. Several members of the legal community, including mentors and other collaborators in the program, joined the candidates for that celebration.

n) Assessment

i. Skills Assessment

All the skills and tasks listed in the Federation of Law Societies of Canada’s National Competency Profile for lawyers were assessed or addressed at least once – and some at least five times – in the training component via the execution of the various tasks.

In order to obtain a “Satisfactory” pass for the training component, candidates had to successfully demonstrate all the competencies evaluated in the PPD program.

Once a competency had been evaluated in more than one task during the training component, the Directors conferred a cumulative grade on the candidate for competency skill based on the quality of each task in addition to feedback provided by their practising trainers involved in those specific tasks.
ii. Retake Activities

In November and December 2016, we offered some candidates the opportunity to do retake activities for the competencies they had not yet successfully demonstrated in the training component. All candidates, except one, successfully completed their retake activities related to key competencies. In the case where the candidates did not succeed in a peripheral competence during the retake activities, we sent them a letter informing them of their gaps and encouraging them to try to fix them in the placement component.

iii. Final Results

Candidates received their final results on-line at the end of January. Candidates also received a detailed competency assessment report that specifies the rating they received for each skill and task listed in the Federation’s Profile.

o) Feedback

In order to improve the training component for the pilot project’s third year, we asked the candidates to complete surveys to have their feedback on the training component. Our survey included questions on the following:

- Modules and practising trainers, including assessment;
- Professional development days;
- Resources offered by the PPD;
- Services offered by the University of Ottawa.
Photo: The 2016-2017 candidates for the presentation of their business plan at the end of the training component
IV. PLACEMENT COMPONENT

a) Matching Process

In September 2016, we started the process of matching the candidates with employers. In that process, we proposed four placements to each candidate, taking into account their fields of interest, as well as the employers’ selection criteria. Our goals in proposing these placements to the candidates, instead of only posting the jobs and asking the candidates to apply to their choice placement, was to maximize their chances of success, to filter the applications for the employers, and respect our accommodation obligations with respect to the Ontario Human Rights Code. Pursuant to the PPD policy on placements, the candidates must undertake all possible and necessary efforts to obtain the placements that are proposed.

To give each candidate the best chances of success, three members of the Career and Professional Development Centre (the “Career Centre”) of the Law Faculty were available to review their résumés and their presentation letters. Those same people were and are still available to help the candidates with preparing for interviews through simulated interviews.

b) Placements in the workplace

In January 2017, 21 candidates started the placement component.

c) Assessment of Placement Skills

i. Audit of the placement beginning

In January 2017, we called each candidate to do our audit at the beginning of the placement. During these 30-minute discussions, we discussed their learning goals for the placement component. We also took this opportunity to look at the skills assessment process during the placement and to confirm some information from the candidates concerning their placements such as the start date of the placement and their salary.
ii. Reflection Journal

With a view to improving the training component for the 2016-2017 year, we asked candidates to make regular entries in a reflection journal in order to more closely document their progress. This also allowed us to check that all the candidates were well supported during their placements.

iii. Midterm assessment

Mid-February, we communicated with all the employers and the candidates to make our mid-session assessment of placements. Each supervisor provided detailed feedback regarding their candidates’ performance. We also asked the candidates to complete a self-assessment about their performance and their progress in the placement.

As per the PPD policy regarding the placement component, if a candidate’s mid-session assessment is not entirely positive, the directors reserve the right to follow up with the supervisor to discuss in more detail the candidate’s performance. This year, however, no follow-up was necessary since the feedback from employers was generally positive.

iv. Final Assessment

The final assessment of placements was done at the end of April. When the feedback on a candidate was not entirely satisfactory, we followed up with the placement supervisor to determine if the candidate had satisfied the Placement component requirements.

“This candidate is brilliant, she learns quickly and is a natural public speaker. Combining these strengths with her research and organizational skills and with her desire to evolve constantly and to improve, she has the potential to be a very efficient negotiator and advocate. This candidate took tasks and feedback ever more complicated for her whole placement. She was able to interview and represent successfully some of our most difficult and most vulnerable clients, in French and in English, while becoming more efficient and confident at each step of the way.”

- PPD Employer
d) Presentation Evening of Certificates of Achievement

On May 12, during the evening, we awarded recognition awards to candidates who excelled during different tasks or different activities during their training. In all, 11 recognition awards were handed out over the course of the evening. The Most Promising prize was also conferred on one of the candidates who was chosen by her peers and distinguished herself through her professionalism, team spirit, leadership, and enthusiasm.

Photo: Invitation to the ceremony to hand out achievement certificates to candidates to be held on May 18, 2017.
e) Assistance to Transitioning into the Legal Workplace

In order to support the candidates in their transition into the practice of law, we organized a luncheon on the following topics:

- preparation of a résumé and a cover letter for lawyer positions;
- networking;
- ways to stay competitive in the legal workplace;
- access to the hidden job market; and

Among the guest speakers there was one representative of the Career Centre of the University of Ottawa, the recruiting agent from Gowlings, and the director of the Canadian Bar Association project on the future of the legal profession.

Photo: On April 6, 2017, we organized a conference dinner to support candidates during their transition towards the legal workplace.