



The Advocates' Society La Société des plaideurs

January 29, 2026

VIA EMAIL: PolicyConsultation@LSO.ca

Atrisha Lewis & Michael Winward
Chairs, Professional Development and Competence Committee
Law Society of Ontario
130 Queen Street West
Toronto, Ontario M5H 2N6

Dear Ms. Lewis and Mr. Winward:

RE: Modernizing the Law Society of Ontario's Lawyer Licensing Candidate Assessment Process

We write to respond to the Professional Development and Competence Committee's request for stakeholder feedback about the Consultation Report titled *Modernizing the Law Society of Ontario's Lawyer Licensing Candidate Assessment Process* (September 25, 2025), which proposes to replace the current requirement for licensing candidates to pass barrister and solicitor examinations with a requirement to complete an online skills-based course with assessments.

Established in 1963, The Advocates' Society is a not-for-profit organization representing approximately 6,000 diverse lawyers and students across the country—unified in their calling as advocates. As the leading national association of litigation counsel in Canada, The Advocates' Society and its members are dedicated to promoting a fair and accessible system of justice, excellence in advocacy, and a strong, independent, and courageous bar. A core part of our mission is to provide policymakers with the views of legal advocates on matters that affect access to justice, the administration of justice, the independence of the bar and the judiciary, the practice of law by advocates, and equity, diversity, inclusion, and reconciliation with Indigenous peoples in the justice system and legal profession.

In accordance with our mandate as an association of litigators, The Advocates' Society's feedback will focus on how to ensure that the Law Society of Ontario's lawyer licensing process appropriately promotes and tests entry-level competence for a litigation practice. With that perspective in mind, we turn to answering the Committee's two consultation questions.

Question 1: Do you agree that the lawyer licensing process should incorporate both training and assessment, in the manner described by the Committee, to determine entry level competence?

The Advocates' Society is not, in principle, opposed to a licensing process that incorporates both training and assessment. However, we do not have enough information at this time to provide the Committee with a firm consensus view on behalf of our members. For greater clarity, we encourage the Committee to articulate the intended function of each requirement to become a lawyer: a law degree, the proposed bar course, and the experiential requirement (articling, the LPP, or an IPC). In particular, the Committee should specify whether the primary purpose of the proposed bar course is to train candidates, to test

whether they meet the required standard, or both. If it is both, the Committee should consider how the bar course might overlap with the experiential component of the licensing process.

If the Law Society proceeds with a bar course that includes a training element, we encourage the inclusion of litigation skills training. In particular, we recommend training in oral and written advocacy, including opportunities for candidates to 'get on their feet' in mock hearings and trials. The current multiple-choice barrister exam cannot promote or assess these critical skills. The Committee may also wish to canvass practitioners' interest in teaching these skills-based classes.

With respect to the assessment aspect of the proposed bar course, The Advocates' Society believes the licensing process must still include one (or several smaller) standardized test(s) that can be objectively scored. The maintenance of a standardized assessment for all licensing candidates ensures fairness between candidates. It also provides an objective gatekeeping mechanism with respect to the minimum competencies required to enter practice, which supports public confidence in the legal profession. While exams can be stressful and time-pressured, the truth of the matter is that practising law (including litigation) is stressful, requires lawyers to meet short deadlines under pressure, and does frequently necessitate the rapid retrieval of information.

Question 2: If the Law Society proceeds with implementing the Committee's recommendations, what concern(s) do you have regarding the implementation? How could those be addressed?

The Advocates' Society is concerned about the cost and timing of a bar course that takes place over several months.

Many firms cover the cost of the licensing process for the students to whom they have offered positions. The Advocates' Society is concerned that if the cost of the bar course is too high, smaller firms, including litigation boutiques, may have to reduce the number of articling positions they provide or may eliminate or reduce the portion of bar admission costs paid by the firm.

We are also concerned about the impact on licensing candidates who do not have firms covering these expenses. The cost of a bar course risks creating further practical barriers to law practice, particularly for candidates from communities underrepresented in the legal profession.

Articling is frequently a very demanding year for licensing candidates. Most articling students work long hours already. The Advocates' Society is concerned that the mental health of articling students will be negatively impacted if a bar course must be completed at the same time as articling. We recommend the Committee consider this factor in their deliberations.

Thank you for the opportunity to provide this feedback.

Yours sincerely,



Hilary Book
President

CC: Vicki White, Chief Executive Officer, The Advocates' Society

The Advocates Society's Task Force on Lawyer Licensing Examinations

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