Immigration and Refugee
Quality and Service Standards
Application Form

For General and Appellate Standards

Completing this form:
This form must be completed by all staff and panel lawyers wishing to represent Legal Aid Saskatchewan (LAS) clients in immigration and refugee matters.

Further information on the General and Appellate Standards, a Checklist of Documents that must be submitted with this Form, and copies of the applicable releases can be found at the end of this Form. Please ensure that you complete all sections of the LAS quality standards form, execute the applicable releases, and attach the required supporting documents.

If you require assistance completing this form, please contact I&RServices@legalaid.sk.ca.

Where to send completed forms:
Completed forms and supporting documents should be sent by mail or email to:

Mail:
LAS – Immigration and Refugee Services
Suites 1012 & 1015
201-21st Street East
Saskatoon, SK S7K 0B8

Email:
I&RServices@legalaid.sk.ca

Administrative use only	
Name:	
Legal Aid Solicitor Number:	
Telephone:	
Email:	

1. Personal information

First/Last Name:	
Address:	
City:	Postal Code:
Province:	
Telephone:	
Email:	
LAS Solicitor Number:	
Law Society Name, Number:	
Date of Call (YYYY-MM-DD)	Province of Call:

2. Recent refugee courses completed

Immigration and refugee related continuing professional education courses completed in the prior calendar year.

Name of course, seminar, presentation	Location	Number of CPD hours

3. Civil / criminal / administrative record

Do any of the following apply to you?

3.1: Any complaints currently on file with the complaints resolution department of the investigations department of the Law Society of Saskatchewan or any other law society?[1]

☐ Yes

☐ No

If yes, please explain:

3.2: Any complaints currently with the proceedings authority committee of the Law Society of Saskatchewan or any other law society?[2]

☐ Yes

☐ No

If yes, please explain:

3.3: Any sanctions by the Law Society of Saskatchewan or any other law society?[3]

☐ Yes

☐ No

If yes, please explain:

3.4: Any errors or omissions presently on file with the Lawyers' Professional Liability Insurance against you?[4]

☐ Yes

☐ No

If yes, please explain:

[1] LAS will consider the application of a candidate who is involved in this situation if, after receiving details, LAS is of the opinion that the nature of the situation is such that it would not prevent the candidate from being eligible.
[2] Candidates will generally not be considered if involved in such a complaint; however, if LAS receives sufficient information about the complaint being frivolous or lacking in foundation, then it will not be a bar to the candidate being considered.
[3] Candidates will generally not be considered if they have been sanctioned by a Law Society. However, if LAS receives sufficient information about the circumstances surrounding the sanction, then the sanction will not be a bar to the candidate being considered.
[4] Candidates will generally not be considered if they have an outstanding Error and Omissions claim registered with the Lawyers' Professional Liability Insurance, unless LAS receives sufficient information that the claim is not substantiated.

3.5: Any current involvement as a defendant in any civil (excluding family matters) proceedings?*

☐ Yes

☐ No

If yes, please explain:

3.6: Any outstanding civil judgments against you or any past or present proposals to creditors or assignments in bankruptcy?*

☐ Yes

☐ No

If yes, please explain:

3.7: Any current involvement as an accused in any criminal proceedings?*

☐ Yes

☐ No

If yes, please explain:

3.8: Any criminal offence for which you were found guilty and for which you have not received a pardon?*

☐ Yes

☐ No

If yes, please explain:

* LAS will consider the application if, after receiving details, LAS is of the opinion that the situation would not deem the candidate ineligible.

4. References

Please provide contact information for two experienced refugee and immigration lawyers who are familiar with your work and willing to act as references. New calls and others unable to acquire references from experienced refugee and immigration lawyers can provide contact information for other relevant references (law professors, community advocates, etc.).

Reference 1

Name:
Title/position:
Firm/organization:
Phone number:

Reference 2

Name:
Title/position:
Firm/organization:
Phone number:

5. General standard application

5.1 Certification

☐ I certify that I am a licensee of the Law Society of _____

5.2 Experience requirements

Please check the option that applies:

☐ **Recent experience**

I meet the recent experience threshold. In the past two years I have dedicated a minimum of 25% of my practice to refugee/immigration law and I have completed ten or more of any combination of:

- BOCs
- RPD hearings
- ID hearings
- PRRA submissions
- Danger opinions
- H & C applications
- RAD appeals
- Judicial reviews in respect of RPD, ID, IAD, RAD, PRRA, H & C or danger opinion decisions
- Stay motions
- Appeals/interventions before the Federal court of Appeal or the Supreme Court in respect of refugee/immigration law matters

OR

☐ **New call**

I do not meet the experience requirements. I have been in practice for less than two years. I am therefore seeking to meet the general standards conditionally.

OR

☐ **Transitioning to a refugee practice**

I do not meet the experience requirements. I have been in practice for more than two years. However, I wish to practice refugee and immigration law, and I am therefore seeking to meet the general standards conditionally.

5.3 Supporting documents

☐ I certify that I have submitted the documents to support my application for general standards quality assessment as set out in the Checklist of Documents attached to the back of this form. Client documents have been redacted (anonymized) and/or client consent obtained.

☐ I would like to request an in person interview rather than submit client documents due to my concerns regarding client confidentiality and privacy.

OR

☐ I certify that I have not completed any combination of two RPD cases, H and C applications, danger opinions and PRRA applications in the prior calendar year and therefore cannot submit a combination of the same to support my application. I understand that once I submit my application, LAS will conduct an in-person interview to determine what documents I will be required to submit to support the general quality standards assessment.

5.4 Acknowledgements

☐ I acknowledge that those who meet the general standards only, whether fully or conditionally, are generally expected to act, on an annual basis, on a minimum of any combination of five:

- RPD hearings
- ID hearings
- IAD hearings
- PRRA applications
- Humanitarian and compassionate applications

☐ I acknowledge that those who meet both the general and the appellate standards, whether fully or conditionally, are generally expected, for the purposes of meeting general standards, to act on an annual basis, on a minimum of any combination of five:

- RPD hearings
- ID hearings
- PRRA applications
- Humanitarian and compassionate applications
- RADs
- Perfected Federal Court applications for IAD, RAD, PRRA, H&C or danger opinion decisions
- Federal Court judicial review hearings in respect of RPD, ID, IAD, RAD, PRRA, H&Cs or danger opinions, or
- Appeals/interventions before the Federal Court of Appeal or the Supreme Court of Canada in leave and for judicial review of RPD, ID respect of refugee/immigration law matters

If you do not want to be considered for the appellate standards, please proceed to section 7.

6. Appellate standards application

6.1 Certification

I certify that I am a licensee of the Law Society of _____

6.2 Experience requirements

Select the option that applies:

☐ **Recent experience**

I meet the threshold eligibility requirements for the appellate standards as I have dedicated 50% of my practice to refugee/immigration law over the past two years and I have completed ten or more of any combination of:

- RADs
- Perfected Federal Court applications for leave and for judicial review of RPD, ID, IAD, RAD, PRRA, H and C or danger opinion decisions
- Federal Court judicial review hearings in respect of RPD, ID, IAD, RAD, PRAA, H&Cs, or danger opinion decisions
- Federal Court motions to stay removal
- Appeals/Interventions before the Federal Court of Appeal or the Supreme Court of Canada in respect of refugee/immigration law matters.

OR

☐ **New call**

I do not meet any of the experience requirements. I have been in practice for less than two years. I am therefore seeking to meet the appellate standards conditionally.

OR

☐ **Transitioning to a refugee practice**

I do not meet any of the experience requirements. I have been in practice for more than two years. However, I wish to practice refugee and immigration law, and I am therefore seeking to meet the appellate standards conditionally.

6.3 Supporting documents

☐ I certify that I have submitted the documents that are required to support an appellate standards assessment as set out in the Checklist of Documents attached to the end of this form.

OR

☐ I certify that I have not completed appeal/judicial review cases in the prior calendar year. I therefore cannot submit the documents required to support my application. I understand that once I submit my standards form, LAS will conduct an in-person interview to determine what documents I will be required to submit to support the quality standards assessment.

6.4 Acknowledgements

☐ I acknowledge that those who meet the appellate standards, whether fully or conditionally, are generally expected to complete on an annual basis a minimum of any combination of five:

- RADs
- Perfected Federal Court applications for leave and for judicial review of RPD, ID, IAD, RAD, PRRA, H and C or danger opinion decisions
- Federal Court judicial review hearings in respect of RPD, ID, IAD, RAD, PRAA, H&Cs, or danger opinion decisions
- Federal Court motions to stay removal
- Appeals/Interventions before the Federal Court of Appeal or the Supreme Court of Canada in respect of refugee/immigration law matters.

7. Certifications, undertakings and affirmations

☐ I acknowledge that all panel members and staff who meet the standards must ensure their ongoing compliance with these standards (including LAS Service Rules, best practices guides and any applicable conditions).

☐ I acknowledge that all panel members and staff must also comply with The Legal Aid Act and its regulations and schedules, the Private Bar Billing and Payments Handbook, Commission Private Bar Policy – January 2021 and LAS's general policies and administrative procedures.

☐ I acknowledge that failure to comply with these requirements may result in removal from the panel or dismissal.

☐ I understand that all panel members and staff are required to complete a minimum of three hours of continued professional development each calendar year in immigration and refugee law related educational activities. I undertake to meet this standard requirement.

☐ I understand that if I meet the standards and do so on an ongoing basis I will be able to provide immigration and refugee legal aid services for a duration of five years. At the expiry of the five-year term, I understand that I may be subject to a standards renewal assessment.

☐ I acknowledge that LAS may periodically review the quality of my work and will conduct such a review where complaints or concerns arise during the five-year period. I understand that I am required to co-operate fully with LAS verification of compliance with quality standards.

☐ I have executed the release forms for the Law Society of _____ and the Lawyers Professional Insurance and have attached these executed forms with my completed application.

☐ I affirm that I have read and understood the immigration and refugee general and appellate standards and that the information contained herein is complete, true and accurate.

_____ _____

Applicant's signature Date (YYYY-MM-DD)

_____

Applicant's name (print)

General and appellate standards information

Applicants found to meet the general quality standards will be able to acknowledge refugee and immigration certificates for matters before the Refugee Protection Division (RPD), Immigration Division (ID) and Immigration Appeal Division (IAD) as well as for humanitarian and compassionate (H&C) applications, danger opinions and pre-removal risk assessments (PRRA). Applicants found to meet the appellate standards will, in addition, be able to acknowledge refugee and immigration certificates for matters before the Refugee Appeal Division (RAD), Federal Court, Federal Court of Appeal.

Membership on the general panel is a prerequisite for membership on the appellate panel. Applicants seeking assessment under the appellate standards must therefore also seek assessment under the general standards.

To fully meet the general or appellate standards, applicants must demonstrate that they satisfy the requisite experience thresholds and that the quality of their legal work meets the required standards. Applicants that do not meet these thresholds may be asked to agree to certain conditions such as to complete training, work with a mentor, or work under supervision.

Conditions are designed to ensure appropriate supports are in place to assist lawyers in quality standards compliance. Conditions will be developed, on a case-by-case basis, following consultation and discussion with the applicant concerned.

New calls

LAS welcomes applications from new calls that have both the ability and the commitment to do quality work for vulnerable immigration and refugee clients. For the purposes of the standards, new calls are defined as those with less than two years of experience who cannot meet the numerical thresholds for admission under the recent, historical or alternatives to experience categories.

New calls may choose to apply under the general standard only or may choose to apply for both the general and the appellate standards. New calls will however be asked to agree to certain conditions which will be developed on a case-by-case basis following consultation and discussion with the applicant concerned. One of the conditions for new calls who would like to practice appellate law may be that they only conduct RAD/judicial review/appeal work under the supervision of an experienced appellate lawyer.

Transitional applicants

LAS welcomes applications from those who have the ability and commitment to do quality work for vulnerable immigration and refugee clients but are transitioning from other areas of practice to general or appellate refugee and immigration work. These applicants will not yet have the requisite experience to qualify to meet the standards for which they are applying. Such applicants may meet the standards conditionally. These conditions will be developed on a case-by-case basis following consultation and discussion with the applicant.

Conditions

Those who do not have the requisite experience can be deemed to have conditionally met the standards.

Conditions will ensure appropriate supports are in place to assist lawyers in quality standards compliance.

LAS may also impose conditions for applicants whose work displays quality concerns that are remediable. Conditions will be developed on a case-by-case basis following consultation and discussion with the applicant concerned.

Ongoing compliance

Persons who meet the general and appellate standards are expected to demonstrate ongoing compliance with these standards.

Checklist of documents

1 All applicants

All applicants must submit:

☐ Completed LAS immigration and refugee standards form

☐ Executed release of information form for the Law Society of _____

☐ Executed release of information form for the Lawyers' Professional Liability Insurance

2 Supporting documents

Applicants applying for the general standards on the request of LAS may submit redacted or client consented supporting documents for one RPD case completed in the prior calendar year.

Supporting documents for one RPD case shall consist of:

- Copy of BOC
- Indices of documents submitted
- Written submissions (if any)
- The notice of decision and reasons for decision

Applicants who did not complete one RPD cases in the prior calendar year may be required to submit supporting material from the first two immigration and refugee cases completed in the prior calendar year that meet the following criteria:

- The two cases submitted must be drawn from any combination of PRRA applications, H and C applications, or danger opinions.
- All legal work in relation to these matters must have been undertaken in the prior calendar year.

Supporting materials for one PRRA application, H and C applications or danger opinions completed in the prior calendar year shall consist of:

- A copy of written submissions made
- Copies of any affidavits submitted (no exhibits)
- Indices of any documents submitted
- A copy of the decision if a decision has been rendered.

Applicants applying to meet the general standards who are unwilling to provide examples of client work from RPD cases, PRRA applications, H and C applications or danger opinions, will be contacted by LAS following submission of their standards form to discuss their application and attend an in-person interview.

3 Appellate standards

In addition to the documents required for meeting the general standards, those seeking to meet the appellate standards must submit:

☐ Supporting documents for the first two application/appeal/stay/intervention records completed in the prior calendar year. Supporting documents shall consist of the following:

- a copy of the decision that is the subject of the application/appeal record
- copies of any affidavits filed "without exhibits"
- copies of memoranda of argument written by you and any reply filed

- a copy of the decision if a decision has been rendered, or the terms of settlement if the matter settled.

Applicants applying to meet the appellate standards who are unable to provide the examples of legal work required above, will be contacted by LAS following submission of their standards form to attend an in-person interview and discuss what documents they should submit to support their application.

Release of Information Form
Lawyers' Professional Liability Insurance

Name:
Firm or organization:
Law Society name and member number:
Lawyer's Professional Liability Insurance Number:

In consideration of the review and assessment of my application for providing Legal Aid Saskatchewan (LAS) Immigration and Refugee Services, I do hereby:

1. Authorize you to provide LAS any documents, records or other information pertaining to me that is relevant to professional conduct and activities as well as with respect to my moral character and fitness to perform the responsibilities as a member of the roster and to furnish the originals or copies of any such documents, records or information to LAS. I further authorize you or any of your staff to answer any inquiries, written or oral, concerning me which may be submitted to LAS.
2. Release you and your staff, LAS, its staff, from any and all liability of every nature and kind arising from the release of information and documents to LAS pursuant to this release.
3. Should I be a member of any other Law Society in Canada, I hereby authorize such similar body handling such matters in that jurisdiction to provide such information in sub-paragraph 1 and release all parties, including such similar body and staff as in sub-paragraph 2.

☐ I affirm that I have read, understood and agree to the above release of information for review and assessment of my Legal Aid Saskatchewan application.

_____ _____

Applicant's signature Date (YYYY-MM-DD)

Release of Information Form
Law Society

Name:
Firm or organization:
Law Society name and member number:
Lawyer's Professional Liability Insurance Number:

In consideration of the review and assessment of my application for providing Legal Aid Saskatchewan (LAS) Immigration and Refugee Services, I do hereby:

1. Authorize the Law Society of which I am a member, to furnish to Legal Aid Saskatchewan (LAS) all details of formal and informal complaints or charges, insurance of compensation claims, copies of these complaints, charges or claims and the present status of the same.
2. Release the Law Society and its staff, from any and all liability of every nature

☐ I affirm that I have read, understood and agree to the above release of information for review and assessment of my Legal Aid Saskatchewan application.

_____ _____

Applicant's signature Date (YYYY-MM-DD)