

LAW SOCIETY OF NEW BRUNSWICK
REQUIREMENTS FOR CONTINUING PROFESSIONAL DEVELOPMENT
(Updated January 1, 2024)

PURPOSE

1. The Law Society of New Brunswick (hereinafter Law Society) no longer accredits Continuing Professional Development programming but rather relies on the good faith and professionalism of its members. Nevertheless, the obligation to maintain relevant and appropriate continuing education remains, and each member must annually report and certify to the Law Society that their individual obligations have been met. The scope of qualifying activities has been expanded, and this document is meant to provide guidance and assistance for members.

BASE REQUIREMENTS

2. All practising members of the Law Society, whether they work full-time or part-time, must complete and report a minimum of twelve (12) hours of Continuing Professional Development annually (January 1st—December 31st) that consists of:
 - a. a minimum of two (2) Professional Responsibility and Ethics hours. (See [Appendix A](#) for a description of qualifying topics, with examples);

AND:

- b. a minimum of ten (10) additional hours of qualifying Continuing Professional Development either in the form of additional Professional Responsibility and Ethics hours, or in the following categories (see [Appendix B](#) for a detailed description of additional qualifying topics/activities, with examples):
 - i. Substantive Law
 - ii. Procedural Law
 - iii. Lawyering Skills

PERMITTED CARRY-OVER

3. Except for the requisite two (2) Professional Responsibility and Ethics hours, when members report Continuing Professional Development hours in excess of the minimums, up to six (6) excess Continuing Professional Development hours may be carried over each year from the previous year. Carry-over hours cannot be counted towards the two (2) annual Professional Responsibility and Ethics hours.

REPORTING AND CERTIFICATION

4. While Continuing Professional Development activities need not be accredited by the Law Society, members must certify to the Law Society that they have complied with these Requirements on or before December 31st of each year. Failure to certify, or

misrepresenting Continuing Professional Development activities completed, may result in disciplinary action.

5. By December 31st of each year, members must log into the Law Society membership portal and click on the Continuing Professional Development reporting link to report their Continuing Professional Development activities.
6. If the deadline is not met, the member may be granted an extension until April 1 of the following year to complete, report and certify compliance. A \$200 (plus HST) late completion fee is automatically charged to members who have not met the requirements by December 31st.
7. A member who has not complied with these requirements by April 1st shall be suspended from practice until all required hours are completed, reported and certified.
8. Members must maintain documentation confirming all reported CPD hours for seven (7) years and may be required by the LSNB to produce these records at any time.

MANDATORY COURSE REQUIREMENT

9. All members must complete the [Communication Toolkit](#) by December 31, 2026, if they have not already done so. The Communication Toolkit is provided free of charge by the Law Society and qualifies as two (2) Professional Responsibility and Ethics hours.

QUALIFYING ACTIVITIES

10. The member may only report that portion of the activity that meets the subject matter requirements described in more detail in [Appendix A](#) or [Appendix B](#).
11. Activities undertaken in other provinces or countries are acceptable and may be reported if the activity meets the subject matter requirements.
12. The following types of activities may be reported to the extent they relate to the subject matter requirements in [Appendix A](#) or [Appendix B](#):
 - a. Courses, conferences or sessions with an educational purpose, whether in person, online, virtual, streamed, recorded or by teleconference;
 - b. Structured activities (such as study groups and in-house educational sessions), other educational programs and other meetings addressing a subject matter that is described in more detail in [Appendix A](#) or [Appendix B](#), that meet both of the following conditions:
 - I. at least two lawyers are together for educational purposes (including by telephone or other real-time communication technology), and
 - II. a lawyer has overall responsibility for each meeting.

c. Teaching a course or presenting at a conference or session with an educational purpose. This may include preparation time actually spent, up to two hours of preparation per hour of teaching or presentation.

NOTE: *Teaching substantially the same subject matter within the same reporting year shall not be reported for preparation time credits. Credits for preparation time shall only be reported the first time the teaching or presentation is performed in the reporting year and for the first time the teaching activity is completed in another language during the same reporting year.*

d. Writing that is published on a topic that meets the subject matter requirements described in more detail in [Appendix A](#) or [Appendix B](#). Hours for such writing must be reported in the year in which the writing is published. For clarity, publication does not include delivery of written materials to a court, a client, or other counsel in the course of the practice of law.

EXEMPTIONS

13. The twelve (12) hour requirement is subject to adjustment for entering or ceasing practice during the reporting year. Members who practice law within the reporting year must complete one credit hour for each full and partial calendar month they are engaged in the practice of law in that year. The minimum of two (2) annual Professional Responsibility and Ethics hours must be maintained regardless of the date of entering or ceasing practice.
14. The Law Society may exempt from these requirements members who submit a declaration that they are temporarily and for a specific purpose not currently engaged in the practice of law.
15. Members seeking an exemption must submit a [Request for Exemption Form](#) and explain the reason(s) for the requested exemption. The Law Society may request supporting documentation from the member seeking an exemption.
16. Exemptions will only be granted commencing from the date the written request is received, except where it was impracticable to submit a written request prior to the date submitted.
17. In the event of a discrepancy between these Requirements and the [Rules on Mandatory Continuing Professional Development](#), the Rules shall prevail.

APPENDIX A

Subject Matter Requirement for Professional Responsibility and Ethics hours

Professional Responsibility and Ethics Sub-Categories	Examples of possible Continuing Professional Development topics
Professional & Ethical Conduct	Confidentiality; privacy; solicitor-client privilege; legal decorum; respectfulness; harassment & discrimination; equity, diversity & inclusivity.
<i>Code of Professional Conduct</i>	Knowledge of, and compliance with, provisions of the <u>Code of Professional Conduct</u> .
Conflict of Interest	Identification and avoidance of conflicts of interest; addressing conflicts; disclosure and consent regarding conflicts of interest. See <u>Code of Professional Conduct</u> .
Communications & Client Relations	Communicating effectively in a timely and respectful way with clients, non-clients, colleagues, and the judiciary. Active listening; responsiveness to clients and managing expectations; drafting comprehensive service proposals, explaining retainers/invoices.
Practice Management	Time management; file management; risk management; practice strategy; and knowledge of technology. Knowledge of, and compliance with, the <u>Law Society Act, 1996</u> and Rules. Professional Wellness: Self-awareness in the workplace; setting professional goals & meeting them; stress management in the workplace.

APPENDIX B

Subject matter for Continuing Professional Development (non-Professional Responsibility and Ethics)

Substantive Law	This captures subject areas including, but not limited to, statutes, regulations, common law, caselaw, human rights principles, statutory construction and interpretation, and the various areas of practice.
Procedural Law	This captures subject areas including, but not limited to, legal rules governing the process of resolution of disputes.
Lawyering skills	This captures subject areas including, but not limited to, legal drafting, problem solving, and advocating.

** Members are encouraged to review the [Law Society of New Brunswick Competency Profile](#) for additional examples of subject matter related to the competencies set out in Appendix A and B.