

## INSURANCE COVERAGE & PRO BONO LEGAL SERVICES

The Saskatchewan Lawyers' Insurance Association (SLIA) provides professional liability insurance to members of the Law Society of Saskatchewan. Rule 605 of the Rules of The Law Society of Saskatchewan specifies that, unless exempt, every member shall pay to SLIA an annual assessment for mandatory liability insurance.



| USED WITH PERMISSION |

Rule 605(4) details members who are exempt:

- (a) students-at-law;
- (b) members employed by or on an exclusive contract with the Saskatchewan Department of Justice as full-time prosecutors;
- (c) members employed by the Federal Department of Justice or the Public Prosecution Services of Canada;
- (d) Canadian Legal Advisors, pursuant to Rule 208;
- (e) members not resident in Saskatchewan who comply with Rule 207;
- (f) inactive members;
- (g) retired members;
- (h) pro bono members; and
- (i) other members as approved by the Benchers.

All other members (whether engaged in corporate, government, or private practice) are required to pay the annual assessment, which triggers coverage under the terms of the SLIA Lawyers' Professional Liability Insurance Group Policy. All non-exempt members of the Law Society of Saskatchewan are insured to provide professional legal services to clients *whether or not* they receive a fee for those services.

All members are encouraged to deliver pro bono legal services through Pro Bono Law Saskatchewan programs. To register, simply complete a Lawyer Profile form available on the Pro Bono Law Saskatchewan website.

### EXEMPT MEMBERS

Members exempt under Rule 605(4) may also provide pro bono legal services provided they are not restricted from the practice of law. If you are an inactive or retired lawyer, or would like to go inactive or retire, please review the Pro Bono Membership section of this document.

Exempt members are extended insurance coverage pursuant to Endorsement No. 2 of the Lawyers' Professional Liability Insurance Group Policy in Saskatchewan:

It is understood and agreed that coverage under this policy is extended to members of the Law Society who are exempt from insurance coverage pursuant to Rule 605(4) of the Rules of the Law Society for an Occurrence arising out of Professional Services performed on a pro bono basis through programs approved by the Law Society of Saskatchewan.

Endorsement No. 2 extends errors and omissions coverage to exempt members who are not required to carry insurance when these exempt members provide pro bono legal services through programs approved by the Law Society of Saskatchewan.

## PRO BONO MEMBERSHIP

Members who are inactive or retired, or are considering becoming inactive or retired, but would still like to volunteer their time with a pro bono program may apply for Pro Bono Membership status with the Law Society of Saskatchewan. This category of membership allows for a waiver of Law Society of Saskatchewan membership fees for lawyers who wish to practice exclusively with a pro bono organization. Rule 164 of the Rules of the Law Society of Saskatchewan specifies as follows:

### Pro Bono Member

164. (1) An Active Member may apply for a change of status to a Pro Bono Member.

(2) A member may apply to be reinstated as a Pro Bono Member on the same terms and conditions as required under Rule 175 for reinstatement to Active Membership but will be exempt from the fee provided in Rule 175(2)(b).

(3) All applications for Pro Bono Membership shall include an undertaking to restrict practice to legal services provided through pro bono organizations approved by the Society.

(4) Each year Pro Bono Members are required to file the following:

(a) a letter from an approved pro bono agency, certifying that the Pro Bono Member continues to be actively serving the approved pro bono organization; and

(b) an Annual Practice Declaration.

(5) Pro Bono Members are exempt from paying the annual fee, the annual insurance levy and any registration fees for Continuing Professional Development programs provided by the Society.

## APPROVED PROGRAMS

The Law Society of Saskatchewan authorizes pro bono programs on an ongoing basis. All Pro Bono Law Saskatchewan programs are approved programs for the purpose of insurance. At present, this includes the following:

<p><b>CLINIC PROGRAM</b> Lawyers attend regularly (e.g. a three hour session every two months) at a free legal clinic to meet with low-income clients and provide advice or, at their option, full pro bono representation.</p>	<p>CLASSIC Legal Advice Clinic (<i>Saskatoon</i>) CLASSIC Walk-in Advocacy Clinic (<i>Saskatoon</i>) Prince Albert Free Legal Clinic (<i>Prince Albert</i>) Regina Free Legal Clinic (<i>Regina</i>) Swift Current Free Legal Clinic (<i>Swift Current</i>) Estevan Free Legal Clinic (<i>Estevan</i>) Moose Jaw Free Legal Clinic (<i>Moose Jaw</i>) North Battleford Free Legal Clinic (<i>North Battleford</i>) Meadow Lake Free Legal Clinic (<i>Meadow Lake</i>) La Ronge Free Legal Clinic (<i>La Ronge</i>) Yorkton Free Legal Clinic (<i>Yorkton</i>) Weyburn Free Legal Clinic (<i>Weyburn</i>) Small Claims Clinic (<i>Regina</i>)</p>
<p><b>PANEL PROGRAM</b> Lawyers receive screened referrals (one to five files per year which may be accepted or declined) and provide full pro bono representation (the client remains responsible for disbursements).</p>	<p>Child &amp; Youth Panel Program Criminal Appeal Advocacy Panel Program General Panel Program Immigration &amp; Refugee Panel Program Seniors Legal Assistance Panel Program Residential Tenancies Panel Program</p>
<p><b>SOLICITOR PROGRAM</b> Lawyers provide assistance to a charitable, non-profit, or community organization of limited means.</p>	<p>Pro Bono Law Saskatchewan Solicitor Program Pro Bono Students Canada (Saskatchewan)</p>
<p><b>MENTOR PROGRAM</b> Lawyers supervise a law student providing pro bono legal services or mentor another lawyer providing pro bono legal services.</p>	<p>Canadian Bar Association Pro Bono Mentorship Program Pro Bono Law Saskatchewan Mentorship Program Pro Bono Students Canada (Saskatchewan)</p>
<p><b>SUPPORT PROGRAM</b> Lawyers do not provide direct legal services but engage in support services (e.g. precedent preparation, clinic coordination) for Pro Bono Law Saskatchewan programs.</p>	<p>Public Legal Education Association of Saskatchewan Pro Bono Law Saskatchewan Support Programs Young Lawyer Call-In Day (October 31, 2009) Call in Day 2013 (October 26, 2013)</p>

Members are also reminded that errors and omissions insurance coverage is subject to all other terms and conditions of the Lawyers' Professional Liability Insurance Group Policy and members have an obligation under the Policy to report claims or potential claims promptly.

## DEDUCTIBLES

*Pro Bono Law Saskatchewan, the Law Society of Saskatchewan, and Saskatchewan Lawyers' Insurance Association have partnered to ensure that there are no barriers to lawyers in Saskatchewan engaging in delivery of pro bono legal services through Pro Bono Law Saskatchewan programs.*

The last remaining barrier to engaging in pro bono legal services is the deductible that must be paid in the event of a claim. The Saskatchewan Lawyers' Insurance Association has agreed to waive payment of the deductible for any claim occurring against a lawyer arising out of pro bono legal services provided through a Pro Bono Law Saskatchewan program. Lawyers must register and be volunteering with Pro Bono Law Saskatchewan programs to receive this benefit.

## QUESTIONS

If you have any questions about your membership status, insurance coverage, or Pro Bono Law Saskatchewan programs, please do not hesitate to contact us:

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