



Pro Bono Law
Saskatchewan

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Insurance Coverage & Pro Bono Legal Services

This document summarizes two types of lawyer status that are exempt from paying liability coverage, yet the Saskatchewan Lawyers Insurance Association Inc. (SLIA) provides liability coverage to them for the provision of pro bono legal services via an approved pro bono organization, such as Pro Bono Law Saskatchewan (PBLs). The two statuses are:

- Active Pro Bono Member (Law Society of Saskatchewan Rules (Rules) 717)
- Employees of the Government of Canada and Saskatchewan government institutions

Active Pro Bono Member

Planning your retirement? Going on parental leave? Leaving the practice for a while? Pro Bono Member status is a fee-exempt membership status with the Law Society of Saskatchewan (Society) for lawyers who are volunteering for an approved pro bono organization. SLIA provides - at no fee - coverage to the lawyer for the pro bono services provided through an approved pro bono organization. PBLs is an approved pro bono organization. Active Pro Bono Members must meet Continuing Professional Development (CPD) requirements with the Society and have access to free CPD offered by the Society.

Employees of Government

Rule 1202(3)(a) and (b) and (7) is such that Society members employed with a Saskatchewan government institution as defined in *The Freedom of Information and Protection of Privacy Act* in accordance with section 11.1 of the *Act* and members employed by the Federal Department of Justice or the Public Prosecution services of Canada and other members employed by the Government of Canada who are eligible for legal assistance and indemnification are exempt from payment and coverage to SLIA. Yet, SLIA provides, at no fee, liability coverage to the lawyer for services provided through an approved pro bono organization. PBLs is an approved pro bono organization.

In sum, if you are a lawyer who works for the Government of Saskatchewan, Saskatchewan government institutions, or the Government of Canada and do not pay SLIA fees by virtue of that employment, you are likely still covered by SLIA for pro bono legal services provided through PBLs.

Relevant Law Society of Saskatchewan Rules

Pro Bono Member

- 717(1) An active member may apply for a change of status to an Active Pro Bono member.
- (2) A member who is not an active member may apply to be reinstated as an Active Pro Bono member on the same terms and conditions as required pursuant to Rule 728 for

- reinstatement to active membership, but will be exempt from the fee provided in subrule 728(2)(b).
- (3) All applications for Active 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 Active Pro Bono members shall file the following:
 - (a) a letter from an approved pro bono organization, certifying that the Active Pro Bono member continues to be actively serving the approved pro bono organization; and
 - (b) an Annual Practice Declaration.
 - (5) Active 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.

Saskatchewan Lawyers' Insurance Association Inc. and Canadian Lawyers Insurance Association

1202(3) The following members are exempt from payment of the applicable annual assessment pursuant to subrule (1) and any applicable special assessments pursuant to subrule (2) and, subject to subrules (7) and (8), are not covered by the applicable liability policy:

- (a) subject to the regulations, members employed by or on an exclusive contract with a Saskatchewan government institution as defined in The Freedom of Information and Protection of Privacy Act in accordance with section 11.1 of the Act;
- (b) members employed by the Federal Department of Justice or the Public Prosecution Services of Canada, and other members employed by the Government of Canada who are eligible for legal assistance and indemnification under the Government of Canada Policy on Legal Assistance and Indemnification, September 1, 2008, or successor policies, or comparable legal assistance and indemnification from the Government of Canada
- ...
- (f) Active Pro Bono Members ...

1202(7) A member who is exempt from paying the assessment pursuant to subrule 3(a), (b), (c), (d) or (f) is covered by the liability policy for services provided through a pro bono organization approved by the Society, subject to the terms and conditions of the liability policy.

Exempt members are extended insurance coverage pursuant to Endorsement No. 2 of the [Lawyers' Professional Liability Insurance Group Policy](#):

It is understood and agreed that coverage under this policy is extended to members of the Law Society, excepting students-at-law, who are exempt from insurance coverage pursuant to the Rules of the Law Society for an Occurrence arising out of Professional Services which they are entitled pursuant to the Rules of the Law Society to perform and that are performed on a pro bono basis through a pro bono organization approved by the Law Society of Saskatchewan.