

1602 - APPLICATION FOR EQUIVALENCE RECOGNITION BY A FOREIGN LAWYER OR JURIST
Regulation respecting the standards for equivalence of diplomas and training of the Barreau du Québec

For details on how to complete this form, please see **Appendix 1**. If you have any difficulties completing this form, please contact the Equivalence Assistant at **514-954-3400, extension 5112** or toll free at **1-800 361-8495, extension 5112** or by e-mail at equivalence@barreau.qc.ca.

PART A IDENTIFICATION AND CONTACT INFORMATION

1. Personal information

Gender: Male Female

Family name:

Please paste a recent
5 x 3.5 cm (2 x 1 ½ inch)
photograph here

Given name:

The spelling of your usual family name(s) and given name(s) must be consistent with your proof of identity.

My name was legally changed: YES NO

→ *If SO, you must include the relevant explanatory document (e.g., marriage certificate, name change certificate, etc.).*

Date of birth: (day-month-year)

→ *You must include your act of birth with your application.*

2. Personal contact information

Home address:

(Civic number, street, apartment number, city, province, country, postal code)

Principal telephone number:

Secondary telephone number (optional):

E-mail address:

3. Professional contact information in Québec or elsewhere (if applicable)

Business address:

(Civic number, street, apartment number, city, province, country, postal code)

Telephone no. at work:

Extension no.:

Fax no.:

E-mail address:

4. Which language(s) do you know?

Very well Well A little Not at all

Spoken French:

Written French:

Spoken English:

Written English:

Other:

Other:

PART B COMMITTEE FOR ACCESS TO THE PROFESSION

Pursuant to the requirements of section 45 of *An Act respecting the Barreau du Québec* (CQLR, c. B-1), the Committee for access to the profession must inquire as to whether candidates have the required moral character, conduct, skills, knowledge and qualifications to practise the profession, and must decide on their admission, thereby justifying the following questions which you must mandatorily answer.

1. Please list the addresses where you resided for at least 6 months over the past 5 years:

(a)

(Civic number, street, apartment number, city, province, country, postal code)

From

to

(b)

(Civic number, street, apartment number, city, province, country, postal code)

From

to

(c)

(Civic number, street, apartment number, city, province, country, postal code)

From

to

(d)

(Civic number, street, apartment number, city, province, country, postal code)

From _____ to _____

(e)

(Civic number, street, apartment number, city, province, country, postal code)

From _____ to _____

→ *You must provide a police certificate or certificate of good conduct for each country in which you resided for a period of at least 6 months over the past 5 years.*

2. Are you currently or have you previously been a member of one or more professional orders?

YES NO

If SO, please answer questions 2.1 to 2.4 hereinbelow (if NOT, please skip to question 3):

2.1 Please provide the following information:

(a) Name of the professional order:

Period during which you were a member: From _____ to _____

Member or licence number: _____

(b) Name of the professional order:

Period during which you were a member: From _____ to _____

Member or licence number: _____

Other(s): _____

→ *You must also provide a certificate from the appropriate officer of each order evidencing your current or past status within the order, stating the periods during which you were a member and your professional conduct during those periods, and indicating whether you are currently or have previously been the subject of disciplinary measures and whether you owe any sum of money to the order.*

2.2 Are you currently or have you previously been the subject of disciplinary measures or any other administrative measures by this (or these) order(s)?

YES NO

→ *If SO, you must provide the decisions imposing these disciplinary and/or administrative measures (disciplinary decision, disciplinary measure, etc.).*

2.3 Do you currently owe any sum of money whatsoever to this (or these) order(s)?

YES NO

→ *If SO, you must provide a document indicating the amount owed and proof of payment (if payment has been made).*

2.2 Are you currently or have you previously been the subject of disciplinary measures or any other administrative measures by this (or these) order(s)?

YES NO

→ If SO, you must provide the decisions imposing these disciplinary and/or administrative measures (disciplinary decision, disciplinary measure, etc.).

2.3 Do you currently owe any sum of money whatsoever to this (or these) order(s)?

YES NO

→ If SO, you must provide a document indicating the amount owed and proof of payment (if payment has been made).

2.4 Are you currently or have you previously been the subject of an investigation of any kind whatsoever by this (or these) order(s)?

YES NO

→ If SO, you must provide the document(s) evidencing that you are or were the subject of such an investigation.

3. Have you previously been convicted, in Canada or elsewhere, of one or more indictable offences or one or more offences punishable on summary conviction under the *Criminal Code* (R.S.C. (1985), c. C-46) or under any other applicable statute?

YES NO

If SO, please answer questions 3.1 to 3.2 hereinbelow (if NOT, please skip to question 4):

→ For each event, you must also include the following documents:

- the information or indictment (summons);
- the judgment or minutes of the decision;
- all evidence provided by the prosecution in accordance with its obligation to communicate evidence;
- the police report(s); and
- the pre-sentencing or pre-disposition report

3.1 Have you filed an application for a pardon (section 3 of the *Criminal Records Act*, R.S.C. (1985) c. C-47) or its equivalent in the country in which you were convicted?

YES NO

→ If SO, you must include the documents that are relevant to your application for a pardon and specify to what stage the application has proceeded (indicate whether your application is being examined, has been refused, has been revoked or has been accepted).

3.2 Have you filed an application for royal mercy (section 748(1) of the *Criminal Code*), or its equivalent in the country in which you were convicted?

YES NO

→ If SO, you must include the documents that are relevant to your application for a royal mercy and specify to what stage the application has proceeded (indicate whether your application is being examined, has been refused, has been revoked or has been accepted unconditionally or conditionally).

4. Are you or have you been the subject of one or more criminal or penal proceedings in Canada or elsewhere?

YES NO

→ If SO, for each event, you must include the following documents:

- the information or indictment (summons);
- the judgment or minutes of the decision;
- all evidence provided by the prosecution in accordance with its obligation to communicate evidence;
- the police report(s); and
- the pre-sentencing or pre-disposition report

5. Are you or have you been the subject of one or more proceedings for illegal practice of the legal profession or any other profession in Canada or elsewhere?

YES NO

→ If SO, for each event, you must include the following documents:

- the information or indictment (summons);
- the judgment or minutes of the decision;
- all evidence provided by the prosecution in accordance with its obligation to communicate evidence;
- the police report; and
- the pre-sentencing or pre-disposition report

6. Except for offences relating to the *Highway Safety Code* (CQLR, c. C-24.2), are you currently or have you previously been the subject, in Canada, of one or more criminal proceedings under provincial or federal legislation? Please note: This question does not relate to municipal by-laws adopted under the *Cities and Towns Act*, a municipal code, a statute respecting an urban community or other related legislation (e.g.: parking ticket, offence relating to tobacco use).

YES NO

→ If SO, for each event, you must include the following documents:

- the information or statement of offence;
- the judgment or minutes of the decision;
- the police report(s); and
- proof of payment

7. Have you previously been the subject of disciplinary measures by a university?

YES NO

→ If SO, you must include the following documents:

- the disciplinary complaint;
- the disciplinary decision;
- the disciplinary measure;
- if the following information does not appear on the documents provided, you must specify the name of the institution, the date of the decision, the object of the complaint and the nature of the decision; and
- all other relevant documents

8. Are you currently or have you previously been the subject of a refusal, a disciplinary measure or proceedings by the Barreau du Québec or another administrative agency, in Québec or elsewhere?

YES NO

→ If SO, you must include, depending on the nature of the proceeding(s), the following documents:

- the disciplinary complaint;
- the disciplinary decision;
- the disciplinary measure;
- if the following information does not appear on the documents provided, you must specify the name of the agency, the date of the decision, the object of the complaint and the nature of the decision; and
- all other relevant documents

9. Have you previously made or are you currently making an assignment of your property or been declared bankrupt, made a proposal under general or consumer legislation or availed yourself of the provisions of articles 664 and following of the Code of Civil Procedure (CQLR, c. C-25.01) (Voluntary deposit)?

YES NO

→ If SO, you must include the following documents:

- the bankruptcy notice;
- a list of creditors and the amounts of the claims;
- the notice of discharge, if applicable; and
- all other relevant documents

10. Have you been or are you currently a director or officer of a company that has previously made an assignment of its property, declared bankruptcy or made a proposal?

YES NO

→ If SO, you must include the following documents:

- the bankruptcy notice;
- a list of creditors and the amounts of the claims;
- the notice of discharge, if applicable; and
- all other relevant documents

11. Except for any matrimonial matters, are you currently or have you previously been involved in any manner whatsoever as a party (plaintiff, defendant, impleaded party, etc.) in civil proceedings or another type of claim under provincial or federal legislation?

YES NO

→ If SO, for each event, you must include the following documents:

- the relevant written proceedings (request, application, declaration, originating application, etc.);
- the judgment, if any;
- any payment agreement entered into with the creditor, if any;
- the declaration of out-of-court settlement or release, if any;
- proof of payment, if a payment was made; and
- all other relevant documents

12. Are there one or more judgments against you that have not been executed in a matrimonial, civil or criminal matter?

YES NO

→ If SO, for each event, you must include the following documents:

- the relevant written proceedings (request, application, declaration, originating application, etc.);
- the judgment;
- any payment agreement entered into with the creditor, if any;
- the declaration of out-of-court settlement or release, if any;
- proof of payment, if a payment was made; and
- all other relevant documents

13. Have you previously been convicted of contempt of court?

YES NO

→ If SO, you must include the following documents:

- every document indicating that you have been charged with contempt of court (e.g. the minutes of the hearing, the decision or any other appropriate document);
- all evidence indicating that you were acquitted of this offence; and
- all other relevant documents

14. Are you currently or have you previously been the subject of a licence suspension, revocation or refusal (including a driver's licence) or a suspension of the right to obtain a licence (including a driver's licence), in Québec, elsewhere in Canada or in a foreign country?

YES NO

→ If SO, you must include the following documents:

In the case of a driver's licence:

- the suspension letter from the Société de l'assurance automobile du Québec (SAAQ) or the equivalent elsewhere in Canada or abroad;
- the judgment or minutes;
- your driving record;
- proof of payment, if a payment was made; and
- all decisions or other relevant documents

For any other licence, please indicate and/or provide:

- the purpose of the licence;
- the name of the decision-making agency; and
- the nature and date of the decision

15. Do you currently suffer from a physical or psychological addiction to alcohol, gambling or prescription or other drugs?

YES NO

→ If SO, you must provide a general description of this addiction and its impact.

16. Based on your personal history, your current situation or any professional opinion or advice you have received, do you currently have a condition that is reasonably likely to affect your ability to practice law or to act as an articling student?

PRECISION: You are being asked this question pursuant to section 48 of the *Professional Code* because “[t]he board of directors of an order may order the medical examination of a person who is a member of such order, who applies for entry on the roll or who makes another application preceding admission to the profession where it has reason to believe his physical or mental condition is incompatible with the practice of his profession.” Please note that this question does not pertain in any manner whatsoever to persons who wish to obtain an accommodation for their professional training due to a disability.

YES NO

→ If SO, you must provide a general description of this condition and its impact.

PART C EQUIVALENCES COMMITTEE

You must now complete Part C containing the questions required by the Equivalences Committee.

1. Please list every university diploma in law you currently hold:

(a) Title of the diploma:

University:

Date obtained:

(b) Title of the diploma:

University:

Date obtained:

(c) Title of the diploma:

University:

Date obtained:

(d) Title of the diploma:

University:

Date obtained:

Other(s):

→ For each diploma listed, you must include official proof of the diploma as well as the course transcript indicating the courses taken, the number of credits or hours for each course and the marks obtained.

2. Please list every other relevant diploma you currently hold:

(a) Title of the diploma:

University:

Date obtained:

(b) Title of the diploma:

University:

Date obtained:

(c) Title of the diploma:

University:

Date obtained:

Other(s):

→ For each diploma listed, you must include official proof of the diploma as well as the course transcript indicating the courses taken, the number of credits or hours for each course and the marks obtained.

3. If applicable, please list every university course taken dealing specifically with an area of law applicable in the province of Quebec:

(a) Title of the course:

University:

(b) Title of the course:

University:

(c) Title of the course:

University:

(d) Title of the course:

University:

(e) Title of the course:

University:

Other(s):

→ You must include the relevant transcript(s).

4. Did you obtain your most recent university diploma in law 5 or more years before this application for equivalence recognition?

YES NO

If SO, please answer questions 4.1 to 4.4 hereinbelow (if NOT, please skip to question 5):

4.1 Please list your work experience in the field of law since you obtained your most recent university diploma in law:

(a) Employer/agency/office:

Title of the position held:

Address:

Telephone:

Duration of the work: from

to

(c) Employer/agency/office:

Title of the position held:

Address:

Telephone:

Duration of the work: from

to

4.3 Please list every training session or other continuing education or upgrading activity in the field of law which you completed since you obtained your most recent university diploma in law:

(a) Employer/agency/office/:

Country:

Nature of the training session or title of the activity:

Duration:

(b) Employer/agency/office/:

Country:

Nature of the training session or title of the activity:

Duration:

(c) Employer/agency/office/:

Country:

Nature of the training session or title of the activity:

Duration:

Other(s):

→ For each training session or activity, you must include a document attesting to your participation.

4.4 If applicable, please list your publications since you obtained your most recent university diploma in law:

5. Do you wish to present an application for exemption from professional training and examinations pursuant to section 13 of the *Regulation respecting the standards for equivalence of diplomas and training of the Barreau du Québec* (CQLR, c. B-1, r. 16)?

YES

NO

→ If SO, you must provide an official document from your bar of origin stating:

- that you are a member of the bar of a State or of another province or territory of Canada;
- that Québec lawyers benefit from a similar exemption in that State or in that province or territory of Canada, or else that they do not have to complete a professional training program in that place; and
- the relevant legislative and regulatory provisions

PART D CREDIT CARD PAYMENT: ONLINE PAYMENT

To make a payment by credit card, please go to www.barreau.qc.ca/paiement and select form #1602.

PART E ATTESTATION AND CONSENT

I certify that all the answers provided in this application form are true and given to the best of my knowledge.

I agree to comply with the provisions of *An Act respecting the Barreau du Québec* (CQLR, c. B-1), the *Professional Code* (CQLR, c. C-26), the Charter of the French Language (CQLR, c. C-11) and the regulations adopted thereunder. I understand that a misrepresentation or a failure to answer any of the questions on this form or to provide the required documents (read Appendix 1 carefully) may result in a delay in the processing, or even the refusal, of my application.

I agree that the Barreau du Québec, its representatives and personal information officers may verify and obtain all information and documents regarding the information contemplated in this form, whether such information and documents are in the possession of a public body, an educational institution, a professional order or similar agency as well as its administration, office of the syndic or professional inspection department, a police force, a court, a professional, an individual, a credit bureau or a banking institution.

Signature

Solemnly affirmed before me in _____, this _____ day
of _____ in the year _____

Signature of a lawyer, notary, Commissioner
for Oaths or any other individual empowered
to receive oaths

Commissioner's number:

YOU MUST SEND THE FOLLOWING DOCUMENTS BY EMAIL IN DIGITAL FORMAT TO THE ADDRESS OF THE ASSISTANT TO THE EQUIVALENCES: equivalence@barreau.qc.ca.

All provided documents must be digitized from the originals or certified true copies (except for the police certificate or the certificate of good conduct, which must be originals). The Barreau du Québec reserves the right to later request the originals or certified true copies of the provided documents.

- this form duly completed and sworn;
- your photograph;
- your act of birth;
- your police certificate(s) or certificate(s) of good conduct;
- all other documents required for purposes of your application;

APPENDIX 1

INSTRUCTIONS FOR COMPLETING THE APPLICATION FOR EQUIVALENCE RECOGNITION

PART A GENERAL CONDITIONS

- Please complete the “Application for equivalence recognition” form on a computer or typewriter or by printing legibly.
- If the space provided is insufficient, please use a separate sheet of paper which you must sign and include with this application.
- This application must be completed in full and accurately. Any omission or inaccuracy will delay the examination of your application.
- Every document required in support of your application must be provided, failing which your application will be considered incomplete and will not be examined.

PART B DOCUMENTS TO BE INCLUDED WITH YOUR APPLICATION

1. Original document or certified true copy

- All provided documents must be digitized from an original or a true copy certified by the document's original issuer (except for the police certificates and certificates of good conduct, which must be originals). The Barreau du Québec reserves the right to later request the originals or certified true copies of the provided documents.
- Ordinary photocopies or copies certified by any other party will be refused.
- If you provide a certified true copy of an original document, the Barreau du Québec reserves the right at all times to require the production of the original document.

2. Translation of documents

- Every document provided in support of this application which was originally drafted in a language other than French or English must be accompanied by its translation into French, attested to by a declaration under oath by the person who did the translation.

3. Act of birth

You must include your act of birth with your application. If your act of birth is not available, you can include an extract from the register of civil status or proof of Canadian citizenship.

4. Police certificate or certificate of good conduct

- You must provide a police certificate or certificate of good conduct for each country in which you resided for a period of at least 6 months over the past 5 years.
- In order to be valid, a police certificate or certificate of good conduct must have been issued within 3 months of the date of this application. All expired certificates will be refused.
- Every police certificate or certificate of good conduct must be digitized from the original. Photocopies or certified true copies will not be accepted.
- The certificate must mention your family name(s), given name(s), address and date of birth and state that your criminal record has been checked.
- Where possible, the certificate should be issued by a national or federal police force.
- We cannot refer you to a specific location, because it is at the discretion of each applicant to take appropriate steps to obtain the required certificate.

For Canada:

- A police certificate or certificate of good conduct can be issued by any police force empowered to do criminal record checks via the Canadian Police Information Centre (CPIC).
- You can contact a police station in your neighbourhood or municipality, or contact a private agency, in order to obtain a police certificate or certificate of good conduct. For more information, search for “criminal record check” on the Internet.

Outside Canada:

- If you are not physically present in the country in question, you may have to apply to an embassy or high commission for a police certificate or certificate of good conduct.

5. Certificate from a professional order

- In order to be valid, a certificate from a professional order must have been issued within 6 months of the date of this application. All expired certificates will be refused.

PART C FEE

- According to a resolution duly adopted by the General Council of the Barreau du Québec, a fee of \$1,149.75 (\$1,000.00 plus applicable taxes) is required in order for the Equivalences Committee to examine a candidate's application.
- This fee is not refundable.
- The fee may be paid in two instalments:
 - (a) an initial instalment of \$574.88 (\$500.00 plus applicable taxes) must accompany this duly completed application and the required supporting documents; and
 - (b) a second instalment of \$574.88 (\$500.00 plus applicable taxes) is required no later than the day on which the Equivalences Committee will be examining the application.
- The fee must be paid in Canadian Dollars and payment must be made out to the order of the Barreau du Québec.
- You can pay the fee by Visa or Mastercard (see page 12 part D to make an online payment by credit card), certified cheque, bank draft or money order or international money order.

For any additional information, please contact the Equivalence Assistant at **514-954-3400, extension 5112** or toll free at **1-800-361-8495, extension 5112** or by e-mail at equivalence@barreau.qc.ca.