



SAMPLE

THOMSON, ROGERS EDUCATION PLAN: ARTICLING

1. THE STUDENT

This is an Education Plan for (the "Student") who resides in the City of Toronto in the province of Ontario.

2. THE PRINCIPAL

(The "Principal") shall be the Student's Principal.

3. THE MENTOR

(The "Mentor") shall be the Student's Mentor.

4. THE FIRM

The Student will serve under Articles of Clerkship at the law firm of Thomson, Rogers located at Suite 3100, 390 Bay Street, in the City of Toronto (the "Firm"). The Student will be mentored but it is also anticipated that many of the partners and associates of this firm will participate in the education and supervision of the Student. There are 30 lawyers within the Firm.

5. COMMENCEMENT OF ARTICLES

The Student commenced Articles of Clerkship at the Firm on _____. The Students' remuneration shall be in accordance with the memo attached as Schedule 1.

6. ROTATIONS

Throughout the year the Student will be assigned work by members of the Firm in the following practice areas: personal injury plaintiff litigation; municipal; commercial; environmental; and family. The student will concentrate on the above noted practice areas as follows:

<u>Practice Area</u>	<u>percentage of articling term</u>
1. Personal Injury Plaintiff Litigation	75%
2. Commercial, Environmental, Family, Municipal	25%

There will be an organized system of rotation through the practice areas listed above. The Firm's rotation system is set up by floor, dividing the Student's work between the two and a half floors of the building that the Firm occupies. Each lawyer who assigns work to the Student will participate in the supervision, education and evaluation of the Student.

7. EDUCATION

The Firm will provide the students with several seminars prepared specifically for the articling student designed to equip students for the key tasks they will face in their articles. Topics will include:

- Pleadings,
- Conducting Interlocutory Motions,
- Advocacy,
- Discoveries,
- Costs,
- Municipal Law,
- Legal Drafting,
- Accident Benefits Litigation,
- Long-term Disability Benefits,
- Research Skills,
- Initial Client Interviews, and
- An orientation/training day with respect to the Firm's proprietary Case Management System.

The Student will also have the opportunity to attend educational seminars organized for the entire Firm throughout the year in which members of the Firm will discuss various legal issues of interest in their areas of expertise. In addition, the Firm will endeavor to make available associate/associates who have recently completed their articles with the Firm to provide practical advice based upon their articling experience.

8. GUIDANCE AND ADVICE

The Student will be encouraged to approach the Mentor to discuss, in confidence, any problems or areas of concern relating to the Student's articling experience. As well, the Principal will be available to the Student as needed.

Students will be encouraged to work directly with the Lawyers who have assigned work in order to be exposed to tactical advice and to develop strong professional relationships.

9. ROUTINE TASKS

The Student may very occasionally file documents at courts and administrative tribunals, make deliveries, and assist with photocopying and other clerical matters, when urgency requires, just as lawyers sometimes do. These tasks will take up less than 2 percent of the Student's time.

10. SECRETARIAL SUPPORT

There is secretarial support available to the Student during the Student's articles.

11. PROFESSIONAL RESPONSIBILITY

Throughout the articling term, the Student will be given explanations of the professional responsibilities relating to client confidentiality, avoidance of conflicts of interest, and other ethical issues.

12. INTERVIEWING

The Student will participate in client interviews, with or without supervision, and may occasionally interview witnesses, experts, consultants, employees of various ministries or government agencies, and other persons to obtain factual information relevant to the matter being considered.

13. ADVISING

The Student will prepare legal memoranda advising supervising lawyers of the results of research and other tasks performed. The Student will also assist in the preparation of reporting letters advising clients of the status of various matters, and assist in the preparation of opinion letters to clients.

Opinion letters will in all cases be prepared under the supervision of a partner of the Firm. Depending upon the nature of the matter, the Student may report on matters directly to the client by telephone or by letter after consultation with the instructing lawyer.

14. FACT INVESTIGATION

Other than through interviewing, the Student will develop skills in gathering facts by:

- a) Reviewing accident reports and expert reports;
- b) Reviewing corporate searches;
- c) Reviewing trial, examination for discovery and other transcripts;
- d) Reviewing client's files;
- e) Reviewing files maintained by governmental or administrative bodies such as city or town councils, the Ontario Municipal Board, and others, subject to all the requisite rules regarding confidentiality; and
- f) Observing cross-examinations and discoveries.

15. LEGAL RESEARCH

The Student will perform legal research and report to the lawyers in the Firm both orally and in memorandum form. Near the beginning of the articling term, a seminar will be conducted to review legal research techniques. In addition, the Firm's library staff will provide assistance in locating materials and using research tools including computer data bases and search engines. Periodically throughout the year, training courses on the use of various computer databases such as QuickLaw and ECarswell will be made available to the Student.

The Student will not spend more than 15 per cent of his or her time throughout the year conducting and reporting on the results of legal research.

16. PROBLEM ANALYSIS

Throughout the articling term, the Student will develop problem-solving skills by discussing and analyzing clients' problems with lawyers in the Firm. These discussions will attempt to teach the Student how to identify the various options available for resolving problems and how to identify the strategic implications of each option.

17. PLANNING AND CONDUCT OF A MATTER

The Student will be given instruction in the importance of devising a plan for the conduct of a matter that is consistent with the needs and expectations of the client, and the

importance of achieving the desired result in a reasonable time and at an appropriate cost. It will be impressed upon the Student that the client must be kept advised of the progress of the matter and be consulted for instructions when important decisions must be made.

18. FILE AND PRACTICE MANAGEMENT

At the beginning of the articling period, the Student will be taught: the Firm's proprietary Practice Management System as well as the Firm's policies and procedures for docketing time; the proper use of tickler systems; note-taking and recordkeeping procedures; methods for recording expenses and disbursements incurred on behalf of clients; and techniques for the organization of individual files. The Student will be made familiar with the Firm's file and records management system, including the procedures for opening and closing files and the account rendering process.

19. OFFICE SYSTEMS

The Student will be given an introductory seminar explaining various office systems and procedures including: procedures for tracking photocopying, telephone and taxi expenses; procedures for obtaining reimbursements for disbursements on behalf of clients; procedures for arranging overtime secretarial assistance; the organization of the Firm's internal precedent systems; the capabilities and limitations of the Firm's word processing computer system; and others.

20. DRAFTING

The Student will assist in the drafting of various legal documents including affidavits, facta, pleadings, notices, agreements, and others.

The Student will also draft letters to and on behalf of clients, including demand letters, reporting letters and preliminary drafts of opinion letters.

21. WRITING

The Student may assist lawyers within the Firm with the writing of legal research memoranda, papers, speeches, presentations, or text books on various subjects.

22. NEGOTIATION

Throughout the articling term, the Student will have opportunities to observe and participate in negotiations conducted by lawyers within the Firm. Specifically the

Student will have an opportunity to accompany more senior lawyers to mediations, both mandatory and private, and pre-trials.

23. ADVOCACY

Advocacy is at the heart of Articles at this firm. It is anticipated that, during the course of both rotations, the Student will have the opportunity to accompany one or more lawyers in order to observe the conduct of any or all of the following: examinations for discovery, cross-examination on an affidavit, contested motions, Court applications, mediations and arbitrations, trials, and appearances before administrative tribunals.

In addition, the Student will have the opportunity to participate personally in one or more of the following: small claims court trials and pre-trials, contested and uncontested motions, assignment court proceedings, status hearings, Provincial Offences Court trials, and examinations in aid of execution.

24. PROCEDURES FOR EVALUATION AND ASSESSMENT

Evaluation interviews will be conducted with the Mentor and will include comments from each lawyer for whom the Student has done work during the course of that rotation. These evaluations provide an opportunity for the lawyer to make general comments concerning the Student's performance and development and suggestions for improvement.

The Student, the Student's Mentor and the Principal will meet together to discuss these evaluations and consider how the information contained in them could best be used to further the development of the Student's skills during the remainder of the articling term.