#### Lawyer Supervision Agreement – 2023-2024

PBSC matches law student volunteers (“Student Volunteers”) to Partner Organizations to provide free legal support to people and communities facing barriers to justice. Student Volunteers are not qualified lawyers. They do not hold professional liability insurance, cannot provide legal advice, and cannot hold themselves out as lawyers or legal professionals. For these reasons, all Student Volunteers must work under the supervision of a Lawyer Supervisor. In general, Student Volunteers are required to work under the supervision of a qualified lawyer who possesses professional liability insurance (“Lawyer Supervisor – Insured”) for all project types. In limited circumstances, on public legal education and research projects only, Student Volunteers may be supervised by an experienced lawyer who is deemed a “Lawyer Supervisor –Expert” by PBSC. The Lawyer Supervisor is responsible for providing regular supervision and approving the work of Student Volunteer(s). Please review the enclosed Lawyer Supervisor Tip Sheet for additional important information.

*PBSC respects your privacy. The information in this form is collected and used for the purpose of administering PBSC, which may include the operation and development of PBSC programs through the local and National offices, communication with and reporting to PBSC members, law schools and funders, evaluating PBSC programs and program publicity. PBSC will protect the information in accordance with any and all applicable privacy legislation. Any questions can be directed to* ***probonostudents.utoronto@gmail.com****.*

**THIS AGREEMENT IS MADE BETWEEN**

**PRO BONO STUDENTS CANADA, UNIVERSITY OF TORONTO CHAPTER, UNIVERSITY OF TORONTO FACULTY OF LAW**

**AND**

|  |  |
| --- | --- |
| Name of Lawyer Supervisor  (please print) |  |

|  |  |  |
| --- | --- | --- |
| Date |  | Signature |

**I acknowledge and agree as follows:**

1. I will directly supervise the Student Volunteer(s) for the duration of the PBSC placement, and will take ultimate responsibility for the final work product submitted by the Student Volunteer(s).
2. If I am a Lawyer Supervisor – Insured, I certify that:
   1. I am a lawyer in good standing with my provincial law society and, in supervising the Student Volunteer(s), will comply with any and all applicable rules of professional conduct governing the supervision of students, employees, and assistants.
   2. I hold and will maintain appropriate professional liability insurance for the duration of the PBSC placement.
   3. With the exception of civil law lawyers, I hold and will maintain professional liability insurance that extends to my role as a Lawyer Supervisor for the duration of the PBSC placement.
3. If I am a Lawyer Supervisor – Expert, I certify that the information I provided to PBSC to determine my designation as a Lawyer Supervisor – Expert is accurate.
4. I agree to notify PBSC if my professional designation with my provincial law society changes, and/or if my position or employment changes while I am acting as a Lawyer Supervisor.
5. I understand that the Student Volunteer(s) may provide legal information only and not legal advice and that they may not hold themselves out as legal professionals.
6. Periodically during the course of this Agreement, I will make myself available as reasonably required by the Student Volunteer(s) to answer questions of a legal nature, to provide guidance, and to review and provide feedback on the Student Volunteer(s)’s work.
7. I will review and approve as “final” any and all of the Student Volunteer(s)’s work, including work that is to be submitted to the Partner Organization.
8. I understand that the Student Volunteer(s) responsibilities are outlined in PBSC’s **Project Description Form**. I further understand that no material change may be made to this form during the Student Volunteer(s)’s placement without PBSC’s consent.
9. Where appropriate, I understand that the Student Volunteer(s) are required to comply with any and all processes and protocols established for the PBSC placement regarding virtual and/or in-person client interactions and the protection of confidential and sensitive information.
10. I will promptly notify PBSC of any concerns regarding the Student Volunteer(s), the organization for whom the Student Volunteer(s) works, or the Student Volunteer(s)’s responsibilities.
11. I will not ask or require the Student Volunteer(s) to incur any costs. This includes but is not limited to costs relating to photocopying, printing, or online subscriptions.
12. I will promptly respond to communications from PBSC, review the attached **Tip Sheet**, and complete and return all forms and the annual Impact Survey sent by PBSC.

**Tip Sheet: Important Information for PBSC Lawyer Supervisors**

Thank you for agreeing to be a Lawyer Supervisor for a PBSC project! PBSC recognizes that your time is extremely valuable, and we appreciate your willingness to work with us to support people and communities facing barriers to justice. This tip sheet is meant to provide you with important information about our placements and policies, and your role as a PBSC Lawyer Supervisor.

* ***Agreement Form:*** PBSC requires all Lawyer Supervisors to sign the Lawyer Supervision Agreement before commencing supervision of a project. The Agreement ensures all PBSC Lawyer Supervisors are aware of their responsibilities, and commit to spending the time and effort necessary to provide a valuable learning opportunity to our Student Volunteers.
* ***Training***: All of PBSC’s Student Volunteers must attend a general PBSC training in September that provides an overview of our program and reviews topics such as professionalism and ethics, and legal information versus legal advice. First-year students and upper-year students working on legal research projects must also undertake PBSC legal research training. Some projects also require specialized or subject matter training. We welcome your input regarding additional training you believe would add value to the placement.
* ***Timeline***: Student Volunteers work **approximately 3-5 hours per week** throughout the volunteer placement,typicallyfor a total of 60-100 hours. They are not expected to work during exam periods or reading weeks. Most projects are required to wrap up by the last week of classes of the winter term. Given this compressed timeline, it is critical that Lawyer Supervisors provide their feedback promptly, to ensure the Student Volunteers will have time to make revisions and move the project along to completion within this brief time period.
* ***Work Plan:*** A work plan is a helpful tool for both Student Volunteers and Lawyer Supervisors, and are required on many projects. A precedent Work Plan will be provided to PBSC’s Student Volunteers. Mapping out the timelines and deliverables ensures the workload is well thought out and evenly distributed, that Student Volunteers have benchmarks to meet, and that Lawyer Supervisors can carve out time in their busy schedules to review assigned work and offer feedback. If you are volunteering on a project that requires the Student Volunteer to develop a work plan, please assist your student in ensuring that it is realistic and appropriate, with a workload that is distributed evenly throughout the academic year. Please do your best to observe the timeline and keep the project moving along at a brisk pace.
* ***Working With Your Student:*** All Student Volunteers are trained to conduct themselves with professionalism, and understand that they must answer phone calls and emails promptly, be responsive to requests made by the organization, be punctual, and complete all tasks within the agreed-upon timeframe. In turn, we ask Lawyer Supervisors to make certain commitments to our Student Volunteers. Generally speaking, we ask you to be responsive and to maintain regular contact with your Student Volunteer(s). Specifically, this includes meeting with the Student Volunteer(s) at least once early in each academic term and at the end of the project; where possible, holding all meetings in person or via videoconference; to be available periodically during the course of the project as reasonably required to answer questions of a legal nature, to provide guidance relevant to the project, and to review and provide feedback on the work product; and to complete in a timely fashion a final evaluation of the Student Volunteer(s).

In a typical PBSC project, you should expect to hear from your Student Volunteer(s) in late September or early October, and we recommend that you plan a meeting in early October to provide guidance with respect to the development of a work plan (where required), review and approve the work plan by mid-October, review the work of the Student Volunteer(s) in November, and provide regular feedback as needed throughout the rest of the year.

* ***Legal Advice:*** PBSC’s policies strictly prohibit Student Volunteers from offering legal advice. As a general rule, students can provide information on the state of the law and on legal procedures, but cannot answer questions that relate to the particular facts of a client’s situation. That being said, we recognize that the line between legal information and advice is not always clear. We acknowledge that there will be times when our Student Volunteers are in essence serving as a conduit for advice that is being provided by the Lawyer Supervisor. If you encounter a situation where you are not sure if this line is being crossed, please immediately reach out to your PBSC Program Coordinator.
* ***Monitoring:*** PBSC aims to ensure that all of its projects are running smoothly, and conducts a formal monitoring process once each semester (typically November and February), in which someone from PBSC speaks with every Student Volunteer, Partner Organization, and Lawyer Supervisor to identify and address any issues that come up. In order to make this monitoring process effective, it is vital that the monitoring calls take place within the planned time frame. Accordingly, we ask you to promptly return emails attempting to schedule a monitoring call. These calls typically take less than 10 minutes, and it is vitally important that we know whether things are going smoothly on your project. We also ask that you not wait until the monitoring process and notify your PBSC Program Coordinator with any concerns that come to your attention regarding the Student Volunteer(s) or the project.
* ***Continuing Professional Development:*** Every Law Society in Canada has a policy regarding the Continuing Professional Development (CPD) of lawyers. In some provinces, CPD is mandatory and in others it is merely recommended. In some cases, supervision of a PBSC placement can count as CPD. While PBSC makes every effort to keep up with the policies of every Law Society, please refer to your province’s policy to determine whether your work with our organization counts as part of your CPD.
* ***Feedback***: PBSC relies on your feedback to strengthen our program, and report to our funders. In mid-March we will send you a virtual Impact Survey to complete. Please be sure to take a moment to complete the survey and provide us with your impressions of our program – we welcome both positive and constructive feedback.