Law Society of Prince Edward Island

APPLICATION FOR ENROLMENT AS AN ARTICLED CLERK, **Form 1**

 [Pursuant to Regulation 11]

C A N A D A

PROVINCE OF

PRINCE EDWARD ISLAND

**TO:** The Secretary-Treasurer of the Law Society of Prince Edward Island

**THE APPLICATION** of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_County, student, (the “Applicant”)

**SUBMITS:**

**1. THAT** the Applicant is the full age of eighteen years; and

**2.** **THAT** the Applicant has been admitted as a regular student in the faculty of law at the\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ law school at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_and has successfully completed the qualifications for graduation from such law school as is shown by the certificate hereto annexed and marked “\_\_\_\_\_\_\_\_\_\_\_\_” and has successfully completed a course in every subject area required by Regulation 11 of the Law Society of Prince Edward Island.

**3.** **THAT** annexed and marked “\_\_\_\_\_\_\_\_\_\_” *[or as applicable]* is a fully executed duplicate of the Articles of Clerkship made between the Applicant and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Principal), a member in good standing of the Law Society of Prince Edward Island, who is and has been a member in good standing in actual practice for a period of not less than five years.

**4.** **THAT** annexed and marked “\_\_\_\_\_\_\_\_” is a certificate of the Applicant’s Principal;

**5.** **THAT** submitted with this Application are the proper enrolment fees payable for an Articled Clerk.

DATED this \_\_\_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

 Applicant

**DECLARED** before me at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,)

Prince Edward Island )

this \_\_\_\_\_\_\_\_day of\_\_\_\_\_\_\_\_\_\_\_, 20\_\_ )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

etc.

**FORM NO. 1** (cont'd) *{Exhibit Stamp}*

**D E C L A R A T I O N**

**TO:** The Secretary-Treasurer of the Law Society of Prince Edward Island (“Society”)

**I,** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in \_\_\_\_\_\_\_\_\_\_County, student,

**DO SOLEMNLY DECLARE:**

**1. THAT** the statements and allegations made in my application for enrolment whereon this declaration is endorsed are true in substance and in fact and the annexations thereto marked respectively " \_\_\_\_\_", "\_\_\_\_\_" and "\_\_\_\_\_ " are genuine;

**2. THAT** if I am enrolled as an Articled Clerk I will at all times conduct myself in accordance with the Rules of the Society relative thereto and will not be guilty of misconduct or conduct unbecoming to an Articled Clerk or Student at Law or any breach of any of the provisions of the ***Legal Profession Act*** or of any Regulation passed thereunder;

**3. THAT** during my term of service as an Articled Clerk, I will not be engaged in any employment contrary to the Society’s Regulations,

**AND** I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

**DECLARED** before me at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,)

Prince Edward Island )

this \_\_\_\_\_\_\_\_day of\_\_\_\_\_\_\_\_\_\_\_, 20\_\_ )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

etc. *[NOTE: these forms may vary as dictated by circumstances]*

**FORM NO. 1** (cont'd) *{Exhibit Stamp}*

**C E R T I F I C A T E O F Q U A L I F I C A T I O N S**

**TO: The Secretary-Treasurer of the Law Society of Prince Edward Island (Society)**

**I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, (Principal) Barrister, Solicitor and Attorney of the Supreme Court of Prince Edward Island,

**DO HEREBY CERTIFY**

**THAT** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, an applicant for enrolment as an Articled Clerk, is, in my opinion, a person who is fit and possesses the requisite qualifications and good character to be enrolled as an Articled Clerk.

**DATED** this \_\_\_\_\_\_day of\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

(Signature of Principal)

**End of Form No. 1**

Law Society of Prince Edward Island

ARTICLES OF CLERKSHIP, **Form 2**

 [Pursuant to Regulation 11]

 *{Exhibit Stamp}*

**THIS AGREEMENT** made the \_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

BETWEEN:

(Articled Clerk “Clerk”)

and

(Principal)

1. **Appointment of the Clerk**

The Clerk, acting voluntarily, hereby agrees to serve as an Articled Clerk to the Principal, effective on the date of this Agreement. The service is to be performed in accordance with the Regulations and policies of the Law Society of Prince Edward Island and during and until the full term of the time required in accordance with the Regulations, policies, and the *Legal Profession Act*.

1. **Covenant of Service**

The Clerk agrees to faithfully and diligently serve the Principle as an Articled Clerk in the practice and profession of a Barrister, Solicitor and Attorney of the Supreme Court of Prince Edward Island from the date of this Agreement until the end of the above term.

1. **Handling of Property and Indemnification**

The Clerk agrees not to cancel, obliterate, injure, spoil, destroy, waste, embezzle, spend or make away with any of the books, papers, writings, documents, money, stamps, chattels, or other property of the Principal or their partner or partners, clients or employees during the above term. In the case the Clerk shall act contrary to this agreement, or if the Principal, their executors, administrators or assigns or their partner or partners of employees shall sustain any loss or damage by the misbehavior, neglect or improper conduct of the Clerk, the Clerk, their heirs and administrators shall indemnify the Principal by fully compensating for such loss or damage.

1. **Confidentiality and Conduct**

The Clerk shall always maintain the confidentiality of the Principal and their partners. Furthermore, the Clerk agrees to promptly and willingly follow the reasonable and lawful instructions given by the Principal. The Clerk shall not leave or be absent from the Principal’s service at any time during the term without first obtaining the Principal’s consent. The Clerk is expected to conduct themselves with diligence, honesty, and propriety at all times, and to serve the Principal in the faithful manner expected of a diligent clerk.

**IN CONSIDERATION OF $1.00 THE MUTUTAL PROMISES CONTAINED IN THIS AGREEMENT AND THE PARTIES AGREE AS FOLLOWS:**

The Principal agrees to accept the Clerk as both their articled clerk and student-at-law. The Principal further agrees to teach and instruct—or to have the Clerk instructed—in the practice of law as a Barrister, Solicitor, and Attorney of the Supreme Court of Prince Edward Island, using all reasonable methods and the full extent of their skill and knowledge throughout the term of this agreement. Moreover, upon the completion of the term and provided that the Clerk has served faithfully and diligently, the Principal shall, at the request and expense of the Clerk, use their best efforts to assist the Clerk in securing their admission to practice as a Barrister, Solicitor, and Attorney of the Supreme Court of Prince Edward Island.

**IN WITNESS WHEREOF** the parties hereto have hereunto set their hands and affixed their respective seals all the day and year first above written.

**SIGNED, SEALED AND DELIVERED**

Witness Signature of Principal

Print Name:

Witness Signature of Articled Clerk

Print Name:

*[Note - these forms may be varied as dictated by circumstances]*

Law Society of Prince Edward Island

ASSIGNMENT OF ARTICLES, **Form 3**

 [Pursuant to Regulation 13 (1)]

**THIS AGREEMENT** made effective , 20 ,

BETWEEN:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Articled Clerk)

and

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Current Principal)

and

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(New Principal)

**BACKGROUND**

1. The Articled Clerk has served Articles of Clerkship with the Current Principal from the period of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_ to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.
2. The parties wish to assign the Articles of Clerkship to the New Principal.

**IN CONSIDERATION OF $1.00 THE MUTUTAL PROMISES CONTAINED IN THIS AGREEMENT AND THE PARTIES AGREE AS FOLLOWS:**

1. The Current Principal assigns and transfers to the New Principal any and all benefit, interest or claim, in the Articles of Clerkship.
2. The Articled Clerk agrees to be articled to the New Principal for the remainder of the articling term from the period of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_ to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_ according to the terms and conditions of the Regulations and policy.
3. The New Principal accepts the Articled Clerk as an Articled Clerk for the remainder of the articling term and agrees to observe and be obligated by the Regulations and policies.

Witness Signature of Current Principal

Print Name:

Witness Signature of New Principal

Print Name:

Witness Signature of Articled Clerk

Print Name:

 **THE CONSENT** of the Council was given and this assignment

 **FILED** with the Secretary-Treasurer of the Law Society of

 Prince Edward Island this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.