



NOVA SCOTIA BARRISTERS' SOCIETY

## **PROCEDURE RESPECTING CALLS TO THE BAR – BY TELEPHONE OR VIDEO CONFERENCE**

### **1.1 General Rule - In person Call**

**1.1.1** As a general rule, a person eligible for membership in the Nova Scotia Barristers' Society is, and should be, called to the Bar in person, pursuant to subsection 5(3) of the *Legal Profession Act*.

### **Exceptional Circumstances**

**1.1.2** It is acknowledged, however, that there may be exceptional circumstances in which a person is unable to attend an admission ceremony in person. The Act and Regulations recognize such circumstances as subsection 5(4) of the *Legal Profession Act* allows for a call to the Bar other than in person upon recommendation of the Credentials Committee, pursuant to Regulation 3.9.3.

#### ***Legal Profession Act*** **Section 5**

...

(3) A person who meets the requirements established by the regulations for membership in the Society as a lawyer shall be called to the Bar by appearing before a judge, taking the oath or affirmation prescribed by the regulations and signing the Roll of Lawyers.

(4) The Council may, in circumstances it considers appropriate, authorize the appearance referred to in subsection (3) to be other than in person.

#### **Regulations**

##### **Day of Call**

**3.9.3** Every person being called to the Bar shall appear in person, unless excused from such personal appearance by the Committee, and be presented to Court by a member of Council.

### **2.1 Application for Permission to Credentials Committee**

**2.1.1** The potential admittee must first apply to the Credentials Committee pursuant to Regulation 3.9.3 for permission to be excused from personal appearance at the Bar Admission Ceremony.

#### **Council Authorization**

**2.1.2** If the Committee agrees to excuse the admittee from personal appearance, the Committee will recommend to Council that Council authorize the appearance to be other than in person. Council may grant the authorization.

### **3.1 Procedure for Call to the Bar**

**3.1.1** If Council grants the authorization, the authorization is **subject to approval of the Court**. If the Court gives approval for the admittee to be called to the Bar to be other than in person, the same procedure set out in *Procedure for the Bar Admission Ceremony* applies, with any necessary logistical modifications, but with the following exceptions:

- (a) The Call by Telephone or Video Conference will take place on a non-regular Call date. Accordingly, staff will contact the Scheduling Coordinator at the Law Courts and provide the Call date, so that the Scheduling Coordinator may arrange for a Justice to preside at the Call.

- (b) Staff will arrange for a Presenting Officer to be available for the Call, and coordinate with the Presenting Officer as to logistics regarding location.
- (c) On the day of the Call by telephone or video conference, staff will make appropriate arrangements for the teleconference or video conference, and ensure all parties (Judge, Admittee, Presenting Officer) have the logistics.
- (d) The Admittee must have a witness present to attest to his or her identity. The witness must be a lawyer.
- (e) The admittee will not sign the Roll of Lawyers until after the Call to the Bar, on a date arranged with staff, when he or she is present in Halifax. The admittee will not be called to the Bar until the Roll of Lawyers is signed.

*Revised – May 12, 2008*

*Revised by the Credentials Committee – January 22, 2010*