



NOVA SCOTIA BARRISTERS' SOCIETY

POLICY AND PROCEDURE FOR APPLICATIONS FOR LEAVES OF ABSENCE FROM ARTICLING

1.1 Parameters for Leaves of Absence

1.1.1 Regulation 3.4.2 (f) sets out the parameters for articulated clerks wishing to take a leave of absence. It provides as follows:

Options for Articled Clerks

3.4.2 An articulated clerk may

....

(f) with the written consent of the principal, and approval of the Executive Director, take a leave of absence for an appropriate period under the circumstances, during which time the articulated clerk remains a member of the Society but is not entitled to act as an articulated clerk and that time does not count towards the period of articles required under these regulations.

2.1 Discretion of the Executive Director

2.1.1 The Executive Director has the discretion to permit an articulated clerk to take a leave of absence for purposes of sickness or personal matters, provided that such leaves are for a reasonable period of time.

“Reasonable” Analyzed Contextually

2.1.2 What is reasonable shall be determined in light of the circumstances of the clerk and the principal who may be affected by the clerk’s leave.

Missed Time

2.1.3 Subject to Regulation 3.2, the Executive Director will ensure that the articling time missed is made up by an extension of articles pursuant to 3.4.2(h).

Approved by the Credentials Committee – October 31, 2008

Revised by the Credentials Committee – December 10, 2009