



NOVA SCOTIA BARRISTERS' SOCIETY

<b><u>CODE OF PROFESSIONAL CONDUCT</u></b>	<b><u>HANDBOOK</u></b>
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**CHAPTER 1 INTERPRETATION & DEFINITIONS**

Section 1.1	DEFINITIONS	Interpretation
<b>Rule 1.1-1</b>	<i>Definitions in (a) to (k) apply unless context indicates otherwise</i>	no similar section; see <i>Interpretation</i>
1.1-1 [2]	<i>individual consulting in a representative capacity</i>	no similar section; see <i>Interpretation</i>
1.1-1 [3]	<i>client vs. near-client</i>	no similar section; see <i>Interpretation</i>

**CHAPTER 2 STANDARDS OF THE LEGAL PROFESSION**

Section 2.1	INTEGRITY	Ch. 1; Ch. 18; Ch. 23
<b>Rule 2.1-1</b>	<i>Duty to act honourably and with integrity</i>	<b>Ch. 1 - R.1, GP.</b>
2.1-1 [1]	<i>the consequences of a lack of integrity</i>	<b>Ch. 1 - Comm. 1.1; Ch. 23 - Comm. 23.1</b>
2.1-1 [2]	<i>how bad conduct erodes public confidence</i>	<b>Ch. 1 - Comm. 1.2</b>
2.1-1 [3]	<i>when discipline may be justified</i>	<b>Ch. 1 - Comm. 1.3</b>
2.1-1 [4]	<i>exceptions; purely private or extra-professional activities</i>	<b>Ch. 1 - Comm. 1.4</b>
<b>Rule 2.1-2</b>	<i>Duty to uphold standards and reputation of profession</i>	<b>Ch. 1 - R.1; Ch. 18 - R.1</b>
2.1-2 [1]	<i>examples of activities that enhance the profession [see (a) to (e)]</i>	<b>Ch. 18 - Comm. 18.7</b>

**CHAPTER 3 RELATIONSHIP TO CLIENTS**

Section 3.1	COMPETENCE	Ch. 2; Ch. 3; Ch. 4
<b>Rule 3.1-1</b>	Definition of “competent lawyer”: see (a) to (k)	<b>Ch. 2 - GP.1</b>
<b>Rule 3.1-2</b>	Competence: Duty to perform legal services competently	<b>Ch. 2 - R.1</b>
3.1-2 [1]	<i>client's entitlement to assume competence</i>	<b>Ch. 2 - Comm. 2.1</b>
3.1-2 [2]	<i>keeping abreast of developments in the law</i>	<b>Ch. 2 - GP.1</b>
3.1-2 [3]	<i>determining whether you have sufficient knowledge; relevant factors listed in (a) to (e)</i>	no similar rule
3.1-2 [4]	<i>general practitioner vs. expert</i>	<b>Ch. 2 - Comm. 2.2</b>
3.1-2 [5]	<i>being or becoming competent before proceeding; ethics vs. standard of care for purposes of determining negligence</i>	<b>Ch. 2 - Comm. 2.2</b>

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3.1-2 [6]	<i>duties when you lack competence in a particular area [(a) to (c)]</i>	<b>Ch. 2</b> - Comm. 2.2, 2.6
3.1-2 [7]	<i>retaining experts from non-legal fields (e.g., accountants)</i>	<b>Ch. 2</b> - Comm. 2.3
3.1-2 [7.1]	<i>duties in limited scope retainers</i>	<b>Ch. 3</b> - Comm. 3.12
3.1-2 [8]	<i>duty to investigate, and exception; reporting your opinion</i>	<b>Ch. 4</b> - Comm. 4.2, 4.3
3.1-2 [9]	<i>avoiding bold and overconfident assurances</i>	<b>Ch. 4</b> - Comm. 4.4
3.1-2 [10]	<i>distinguishing legal advice from other advice</i>	<b>Ch. 4</b> - Comm. 4.11, 4.12, 4.13
3.1-2 [11]	Not adopted by NS	n/a
3.1-2 [12]	<i>ensuring timely service; explaining delays</i>	<b>Ch. 3</b> - Comm. 3.2
3.1-2 [13]	<i>prohibition on compromising your capacity or motivation to serve client</i>	<b>Ch. 7</b>
3.1-2 [14]	<i>damage caused by incompetence</i>	<b>Ch. 2</b> - Comm. 2.5
3.1-2 [15]	Incompetence, Negligence and Mistakes: <i>What constitutes a breach; the standard applied</i>	<b>Ch. 2</b> - Comm. 2.4 <b>Ch. 3</b> - Comm. 3.4

<b>Section 3.2</b>	<b>QUALITY OF SERVICE</b>	<b>Ch. 3; Ch. 4; Ch. 6; Ch. 7; Ch. 10, Ch. 11; Ch. 13</b>
<b>Rule 3.2-1</b>	Quality of Service: <i>Duty to provide quality service; discussion of what constitutes requisite quality</i>	<b>Ch. 3</b> - R.1, GP.1
3.2-1 [1]	<i>application of Rule 2.1 (Competence)</i>	<b>Ch. 3</b> - GP.1
3.2-1 [2]	<i>adequate quality vs. competence</i>	<b>Ch. 3</b> - R.1
3.2-1 [3]	<i>duty to communicate effectively with client</i>	<b>Ch. 3</b> - Comm. 3.1
3.2-1 [4]	<i>ensuring timely service; duty to explain delays</i>	<b>Ch. 3</b> - Comm. 3.2
3.2-1 [5]	Examples of expected practices: <i>Quality of service provided to client(s); examples of duties [see (a) to (n)]</i>	<b>Ch. 3</b> - GP. 1; Comm.3.3
3.2-1 [6]	<i>meeting deadlines; duty to act promptly; maintaining contact with client</i>	<b>Ch. 3</b> - Comm. 3.6
<b>Rule 3.2-1A</b>	Limited Scope Retainers: <i>Duties to advise and put in writing</i>	<b>Ch. 3</b> - Comm. 3.12
3.2-1A [1]	<i>putting the scope of the retainer in writing</i>	<b>Ch. 3</b> - Comm. 3.12
3.2-1A [2]	<i>avoiding the appearance of full service</i>	<b>Ch. 3</b> - Comm. 3.12
3.2-1A [3]	<i>appearing before tribunals; when to disclose scope of retainer</i>	no similar rule
3.2-1A [4]	<i>managing communications with opposing counsel</i>	no similar rule
3.2-1A [5]	<i>exceptions – summary advice and initial consultations</i>	no similar rule
<b>Rule 3.2-2</b>	Honesty and Candour: <i>Duty to fully inform client</i>	<b>Ch. 4</b> - R.1
3.2-2 [1]	<i>fully disclosing your connection to the matter</i>	<b>Ch. 6</b> - GP.1 <b>Ch. 7</b>
3.2-2 [2]	<i>duty to give candid and honest advice</i>	<b>Ch. 4</b> - GP.1
3.2-2 [3]	<i>being firm; disagreeing with a client</i>	<b>Ch. 3</b> - Comm. 3.7

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<b>Rule 3.2-3</b>	When the Client is an Organization: <i>Duty to act for the organization, not individual officers</i>	no similar rule
3.2-3 [1]	<i>ensuring spokespersons have authority</i>	no similar rule
3.2-3 [2]	<i>avoiding conflicts; acting under joint retainer for individual officer</i>	no similar rule
<b>Rule 3.2-4</b>	Encouraging Compromise or Settlement: <i>Duty to encourage settlements and avoid useless proceedings</i>	<b>Ch. 4</b> - Comm. 4.6; <b>Ch. 10</b> - Comm. 10.2
3.2-4 [1]	<i>duty to pursue alternative dispute resolution</i>	<b>Ch. 10</b> - Comm. 10.2A
<b>Rule 3.2-5</b>	Threatening Criminal or Regulatory Proceedings: Prohibition on threatening criminal or regulatory proceedings in attempt to gain a benefit for client	<b>Ch. 4</b> - Comm. 4.10
3.2-5 [1]	<i>prohibition on threats involving private grievances</i>	<b>Ch. 4</b> - Comm. 4.10
3.2-5 [2]	<i>exceptions – reporting criminal activity; requesting compliance with undertakings</i>	<b>Ch. 13</b> - Comm. 13.1
<b>Rule 3.2-6</b>	Inducement for Withdrawal of Criminal or Regulatory Proceedings: Duties and exceptions outlined in (a) to (c)	<b>Ch. 4</b> - Comm. 4.10
3.2-6 [1]	<i>includes professional and other regulatory bodies</i>	no similar rule
3.2-6 [2]	<i>exceptions – communicating with complainants or potential complainants to arrange for restitution or apply or to assist in defending/settling any civil matters between them; obtaining Crown's consent to discuss restitution in certain circumstances; balance between duty to loyalty vs. duty to administration of justice</i>	no similar rule
3.2-6 [3]	<i>prohibition on giving assurances that charges will be withdrawn; exception</i>	no similar rule
3.2-6 [4]	<i>duties when dealing with unrepresented complainants</i>	<b>Ch. 4</b> - Comm. 4.20
<b>Rule 3.2-7</b>	Dishonesty, Fraud by Client: <i>Duty to never knowingly assist, encourage or advise dishonesty</i>	<b>Ch. 4</b> - Comm. 4.7
3.2-7 [1]	<i>obligation to be on guard to avoid being duped</i>	<b>Ch. 4</b> - Comm. 4.8
3.2-7 [2]	<i>standard of vigilance required, even for common transactions</i>	no similar rule
3.2-7 [3]	<i>duty to make reasonable inquiries</i>	no similar rule
3.2-7 [4]	<i>exception – bona fide test cases</i>	<b>Ch. 4</b> - Comm. 4.9
<b>Rule 3.2-8</b>	Dishonesty, Fraud when Client an Organization: <i>Obligations; exceptions; when the client is an organization [see (a) to (c)]</i>	<b>Ch. 4</b> - Comm. 4.21, 4.22
3.2-8 [1]	<i>guiding principles; protecting the public</i>	no similar rule
3.2-8 [2]	<i>acts of omission as dishonest or fraudulent conduct</i>	no similar rule
3.2-8 [3]	<i>obligation to consider appropriateness of giving advice in writing</i>	no similar rule
3.2-8 [4]	<i>duty to report and/or withdraw in certain circumstances</i>	<b>Ch. 11</b> - Comm. 11.1
3.2-8 [5]	<i>advising client on public relations/policy issues</i>	<b>Ch. 4</b> - Comm. 4.11, 4.12
<b>Rule 3.2-9</b>	Clients with Diminished Capacity	no similar rule
3.2-9 [1]	<i>assessing the extent of a client's impairment</i>	no similar rule

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3.2-9 [2]	<i>representing in spite of impairment – duties</i>	no similar rule
3.2-9 [3]	<i>determining if a litigation guardian or Public Trustee involvement is warranted; continuing duty to client</i>	no similar rule
3.2-9 [4]	<i>disagreeing with a legal representative; concern for a client's best interests</i>	no similar rule
3.2-9 [5]	<i>implied authority to disclose</i>	no similar rule

<b>Section 3.3 CONFIDENTIALITY</b>		<b>Ch. 5</b>
<b>Rule 3.3-1</b>	Confidential Information: <i>Exceptions to the duty of strict confidence outlined [see (a) to (d)]</i>	<b>Ch. 5 - R.1</b>
3.3-1 [1]	<i>guiding principles underlying the concept of confidentiality</i>	<b>Ch. 5 - GP.1</b>
3.3-1 [2]	<i>lawyer-client privilege – ethical rule vs. evidentiary rule</i>	<b>Ch. 5 - Comm. 5.1</b>
3.3-1 [3]	<i>continuing duty to maintain confidentiality</i>	<b>Ch. 5 - Comm. 5.1</b>
3.3-1 [4]	<i>application of confidentiality to pro bono advice</i>	no similar rule
3.3-1 [5]	<i>disclosing fact of consultation or a lawyer-client relationship</i>	<b>Ch. 5 - Comm. 5.2</b>
3.3-1 [6]	<i>continuing duty of confidentiality; new business</i>	<b>Ch. 5 - Comm. 5.6</b>
3.3-1 [7]	<i>confidentiality and practising in association with other lawyers</i>	no similar rule
3.3-1 [8]	<i>prohibition on indiscrete shoptalk, gossip</i>	<b>Ch. 5 - Comm. 5.7, 5.8, 5.9</b>
3.3-1 [9]	<i>when there is implied authority to disclose</i>	<b>Ch. 5 - Comm. 5.10</b>
3.3-1 [10]	<i>implied authority in relation to a person lacking capacity</i>	no similar rule
3.3-1 [11]	<i>duties to disclose under Rules 5.5-2, 5.5-3 and 5.6-3</i>	no similar rule
<b>Rule 3.3-2</b>	Use of Confidential Information: <i>Continuing duty of confidentiality; consent required before disclosing</i>	<b>Ch. 5 - Comm. 5.4</b>
3.3-2 [1]	<i>restriction on using confidential information in other contexts (e.g., literary works)</i>	<b>Ch. 5 - Comm. 5.5</b>
<b>Rule 3.3-3</b>	Future Harm / Public Safety Exception: <i>Some exceptions to the non-disclosure rule(s) outlined:</i>	<b>Ch. 5 - Comm. 5.14</b>
3.3-2 [1]	<i>exception – preventing imminent death or harm</i>	<b>Ch. 5 - Comm. 5.14</b>
3.3-2 [2]	<i>"serious bodily harm" includes psychological harm</i>	no similar rule
3.3-2 [3]	<i>some factors to consider [see (a) to (c)]</i>	no similar rule
3.3-2 [4]	<i>contacting Society for advice; obtaining a court order</i>	no similar rule
3.3-2 [5]	<i>requirements for full report on disclosure [see (a) to (c)]</i>	no similar rule
<b>Rule 3.3-4</b>	<i>Disclosure in defence of certain allegations [see (a) to (d)]</i>	<b>Ch. 5 - Comm. 5.12</b>
<b>Rule 3.3-5</b>	<i>Disclosure to establish or collect lawyer fees</i>	<b>Ch. 5 - Comm. 5.11</b>
<b>Rule 3.3-6</b>	<i>Disclosure to secure legal or ethical advice</i>	no similar rule

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<b>Section 3.4</b>	<b>CONFLICTS</b>	<b>Ch. 4; Ch. 6; Ch. 6A; Ch. 7; Reg. 4.3</b>
<b>Rule 3.4-1</b>	Duty to Avoid Conflicts of Interest: <i>Prohibition on acting where there is a conflict except for the exceptions permitted by this Code</i>	<b>Ch. 6 - R.1</b>
3.4-1 [1]	<i>determining if a conflict of interest exists; genuine serious risk</i>	<b>Ch. 6 - GP.1; Comm. 6.1</b>
3.4-1 [2]	<i>continuing obligation to reassess at various stages</i>	no similar rule
3.4-1 [3]	<i>application of duty to current, former, concurrent and joint clients, and to self</i>	<b>Ch. 6 - GP.1 Ch. 7 - R.1</b>
3.4-1 [4]	Representation: <i>Acting includes advice to and judgment on behalf of client</i>	<b>Ch. 7</b>
3.4-1 [5]	The fiduciary relationship, the duty of loyalty and conflicting interests: <i>Guiding principles underlying the concepts; the need for undivided loyalty and other duties that stem from it</i>	<b>Ch. 6 - Comm. 6.1</b>
3.4-1 [6]	<i>principles arising from SCC cases on acting for clients with adverse interests</i>	<b>Ch. 6 - R.1</b>
3.4-1 [7]	<i>factors when determining existence of conflicts of interest [see (a) to (f)]</i>	no similar rule
3.4-1 [8]	Examples of areas where conflicts of interest may occur: <i>Non-exhaustive list of possible conflicts [see (a) to (e), which include considerations related to the topic of sexual or close personal relationships with clients]</i>	<b>Ch. 6 - Comm. 6.3; Ch. 7 - Comm. 7.5</b>
<b>Rule 3.4-2</b>	Consent: Express vs. inferred consent to act despite a conflict [see (a) and (b)]	<b>Ch. 6 - R.1; GP.2; Comm. 6.2</b>
3.4-2 [1]	Disclosure and consent: <i>Obligation to decline to act when unable to provide the client with adequate disclosure because of a conflict</i>	<b>Ch. 5 - Comm. 5.6</b>
3.4-2 [2]	<i>fully informing the client about the potential impact of a conflict</i>	<b>Ch. 6 - GP.2</b>
3.4-2 [3]	<i>factors the client may weigh when deciding whether or not to give consent</i>	<b>Ch. 6 - Com. 6.5, 6.6</b>
3.4-2 [4]	Consent in advance: <i>When an open-ended consent to future conflicts may be effective considerations</i>	<b>Ch. 6 - GP.2</b>
3.4-2 [5]	<i>advance consent and independent legal advice; obligation to put it in writing</i>	no similar rule
3.4-2 [6]	Implied consent: <i>Considerations when determining if there is implied consent to act despite a conflict</i>	no similar rule
<b>Rule 3.4-3</b>	Dispute: <i>What happens when a dispute arises; exception to Rule 3.4-2 – prohibition on representing opposing sides</i>	<b>Ch. 6 - R.1</b>
3.4-3 [1]	<i>reasons for Rule 3.4-3</i>	<b>Ch. 6 - Comm. 6.1</b>
<b>Rule 3.4-4</b>	Concurrent Representation with protection of confidential client information: <i>Guidelines on when two or more lawyers from the same firm may act for concurrent clients with competing interest [see (a) to (f)]</i>	no similar rule
3.4-4 [1]	<i>when concurrent representation is not contrary to the rule prohibiting representation where there is a conflict</i>	no similar rule
3.4-4 [2]	<i>concurrent representation when acting for sophisticated clients – example</i>	no similar rule

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3.4-4 [3]	<i>obligation to ensure concurrent representation is in the clients' best interests; considerations for a lawyer giving independent legal advice; when there are power imbalances between clients or they lack sophistication</i>	no similar rule
3.4-4 [4]	<i>employing reasonable screening measures to ensure confidentiality maintained</i>	no similar rule
<b>Rule 3.4-5</b>	<i>Joint Retainers: Duty to advise on various matters before acting for more than one client [see (a) to (c)]</i>	<b>Ch. 6</b> - GP.2
3.4-5 [1]	<i>the need for independent legal advice in some circumstances</i>	<b>Ch. 6</b> - GP.2
3.4-5 [2]	<i>current and future obligations if preparing wills for spouses [see (a) to (c)]</i>	no similar rule
3.4-5 [3]	<i>obtaining consent to act in accordance with Rule 3.4-9, after advising as per Rule 3.4-5[2]</i>	no similar rule
<b>Rule 3.4-6</b>	<i>Continuing relationship with a client; when to advise independent legal advice</i>	<b>Ch. 6</b> - GP.2
<b>Rule 3.4-7</b>	<i>Obtaining consent to proceed after advising as per Rules 3.4-5 and 3.4-6</i>	<b>Ch. 6</b> - R.1; GP.2
3.4-7 [1]	<i>obligation to have consent in writing; refusing to act in spite of consent where it is likely a contentious issue will arise or interests will diverge</i>	<b>Ch. 6</b> - GP.3
<b>Rule 3.4-8</b>	<i>Contentious issues; duties [see (a) and (b)]; exception [see Rule 3.4-9]</i>	<b>Ch. 6</b> - GP.4
<b>Rule 3.4-8A</b>	<i>When contentious issues arise in a joint retainer and require withdrawal</i>	<b>Ch. 6</b> - GP.6
3.4-8A [1]	<i>arbitrating or mediating a dispute between two or more clients upon request</i>	<b>Ch. 6</b> - GP.4
3.4-8A [2]	<i>continuing to advise on non-contentious matters after contentious matters arise</i>	
<b>Rule 3.4-9</b>	<i>Obtaining advance consent to represent one client in future contentious matters</i>	<b>Ch. 6</b> - GP.4
3.4-9 [1]	<i>continuing obligation to obtain consent to act if it is likely a contentious issue will arise</i>	no similar rule
3.4-9 [2]	<i>obligations to inform clients at the outset of a joint retainer; when and why advance consent may be ineffective</i>	<b>Ch. 6</b> - GP.2
<b>Rule 3.4-10</b>	<i>Acting Against Former Clients: Restrictions on acting against former clients without consent [see (a) to (c)]</i>	<b>Ch. 6</b> - GP.8
3.4-10 [1]	<i>prohibition on attacking the legal work done during the retainer or from undermining the client's position on a central matter; exception – fresh, independent and wholly unrelated matters</i>	<b>Ch. 6</b> - GP.9
<b>Rule 3.4-11</b>	<i>When a colleague may act against your former client in a new matter; criteria to meet [see (a) and (b)]</i>	no similar rule
3.4-11 [1]	<i>application of the guidelines found at the end of the commentary to Rule 3.4-26 regarding transfer between firms</i>	no similar rule
<b>Rule 3.4-12</b>	<i>Acting for Borrower and Lender: Subject to Rule 3.4-14, a lawyer, or two lawyers working in partnership or association, may not represent both sides</i>	<b>Ch. 6</b> - Comm. 6.6
<b>Rule 3.4-13</b>	<i>Definition of "lending client"</i>	<b>Ch. 6</b>

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<b>Rule 3.4-14</b>	<i>Exceptions to restrictions on representing both a borrower and lender [see (a) to (d)]</i>	<b>Ch. 6</b> - Comm. 6.6
<b>Rule 3.4-15</b>	<i>Duty to disclose material information</i>	<b>Ch. 6</b> - Comm. 6.6, 6.7
3.4-15 [1]	<i>objectively determining material information; what is material; example</i>	no similar rule
<b>Rule 3.4-16</b>	<i>Deemed consent; exceptions to Rules 3.4-5, 3.4-6 and 3.4-7 [see (a) to (c)]</i>	<b>Ch. 6</b>
3.4-16 [1]	<i>why/how Rules 3.4-15 and 3.4-16 simplify advice/consent process for institutional lender clients</i>	<b>Ch. 6</b>
3.4-16 [2]	<i>application of Rule 3.4-16 to all loans where a lawyer acts jointly, including mortgages, business and personal loans and guarantees</i>	<b>Ch. 6</b>
<b>Rule 3.4-17</b>	Conflicts from Transfer Between Law Firms – Application of Rule: <i>Definitions for terms used in Rules 3.4-17 to 3.4-26 [see (a) to (c)]</i>	<b>Ch. 6A</b> - R.1
3.4-17 [1]	<i>duties in relation to confidential information under this rule vs. general ethical duties to hold information in strict confidence</i>	<b>Ch. 6A</b> - no similar rule
<b>Rule 3.4-18</b>	<i>Application of Rules 3.4-17 to 3.4-26 when transferring to a new firm [see (a) to (c)]</i>	<b>Ch. 6A</b> - R.2
<b>Rule 3.4-19</b>	<i>Exceptions to the application of Rules 3.4-20 to 3.4-22 – Law Firm Disqualification</i>	<b>Ch. 6A</b> - R.3
3.4-19 [1]	<i>dealing with actual knowledge, not imputed knowledge</i>	no similar rule
3.4-19 [2]	<i>Lawyers and support staff: General duty on lawyers to exercise due diligence supervising non-lawyer staff to ensure disclosure rules are followed</i>	<b>Ch. 6A</b> - Comm. 6A.1(a)
3.4-19 [3]	<i>Government employees and in-house counsel: Definition of "law firm" includes public sector lawyers</i>	<b>Ch. 6A</b> - Comm. 6A.1(b)
3.4-19 [4]	<i>Law firms with multiple offices: Multiple offices still treated as one "law firm"</i>	<b>Ch. 6A</b> - Comm. 6A.1(c)
<b>Rule 3.4-20</b>	<i>Law Firm Disqualification: Duties where transferring lawyer possesses relevant confidential information that could result in prejudice [see (a) and (b)]</i>	<b>Ch. 6A</b> - R.4
3.4-20 [1]	<i>broad circumstances outlined in Rule 3.4-20(b) to ensure all relevant facts will be taken into account; clause (iv) includes various governmental concerns; examples</i>	<b>Ch. 6A</b> - Comm. 6A.3
<b>Rule 3.4-21</b>	<i>Rule 3.4-20 not intended to interfere with duties of the Crown (AG) or its agents</i>	<b>Ch. 6A</b> - R.3
<b>Rule 3.4-22</b>	<i>Duties where transferring lawyer possesses relevant, non-confidential information that could prejudice a former client [see (a) and (b)]</i>	<b>Ch. 6A</b> - R.5
<b>Rule 3.4-23</b>	<i>Transferring Lawyer Disqualification: Restrictions on acting without former client's consent [see (a) and (b)]</i>	<b>Ch. 6A</b> - R.6
<b>Rule 3.4-24</b>	<i>Restrictions on discussing the client's old and new matter(s)</i>	<b>Ch. 6A</b> - R. 7
<b>Rule 3.4-25</b>	<i>Determination of Compliance: Applying to a tribunal/court for a determination of any aspect of Rules 3.4-17 to 26</i>	<b>Ch. 6A</b>
<b>Rule 3.4-26</b>	<i>Due Diligence: Exercising due diligence to ensure compliance with Rules 3.4-17 to 26 by every lawyer and employee</i>	<b>Ch. 6A</b> - R.8; Comm. 6A.4

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3.4-26 [1]	Matters to Consider: <i>Contemplating a transfer; considerations/obligations for both "transferring lawyer" and "new law firm" [see (a) to (c)]</i>	<b>Ch. 6A</b> - Comm. 6A.3
3.4-26 [2]	<i>obligation for new law firm to determine if transferring lawyer possesses actual relevant confidential information; when new law firm must withdraw or obtain consent</i>	<b>Ch. 6A</b> - Comm. 6A.3
3.4-26 [3]	<i>standard of care expected; duty on transferring lawyer and new firm not to disclose client confidences</i>	<b>Ch. 6A</b>
3.4-26 [4]	Matters to Consider Before Hiring a Potential Transferee: <i>When duty to determine if conflicts exist arises</i>	<b>Ch. 6A</b> - Comm. 6A.2
3.4-26 [5]	If a conflict exists: <i>Prohibition on new firm continuing to represent client if the transferring lawyer is hired, unless certain conditions met [see (a) and (b)]</i>	<b>Ch. 6A</b> - Comm. 6A.3
3.4-26 [6]	<i>continuing representation with consent; obligation to take reasonable measures to protect disclosure</i>	<b>Ch. 6A</b> - Comm. 6A.3
3.4-26 [7]	<i>alternative to procedures outlined in this rule - applying under Rule 3.4-25 for a determination firm may continue to act; who bears the onus of establishing requirements of Rule 3.4-20(b) are met; ideal time to address these matters</i>	<b>Ch. 6A</b> - Comm. 6A.3
3.4-26 [8]	If no conflict exists: <i>Confirming notice required by Rule 3.4-22 in writing to avoid future disputes</i>	<b>Ch. 6A</b> - Comm. 6A.3
3.4-26 [9]	<i>obligation to seek former client's consent in order for transferring lawyer to act for new firm's client</i>	<b>Ch. 6A</b> - Comm. 6A.3
3.4-26 [10]	<i>taking reasonable measures to protect confidential information where former client does not consent</i>	<b>Ch. 6A</b> - Comm. 6A.3
3.4-26 [11]	<i>transferring lawyer who possesses no confidential information puts client on notice; client who disputes it may apply under Rule 3.4-25</i>	<b>Ch. 6A</b> - Comm. 6A.3
3.4-26 [12]	If a new law firm is not sure whether a conflict exists: <i>Seeking guidance from the Society where there is uncertainty if a conflict exists</i>	<b>Ch. 6A</b>
3.4-26 [13]	Reasonable Measures to Ensure Non-Disclosure of Confidential Information: <i>Circumstances where new firm should consider implementing reasonable measures to ensure there is no impermissible disclosure of former client's confidential information [see (a) and (b)]</i>	<b>Ch. 6A</b> - Comm. 6A.4
3.4-26 [14]	<i>duty of new law firm to exercise professional judgment in determining what steps must be taken</i>	<b>Ch. 6A</b> - Comm. 6A.4
3.4-26 [15]	<i>law firms with multiple offices; factors to consider when determining what constitutes reasonable measures</i>	<b>Ch. 6A</b> - Comm. 6A.4
3.4-26 [16]	<i>Guidelines at the end of this rule intended to be a checklist of relevant factors [see Rule 3.4-26 Guidelines, below]</i>	<b>Ch. 6A</b> - Comm. 6A.4
3.4-26 [17]	<i>instituting satisfactory screening measures when a transferring lawyer joins government or a corporation; the need for flexibility in applying Rule 3.4-20[b]; when it is necessary to refer the matter to outside counsel</i>	<b>Ch. 6A</b> - Comm. 6A.4
3.4-26 Guidelines	<i>see (1) to (12)</i>	<b>Ch. 6A</b> - Guidelines
	Doing Business with a Client	



<b>CODE OF PROFESSIONAL CONDUCT</b>		<b>HANDBOOK</b>
<b>Rule 3.4-27</b>	Definitions: <i>Defines terms used in Rules 3.4-27 to 3.4-41 – "independent legal advice" and "independent legal representation"</i>	<b>Ch. 7 - GP.1</b>
3.4-27(b) [1]	<i>retained lawyer's responsibilities when a client elects to waive independent legal representation and rely on independent legal advice</i>	<b>Ch. 4 - Comm. 4.18</b>
<b>Rule 3.4-28</b>	<i>Prohibition on entering into a transaction with a client; exceptions – fair and reasonable, consent, independent legal advice</i>	<b>Ch. 7 - R.1</b>
3.4-28 [1]	<i>examples of transactions to which this provision applies [see (a) to (f)]</i>	no similar rule
3.4-28 [2]	<i>lawyer/client relationship is a fiduciary one and does not permit conflict in their respective interests; charging fees does not give rise to a conflict</i>	<b>Ch. 7 - Comm. 7.2</b>
<b>Rule 3.4-29</b>	Investment by Client when Lawyer has an Interest: <i>Duties when a client intends to enter into a transaction in which lawyer has an interest [see (a) to (c)]</i>	<b>Ch. 7 - R.1</b>
3.4-29 [1]	<i>declining the retainer when unable or unwilling to disclose conflicting interest</i>	<b>Ch. 7 - R.1</b>
3.4-29 [2]	<i>duty to decline retainer – misgivings about ability to place client's interests first</i>	<b>Ch. 7 - R.1</b>
3.4-29 [3]	<i>disciplinary proceedings – proving good faith, disclosure and consent</i>	<b>Ch. 7 - R.1</b>
3.4-29 [4]	<i>application of Rule 3.4-32 when the investment is borrowing from client</i>	<b>Ch. 7 - R.1</b>
<b>Rule 3.4-30</b>	<i>Duty to advise client to obtain independent legal advice before accepting a retainer</i>	no similar rule
<b>Rule 3.4-31</b>	Borrowing from Clients: <i>Prohibitions on borrowing from a client; exceptions [see (a) and (b)]</i>	<b>Ch. 7 - R.1</b>
3.4-31 [1]	<i>determining if a person is considered a client within the meaning of this rule; when a person reasonably looks to lawyer for guidance/advice</i>	<b>Ch. 7 - Comm. 7.1</b>
<b>Rule 3.4-32</b>	Certificate of Independent Legal Advice: <i>Duties related to a transaction involving the transfer of funds [see (a) and (b)]</i>	no similar rule
<b>Rule 3.4-33</b>	<i>Duties when a lawyer's spouse, or an entity in which the lawyer and/or spouse has any interest, borrows money from a client</i>	<b>Ch. 7 - R.1; GP.1</b>
<b>Rule 3.4-34</b>	Lawyers in Loan or Mortgage Transactions: <i>Duties when lending money to a client [see (a) to (c)]</i>	no similar rule; prohibited under former Regulation 4.3
<b>Rule 3.4-35</b>	Guarantees by a Lawyer: <i>Prohibition on giving personal guarantees, security</i>	no similar rule; prohibited under former Regulation 4.3
<b>Rule 3.4-36</b>	<i>Exceptions to prohibition on giving personal guarantees [see (a) to (c)]</i>	no similar rule; prohibited under former Regulation 4.3
<b>Rule 3.4-37</b>	Testamentary Instruments and Gifts: <i>Prohibition on clauses requiring future executor to retain lawyer's services</i>	<b>Ch. 7 - Comm. 7.3</b>
<b>Rule 3.4-38</b>	<i>Prohibition on gifts to lawyer; exceptions</i>	<b>Ch. 7 - R.1</b>
<b>Rule 3.4-39</b>	<i>Refusing gifts where client did not have independent legal advice</i>	<b>Ch. 7 - R.1</b>

<b>CODE OF PROFESSIONAL CONDUCT</b>		<b>HANDBOOK</b>
<b>Rule 3.4-40</b>	Judicial Interim Release: <i>Prohibition on acting as a surety for an accused client</i>	<b>Ch. 7</b> - Comm. 7.4
<b>Rule 3.4-41</b>	<i>Exceptions to prohibition on acting as a surety for an accused client; limits</i>	<b>Ch. 7</b> - Comm. 7.4

<b>Section 3.5</b>	<b>PRESERVATION OF CLIENT'S PROPERTY</b>	<b>Ch. 9</b>
<b>Rule 3.5-1</b>	Preservation of Client's Property: <i>Defines what "property" includes</i>	<b>Ch. 9</b> - GP.1
<b>Rule 3.5-2</b>	<i>Duties to care for client's property; standard of care [see (a) and (b)]</i>	<b>Ch. 9</b> - R.1
3.5-2 [1]	<i>duties concerning safekeeping, preserving and accounting set out in Regulations to the Legal Profession Act</i>	<b>Ch. 9</b> - GP.1
3.5-2 [2]	<i>relationship between this rule and duty of confidentiality; keeping property out of sight and out of reach</i>	<b>Ch. 9</b> - GP.1
3.5-2 [3]	<i>exception to duty to promptly return property on request of conclusion of retainer – rights of lien</i>	<b>Ch. 9</b> - Comm. 9.6
3.5-2 [4]	<i>application of Rule 3.7-1 (Withdrawal from Representation) when a lawyer withdraws</i>	<b>Ch. 9</b>
<b>Rule 3.5-3</b>	Notification of Receipt of Property: <i>Ensuring client is aware property has been received</i>	<b>Ch. 9</b> - Comm. 9.1
<b>Rule 3.5-4</b>	Identifying Client's Property: <i>Duty to clearly label; safekeeping</i>	<b>Ch. 9</b> - Comm. 9.2
<b>Rule 3.5-5</b>	<i>Maintaining records as necessary</i>	<b>Ch. 9</b> - Comm. 9.3
<b>Rule 3.5-6</b>	Accounting and Delivery: <i>Duty to account on request or when retainer ends</i>	<b>Ch. 9</b> - Comm. 9.3, 9.4
<b>Rule 3.5-7</b>	<i>Applying to a tribunal/court for direction when unsure who is entitled to property</i>	<b>Ch. 9</b> - Comm. 9.4
3.5-7 [1]	<i>remaining alert to the duty to claim privilege where available; common law privilege, and relevant constitutional and statutory provisions (e.g., Income Tax Act, Charter and Criminal Code);</i>	<b>Ch. 9</b> - Comm. 9.7
3.5-7 [2]	<i>property relevant to a crime or offence; duty of loyalty vs. duty to uphold the administration of justice; duty not to impede an investigation, violate the law or obstruct justice; obligations when disclosure is warranted [see (a) to (d)]</i>	no similar rule
3.5-7 [3]	<i>disclosing property relevant to a crime or offence; continuing duty of confidentiality to client; retaining independent counsel to anonymously disclose or deliver the property</i>	no similar rule
3.5-7 [4]	<i>following established protocols when delivering property to a court under Rule 3.5-7[1](b)</i>	no similar rule

<b>Section 3.6</b>	<b>FEES AND DISBURSEMENTS</b>	<b>Ch. 1; Ch. 12; Regulations</b>
<b>Rule 3.6-1</b>	Reasonable Fees and Disbursements: <i>Duty to charge fair fees and to disclose them in a timely manner</i>	<b>Ch. 12</b> - R.1; Comm. 12.1
3.6-1 [1]	<i>non-exhaustive list of factors to consider when determining what is fair and reasonable [see (a) to (k)]</i>	<b>Ch. 12</b> - GP.1

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<b>CODE OF PROFESSIONAL CONDUCT</b>		<b>HANDBOOK</b>
3.6-1 [2]	<i>the impact of fiduciary duties; duty of full disclosure in financial dealings; prohibition on hidden fees; prohibition on taking fees or any compensation from someone other than the client without consent of the third party</i>	<b>Ch. 12</b> - Comm. 12.6, 12.7, 12.8
3.6-1 [3]	<i>obligation to put terms concerning fees/disbursements in writing – timing</i>	<b>Ch. 12</b> - Comm. 12.1
3.6-1 [4]	<i>obligation to be ready to explain the basis of any charges billed to client</i>	no similar rule
<b>Rule 3.6-2</b>	Contingent Fees and Contingent Fee Agreements: Ability to enter into contingency fee arrangements subject to Rule 3.6-1 and governing legislation	<b>Ch. 12</b> - Comm. 12.11
3.6-2 [1]	<i>some factors to consider when determining appropriate contingency fee arrangement/percentage(s)</i>	<b>Ch. 12</b>
3.6-2 [2]	<i>limitations on terminating a retainer where there is a contingency fee agreement, application of Rule 3.7-7 (Obligatory withdrawal)</i>	no similar rule
<b>Rule 3.6-3</b>	Statement of Account: Obligation to clearly detail fees vs. disbursements	<b>Ch. 12</b> - Comm. 12.1
3.6-3 [1]	<i>fees and disbursements vs. "other charges"</i>	<b>Ch. 12</b>
3.6-3 [2]	<i>duty to account for party-and-party costs received on client's behalf</i>	<b>Ch. 12</b>
<b>Rule 3.6-4</b>	Joint Retainer: <i>Dividing fees and disbursements between multiple clients</i>	no similar rule
<b>Rule 3.6-5</b>	Division of Fees and Referral Fees: <i>Dividing fees proportionately between lawyers from different firms</i>	<b>Ch. 12</b> - Comm. 12.5
<b>Rule 3.6-6</b>	<i>Restriction on referral fees; exceptions [see (a) and (b)]</i>	no similar rule
<b>Rule 3.6-7</b>	<i>Non-lawyers – prohibition on sharing fees; financial or other rewards for referrals</i>	<b>Ch. 12</b> - Comm. 12.9
3.6-7 [1]	<i>prohibition on entering into arrangement to compensate/reward non-lawyers for referring clients; some exceptions for promotional activities [see (a) to (d)]</i>	<b>Ch. 12</b> - Comm. 12.10
<b>Rule 3.6-8</b>	Exception for Interjurisdictional Law Firms: <i>Exceptions to Rule 3.6-7 [see (a)(i) and (ii)]</i>	no similar rule
3.6-8 [1]	<i>affiliations vs. interprovincial/international law partnerships; application of Rule 3.6-7 to affiliated entities; prohibition on excessive inter-firm expenses</i>	no similar rule
<b>Rule 3.6-9</b>	Payment and Appropriation of Funds: <i>Payments made in advance; need for written confirmation</i>	<b>Ch. 12</b> - Comm. 12.17
<b>Rule 3.6-10</b>	<i>Restrictions in relation to funds held in trust</i>	<b>Ch. 12</b> - Comm. 12.14
3.6-10 [1]	<i>general application of Society's rules regarding trust money</i>	Regulations
3.6-10 [2]	<i>prohibition on refusing to reimburse fees paid in advance but not used</i>	<b>Ch. 1 Ch. 12</b> - Comm. 12.14
<b>Rule 3.6-11</b>	<i>Repaying fees that have been reduced upon review/assessment</i>	no similar rule
<b>Section 3.7 WITHDRAWAL FROM REPRESENTATION</b>		<b>Ch. 2; Ch. 11</b>
<b>Rule 3.7-1</b>	Withdrawal from Representation: <i>Prohibition on withdrawing representation; exceptions</i>	<b>Ch. 11</b> - R.1

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3.7-1 [1]	<i>client's right to terminate at will vs. lawyer's obligation to complete the task</i>	<b>Ch. 11</b> - GP.1
3.7-1 [2]	<i>requirement for notice to client; what constitutes reasonable notice</i>	<b>Ch. 11</b> - GP.3; Comm. 11.7, 11.8
3.7-1 [3]	<i>making every effort to ensure withdrawal occurs at an appropriate time</i>	
3.7-1 [4]	<i>considerations when a law firm is dissolved or a lawyer leaves to practise elsewhere</i>	<b>Ch. 11</b> - GP.1
<b>Rule 3.7-2</b>	Optional Withdrawal: <i>May withdraw upon a serious loss of confidence</i>	<b>Ch. 11</b> - Comm. 11.3
3.7-2 [1]	<i>threatening withdrawal; examples of loss of confidence constituting justifiable cause for withdrawal</i>	<b>Ch. 11</b> - Comm. 11.4, 11.5
<b>Rule 3.7-3</b>	Non-payment of Fees: <i>Withdrawing due to client's failure to pay; prohibition on withdrawing where serious prejudice to client may result</i>	<b>Ch. 11</b> - Comm. 11.6
	<i>ensuring the client has time to obtain a new lawyer and the new lawyer has adequate time to prepare for trial</i>	<b>Ch. 11</b> - Comm. 11.8
<b>Rule 3.7-4</b>	Withdrawal from Criminal Proceedings: <i>Restrictions on withdrawing; duties to client [see (a) to (e)]</i>	no similar rule
3.7-4 [1]	<i>continuing obligation to client when withdrawing because of a conflict; duty not to disclose reason for withdrawal</i>	no similar rule
<b>Rule 3.7-5</b>	<i>Limitation on withdrawing for non-payment of fees: Obligation to continue representing client in criminal matters</i>	no similar rule
<b>Rule 3.7-6</b>	<i>Withdrawal before a criminal trial: Obligation to seek an adjournment; requirement for court's permission to withdraw</i>	no similar rule
3.7-6 [1]	<i>promptly informing court and Crown of intention to apply for leave to withdraw</i>	no similar rule
<b>Rule 3.7-7</b>	Obligatory Withdrawal: <i>Instances where withdrawal required [see (a) to (c)]</i>	<b>Ch. 11</b> - Comm. 11.1 <b>Ch. 2</b> - Comm. 2.6
<b>Rule 3.7-8</b>	Manner of Withdrawal: <i>Duty to facilitate an orderly transfer to new lawyer</i>	<b>Ch. 11</b> - GP.2
<b>Rule 3.7-9</b>	<i>Obligations to client upon discharge/withdrawal [see (a) to (i)]</i>	<b>Ch. 11</b> - GP.3; Comm.11.2, 11.9, 11.10
3.7-9 [1]	<i>when lawyer is a member of a firm – notifying the client neither are acting for client</i>	no similar rule
3.7-9 [2]	<i>when not to enforce a right of lien for unpaid fees/disbursements</i>	<b>Ch. 11</b> - Comm. 11.13
3.7-9 [3]	<i>obligation to return property subject to a right of lien; making every attempt to have claimants settle disputes over claims to the property</i>	<b>Ch. 11</b> - Comm. 11.10
3.7-9 [4]	<i>co-operating with successor lawyer; obligation to provide any memos of fact and law in connection with the matter; requirement for client's written consent before divulging confidential information</i>	<b>Ch. 11</b> - Comm. 11.11
3.7-9 [5]	<i>ceasing to act for one or more client when you represent several – duty to co-operate with successor lawyer; avoiding rivalry</i>	<b>Ch. 11</b> - Comm. 11.12
<b>Rule 3.7-10</b>	Duty of Successor Lawyer: <i>Obligation to ensure former lawyer was discharged or withdrew</i>	<b>Ch. 11</b> - Comm. 11.14
3.7-10 [1]	<i>urging client to settle former lawyer's outstanding account</i>	<b>Ch. 11</b> - Comm. 11.14, 11.15

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## CHAPTER 4 MARKETING OF LEGAL SERVICES

Section 4.1 MAKING LEGAL SERVICES AVAILABLE		Ch. 12; Ch. 15; Ch. 20
<b>Rule 4.1-1</b>	Making Legal Services Available: Obligation to make legal services available to the public; "by any means"	<b>Ch. 15</b> - R.1; GP.1 <b>Ch. 20</b> - GP.1
4.1-1 [1]	<i>participating in Legal Aid and lawyer referral services</i>	<b>Ch. 15</b> - Comm. 15.3
4.1-1 [2]	<i>importance of providing pro bono or reduced rates for cases of hardship</i>	<b>Ch. 12</b> - Comm. 12.2
4.1-1 [3]	<i>obligation to advise clients of the right to apply for Legal Aid in certain circumstances</i>	no similar rule
4.1-1 [4]	Right to Decline Representation: <i>Considerations when exercising the right to decline representation; guiding principles; when there is an obligation to help a client or prospective client to find another lawyer</i>	<b>Ch. 15</b> - Comm. 15.4
<b>Rule 4.1-2</b>	Restrictions: Prohibitions on using certain means to offer legal services [see (a) to (d)]	<b>Ch. 20</b> - R.1; GP.1
4.1-2 [1]	<i>exception to this rule – when it is appropriate to offer assistance to a person who is vulnerable or has suffered a traumatic experience</i>	<b>Ch. 20</b> - GP.1

Section 4-2 MARKETING		Ch. 20; Regulations
<b>Rule 4.2-1</b>	Marketing of Professional Services: <i>Conditions and restrictions on marketing professional services [see (a) to (c)]</i>	<b>Ch. 20</b> - R.1; GP.1.; Comm. 20.4; Reg. 7.6.2
4.2-1 [1]	<i>examples of what might contravene this rule [see (a) to (g)]</i>	<b>Ch. 20</b> - GP.1; Comm. 20.5
<b>Rule 4.2-2</b>	Advertising of Fees: <i>Requirements and conditions on advertising fees [see (a) to (c)]</i>	Regulations

Section 4-3 ADVERTISING NATURE OF PRACTICE		Ch. 20; Reg. 7.6.3
<b>Rule 4.3-1</b>	[Advertising Nature of Practice]: <i>Prohibition on making representations about specialty or expertise</i>	Reg. 7.6.3
4.3-1 [1]	<i>designing advertisements to assist potential clients in choosing a lawyer with the right skills</i>	<b>Ch. 20</b> - Comm. 20.1
4.3-1 [2]	Not adopted in NS	n/a
4.3-1 [3]	<i>exception – when a firm also practices in a jurisdiction where such representations are permitted, providing the advertisement identifies the certifying authority</i>	no similar rule
4.3-1 [4]	<i>exception – advertising areas of practice, including preferred areas of practice or restrictions to a certain area of law; requirements when making representations about a lawyer or firm's proficiency or expertise in an area of law</i>	<b>Ch. 20</b> - GP., Comm. 20.1

**CHAPTER 5 RELATIONSHIP TO THE ADMINISTRATION OF JUSTICE**

<b>Section 5.1 THE LAWYER AS ADVOCATE</b>		<b>Ch. 4; Ch. 10; Ch. 13; Ch. 14; Ch. 17</b>
<b>Rule 5.1-1</b>	<i>Advocacy: An advocate's duties to client and the tribunal</i>	<b>Ch. 10 - R.1 Ch. 14 - R.1; GP.1</b>
5.1-1 [1]	<i>Role in Adversarial Proceedings: Duty to advocate fearlessly and to advance every argument; obligation to use fair and honourable means</i>	<b>Ch. 10 - GP.1, 2 Ch. 14 - R.1; GP.1</b>
5.1-1 [2]	<i>application of rule to all appearances and proceedings regardless of their function or the informality of their procedure</i>	<b>Ch. 14 - Comm. 14.15</b>
5.1-1 [3]	<i>lack of obligation to assist an adversary or advance matters harmful to client's case; exception(s)</i>	<b>Ch. 13 - Comm. 13.14</b>
5.1-1 [4]	<i>proceedings involving the welfare or security of a child; extent of the obligation to take child's best interests into account</i>	no similar rule
5.1-1 [5]	<i>duty to refrain from expressing personal opinions on the merits to a court or tribunal</i>	<b>Ch. 14 - Comm. 14.6</b>
5.1-1 [6]	<i>duty to take care not to mislead the tribunal when opposing interests are unrepresented</i>	<b>Ch. 14 - Comm. 14.11</b>
5.1-1 [7]	<i>prohibition on abandoning the client's legal rights (e.g., the availability of a limitation defence) without informed consent</i>	<b>Ch. 10 - Comm. 10.1</b>
5.1-1 [8]	<i>obligation to uphold the administration of justice; duty to avoid and discourage client from resorting to frivolous objections, attempts to gain advantage or tactics meant to delay or harass</i>	<b>Ch. 13 - Comm. 13.15; Ch. 14 - GP.1</b>
5.1-1 [9]	<i>Duty as Defence Counsel: Extent of the duty to protect the client from a conviction; right to rely on any evidence or defences not known to be false or fraudulent, regardless of personal opinion</i>	<b>Ch. 10 - Comm. 10.3, 10.4</b>
5.1-1 [10]	<i>an accused's admissions; abiding by certain limitations when aware the client committed the offence</i>	<b>Ch. 10 - Comm. 10.5, 10.6, 10.7</b>
<b>Rule 5.1-2</b>	<i>Prohibitions when acting as an advocate; standards of conduct [see (a) to (p)]</i>	<b>Ch. 4 - Comm. 4.10 Ch. 10 - Comm.10.4 Ch. 14 - R.1; GP.1; Comm.14.1</b>
5.1-2 [1]	<i>civil proceedings – duty not to mislead the tribunal about the client's position; example</i>	<b>Ch. 14 - Comm. 14.13</b>
5.1-2 [2]	<i>representing an accused person – communicating with a complainant or potential complainant permitted in certain circumstances; prudence of having a witness present when dealing with an unrepresented complainant</i>	no similar rule
5.1-2 [3]	<i>prohibition on threatening to bring an action or offering to seek withdrawal of a criminal charge to gain a benefit; application of Rules 3.2-5 and 3.2-6 and accompanying commentary</i>	<b>Ch. 4 - Comm. 4.10</b>
5.1-2 [4]	<i>examining a witness – right to pursue any hypothesis that is honestly advanced on the strength of reasonable inference, experience or intuition</i>	no similar rule

<b>CODE OF PROFESSIONAL CONDUCT</b>		<b>HANDBOOK</b>
<b>Rule 5.1-3</b>	Duty as Prosecutor: <i>Prosecutor's duties to the public and to uphold the administration of justice; duty to treat the tribunal with candour, fairness, courtesy and respect</i>	<b>Ch. 17</b> - Comm. 17.3
5.1-3 [1]	<i>primary duty to see that justice is done through a fair trial on the merits; related principles and duties</i>	<b>Ch. 17</b> - R.1
<b>Rule 5.1-4</b>	Disclosure of Error or Omission: <i>Duty upon discovering an error or omission</i>	<b>Ch. 14</b> - Comm. 14.2
5.1-4 [1]	<i>obligations when client seeks to breach this rule; when Rule 3.7-1 (Withdrawal from Representation) applies</i>	<b>Ch. 14</b> - Comm. 14.3
<b>Rule 5.1-5</b>	Courtesy: <i>Duties to the tribunal and others</i>	<b>Ch. 14</b> - R. 1
5.1-5 [1]	<i>professional misconduct vs. contempt</i>	<b>Ch. 14</b> - Comm. 14.16
<b>Rule 5.1-6</b>	Undertakings: <i>Duties in relation to undertakings</i>	<b>Ch. 13</b> - Comm. 13.16 <b>Ch. 14</b> -Comm. 14.14
5.1-6 [1]	<i>application of rule 7.2-11 (Undertakings and Trust Conditions)</i>	<b>Ch. 14</b>
<b>Rule 5.1-7</b>	Agreement on Guilty Plea: <i>Discussions with prosecutor before charges are laid</i>	<b>Ch. 10</b> - Comm. 10.8
<b>Rule 5.1-8</b>	<i>Guilty pleas; duty to investigate; conditions that must be met [see (a) to (d)]</i>	<b>Ch. 10</b> - Comm. 10.8
5.1-8 [1]	<i>restriction on sacrificing public interest in the administration of justice for expediency</i>	<b>Ch. 10</b> - Comm. 10.9

<b>Section 5.2</b>	<b>THE LAWYER AS WITNESS</b>	<b>Ch. 10; Ch.14</b>
<b>Rule 5.2-1</b>	Submission of Evidence: <i>Restrictions on an advocate giving evidence; exceptions</i>	<b>Ch. 10</b> - Comm. 10.11 <b>Ch. 14</b> - Comm. 14.4
5.2-1 [1]	<i>refraining from expressing personal opinions or beliefs or asserting as fact something that requires proof; prohibition on putting lawyer's own credibility in issue; entrusting the case to another lawyer when it is necessary to testify; no special treatment for lawyers who are witnesses</i>	<b>Ch. 14</b> - Comm. 14.7, 14.8
<b>Rule 5.2-2</b>	Appeals: <i>Witness appearing as an advocate in an appeal; exceptions</i>	<b>Ch. 14</b> - Comm. 14.9

<b>Section 5-3</b>	<b>INTERVIEWING WITNESSES</b>	<b>Ch. 14</b>
<b>Rule 5.3-1</b>	Interviewing Witnesses: <i>Seeking information from potential witnesses; duties and restriction; also subject to Rules 7.2-4 to 8</i>	<b>Ch. 14</b> - GP.1

<b>Section 5.4</b>	<b>COMMUNICATION WITH WITNESSES GIVING EVIDENCE</b>	<b>Ch. 14</b>
<b>Rule 5.4-1</b>	<i>Prohibition on obstructing examination or cross-examination</i>	<b>Ch 14</b> - GP.1
<b>Rule 5.4-2</b>	Communicating with Witnesses Giving Evidence: <i>Duty not to communicate (without leave) until witness finishes testifying</i>	<b>Ch. 14</b> - Comm. 14.12
5.4-2 [1]	<i>following the tribunal's practices and procedures; counsels' right to agree to modify the application of these rules</i>	no similar rule
5.4-2 [2]	<i>"cross-examination" – includes any examination of a witness or party with adverse interests</i>	<b>Ch. 14</b>

<b>CODE OF PROFESSIONAL CONDUCT</b>		<b>HANDBOOK</b>
5.4-2 [3]	<i>fundamental importance of a full-ranging, uninterrupted cross-examination and its implications</i>	no similar rule
5.4-2 [4]	<i>exception to the prohibition on testimony-related discussions during breaks (i.e., when a discovery is adjourned for more than a week); resolving the matter in court if opposing counsel objects to such discussions</i>	no similar rule
5.4-2 [5]	<i>rule not intended to prevent limited discussions needed to fulfill discovery undertakings</i>	no similar rule
5.4-2 [6]	<i>rule not intended to prevent a lawyer with no prior involvement from consulting with their new client</i>	no similar rule
5.4-2 [7]	<i>application of this rule to examinations out of court (with necessary modifications)</i>	no similar rule

<b>Section 5-5 RELATIONS WITH JURORS</b>		<b>N/A</b>
<b>Rule 5.5-1</b>	Communications before Trial: <i>Duties, restrictions the advocate must abide by</i>	no similar rule
5.5-1 [1]	<i>investigating prospective jurors for ascertain any basis for challenge; restriction on any communication with juror or their family; prohibition on vexatious or harassing investigations</i>	no similar rule
<b>Rule 5.5-2</b>	Disclosure of Information: Duty to disclose information regarding jurors or prospective jurors in certain circumstances [see (a) to (c)]	no similar rule
<b>Rule 5.5-3</b>	<i>Duty to disclose improper conduct</i>	no similar rule
<b>Rule 5.5-4</b>	Communication During Trial: <i>Restriction on advocate's communication with jury</i>	no similar rule
<b>Rule 5.5-5</b>	<i>Prohibition on any lawyer communicating with a jury member during trial</i>	no similar rule
<b>Rule 5.5-6</b>	<i>After trial; prohibition on a lawyer discussing deliberations with a jury member</i>	no similar rule
5.5-6 [1]	<i>restrictions on discussions with jurors apply to communications with or investigations of juror's family members</i>	no similar rule

<b>Section 5.6 THE LAWYER AND THE ADMINISTRATION OF JUSTICE</b>		<b>Ch. 5; Ch. 21</b>
<b>Rule 5.6-1</b>	Encouraging Respect for the Administration of Justice: <i>Duty to encourage respect and improve the administration of justice</i>	<b>Ch. 21 - R.1</b>
5.6-1 [1]	<i>a lawyer's obligations in their public life; taking care not to weaken or destroy public confidence in the legal system; high standards to which a lawyer is held</i>	<b>Ch. 21 - Comm. 21.1, 21.2, 21.4</b>
5.6-1 [2]	<i>obligation to make efforts to improve the administration of justice and maintain the public's respect for it</i>	<b>Ch. 21 - GP.1</b>
5.6-1 [3]	Criticizing Tribunals: <i>Duty to avoid petty, intemperate or unmeritorious criticisms; avoiding the appearance of partisanship; the importance of and reasons behind the need to support the tribunal</i>	<b>Ch. 21 - Comm. 21.5, 21.6, 21.7, 21.8, 21.11</b>
5.6-1 [4]	<i>obligation to seek improvements in the legal system; importance of ensuring criticism is bona fide and reasoned</i>	<b>Ch. 21 - GP.1</b>
<b>Rule 5.6-2</b>	Seeking Legislative or Administrative Changes: Duty to disclose interest being advanced	<b>Ch. 21 - Comm. 21.9</b>



<b>CODE OF PROFESSIONAL CONDUCT</b>		<b>HANDBOOK</b>
5.6-2 [1]	<i>purporting to act in the public interest as opposed to advancing a client's interests; obligation to conscientiously believe the changes being sought are in the public interest</i>	<b>Ch. 21</b> - Comm. 21.9
<b>Rule 5.6-3</b>	Security of Court Facilities: <i>Duty when there are reasonable grounds to believe a dangerous situation may arise</i>	<b>Ch. 5</b> - Comm. 5.14
5.6-3 [1]	<i>suggesting solutions to the anticipated problem where appropriate [see (a) and (b)]</i>	no similar rule
5.6-3 [2]	<i>obligation to notify other lawyers known to be involved in proceedings at the facility at risk</i>	no similar rule
5.6-3 [3]	<i>duty under this rule vs. duty of confidentiality; application of Section 3.3 (Confidentiality)</i>	<b>Ch. 5</b>

<b>Section 5.7</b>	<b>LAWYERS AND MEDIATORS</b>	<b>Ch. 6</b>
<b>Rule 5.7-1</b>	Role of Mediator: <i>Duties to the parties [see (a) and (b)]</i>	<b>Ch. 6</b> - GP.6
5.7-1 [1]	<i>duty to refrain from giving legal advice as opposed to legal information; duty does not prohibit mediator from giving direction on the consequences if mediation fails</i>	no similar rule
5.7-1 [2]	<i>restrictions on representing either party to the mediation extends to partners and associates of the mediator; application of Section 3.4 (Conflicts)</i>	<b>Ch. 6</b> - GP.6
5.7-1 [3]	<i>obligation to advise parties to seek legal advice when they have not already done so</i>	no similar rule
5.7-1 [4]	<i>obligation to expressly advise and encourage parties to seek separate independent legal representation in relation to any draft contract arising from the mediation</i>	no similar rule

**CHAPTER 6 RELATIONSHIP TO STUDENTS, EMPLOYEES, AND OTHERS**

<b>Section 6.1</b>	<b>SUPERVISION</b>	<b>Ch. 19</b>
<b>Rule 6.1-1</b>	Direct Supervision Required: Duty to directly supervise delegates; professional responsibility for all business entrusted to you	<b>Ch. 19</b> - R.1, 2
6.1-1 [1]	<i>permitting a non-lawyer to act; extent of the duty to supervise depends on various circumstances</i>	<b>Ch. 19</b> - GP.1; Comm. 19.2
6.1-1 [2]	<i>duties of a sole practitioner or lawyer operating a branch or part-time office [see (a) and (b)]</i>	no similar rule
6.1-1 [3]	<i>delegating independent work to a non-lawyer who has specialized training and is competent to do the work</i>	<b>Ch. 19</b> - Comm. 19.2
6.1-1 [4]	<i>permitting a non-lawyer to perform certain delegated tasks; standard of supervision expected of a lawyer in private practice; standard of supervision expected of a legal aid lawyer in a community clinic</i>	<b>Ch. 19</b> - Comm. 19.2
6.1-1 [5]	<i>obligation not to delegate legal judgment; distinction between special knowledge of the non-lawyer and the lawyer's legal judgment</i>	<b>Ch. 19</b> - Comm. 19.2

<b>Rule 6.1-2</b>	Application: <i>Non-lawyer excludes articled clerk</i>	<b>Ch. 19</b> - GP.1
<b>Rule 6.1-3</b>	Delegation: Prohibitions; what a lawyer may not delegate to a non-lawyer [see (a) to o)]	<b>Ch. 19</b> - Comm. 19.2, 19.3, 19.4
6.1-3 [1]	<i>supervising lawyer's ultimate responsibility for undertakings accepted/given and trust conditions accepted by a non-lawyer under their supervision</i>	no similar rule
6.1-3 [2]	<i>obligation to ensure the non-lawyer is identified as such to clients, lawyers, public officials and the general public</i>	<b>Ch. 19</b> - Comm. 19.2
6.1-3 [3]	<i>real estate transactions – lawyer's responsibility for the content of any documents containing their electronic signature</i>	no similar rule
<b>Rule 6.1-4</b>	Suspended or Disbarred Lawyers: <i>Requirement to obtain the Society's express approval to associate with a suspended or disbarred lawyer in any way related to the practice of law</i>	<b>Ch. 19</b> - Comm. 19.6
<b>Rule 6.1-5</b>	Electronic Registration of Documents: Restrictions in relation to personalized encrypted electronic access to any system	<b>Ch. 19</b> - Comm. 19.7
<b>Rule 6.1-6</b>	<i>Duty to ensure non-lawyer abides by the same restrictions [see (a) and (b)]</i>	<b>Ch. 19</b> - Comm. 19.8
6.1-6 [1]	<i>importance of maintaining and ensuring the security and exclusively personal use of personalized access codes</i>	<b>Ch. 19</b> - Comm. 19.7
6.1-6 [2]	<i>real estate transactions – obligation to ensure the non-lawyer maintains and understands the importance of maintaining the security of the system</i>	<b>Ch. 19</b> - Comm. 19.8

<b>Section 6.2</b>	<b>STUDENTS</b>	<b>N/A</b>
<b>Rule 6.2-1</b>	Recruitment and Engagement Procedures: <i>Obligation to follow the Society's procedures</i>	no similar rule
<b>Rule 6.2-2</b>	Duties of Principal: <i>Obligations to student in relation to the law, professional traditions and ethics</i>	no similar rule
6.2-2 [1]	<i>principal or supervising lawyer's ultimate responsibility for any articled clerks acting under their supervision</i>	no similar rule
<b>Rule 6.2-3</b>	Duties of Articled Clerk: <i>Obligations; acting in good faith</i>	no similar rule

<b>Section 6.3</b>	<b>EQUALITY, HARASSMENT AND DISCRIMINATION</b>	<b>Ch. 18; Ch. 23; Ch.24</b>
<b>Rule 6.3-1</b>	[Equality, Harassment and Discrimination]: <i>Human rights law/principles apply</i>	<b>Ch. 18</b> - Comm. 18.10 <b>Ch. 23</b> - Comm. 23.3 <b>Ch. 24</b> - R.1; GP.1; Comm. 24.2
<b>Rule 6.3-2</b>	<i>Terms used in this rule; definitions found in human rights legislation apply</i>	no similar rule
<b>Rule 6.3-3</b>	<i>Prohibition on sexual harassment of any person</i>	no similar rule
<b>Rule 6.3-4</b>	<i>Prohibition on harassment of any person</i>	<b>Ch. 24</b> - R.1
<b>Rule 6.3-5</b>	<i>Prohibition on discrimination against any person</i>	<b>Ch. 24</b> - R.1; <b>Ch. 23</b> - Comm. 23.3

<b>Section 7.1 RESPONSIBILITY TO THE SOCIETY AND THE PROFESSION GENERALLY</b>		<b>Ch. 18</b>
<b>Rule 7.1-1</b>	Communications from the Society: <i>Duty to reply promptly and completely</i>	<b>Ch. 18</b> - Comm. 18.8
<b>Rule 7.1-2</b>	Meeting Financial Obligations: <i>Duty to promptly meet financial obligations</i>	<b>Ch. 18</b> - Comm. 18.8
7.1-2 [1]	<i>professional duty to meet any financial obligations incurred, assumed or undertaken on behalf of clients, unless client was advised otherwise in advance and in writing</i>	<b>Ch. 18</b> - Comm. 18.8
7.1-2 [2]	<i>obligations upon retaining a consultant, expert or other professional; clarifying matters in writing; extent of obligation to help make satisfactory arrangements for payment</i>	no similar rule
7.1-2 [3]	<i>change of lawyers - obligation to ensure lawyer who retained the consultant informs them about the change and provides contact information for the new lawyer</i>	no similar rule
<b>Rule 7.1-3</b>	Duty to Report Misconduct: <i>Obligation to report certain conduct to the Society [see (a) to (d)]; exception(s)</i>	<b>Ch. 18</b> - Comm. 18.1, 18.4
7.1-3 [1]	<i>when and why it might be appropriate to seek the Society's advice</i>	<b>Ch. 18</b> - Comm. 18.3
7.1-3 [2]	<i>prohibition on making a report based on malice or ulterior motive; not meant to interfere with lawyer-client relationship</i>	<b>Ch. 18</b> - Comm. 18.3
7.1-3 [3]	<i>importance and significance of encouraging lawyers who suffer from emotional, mental or family disturbances, or substance abuse, to seek assistance as early as possible; supporting the Lawyer's Assistance Program and Risk and Practice Management Program; maintaining confidentiality for those who use the program; duties of those providing peer support; exception to duty to maintain confidentiality where there is a risk of serious misconduct or criminal activity</i>	<b>Ch. 18</b> - Comm. 18.2, 18.3
<b>Rule 7.1-4</b>	Encouraging Client to Report Dishonest Conduct: <i>Duty to encourage a client to report apparently dishonest conduct as soon as reasonably practical</i>	no similar rule

<b>Section 7.2 RESPONSIBILITY TO LAWYERS AND OTHERS</b>		<b>Ch. 4; Ch. 13</b>
<b>Rule 7.2-1</b>	Courtesy and Good Faith: <i>General duty to be civil and to act in good faith</i>	<b>Ch. 13</b>
7.2-1 [1]	<i>obligation to act effectively and expeditiously, and in a fair and courteous manner</i>	<b>Ch. 13</b> - GP.1
7.2-1 [2]	<i>refraining from allowing ill will between client's to influence conduct; need to avoid personal animosity between lawyers</i>	<b>Ch. 13</b> - Comm. 13.1
7.2-1 [3]	<i>avoiding ill-considered or uninformed criticism of another lawyer's competence, conduct, advice or charge; does not preclude agreeing to act for a client in relation to a complaint against a lawyer</i>	<b>Ch. 13</b> - Comm. 13.12
7.2-1 [4]	<i>obligation to agree to reasonable requests for trial dates, adjournments and to waive formalities as well as similar matters that do not prejudice the client's rights</i>	<b>Ch. 13</b> - Comm. 13.3
<b>Rule 7.2-2</b>	<i>Duty to avoid sharp practice</i>	<b>Ch. 13</b> - Comm. 13.2
<b>Rule 7.2-3</b>	<i>Prohibition on recording communications without consent</i>	<b>Ch. 13</b> - Comm. 13.4

<b>Rule 7.2-4</b>	Communications: <i>General duty to communicate in a courteous manner; prohibition on using an improper tone in correspondence or otherwise</i>	<b>Ch. 13</b> - Comm. 13.13, 13.17
<b>Rule 7.2-5</b>	<i>Punctuality; duty to respond promptly</i>	<b>Ch. 13</b> - Comm. 13.5
<b>Rule 7.2-6</b>	<i>Communicating with someone who is represented by another lawyer; restrictions [see (a) and (b)]</i>	<b>Ch. 13</b> - Comm. 13.10
<b>Rule 7.2-6A</b>	<i>Communicating with someone who is represented by a lawyer under a limited scope retainer; limited exception to Rule 7.2-6</i>	no similar rule
7.2-6A [1]	<i>obligation to communicate with an opposing lawyer when notice has been given pursuant to Rule 7.2-6A, to the extent the limited scope retainer requires; appropriateness of speaking directly with the person in relation to matters not covered by the limited scope retainer</i>	no similar rule
<b>Rule 7.2-7</b>	<i>Exception to Rule 7.2-6; communicating with a person who is represented by another lawyer to give a second opinion</i>	no similar rule
7.2-7 [1]	<i>application of Rule 7.2-6 to communication with any person (including a non-party) who is represented by a lawyer in relation to a particular matter; talking directly to a person about matters outside the representation; ability of parties to communicate directly with each other</i>	no similar rule
7.2-7 [2]	<i>prohibition on communications with a represented person requires knowledge that the person is represented in relation to the matter to be discussed; actual vs. implied knowledge</i>	no similar rule
7.2-7 [3]	<i>advising a client seeking a second opinion that it is necessary to consult their first lawyer - considerations</i>	<b>Ch. 13</b>
<b>Rule 7.2-8</b>	<i>Restrictions on approaching an officer or employee when retained to act in a matter involving an entity represented by another lawyer</i>	no similar rule
7.2-8 [1]	<i>application of rule to corporations and any other organizations; communicating in relation to matters outside the representation</i>	no similar rule
7.2-8 [2]	<i>when a lawyer representing a corporation or other organization is retained to represent employees; application of the requirements of section 3.4 (Conflicts)</i>	no similar rule
<b>Rule 7.2-9</b>	<i>Duties when dealing with an unrepresented person on a client's behalf [see (a) to (c)]</i>	<b>Ch. 4</b> - Comm. 4.20
7.2-9 [1]	<i>application of the considerations outlined in this rule on joint retainers when an unrepresented person asks the lawyer to advise or act</i>	<b>Ch. 4</b> - Comm. 4.20
<b>Rule 7.2-10</b>	Inadvertent Communications: <i>Duty to promptly notify sender</i>	<b>Ch. 13</b> - Comm. 13.2A
7.2-10 [1]	<i>obligation to notify sender when there is or ought to be knowledge a document was sent inadvertently; when additional steps may be required</i>	<b>Ch. 13</b> - Comm. 13.2A
7.2-10 [2]	<i>if not required by law to return a particular document, decision to voluntarily do so is generally a matter of professional judgment</i>	no similar rule
<b>Rule 7.2-11</b>	Undertakings and Trust Conditions: <i>Duty to fulfil undertakings and trust conditions; restriction on giving undertakings that cannot be fulfilled</i>	<b>Ch. 13</b> - Comm. 13.6, 13.7
7.2-11 [1]	<i>obligation to put or confirm undertakings in writing; importance of unambiguity; obligation for any disclaimers to be clearly made in writing; using the phrase "on behalf of" does not imply the lawyer does not intend to personally honour the undertaking</i>	<b>Ch. 13</b> - Comm. 13.6, 13.8

7.2-11 [2]	<i>obligation to put or confirm trust conditions in writing; importance of unambiguity and explicitness; obligation to communicate trust condition at the time the property is delivered; obligation to accept trust conditions in writing; prohibition on retroactively imposing trust conditions</i>	<b>Ch. 13</b> - Comm. 13.7, 13.8
7.2-11 [3]	<i>prohibition on imposing or accepting unreasonable trust conditions or that cannot be fulfilled; prohibition on ignoring or breaching a trust condition on the basis that it is not in accordance with the client's obligation; prohibition on unilaterally imposing cross conditions</i>	no similar rule
7.2-11 [4]	<i>unwilling or unable to honour trust condition imposed by someone else – duty to return subject of trust condition immediately; exception – agreement in writing</i>	<b>Ch. 13</b> - Comm. 13.9
7.2-11 [5]	<i>varying trust conditions (with consent, in writing); requirement for clients or others to obtain lawyer's consent before varying</i>	<b>Ch. 13</b> - Comm. 13.9
7.2-11 [6]	<i>binding nature of trust conditions that have been accepted, regardless of whether imposed by a lawyer or non-lawyer; exercising caution when seeking to impose trust conditions on a non-lawyer</i>	no similar rule
7.1-11 [7]	<i>standard of care that applies to money or property subject to trust conditions or an undertaking</i>	no similar rule

<b>Section 7.3</b>	<b>OUTSIDE INTERESTS AND THE PRACTICE OF LAW</b>	<b>Ch. 8</b>
<b>Rule 7.3-1</b>	Maintaining Professional Integrity and Judgment: Outside interests; duty to ensure no interference with the practice of law	<b>Ch. 8</b> - R.1; Comm. 8.5
7.3-1 [1]	<i>prohibition on involvement in any outside interests that make it difficult to distinguish the capacity in which the lawyer is acting, or that would give rise to a conflict of interest or duty to a client</i>	<b>Ch. 8</b> - Comm. 8.4, 8.5
7.3-1 [2]	<i>transactions involving outside interests; duty to be mindful of potential conflicts and the applicable standards; duty to disclose personal interests</i>	<b>Ch. 8</b>
<b>Rule 7.3-2</b>	<i>Prohibition on allowing outside interests to impair the exercise of independent judgment in relation to a client matter</i>	<b>Ch. 8</b> - Comm. 8.1
7.3-2 [1]	<i>determining what constitutes an "outside interest"</i>	<b>Ch. 8</b> - GP.1
7.3-2 [2]	<i>limitations on when ethical considerations arise; the need to ascertain the extent to which a lawyer's conduct brings the lawyer or profession into disrepute, impairs the lawyer's competence or occupies so much time the client's interests would suffer</i>	<b>Ch. 8</b> - Comm. 8.3

<b>Section 7.4</b>	<b>THE LAWYER IN PUBLIC OFFICE</b>	<b>Ch. 16</b>
<b>Rule 7.4-1</b>	Standard of Conduct: <i>Duty to adhere to same high standards expected of a lawyer practising law</i>	<b>Ch. 16</b> - R.1
7.4-1 [1]	<i>application of rule to lawyers who are elected or appointed to a legislative or administrative office at any level, regardless of whether the appointment is related to their professional qualifications</i>	<b>Ch. 16</b> - GP.1; Comm. 6.1
7.4-1 [2]	<i>conduct that reflects adversely on the lawyer's integrity or professional competence – disciplinary action</i>	<b>Ch. 16</b> - Comm. 16.9
7.4-1 [3]	<i>the application of Section 3.4 (Conflicts) to lawyers holding public office</i>	<b>Ch. 16</b> - Comm. 16.2

<b>Section 7.5 PUBLIC APPEARANCES AND PUBLIC STATEMENTS</b>		<b>Ch. 5; Ch. 22</b>
<b>Rule 7.5-1</b>	Communication with the Public: <i>Communicating information to the media, and making public appearances and statements; considerations</i>	<b>Ch. 22</b> - R.1; GP.1
7.5-1 [1]	<i>standard of conduct for lawyers making public appearances and statements</i>	<b>Ch. 22</b> - R.1; GP.1; Comm. 22.2, 22.3, 22.4
7.5-1 [2]	<i>duty to be satisfied public statement is in the client's best interests</i>	<b>Ch. 22</b> - Comm. 22.1
7.5-1 [3]	<i>prohibition on communicating publicly about a client's affairs for self-promotion of any kind</i>	<b>Ch. 5</b> - Comm. 5.4, <b>Ch. 22</b> - Comm. 22.1
7.5-1 [4]	<i>lack of concrete guidelines due to the variety of circumstances that can arise and make it appropriate (or not) to have contact with media</i>	<b>Ch. 22</b> - Comm. 22.10
7.5-1 [5]	<i>having contact with the media in relation to non-legal activities – fundraising, acting as a spokesperson</i>	<b>Ch. 22</b> - Comm. 22.7, 22.9
7.5-1 [6]	<i>assisting the public in understanding legal issues; commenting publicly on the effectiveness of existing remedies or certain cases</i>	<b>Ch. 22</b> - Comm. 22.6, 22.8, 22.11, 22.12
7.5-1 [7]	<i>being aware that statements may be taken out of context</i>	<b>Ch. 22</b> - Comm. 22.14
<b>Rule 7.5-2</b>	Interference with Right to Fair Trial or Hearing: <i>Prohibition on knowingly making public information that is substantially likely to materially prejudice a party's right to a fair hearing</i>	no similar rule
7.5-2 [1]	<i>balancing the need for public scrutiny vs. the right to a fair trial</i>	no similar rule

<b>Section 7.6 PREVENTING UNAUTHORIZED PRACTICE</b>		<b>Ch. 19</b>
<b>Rule 7.6-1</b>	Preventing Unauthorized Practice: <i>Duty to assist in preventing the unauthorized practice of law</i>	<b>Ch. 19</b> - R. 1
7.6-1 [1]	<i>protection of the public; policy reasons and other considerations</i>	<b>Ch. 19</b> - Comm. 19.1

<b>Section 7.7 RETIRED JUDGES RETURNING TO PRACTICE</b>		<b>Ch. 16</b>
<b>Rule 7.7-1</b>	[Retired Judges Returning to Practice]: <i>Restrictions on appearing before certain courts and/or administrative boards and tribunals</i>	<b>Ch. 16</b> - Comm. 16.11

<b>Section 7.8 ERRORS AND OMISSIONS</b>		<b>Ch. 4</b>
<b>Rule 7.8-1</b>	Informing Client of Errors or Omission: <i>Duties upon discovering errors or omission that may be damaging and cannot be rectified readily [see (a) to (c)]</i>	<b>Ch. 4</b> - Comm. 4.14, 4-15
<b>Rule 7.8-2</b>	Notice of Claim: <i>Duty to give prompt notice of any circumstance reasonably expected to give rise to a claim against an insurer or other indemnitor</i>	<b>Ch. 4</b> - Comm. 4.16
7.8-2 [1]	<i>the impact of compulsory insurance – balancing additional obligations with the duties to and relationship with the client</i>	no similar rule
<b>Rule 7.8-3</b>	Co-operation: <i>Duty to assist and co-operate with the insurer/indemnitor in relation to claims of professional negligence</i>	<b>Ch. 4</b> - Comm. 4.16
<b>Rule 7.8-4</b>	Responding to Client's Claim : <i>Duty to deal expeditiously with claims not fully covered by insurance or other forms of indemnity</i>	<b>Ch. 4</b> - Comm. 4.17
<b>Rule 7.8-5</b>	<i>Duty to pay any balance owing when liability is clear and the insurer/indemnitor agrees to pay its share of the claim</i>	<b>Ch. 4</b> - Comm. 4.17