



NOVA SCOTIA BARRISTERS' SOCIETY

## Nova Scotia Barristers' Society Policy

<b>NAME OF POLICY</b>	Policy on Member's Access to Member File		
<b>APPLICABLE SECTIONS OF THE <i>LEGAL PROFESSION ACT</i> AND REGULATIONS</b>			
<b>Approved by</b>	<b>Effective</b>	<b>Reviewed</b>	<b>Revised</b>

Pursuant to subregulation 4.14.1, the Nova Scotia Barristers' Society maintains a record for each member of the Society that includes current contact information, membership history, trust account filings, complaints history and any Lawyers' Fund for Client Compensation claim history. Some of the information is publically available on the Society's website and some is confidential and may only be shared pursuant to subregulation 4.14.10 and 4.14.11.

### 1. Access to Information

- 1.1 Upon the written request of a member of the Society, the Executive Director will provide the member with access to those records and information maintained pursuant to subregulation 4.14.1.
- 1.2 The Society will not provide access to records held by the Society if:
  - 1.2.1 The record or any information in the record is subject to privilege that restricts disclosure of the record or the information;
  - 1.2.2 Granting the access is not in the public interest or could undermine the integrity of the Society's processes.
- 1.3 Access to records held by the Society can be provided by paper, electronically or facsimile at the member's request.
- 1.4 The fee for making a file available will not exceed the amount of reasonable cost recovery and must be disclosed to the member on receipt of the request.
- 1.5 The Executive Director may ask the member to verify their identity before providing access to the record.

1.6 The Executive Director has 10 business days to respond to the member after the information is requested.

## **2. Procedure**

2.1 Upon receipt of a written request for access to records held by the Society that are related to the application, the Executive Director will review the request and compile an electronic file of all such records.

2.2 At the Executive Director's request staff must identify any material that may meet the criteria under paragraph 1.2 of this Policy and will flag that material for the attention of the Executive Director.

2.3 If the Executive Director determines that any aspect of the member's file cannot be released in accordance with paragraph 1.2 of this Policy, that information will be redacted by staff and will not be included in the records to be disclosed to the member.

2.4 If the record is redacted or refused to be disclosed in its entirety, the Executive Director will notify the member of this decision in writing and outline the reasons for the redaction or refusal.