
**SABS Representatives Regulation by
the Law Society of Upper Canada
Frequently Asked Questions
May 11, 2007**

1. Will the activities of a SABS representative be regulated by the Law Society of Upper Canada (Law Society)?

Yes. With the passage of the *Access to Justice Act 2006*, independent paralegals who provide legal services in Ontario fall under the regulation of the Law Society effective May 1, 2007.

The regulation of paralegals by the Law Society includes the activities of SABS representatives. During the transition period, the requirements for paralegals practicing as SABS representatives to comply with the regulations under the *Insurance Act* will continue after May 1, 2007. Subject to the approval of regulation changes by the Ontario Government, it is anticipated that the requirements under the *Insurance Act* will end on May 1, 2008, concurrent with the Law Society's assumption of full responsibility for the regulation of SABS representatives.

2. I am a SABS representative on the FSCO list. Do I have to apply to the Law Society as a paralegal to continue to act as a SABS representative?

To continue to practice on or after May 1, 2008, you will need to be licensed as a paralegal by the Law Society. It is anticipated that FSCO oversight of SABS representatives will end effective May 1, 2008, provided necessary regulation changes are made. To become licensed by the Law Society, you will need to file an application with the Law Society by October 31, 2007. Information on the Law Society system for regulating paralegals can be found at www.lsuc.ca or by phoning the Law Society at 1-800-668-7380.

If you do not plan to apply for a paralegal licence or do not meet the Law Society requirements, you should use the transition period to complete work on existing claims or transfer ongoing claims to lawyers or paralegals in good standing with the Law Society.

3. I am currently a SABS representative on the FSCO list. Can I continue to practice as a SABS representative if I have applied to the Law Society as a paralegal?

Yes. To provide for regulation by the Law Society, a SABS representative who continues to meet the requirements under the *Insurance Act* may continue to practice as a SABS representative until April 30, 2008. On or after May 1, 2008, to represent a SABS claimant you will have to be licenced as a paralegal by the Law Society.

4. Can FSCO provide a statement of reference to confirm that I have worked full time as a SABS representative for the last three years to support my application to the Law Society?

FSCO cannot provide Law Society applicants with a statement of reference confirming full time employment as a SABS representative. FSCO's interaction with SABS representatives is generally limited to situations where SABS representatives file and/or participate in mediations or arbitrations. FSCO cannot confirm the full time status of SABS representatives based on this limited interaction.

5. In order to provide additional information for my application to the Law Society, can FSCO confirm the number of times I have appeared on mediation or arbitration applications?

Yes. By writing to the Director of Arbitrations, Dispute Resolutions Services Branch, FSCO will confirm the number of times you have been listed as a representative in mediation or in arbitration proceedings.

6. Do I have to update my filing and declaration with FSCO if I change my insurance policy as a result of the application requirements of the Law Society?

Yes. A SABS representative must update his or her information as filed with FSCO if they change their insurance policy. This can be done by going to the Paralegals/SABS representatives page of the FSCO website at www.fSCO.gov.on.ca which can be accessed through the Auto Insurance section of the website.

7. I am a prospective new SABS representative and have applied to the Law Society to be a licenced paralegal. Do I also have to file a declaration with FSCO to act as a SABS representative?

Yes. Until May 1, 2008, all new SABS representatives, including individuals who have filed an application with the Law Society, must file a declaration with FSCO. The filing information can be found at the Paralegals/SABS representatives page of the FSCO website at www.fSCO.gov.on.ca which can be accessed through the Auto Insurance section of the website.