

November 23, 2022

**National Requirement Review Committee
Federation of Law Societies of Canada**

World Exchange Plaza
1810 - 45 O'Connor Street
Ottawa, Ontario
K1P 1A4

Via email: smackenzie@flsc.ca

Dear Sir/Madam:

Re: Review of the National Requirement

The Toronto Lawyers Association (TLA) is the voice of its 3400 members who practice in all disciplines across the Greater Toronto Area. Our members have a strong interest in continued excellence in the training of Canadian and internationally trained law graduates so that they are prepared for the law society admission programs. The existing National Requirement substantive legal knowledge component references 7 specific legal fields which are: constitutional law, criminal law, administrative law, contract law, tort law, property law, and legal and fiduciary concepts in commercial relationships. These are all key substantive areas necessary for the practice of law. We propose the addition of family law as a core field of substantive legal knowledge:

1. Family law is widely practiced across Canada, in many cases by lawyers in small firms and often as part of a general practice. This is a core field within which a high percentage of lawyers will require competence.
2. Family law is legally complex requiring knowledge and application of diverse statutes as well as common law and the law of equity. A law school foundation in this field would increase competency in practice and promote the overarching legal educational goal of teaching students how to integrate and apply the law in a field in which statutes and common law are interwoven.
3. Domestic violence is a significant social problem in Canada. 10% of Canadian homicides are committed by spouses or intimate partners.¹ Family violence in the form of physical or verbal abuse is widespread.² A family law course will provide

¹ Statistics Canada, <https://www150.statcan.gc.ca/n1/pub/85-002-x/2021001/article/00017/tbl/tbl07-eng.htm>

² Conroy, Shana, *Family Violence in Canada: A Statistical Profile, 2019, Juristat*, Statistics Canada, March 2, 2021

an opportunity to educate students to identify and address family violence. This is of value to all future lawyers, not only those who choose to practice in this area.

4. Cultural competency is key to the practice of law in contemporary Canada. A family law course will provide a vehicle to deliver education on this issue, which will be of value to all future lawyers, whatever discipline they pursue.
5. Family law is the area of law that affects the largest percentage of society, either directly or indirectly, requiring lawyers to have a basic understanding and competency.
6. Family law disputes are often diverted to alternate dispute resolution processes. Requiring law students to study this field allows the introduction of non-court mechanisms to resolve disputes including mediation, arbitration, mediation/arbitration, neutral evaluation, and collaborative law.

For these reasons, the TLA proposes the inclusion of family law as a core field of substantive legal knowledge in the revised National Requirement.

Yours very truly,



Erin O'Donovan
President
Toronto Lawyers Association