Law Society of Prince Edward Island

PETITION FOR ENROLMENT AS AN ARTICLED CLERK, **Form 1**

[Pursuant to Regulation 11]

C A N A D A

PROVINCE OF

PRINCE EDWARD ISLAND

To The Council of the Law Society of Prince Edward Island:

**THE PETITION** of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_County, student,

**HUMBLY SHEWETH:**

**1. THAT** your Petitioner is the full age of eighteen years; and

**2.** **THAT** your Petitioner has been admitted as a regular student in the faculty of law at the\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ law school at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_and has successfully completed the qualifications for graduation from such law school as is shown by the certificate hereto annexed and marked “\_\_\_\_\_\_\_\_\_\_\_\_” and has successfully completed a course in each of the subject areas required by Regulation 11.

**3.** **THAT** hereto annexed and marked “\_\_\_\_\_\_\_\_\_\_” *[or as the case may be]* is a fully executed duplicate of the Articles of Clerkship made between your Petitioner and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, a member in good standing of the Law Society of Prince Edward Island, who is and has been a member in good standing in actual practice for a period of not less than five years.

**4.** **THAT** hereto annexed “\_\_\_\_\_\_\_\_” is a certificate of your Petitioner’s said principal;

**5.** **THAT** submitted with this Petition are the proper fees payable on enrolment of an Articled Clerk.

DATED this \_\_\_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_

Petitioner

**DECLARED** before me at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,)

Prince Edward Island )

this \_\_\_\_\_\_\_\_day of\_\_\_\_\_\_\_\_\_\_\_, 20\_\_ )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

etc.

Page 1 of 3.**FORM NO. 1** (cont'd) *{ Exhibit Stamp}*

**D E C L A R A T I O N**

**I,** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_County, student,

DO SOLEMNLY DECLARE:

**1. THAT** the statements and allegations made in my petition for enrolment whereon this declaration is endorsed are true in substance and in fact and the annexations thereto marked respectively " \_\_\_\_\_", "\_\_\_\_\_" and "\_\_\_\_\_ " are genuine;

**2. THAT** if I am enrolled as an Articled Clerk I will at all times conduct myself in accordance with the Rules of the Society relative thereto and will not be guilty of professional misconduct unbecoming to an Articled Clerk or Student at Law or any breach of any of the provisions of the ***Legal Profession Act*** or of any Regulation passed thereunder;

**3. THAT** during my term of service as an Articled Clerk I will *bona fide* serve in the office of the barrister with whom I am articled and will not engage in any other employment unless I have first obtained written confirmation from the Council of the Society that in its opinion such employment will not interfere with my reasonable attendance and service;

**4. THAT** I did on the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_, post a true copy of the notice hereto annexed and marked " \_\_\_\_\_" by the Commissioner taking this my declaration in the Law Library at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in \_\_\_\_\_\_\_\_\_\_\_\_ County.

**AND** I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

**DECLARED** before me at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,)

Prince Edward Island )

this \_\_\_\_\_\_\_\_day of\_\_\_\_\_\_\_\_\_\_\_, 20\_\_ )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

etc.

*[NOTE: these forms may vary as dictated by circumstances]*

Page 2 of 3.**FORM NO. 1** (cont'd) *{Exhibit Stamp}*

**N O T I C E**

The Secretary-Treasurer

The Law Society of Prince Edward Island

Madam (Sir):

**TAKE NOTICE** that I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in \_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, Student, intend to make application to the President and Council of the Law Society of Prince Edward Island for enrolment as an Articled Clerk in the office of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_County, Barristers, Solicitors and Attorneys.

**DATED** this \_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_

(Signature of Student)

----------------\*\*\*\*\*----------------

*{Exhibit Stamp}*

**C E R T I F I C A T E O F Q U A L I F I C A T I O N S**

**I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, Barrister, Solicitor and Attorney of the Supreme Court of Prince Edward Island,

**DO HEREBY CERTIFY**

**THAT** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, an applicant for enrolment as an Articled Clerk, is, in my opinion, a person of good moral character and a fit and proper person to be enrolled as an Articled Clerk.

**DATED** this \_\_\_\_\_\_day of\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_

(Signature of Sponsor)

Page 3 of 3.

Law Society of Prince Edward Island

ARTICLES OF CLERKSHIP, **Form 2**

[Pursuant to Regulation 11]

*{Exhibit Stamp}*

**THIS INDENTURE** made the \_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_ , 20\_\_\_

**BETWEEN** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_of\_\_\_\_\_\_\_\_\_\_\_\_\_ in\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County,

Student

(Hereinafter called the Clerk)

**OF THE ONE PART,**

**AND:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_of\_\_\_\_\_\_\_\_\_\_\_\_\_ in \_\_\_\_\_\_\_\_\_\_\_\_\_County,

Barrister, Solicitor and Attorney

(hereinafter called the Barrister)

**OF THE OTHER PART.**

**WITNESSETH:**

**THAT** the Clerk of their own free will hath placed and bound themself to the Barrister to serve from the date hereof as a student-at-law and articled clerk in accordance with the Regulations of the Law Society of Prince Edward Island and during and until the full term of the time required in accordance with the Regulations and the ***Legal Profession Act***;

**AND THAT** the Clerk doth hereby covenant with the Barrister that the said Clerk shall and will well faithfully and diligently serve the Barrister as a clerk in the practice or profession of a Barrister, Solicitor and Attorney of the Supreme Court of Prince Edward Island from the date hereof during and until the full end of the hereinbefore mentioned term;

**AND THAT** the Clerk shall not at any time during such term cancel, obliterate, injure, spoil, destroy, waste, embezzle, spend or make away with any of the books, papers, writings, documents, money, stamps, chattels, or other property of the Barrister or their partner or partners, clients or employees; and in the case the Clerk shall act contrary to the last mentioned covenant or if the Barrister, their executors, administrators or assigns or their partner or partners of employees shall sustain any loss or damage by the misbehavior, neglect or improper conduct of the Clerk, the Clerk, their heirs and administrators shall indemnify the Barrister and make good and reimburse the Barrister the amount or value thereof;

**AND FURTHER THAT** the Clerk will at all times keep the confidence of the Barrister, their partner and partners and will at all times during the same term readily and cheerfully obey and execute their reasonable and lawful commands; and shall not depart or absent themself from the service of the Barrister at any time during the said term without the Barrister’s consent first obtained, and shall, from time to time and at all times during the said term conduct themself with all due diligence, honesty and propriety; and the Clerk will truly, honestly and diligently serve the said Barrister at all times during the said term as a faithful clerk ought to in all things whatsoever, in the manner above specified;

**IN CONSIDERATION WHEREOF** and of one dollar paid by the Clerk (the receipt whereof the Barrister doth hereby acknowledge), the said Barrister, doth hereby covenant with the Clerk that, the said Barrister, will accept and take the Clerk as their clerk and student-at-law and also that the Barrister will by the best ways or means they may or can and to the utmost of their skill and knowledge teach and instruct or cause to be taught and instructed the Clerk in the said practice or profession of a Barrister, Solicitor and Attorney of the Supreme Court of Prince Edward Island which the Barrister doth now or at any time hereafter during the said term shall practice, and will also at the expirations of the said term use their best means and endeavours at the request, cost and charges of the said Clerk to cause and procure to the said Clerk, to be admitted as a Barrister, Solicitor and Attorney of the Supreme Court of Prince Edward Island provided the said Clerk shall well, faithfully and diligently have served the intended clerkship.

**IN WITNESS WHEREOF** the parties hereto have hereunto set their hands and affixed their respective seals all the day and year first above written.

**SIGNED, SEALED AND DELIVERED**

in the presence of: )

) (LS)

)

) (LS)

*[Note - these forms may be varied as dictated by circumstances]*

Law Society of Prince Edward Island

ASSIGNMENT OF ARTICLES, **Form 3**

[Pursuant to Regulation 13 (1)]

KNOW ALL PERSONS BY THESE PRESENTS that I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_County, Barrister, Solicitor and Attorney, in consideration of the sum of one dollar paid to me by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, Barrister Solicitor and Attorney, (the receipt whereof I hereby acknowledge) DO HEREBY ASSIGN to the said \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ all my right, title and interest in the Articles of Clerkship between \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as a clerk and me as Barrister [*or as the case may be*] dated the \_\_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_, hereto annexed and every clause, article or thing herein and I hereby constitute the said \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, my attorney in my name but to their own use and at their own expense to take all lawful measures which may be proper for the complete recovery, use and enjoyment of the assignment premises and all benefits thereunder with power of substitution.

IN WITNESS WHEREOF I have set my hand and affixed my seal at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, this day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_

SIGNED, SEALED AND DELIVERED

in the presence of:

)

)

)

)

FORM No. 3 (Cond’t)

CONSENT

**I,** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_ in County, the Clerk mentioned in the above written assignment and in the Articles of Clerkship thereby assigned do hereby consent to the said agreement.

**DATED** this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

**WITNESS:**

(*Signature of Clerk*)

**I**, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in County, Barrister, Solicitor and Attorney, being the assignee mentioned in the above written assignment DO HEREBY ACKNOWLEDGE receipt of the said assignment and accept it and the obligations undertaken by the Barrister by the Articles of Clerkship thereby assigned which obligations I agree to perform.

**DATED** this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

(*Signature of Assignee-Barrister*)

**THE CONSENT** of the Council was given and this assignment

**FILED** with the Secretary-Treasurer of the Law Society of

Prince Edward Island this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, 20\_\_