

Panel application

Legal Aid Ontario

Consent and Capacity Board Panel Application

Lawyer information

Name:

Address:

City:

Province:

Postal code:

Solicitor #:

LSO #:

Mandatory Consent and Capacity Board Training and Annual CLE

I have attended or viewed Continuing Legal Education in the basics of advocacy before the Consent and Capacity Board, and I shall participate in CLE thereafter as required by LAO. (Section 1 of the panel standards)

Client and Lawyer Rights and Responsibilities

I agree to abide by the "LAO Expectations for Consent and Capacity Panel Members" attached. (section 2 of the panel standards)

Observation Prior to Representation

I agree to observe at least one CCB hearing prior to appearing before the CCB for a LAO client, unless the director general determines that this is impracticable (section 3 of the panel standards).

Minimum Related Experience

I meet LAO's minimum related experience requirements (section 4 of the panel standards)

I do not meet LAO's minimum related experience requirement and am requesting an exemption from this requirement from the district area director on the basis of one or more of the following:

Local conditions make the caseload requirement impracticable

I have the necessary knowledge and skill

I am new to the practice of CCB law and I agree to meet the minimum related experience within two years

LAO Expectations for Consent and Capacity Panel Members

Although the unique nature of the CCB client group requires an individualized approach with each client, a CCB panel member shall strive to:

1. Maintain competence in accordance with the Rules of Professional Conduct of the Law Society of Ontario and, in particular, maintain knowledge of the substantive law and procedure in the area of mental health law.
2. Respond promptly to the inquiries of rights advisers and representatives of the Public Guardian and Trustee (PGT) or Legal Aid Ontario (LAO) district area directors or their designates seeking counsel for a client.
3. Make reasonable efforts to accommodate clients with special needs, including those who require interpreters.
4. Contact the client as soon as it is practical to do so upon accepting the case.
5. Meet with the client in person prior to the hearing (subject to exigent circumstances relating to the proximity of the retainer to the hearing and the client's willingness and ability to do so).
6. Review the client's health record prior to the hearing (subject, again, to exigent circumstances relating to the proximity of the retainer to the hearing, the availability of such records and the client's withholding of permission to do so).
7. Seek instructions respecting procedural matters such as the waiver of statutory time frames for the conduct of the hearing and adjournment requests.
8. Maintain, to the fullest extent possible, a solicitor client relationship in accordance with the Rules of Professional Conduct of the Law Society of Upper Canada. In particular the panel member will:
 - treat the client with dignity;
 - respond promptly to reasonable inquiries from the client;
 - provide the client with the information necessary to make informed decisions respecting his or her representation;
 - respect the client's instructions fully within the bounds of his or her professional obligations;
 - advance the client's position; and

- maintain solicitor client privilege.
- 9. Inform the client of his or her right of appeal.
- 10. Inform the client of his or her right to written reasons of the Board.
- 11. Make reasonable efforts to inform the client of the decision of the Board and to explain the implications of the decision.
- 12. Cooperate, where authorized to do so by the client, with a successor lawyer in respect of any appeal brought by the client.
- 13. Upon accepting a certificate in respect of an appeal, provide his or her opinion to the LAO Area Committee respecting the merits of the appeal in a timely manner.
- 14. Respond promptly to communications from the LAO district area director respecting complaints.

I have read and understand the LAO Expectations for Consent and Capacity Panel Members.

Consent

I agree to comply on an ongoing basis with LAO's Consent and Capacity Board Panel Standards for admission and continued standing.

I understand that I must be a panel member and compliant with the standards to acknowledge a Consent and Capacity Board certificate

By selecting this box I affirm that I have read and understood the panel standard requirements and that the information contained herein is complete, true and accurate.

Signature

Date:

Office use: Approval for CCB panel

Director General / designate
signature

Date:

Please submit the completed form to the Legal Aid Ontario District Office in your district, ATTN: Director General and/or designate

Personal information in this form is collected under the authority of section 84 of the Legal Aid Services Act and is used in the general administration of the payment of lawyers accounts including: case management, application of block fees and tariff, discretion, reviews, disbursement authorization, expedite requests, late billing, hard cap, and recoveries; and, is used in the panel management of lawyers including investigations, panel suspension, and panel removal. Questions about this collection should be directed to the FIPPA coordinator, 40 Dundas Street West, Suite 200, Toronto, ON, M5G 2H1, 416-979-1446 or 1-800-668-8258.