

EMPLOYMENT AND YOUNG LAWYERS IN QUEBEC



JEUNE BARREAU DE MONTRÉAL
YOUNG BAR OF MONTREAL



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INTRODUCTION

The Young Bar Montreal (YBM) represents the more than 4,600 members in their first 10 years of practice in the Montreal area. For a number of years, YBM's executive committee and board of directors have noted and received complaints from its members about an increasingly deteriorating employment situation. Some members have gone back to school with the hopes of differentiating themselves from their colleagues or have started their own firms while waiting to find something else.

In June 2014, we decided to conduct an in-depth study of this issue, in order to survey impressions in the field and provide sufficient support to our members.

In January 2015, the Quebec Bar's "Barreau-Mètre 2015" confirmed these complaints, indicating:

[Translation]

Over the past five years, the total number of lawyers in the Order increased at a rate between 1.2 and 2.6% each year. This is in part due to the increase in the number of students at the Bar School. For the 2013-2014 academic year, the Bar School¹ received around 1,300 applications. This is a 42% increase of the student clientele compared to the 2005-2006 academic year (when the Bar School's current training program took effect). This increase is relatively consistent and outpaces the general population growth rate. Since 1981, when the Barreau carried out its first socio-economic studies, the number of lawyers in relation to the general population has not stopped increasing² (our emphasis).

Later, it states:

[Translation]

As of March 31, 2014, 1,735 men and 340 women aged 65 and older (=2,075 members) were registered on the Roll of Order. This statistic highlights a trend: lawyers tend to work longer and delay retirement. From 2009 to 2014, the number of lawyers aged 65 and older increased by 63.4%³ (our emphasis).

This led us to set the wheels in motion for YBM's general consultation in June 2014. YBM's Member Relations Committee⁴ first developed a 130-question survey that was distributed across the province with the help of two other young bar associations, Jeune Barreau de Québec (JBQ) and Association des Jeunes Barreaux de Région (AJBR)⁵.

Some 1,346 young Quebec lawyers in their first 10 years of practice answered a 130-question survey that took around 25 minutes to complete. Based on the 8,875 young lawyers registered on the Quebec

¹ The Bar School is Quebec's bar school providing professional training to law graduates in preparation for the bar exam.

² Barreau-mètre 2015, p.6-7

³ Barreau-mètre 2015, p.12

⁴ Mtre. Paul-Matthieu Grondin, YBM president from 2014-2015, and Mtre. Catherine Ouimet, YBM executive director, worked on this report with the general consultation's sub-committee reporting to the Member Relations Committee with the following 2014-2015 members (in alphabetical order): Mtres. Stéphanie Beaupré-Camirand, Marie-Andrée Boutin-Clermont, Julie Bouthillier, Catherine Coursol, Simon-Pierre Diamond, Véronique Gaudette, Marie-Ève Gingras, Francis Hemmings, Anabel Medina-Gimenez, Catherine Méthot, Stéphanie Ruel, Pierre-Jude Thermidor and Martin Thibault. Sub-committee members reported to Mtre. Léa Maalouf, member of YBM's board of directors. YBM would like to thank them for their work.

⁵ Young Bar of Quebec City and Association of the Regional Young Bars

Bar's Roll of Order,⁶ the survey response rate is 15%. Statistically, at a confidence level of 95%, the study's margin of error is $\pm 2.5\%$. At a confidence level of 99%, the margin of error is $\pm 3.5\%$. With these margins, this study is very reliable.⁷

Henri Beauregard is an independent consultant who was hired by the YBM to sort through the survey results database and present the data in statistical tables to analyze and identify the most significant results, highlight correlations and write a report on the survey results. Emploi-Québec de l'Île-de-Montréal also provided financial support.

Specifically, survey respondents were:

- 67.9% women/31.7% men⁸
- 61.0% from Montreal, 8.7% from Quebec City and 27.1% from other areas of Quebec

Lawyers who left the profession could not be reached for this study.

The conclusions of this analysis were compiled in the Rapport intérimaire sur la situation de l'emploi chez les jeunes avocats (the "Interim Report"). The main results and summaries of topics to consider in the Interim Report were presented by the YBM on May 29, 2015 to over 300 people at the YBM's Annual General Assembly.

The Interim Report's conclusions confirmed our members' fears.⁹ Despite the provisional nature of this initial report, we felt it important for this problem to be made known at that time to allow for wider consultation on topics to consider.¹⁰

After announcing the results, we set up a round-table discussion group with representatives from all of Quebec's law faculties and the Quebec Bar. The group met twice in November 2015.

The goal of the first round-table discussion, held on November 9, 2015, was to present an overview of the problem brought up by the study's results and to discuss it with the stakeholders present in order to confirm or reject certain hypotheses put forth in the Interim Report.

The goal of the second round-table discussion, held on November 17, 2015, was to debate potential solutions, which led to this report's final recommendations.

It is important to mention that the YBM, supported by the JBQ and the AJBR, is the sole author of this report. While the Quebec Bar and law faculties were consulted for this report, we did not submit the document to them for approval. That being said, the YBM would like to thank them for their openness and constructive participation in this process. The issue of employment in the legal field affects the entire legal community, and it is important to make a concerted effort to improve the situation.

We hope you enjoy reading the report.

The Young Bar of Montreal

⁶ As of March 31, 2014, according to the Barreau-mètre 2015, p. 17.

⁷ For comparative purposes, page 6 of the Barreau-mètre 2015 explains: [Translation] "For the purpose of building an accurate profile of the profession and to offer services that are more adapted to its members' needs, the Quebec Bar asked 25,095 lawyers to complete an optional survey, 'Evolution and Trends', at the same time as their 2014 annual registration form. Some 275 lawyers answered the survey. This sample provides a margin of error of 5.88% with a confidence level of 95%. In other words, 9.5 times out of 10, the survey's results will fall within the margin of error of 5.88%. Thus, even if the survey is an indicator rather than an exact metric, it provides a fairly clear picture of trends and their development."

⁸ These rates are representative of Quebec Bar members in their first 10 years of practice, according to the Barreau-mètre 2015, page 10. Also of note, it was possible to not answer the question, which accounts for the missing 0.4%.

⁹ See *Conclusions and Recommendations* section of this report

¹⁰ Page 6 of the Interim Report: (1) The Quebec Bar must commit to assessing legal supply and demand using reliable tools, (2) Students must know the reality of the job market, (3) Universities need to train lawyers to better recognize the economic and administrative realities of practicing in a firm, (4) Students and young lawyers must innovate and we need to encourage them to do so, and (5) Quotas must be seriously considered.

SUMMARY RECOMMENDATIONS AND CONCLUSIONS

The number of lawyers in Quebec is growing at a significantly faster rate than the population.¹¹ Our neighbouring province, Ontario, has the highest rate of lawyers per capita in Canada.¹² Ontario recently had to compensate for a serious lack of articling positions for law school graduates by integrating a system of supplementary training courses that count as articling positions.¹³ In the United States, where the rate of lawyers per capita is 20% higher than in Quebec,¹⁴ there are countless articles discussing a fundamental problem in the job market, a reduction in demand and an explosion in the number of lawyers who are not working in the field and who are saddled with excessive student debt.

We are also starting to note some signs of a drop in demand for lawyers in their traditional roles¹⁵ or, in other words, a discrepancy between legal supply and demand. This consequence, due to structural problems we are aware of, particularly wait times, procedural abuse, and general loss of faith in the system, is palpable:

[Translation]

The courts of first instance have seen their clientele drop substantially over the last 30 years. In total, the number of cases filed has gone from 246,000 in 1980 to 118,890 in 2011. In spite of the increase in supply in the number of lawyers, their potential for handling cases continues to decrease. A number of authors we consulted claimed that the wait times and costs are the cause. (...) in total, the number of cases tried before the courts of first instance has decreased by a third, or 32.5%.¹⁶

Since the effects of this situation are no longer just anecdotal, we need to pay attention to them. The YBM therefore decided to quantify the situation.

Following our study, we quickly realized that the question wasn't to know whether young lawyers are generally employed or not. To a large extent, they are employed, although we cannot distinguish between someone who says they are "unemployed" and someone who says they are "solo," but who has little or no work. We asked other questions. For example:

¹¹ Barreau-mètre, p. 37.

¹² Idem

¹³ The [Law Practice Program] consists of a four-month training course and a four-month work placement. [Online]. <http://www.lsuc.on.ca/licensingprocess.aspx?id=2147497057>

¹⁴ Calculation carried out in Table 16 of the Barreau-Mètre, p. 37.

¹⁵ The lawyer, litigator or not, who represents a client at an hourly rate from the beginning to the end of the proceedings in a case.

¹⁶ Barreau-mètre, p. 25.

- What type of employment do lawyers have?
- Has the quality of this employment improved, has it stayed the same, or has it deteriorated?
- What roles do lawyers play in their workplaces? Is the lawyer's role changing?
- In certain cases, how quickly does a situation deteriorate and what are trends in the short, medium and long term for young lawyers?

To this end, we note certain downward trends and facts from the past 10 years highlighted by the YBM study:

- Salaries for articling positions, when adjusted for inflation, have dropped by 16%, from \$647 to \$543 per week.¹⁷
- 25% fewer law students find articling positions before the end of the Bar School's professional training.
- 115% more law students are not paid for their articling positions. In fact, the number of law students with unpaid articling positions has doubled in the past decade. Ten years ago, 1 out of 50 law students with an articling position was unpaid while today, 1 out of 23 is unpaid.¹⁸
- 12% fewer newly admitted lawyers are offered a job with their articling supervisor when they have finished their articling period.
- The proportion of lawyers who are unemployed after articling has risen by 54%. In fact, 10 years ago, 11.8% of lawyers were unemployed at the time of their registration on the Roll of Order; this proportion is now 18.2%.
- When asked whether their expectations of the job market during university were realistic, 40% more young lawyers answered "no."
- The female lawyer's situation deserves our constant attention, as women still earn less than men. There is a section of the report dedicated to this issue.
- It is imperative to improve the situation of lawyers from ethnocultural communities.

Students are taking more time to find articling positions, which are increasingly less well-paid and less satisfying. The trend is similar with jobs. It is a steep and substantial trend. In short, we are certainly not heading in the right direction, and we are seeing all of the warning signs.

We are getting dangerously close to a critical threshold of the ratio of lawyers per 100,000 inhabitants, which has been exceeded in Ontario and the United States. If we do not make any changes, we believe that these trends will continue.

The good news is that we can do something before it is too late. We are focused on the situation at the right time, even if it would have been better to do it earlier. We have a moral obligation to the incoming cohorts who deserve our utmost attention. We need to change things and accept that the market as we once knew it is no more.

In this final report, we recommend solutions that concern us all: students, young lawyers, the Quebec Bar and universities. We believe that these recommendations are promising and ambitious, but most of all, they are necessary:

¹⁷ We would like to thank the Bar School for graciously allowing us to compare our results with their statistics. In comparison, the numbers from the Bar School's database suggest that the drop is 5.7% in constant dollars (from \$534.07 in 2004 to \$503.88 in 2014), but by calculating from 2004 to 2015. Our calculation method is based on the average salaries by cohort (according to the year that lawyers were admitted), which explains the difference.

¹⁸ Statistics from the Bar School (see the previous footnote) are even more significant. In fact, in 2004, 5.6% of articling positions were not paid, compared with 7.7% in 2014. We attribute this difference to the fact that articling supervisors declare salaries to the Quebec Bar in their forms. They are therefore held to tell the truth. Law students disclosed their salaries on a voluntary basis for our study.

RECOMMENDATION 1 – INFORMATION AND TRANSPARENCY: Information on young lawyers' employment must be ongoing, reliable, detailed and offered on the greatest possible number of platforms. This information allows current or potential students to make an informed decision on their university curricula.

RECOMMENDATION 2 – SET REASONABLE QUOTAS: Whether we like it or not, access to the profession is limited by quotas at the end of professional training at the Bar School. In fact, the Bar School states that around 80% of its students receive a diploma each year,¹⁹ but they don't know how or why this rate remains constant. Instead of a constant success rate each year, the Bar School must aim to maintain 275 lawyers²⁰ per 100,000 residents in Quebec. In the interest of fairness, we recommend that this more reasonable phase of quotas take effect in three years. This would allow current law students to complete the Bar School program according to the conditions in effect when they began their bachelor's degree in law. It is important to play down the idea of quotas because they already exist de facto, both in terms of university admissions and at the Bar School.

RECOMMENDATION 3 – INNOVATION: In the coming years, law will not be practiced in the same way as it was in the past. Young lawyers need to innovate; it's their responsibility. They need to make their profession evolve to make it more accessible and fair. They also need to ensure that justice is a priority for our governments. To do so, we need to encourage them to think differently and be creative: this is the responsibility of the universities and the Bar School. Teaching programs need to reflect the diversity of practices and changes in legal demand. The law needs to be taught differently than it was 100 years ago to account for the new reality of the market.

RECOMMENDATION 4 – MANAGEMENT TRAINING: Universities need to commit to offering management training to their students in administration, entrepreneurship, marketing and accounting. One out of three lawyers practices in a firm with less than ten lawyers. It must be noted that in the future, lawyers will spend a good part of their time on administrative tasks, managing human resources and developing a client base. They will be entrepreneurs, and this reality must be taken into account in the curricula for future lawyers.

RECOMMENDATION 5 – COMMUNICATION IN THE LEGAL FIELD: The Minister of Justice, the President of the Quebec Bar, law faculty deans and the director of the Bar School must meet regularly and coordinate their strategies and understandings of the legal field. Permanent communication channels must be put in place and used.

RECOMMENDATION 6 – UNPAID ARTICLING POSITIONS MUST BE DISCOURAGED BY THE QUEBEC BAR: The Quebec Bar must take a stand against unpaid articling positions.

RECOMMENDATION 7 – OUTSIDE MONTREAL AND QUEBEC CITY, RECORDS AND ADVERTISING: The Quebec Bar, together with Presidents of sections of the bar, young bar associations outside of Montreal and Quebec City, and the AJBR, must keep records of the number of lawyers that need to be attracted to communities outside Montreal and Quebec City and must promote practicing law there.

¹⁹ The Bar School's website. [Online]. <http://www.ecoledubarreau.qc.ca/fr/evaluations/faq/>.

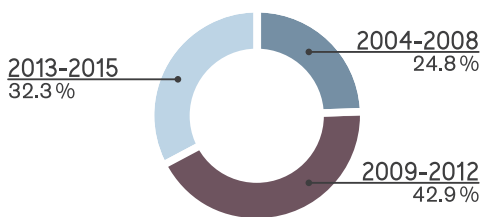
²⁰ The proposed number is based on our best estimate of an ideal number, according to the Albertan and Canadian averages. This estimate is by definition inaccurate and the authors are open to looking at other statistics to reach a more accurate number, if such statistics exist.

RESULTS OF THE STUDY

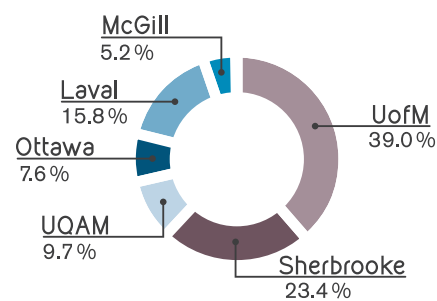
A. Participants

It is important to understand who the respondents were. In the introduction, we stated that there were 1,346 respondents, of whom 61.7% were female and 31.9% were male, from all regions of Quebec. Here is the profile of respondents:

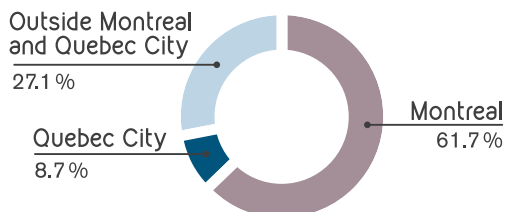
When were they admitted to the bar?



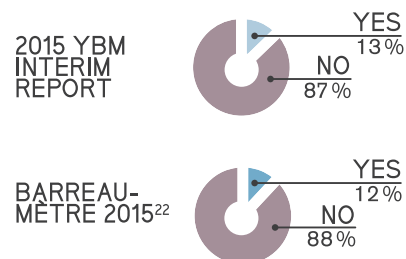
Where did they study?



Where are they from? ²¹



Are they a member of a recognized ethnocultural group?



²¹ The response rate for the YBM study is slightly higher in Montreal than the ratio we would expect from the number of young members registered on the Roll of Order. This is normal considering the advertising that was done in Montreal for the survey. That being said, each of these groups, either in Montreal, Quebec City or the rest of the province, is independently significant and statistically representative in terms of sampling.

²² Barreau-mètre 2015, p. 18 – this is important to confirm how representative the study is, as it is nearly identical to the Barreau-mètre 2015, for which the writers had access to the Roll of Order's exact data.

B. University

We asked our members a number of questions regarding their impressions of the job market when they were at university. Here are some of their more significant answers. The reader will find that we prioritized three statistical groups: cohorts admitted to the bar in 2004-2008, 2009-2012 and 2013-2015.²³ Analyzing results in this format helped us find significant trends.

When you entered university, were your expectations realistic in relation to the job market?²⁴

	2004-2008	2009-2012	2013-2015
YES	38.8%	31.6%	31.9%
NO	22.5%	28.8%	31.6%
I DON'T KNOW	38.8%	39.6%	36.4%

Ten years have passed between the first and last cohort. Yet today there are 40% more respondents that answer “no” to the question of whether their expectations were realistic in relation to the job market when they were in university.

How would you characterize the university's support regarding your expectations of the job market?²⁵

	2004-2008	2009-2012	2013-2015
GOOD	10.8%	14.7%	17.3%
NEITHER GOOD NOR BAD	68.4%	61.4%	58.4%
BAD	20.8%	23.9%	24.3%

The answer to this question suggests that universities are improving their strategies in relation to changes in the job market, but that the market itself is not improving for young lawyers.

²⁴ Even though all of the groups do not have the same number of cohorts, the samples are still representative since we are considering the average of each.

²⁵ YBM's Survey, Question 54, p. 174.

²⁶ YBM's Survey, Question 55, p. 175.

C. Articling and registering on the Roll of Order

This section includes relevant statistics regarding the articling period, leading to registration on the Roll of Order.

When did you find your articling position?²⁶

	2004-2008	2009-2012	2013-2015
DURING MY BACHELOR'S DEGREE ²⁷	34.1%	33.9%	29.2%
DURING TRAINING AT THE BAR SCHOOL	27.4%	20.3%	16.2%
LESS THAN ONE MONTH AFTER FINISHING TRAINING AT THE BAR SCHOOL	6.4%	8.0%	11.0%
ONE TO THREE MONTHS AFTER FINISHING TRAINING AT THE BAR SCHOOL	9.8%	14.1%	14.6%
MORE THAN THREE MONTHS AFTER THE BAR SCHOOL	16.2%	18.2%	20.6%
AFTER OR DURING GRADUATE SCHOOL	5.1%	4.6%	7.2%
FOUND AN ARTICLING POSITION BEFORE THE END OF TRAINING AT THE BAR SCHOOL	61.5%	54.2%	45.4%

This table is important. It shows that the question is not to know whether young lawyers have jobs. Rather, we should be asking what jobs they have and if they are good quality jobs. We came to a conclusion on this subject at the beginning of the report. Note that young lawyers are finding articling positions later and later: over 10 years, around 25% fewer young lawyers are finding their articling positions before the end of their professional training at the Bar School.

Regarding salary and benefits, how did your articling position meet your expectations?²⁸

	2004-2008	2009-2012	2013-2015
NOT AT ALL SATISFIED OR HARDLY SATISFIED	26.5%	26.0%	32.3%
SATISFIED OR VERY SATISFIED	73.5%	74.0%	67.7%

In the 2004-2008 cohort, around a quarter of respondents were "not at all satisfied or hardly satisfied." A third of the 2013-2015 cohort provided the same answer.

What was your weekly gross salary during your articling position?²⁹

	2004-2008	2009-2012	2013-2015
UNPAID	2.1%	1.6%	4.3%
\$300 OR LESS	12.9%	12.0%	13.0%
\$301 TO \$799	58.9%	58.7%	58.0%
\$800 OR MORE	25.1%	25.3%	23.0%

²⁶ YBM's Survey, Question 32, p. 80.

²⁷ During the articling recruitment period, known as the *course aux stages*, in second or third year, or not during the *course aux stages*.

²⁸ YBM's Survey, Question 34B, p. 105.

²⁹ YBM's Survey, Question 38, p. 127.

Average weekly salary by cohort

2004-2008	2009-2012	2013-2015
\$647	\$661	\$650

We find that the average weekly salary hardly changed between 2004-2008 and 2013-2015, after a slight increase of \$14 between 2004-2008 and 2009-2012. However, between 2004 and 2014, the consumer price index (CPI) in Quebec increased by 19.6%. In 2004 dollars, the actual salary in 2013-2015 is \$543. To put it differently, one would have had to earn \$777 in 2014 to maintain the same purchasing power as in 2004.

Salaries, which should have—at the very least—followed the rise in the cost of living, did not. The trend was much to the contrary. We are witnessing a slight but worrisome drop in salaries.

Did you receive a job offer after your articling position?³⁰

	2004-2008	2009-2012	2013-2015
YES, A PERMANENT POSITION	45.3%	45.4%	37.9%
YES, A TEMPORARY POSITION	22.3%	17.2%	21.3%
YES, BUT I DIDN'T ACCEPT THE OFFER	5.7%	11.1%	8.2%
NO	26.7%	26.2%	32.6%

This table illustrates the trend that jobs are more precarious and are becoming more precarious faster. There are also fewer offers after articling.

What was your professional situation when you were admitted to the Quebec Bar (registered on the Roll of Order)?³¹

	2004-2008	2009-2012	2013-2015
PRIVATE PRACTICE, OVER 100 LAWYERS	9.7%	10.0%	9.2%
PRIVATE PRACTICE, 11 TO 99 LAWYERS	19.1%	14.7%	10.3%
PRIVATE PRACTICE, 2 TO 10 LAWYERS	22.2%	22.9%	25.7%
SOLO PRACTICE OR SELF-EMPLOYED	2.4%	4.5%	3.8%
PUBLIC OR PARAPUBLIC SECTOR	20.1%	17.8%	14.9%
IN-HOUSE COUNSEL	3.1%	2.5%	5.1%
STUDENT	6.9%	7.6%	7.9%
UNEMPLOYED	11.8%	12.5%	18.2%

³⁰ YBM's Survey, Question 41, p. 131.

³¹ YBM's Survey, Question 56, p. 176.

This is one of the study's most important tables. This question represents a particular time period, since everyone had to provide an answer about their situation at the time that they were registered on the Roll of Order. It is clear that there is about the same proportion of young lawyers working for big firms, but more and more lawyers are continuing their studies and fewer are involved in the public sector, where positions are coveted for their stability and significant benefits. We cannot ignore the fact that between the 2004-2008 and 2013-2015 cohorts, there are now 54% more lawyers who are unemployed after articling.

D. Employment after registering on the Roll of Order

The trend in articling positions described above is confirmed by the period following registration on the Roll of Order.

How satisfied are you with your job?³²

	2004-2008	2009-2012	2013-2015
VERY SATISFIED	43.3 %	35.0 %	29.0 %
SATISFIED	44.4 %	48.7 %	42.5 %
NOT VERY SATISFIED	9.5 %	11.1 %	19.6 %
DISSATISFIED	2.8 %	5.2 %	8.8 %

Il est important de noter qu'on ne trouve pas de différence significative entre la satisfaction à Montréal, à Québec ou en région. Il semble que nous devenions plus satisfaits de notre emploi à mesure que nous vieillissons, mais il nous est impossible de savoir à quel point cette hypothèse influence les résultats du tableau précédent.

Are you satisfied with your current job prospects?³³

	2004-2008	2009-2012	2013-2015
YES	55.1 %	51.4 %	36.6 %
NO	27.7 %	32.4 %	47.7 %
I DON'T KNOW	17.2 %	16.2 %	15.7 %

Are you satisfied with the current job prospects for young lawyers?³⁴

	2004-2008	2009-2012	2013-2015
YES	11.2 %	14.7 %	10.6 %
NO	54.4 %	65.2 %	79.6 %
I DON'T KNOW	34.4 %	20.1 %	9.8 %

People in the field are not very confident regarding job prospects for young lawyers. The youngest, who are the most affected, are even less confident.

³² YBM's Survey, Question 69, p. 212.

³³ YBM's Survey, Question 70, p. 214.

³⁴ YBM's Survey, Question 71, p. 216.

Which category describes your total personal income in 2013?³⁵

	2004-2008	2009-2012	2013-2015
LESS THAN \$20,000	3.5 %	5.8 %	29.8 %
\$20,001 TO \$50,000	11.4 %	25.6 %	39.2 %
\$50,001 TO \$110,000	68.1 %	61.5 %	30.3 %
OVER \$110,000	17.0 %	7.9 %	0.7 %

Since the question is asking about 2013 income, this distorts the data from the 2013-2015 group, whose members probably didn't make any money or a full salary in 2013. It is also important to consider that income increases with age.

E. Looking at gender: the employment situation of young female lawyers

In the profession, female lawyers currently make up a slight majority; as of March 31, 2014, 50.4% of members of the Quebec Bar were women. Among young members, the situation is even more striking: women now make up nearly two-thirds of the workforce. In this section, we present the distinguishing characteristics of female lawyers that were brought up in the study. These characteristics were included when they were statistically significant in comparison to those associated with male lawyers. Here are the findings:

- Relatively fewer female lawyers had an income above \$90,000 (14.1% vs. 19.6%)
- Regarding job market expectations, a stronger percentage of female lawyers found that they had a poor support system from the university (22.9% vs. 16.9%)
- Relatively fewer female lawyers carried out their professional training positions in larger firms of over 100 lawyers (6.2% vs. 9.6%)
- Relatively fewer female lawyers carried out their professional training positions in corporate law (30.1% vs. 40.0%)
- Relatively more female lawyers cite work-life balance (20.4% vs. 12.7%) as a reason to change jobs
- Relatively fewer female lawyers (74.1% vs. 86.1%) use their networks to find a new job
- Relatively fewer female lawyers have considered starting their own firms and fewer have stayed in business (10.4% vs. 16.4%) – on the other hand, relatively more female lawyers never seriously considered starting their own firm (61.3% vs. 48.9%)
- Relatively fewer female lawyers received job offers at the end of their articling positions (48.8% vs. 40.4%)

While there has probably been progress in recent decades, we cannot affirm that young female lawyers have employment situations equal to their male counterparts. There is still work to be done.

F. Ethnocultural issues

In August 2014, only 6.6% of Quebec Bar members identified as First Nations or members of recognized ethnocultural groups. Among lawyers in their first 10 years of practice, 12% of members identified as such, which is more than the percentage of First Nations and ethnocultural minorities in the Quebec population (11%). At least 18% of students made the same statement.³⁶ Therefore, the issue of salary and employment conditions for First Nations and ethnocultural minorities was important to study.

Remember that according to our study, the salary for all students in articling positions is \$660 per week. This table establishes points of comparison:

ETHNOCULTURAL MINORITY ³⁷	WEEKLY SALARY (\$)	DEVIATION FROM CONTROL GROUP (%)
ASIAN	495	- 25.0%
BLACK	600	- 8.1%
NORTH AFRICAN OR ARAB	619	- 6.3%
ALL MINORITIES	563	- 14.7%

It appears that, in the last 10 years, salaries of students in articling positions who identify as First Nations or members of an ethnocultural group are 15% lower than those of their colleagues.

Regarding salaries after articling, this is a comparative table of the situation in 2013, the year in which the control group declared its average salary as \$62,660:

ETHNOCULTURAL MINORITY ³⁸	ANNUAL SALARY (\$)	DEVIATION FROM CONTROL GROUP (%)
ASIAN	68,000	8.5%
LATIN AMERICAN	39,050	-37.7%
BLACK	51,680	-17.6%
NORTH AFRICAN OR ARAB	62,800	0.2%
ALL MINORITIES	56,150	-10.4%

After completing their articling positions, it seems as though members of an ethnocultural minority receive around 10% less income than their colleagues.

G. Miscellaneous questions

This section contains some questions that are of interest to young lawyers that are not directly related to the job market situation. Many similar questions are available in the appendices.

³⁶ All of the statistics in this section come directly from the Barreau-mètre, page 18.

³⁷ Statistics Canada does not include First Nations in the “visible minority” category. However, our study did not find a significant number of respondents in the “First Nations” and “Latin American” categories. Therefore they are both included in the “all minorities” category.

³⁸ YBM’s Survey, Question 73, p. 111.

H. Chances of passing the bar exam

Many are asking what their chances of “passing the bar” are. In recent years, the answer to this question remains the same. We have included the results of our study, which are almost the same as the statistics published by the Bar School in 2014.³⁹ The difference between the results of our study and the Bar School’s statistics can be explained by the wording of the question in our survey, which could be interpreted differently. In any case, note that the success rate is always the same and that it is not adjusted according to the number of registrations at the Bar School.

When did you pass the bar exam?⁴⁰

THE FIRST TIME	UPON ANOTHER ATTEMPT	HAD TO RESTART THE PROGRAM
80.5 %	11.3 %	8.2 %

I. Student debt

Another interesting factor is student debt. While certain students end up with significant debt, it is always relatively low when compared with students in the rest of Canada and the United States. South of the border, significant debt from law school is now forcing aspiring lawyers to weigh the pros and cons of law school and to properly analyze the current market before starting their studies. Obviously, we are far from suggesting a hike in tuition fees or student debt in Quebec. There are more detailed statistics in the appendices.

What was your student debt at the end of your studies?⁴¹

NONE	\$1 TO \$20,000	\$20,001 OR MORE
27.4 %	40.8 %	31.8 %

³⁹ An average success rate of 80%, after all of the possible retries. Data from the Bar School’s website. [Online]. <http://www.ecoledubarreau.qc.ca/fr/evaluations/tout-savoir-sur-les-evaluations/statistiques/>

⁴⁰ YBM’s Survey, Question 26, p. 61 – We didn’t consider the 2004-2008 cohort, because many of them were from the “old program.”

⁴¹ YBM’s Survey, Question 28, p. 65.

J. Elements related to law practice

Here is some raw data on young lawyers' hours worked per week, billable hours and disciplinary records. A number of similar or complementary questions are also available in the appendices.

On average, how many hours do you work per week?⁴²

	2004-2008	2009-2012	2013-2015
0-15 HOURS	1.1%	2.0%	8.5%
16-30 HOURS	3.2%	4.0%	4.4%
31-40 HOURS	40.6%	33.6%	25.6%
41-50 HOURS	37.1%	37.0%	39.9%
51-60 HOURS	12.7%	18.1%	15.2%
61 HOURS OR MORE	5.3%	5.2%	6.3%

Do billable hours apply to your employment situation?⁴³

	2004-2008	2009-2012	2013-2015
YES	32.2%	40.2%	42.7%
NO	67.8%	59.8%	57.3%

Have you been the subject of a Syndic complaint or disciplinary action, or do you have a disciplinary record?⁴⁴

NO	96.3%
YES, BUT IT WAS DISMISSED	2.2%
I AM STILL BEING INVESTIGATED	0.4%
OTHER	1.1%

⁴² YBM's Survey, Question 77, p. 231.

⁴³ YBM's Survey, Question 79, p. 235.

⁴⁴ YBM's Survey, Question 107, p. 353.

I ISSUES RAISED BY THE STUDY

K. An increase in the number of lawyers and legal supply

We have found a significant increase in the number of lawyers per inhabitant in Quebec over the last 20 years. During this time, the number of lawyers has increased by 98%, while the population has only grown 15%. The Quebec Bar rationalizes this surge in lawyers by suggesting that between 2002 and 2014, Quebec's GDP expanded by 43.5% while the number of lawyers rose 26.9%.⁴⁵

The following table shows the number of lawyers per 100,000 inhabitants in 2013-2014:⁴⁶

QUEBEC	CANADA	ONTARIO	ALBERTA	C.-B.	UNITED-STATES
326	252	339	275	233	396

While it might be difficult to compare the number of lawyers per 100,000 inhabitants between different countries and provinces, we believe that it is important to try to do so. For example, notaries are not included in the number of lawyers per inhabitant in Quebec, but perhaps they should be. This would provide a more effective analysis, as there is no professional distinction in other provinces. Similarly, the title of "paralegal" is regulated in Ontario but not Quebec. For any practical purposes, these differences make a perfectly accurate comparison impossible.

The Canadian Bar Association (CBA) described the outlook for the number of lawyers in Canada as follows:

With few barriers to entry into the marketplace for either new lawyers or paralegal suppliers, there appears to be excess capacity building in the Canadian legal market. This oversupply may be limited to particular areas of specialization or regions. Unfortunately, there is little reliable data at this time to verify this trend. (...) A further important issue is the fact that there is little or no control on the number of legal graduates. Interestingly, the legal profession has recently witnessed the creation of new law schools (including offshore) for the first time in 30 years, which should result in even greater supply.⁴⁷

⁴⁵ Barreau-mètre, p. 37.

⁴⁶ Idem.

⁴⁷ "The Future of Legal Services in Canada: Trends and Issues," CBA report from June 2013, p. 16-20.

The CBA also provided a good number of demographic trends:

- The number of practicing lawyers in Canada is growing faster than the general population.
- Practicing lawyers are getting older and this trend will continue until the senior cohort retires.
- The current median age for lawyers in Canada is 45.6 years and the average retirement age is 75.
- Currently, admissions to law school are increasing more quickly than the growth in the number of practicing lawyers.
- Since 2000, the number of practicing lawyers has increased by five times the rate of increase in the general population.
- Fewer young lawyers are choosing to practice outside urban centres.
- There is an increase in mobility between provinces and internationally.
- About two-thirds of Canadian lawyers are in private practice, about 20% are in government organizations, and just over 10% act as in-house counsel.⁴⁸

Note that in Quebec, the average age of lawyers has dropped from 47 years old in 2010 to 45 years old in 2014,⁴⁹ in contrast with the general population, which is ageing. In addition, the number of lawyers over the age of 65 has increased by 63.4% from 2009 to 2014.⁵⁰

At the same time, more students are registering for the Bar School. In a 10-year period, there was a 42% increase in students from 2005-2006 to 2013-2014.⁵¹ Entrance scores for university admissions are also rising significantly each year, as law faculties indicated at the round-table meetings.⁵²

L. Less job stability

Based on our study, we can also confirm that over the last 10 years, there was a marked decrease in the number of students in articling positions with public organizations.⁵³ During the same period, there was a disproportionate rise in the number of students in articling positions and lawyers working in corporations, a trend that is sure to continue. However, it is unlikely that in-house counsel positions will replace jobs (or billable hours) lost elsewhere.

M. The reality outside of Montreal and Quebec City

Essentially, the data that we collected for the Interim Report characterize the legal field in Quebec. We obtained statistics on the number of young lawyers, their growth in numbers, fields of practice, training preferences and university experience.

We had respondents from all regions of Quebec, but the results are not independently significant for each region. If we consider all of the regions outside of Montreal and Quebec City as one big region, we could conclude that employment trends for young lawyers outside of Montreal and Quebec City are

⁴⁸ "The Future of Legal Services in Canada: Trends and Issues," CBA report from June 2013, p. 25.

⁴⁹ Barreau-mètre, p. 13.

⁵⁰ Barreau-mètre, p. 12.

⁵¹ Barreau-mètre, p. 7.

⁵² We can also ascertain this from the data published on university websites, like the University of Montreal's. [Online]. <https://admission.umontreal.ca/programmes/baccalaureat-en-droit/>

⁵³ From 20.1% of all articling positions from 2004-2008 to 14.9% of all of the articling positions from 2013-2015.

similar to those experienced by lawyers in those two urban hubs. It is quite clear that the situation in the Saint-François district⁵⁴ is similar to that of Quebec City and Montreal. However, the reality is different in the Côte-Nord region.

It is therefore difficult to come to any specific conclusions for each region on its own. It isn't any more possible to firmly assert that any problems would be solved in Montreal if 10 Montreal-based lawyers were to move to Baie-Comeau. However, this type of migration would be beneficial for the Côte-Nord region.

During the young lawyers' round-table meeting⁵⁵ that took place on September 24, 2015, representatives of young lawyers from Arthabaska, Laurentides-Lanaudière, Mauricie and Côte-Nord indicated that there is a lack of young lawyers in their regions. Nevertheless, it isn't always true that "there are no young people outside of Montreal and Quebec City." For instance, a significant percentage of lawyers in Abitibi are young. Similarly, Saguenay-Lac-Saint-Jean has also stated that the market is saturated.

Other anecdotal problems were raised during this meeting. It seems that certain regions are tight-knit and that it is more difficult for young people from outside the community to become established. In addition, salaries are not necessarily the most attractive. Obviously, it is impossible to independently confirm these statements, but we believe they are worth mentioning to clarify our comments about the situation outside Montreal and Quebec City.

N. Decreased demand for traditional legal services

We need to analyze the discrepancy between the demand for legal services and the way lawyers have traditionally supplied them. Based on the statistics, we are inclined to assume that there is a drop in demand. Nevertheless, the general public is demanding more and better access to justice. This leads us to believe that there is not necessarily a drop in demand, but a change in the client base's needs. If lawyers do not innovate by adapting their services to meet the market's needs, participation in the judicial system will continue to fall and the lawyer's role as we know it will become more and more obsolete. Here are some concrete examples of decreased demand for traditional legal services:

i) Drop in open cases: As indicated above, there has been a precipitous fall in the number of open cases in various courts. From 2002 to 2011, the number of cases decreased by 56.7% for the Civil Division of the Court of Quebec, 31.5% for the Small Claims Division of the Court of Quebec, 20.6% for the Civil Division of the Superior Court, 18.0% for the Family Division of the Superior Court, 23.6% for the Divorce Division of the Superior Court and 8.6% for the Quebec Administrative Tribunal.⁵⁶ At round-table meetings, it was suggested that this reduced participation is due to a justice system that is too cumbersome and inaccessible. Hourly rates, billing structures, business models and wait times are all aggravating factors that lead clients to lose interest in the system. We stand by this hypothesis.

ii) Shift toward in-house counsel: Our study shows a transfer of certain jobs from law firms to corporations. However, this does not mean that new jobs are being created. To the contrary, the rise in in-house counsel opportunities demonstrated by our study is probably hurting outside firms' billable hours. In the end, in-house counsel gives corporations the chance to control or reduce their legal fees, which is desirable. However, we hypothesize that this movement toward in-house counsel translates to a decrease

⁵⁴ In Estrie, where the main municipality is Sherbrooke.

⁵⁵ This "round table," chaired by the President of the Quebec Bar, is different from the "round table" that set the wheels in motion for a later section of this report.

⁵⁶ Barreau-mètre, p. 43.

in law firms' billable hours and therefore a reduction in legal demand, ultimately reducing opportunities for lawyers (young or not).

iii) Popularization of limited-scope representation and do-it-yourself models: The trend that clients want to reduce the amount of time they spend with their lawyers as much as possible cannot be ignored. Increasingly, clients are showing a desire to unbundle lawyers' roles in order to suit them to their needs. Hence the advent of limited-scope representation (lawyers only working on one part of a case)⁵⁷ and do-it-yourself models (websites that give litigants access to templates of contracts or procedures that they can fill out themselves). The latter are popular in the United States,⁵⁸ and certain Quebec-based companies offer them. It is possible to draw two hypotheses on the impact of these new practices on legal supply and demand: (1) they will not significantly change legal demand for lawyers OR (2) they will lead to a reduction in legal demand for lawyers. With the exception of the rare occasions that new legal needs are created through the use of these models, these practices do not lead to a rise in legal demand for lawyers.

iv) Increased pressure on costs: Anecdotally, the public is under the impression that lawyers are too "expensive." In other words, this means that the cost of legal services seems to have exceeded the equilibrium price, or the price at which a client is mentally prepared to pay for a good or service offered. The Barreau-mètre has confirmed that the greatest "new expectation" of clients in 2013-2014 is a reduction in costs and wait times.⁵⁹ Unless there is a fundamental change in the way that legal services are offered, this downward pressure will not lead to a rise in legal demand or lawyers' salaries.

v) Extremely underpriced lawyers and international subcontracting: While the scope of the phenomenon is difficult to quantify, extremely underpriced lawyers (including cases subcontracted internationally, particularly in India) are a reality that is gaining ground. These lawyers, who conduct a part of due diligence or discovery, could lead to a reduction in local legal demand. While some Quebec-based companies already have access to the legal subcontracting model, we believe that this pressure will have a limited effect in Quebec, considering the size of the market.

vi) Impacts of the new Code of Civil Procedure: The new Code of Civil Procedure (the "New Code") took effect on January 1, 2016. Since this report will be published almost at the same time that the New Code will take effect, we have of course not had the chance to carry out any studies on its impact on legal demand. However, we can analyze certain elements of the New Code and can reasonably forecast certain consequences.

In January 2015, the Small Claims Division of the Court of Quebec moved from a maximum threshold of \$7,000 to \$15,000. This has not encouraged an increase in demand for traditional legal services. The few lawyers that now offer services to guide clients through the small claims process are demonstrating innovation and managing to stay in the game. That being said, we cannot reasonably predict an increase in legal demand for lawyers in traditional roles based on this measure.

Furthermore, the New Code will allow for the "oral presentation of demands or contestations instead of more costly written proceedings for cases that are not particularly complex," a "reduction in the number of examinations" and "proceedings and evidence [that] will be proportionate to the nature and complexity of the dispute to prevent abuse."⁶⁰ It's certainly a laudable objective, but no one currently knows whether this measure will effectively allow for better access to the justice system. If this were the case, one of the

⁵⁷ As defined by the Bar of Montreal in the Guide du Barreau de Montréal sur les mandats à portée limitée. [Online]. http://www.barreaudemontreal.qc.ca/sites/default/files/categories/GuideMandatPorteeLimitee_fr.pdf (for example, help writing legal documents or procedures to be used in court, the limited appearance of a specific request and preparation of legal advice).

⁵⁸ For example, *Legal Zoom*. [Online]. <https://www.legalzoom.com/>

⁵⁹ Barreau-mètre, p. 24.

⁶⁰ Translation of the press release from the Ministère de la Justice du Québec, February 20, 2014. [Online]. <http://www.fil-information.gouv.qc.ca/Pages/Article.aspx?aiguillage=ajd&type=1&idMenuItem=1&idArticle=2202206004>

consequences could be an increase in the volume of cases; however, the ratio of billable hours per case may drop.

vii) Mediation and alternative conflict resolution methods: The Ministère de la Justice du Québec⁶¹ is aiming to position the province as a model of mediation and alternative modes of conflict resolution. These are included in the definition of “participatory justice.”

It is not the goal of this report to take a critical look at whether or not there should be more access to participatory justice. We recognize that Quebec’s legal leaders believe that there needs to be more participatory justice in our system.

One of the questions of our report is whether more access to participatory justice would increase the general public’s demand for lawyers (mediators or not). It is difficult to answer this question. An optimistic view is that as people find comfort in a compassionate process like mediation and trust the judiciary system more, legal demand would rise. Another perspective is that this new culture will reduce the role of the judiciary system, therefore negatively affecting billable hours, since mediation requires less time than litigation.⁶²

viii) The future of law: In addition to the items mentioned above, some of the most respected legal futurists do not anticipate a rise in legal demand in terms of overall income for lawyers. They argue that this will be due in large part to future technological advances to improve efficiency. According to the CBA’s report,⁶³ internationally renowned futurist Professor Susskind has identified the following technologies: online dispute resolution, which eBay uses to resolve 60 million cases a year; the creation of electronic marketplaces where buyers can compare legal offerings; the emergence of virtual firms; and the rapid development of artificial intelligence systems that are replacing humans for the analysis of large volumes of legal data.

Susskind proposes a solution in which:

[he] suggests that in training lawyers for the future, emerging fields of competency and new areas of service could include: legal risk management, legal project management, legal process analysis and legal knowledge engineering. Basic leadership training would also be an important component for future skills development. In-house counsel in particular would benefit from courses in business management as well as in functional areas such as finance or human resources. Greater emphasis will likely be required on knowledge of international justice and regulatory systems as well.⁶⁴

⁶¹ “Therefore, with an aim to reduce legal wait times, [the new Code of Civil Procedure] focuses on amicable settlement methods like mediation, arbitration and conciliation, which are faster, more amiable and accessible.” Translation of the press release from the Ministère de la Justice du Québec, February 20, 2014. [Online]. <http://www.fil-information.gouv.qc.ca/Pages/Article.aspx?aiguillage=ajd&type=1&idMenuItem=1&idArticle=2202206004>

⁶² We are not looking at the situation in purely corporate terms, and we find this to be a cold analysis.

⁶³ “The Future of the Legal Services in Canada: Trends and Issues” CBA report from June 2013, p. 27.

⁶⁴ “The Future of the Legal Services in Canada: Trends and Issues,” CBA report from June 2013, p. 35.

I THE PATH TO SOLUTIONS

O. The round table

Following publication of the Interim Report, it was critical to us to consult stakeholders in the Quebec legal community regarding our proposed recommendations for the final report.

University deans, the Quebec Bar, the AJBR and the JBO and YBM quickly answered the call, and it was apparent that they wanted to be involved in the process. At each step their presence was constructive and collaborative.

On November 9 and 17, 2015, we held two round-table meetings in Montreal with representatives from the Quebec Bar along with law faculty representatives from University of Laval, McGill University, University of Montreal, University of Ottawa, University of Sherbrooke, and UQAM⁶⁵. This section presents, in no particular order, the most relevant items discussed at these meetings that will help the reader understand the thought process behind this report and our final recommendations.

i) Our premise: A round-table participant suggested that one of the basic findings of the Interim Report—that there are too many lawyers in Quebec—might be incorrect. The participant made an articulate and reasoned argument, suggesting that the problem wasn't that there are too many lawyers but rather that there is a systemic incompatibility between supply and demand. We stand behind this observation. The system as we know it is onerous and inaccessible, a conclusion which has been the subject of numerous reports. The finding that there are too many lawyers⁶⁶ is not incompatible with the corollary conclusion that the system is inefficient. We also believe that the system is inefficient and should be changed. In the current system, there are too many lawyers. This sad fact might be different if lawyers were allowed to grow within a quick, efficient, and inexpensive system. This comment has been retained and incorporated into this report.

ii) Lawyers' salaries are stagnant and compensation for articling positions is falling: Statistics taken from the Quebec Bar reflect that lawyers' salaries have been stagnant for several years and that pay for articling positions is decreasing.

iii) The problem's cyclical nature: Throughout our meetings, participants reminded us that the problem might be cyclical: it may be linked to economic cycles or client moods. Several participants recounted that over the years, discussions about the plight of lawyers kept coming up. We realize that this dynamic may be cyclical. Nevertheless, in addition to our review of the literature concerning the future of traditional legal demands,⁶⁷ which suggests the profession is likely to experience a drastic change, we don't believe that a

⁶⁵ Quebec's University in Montreal

⁶⁶ We have gone into more depth on this subject in our recommendation on reasonable quotas at the beginning and end of this report.

⁶⁷ See section *Decreased demand for traditional legal services* of this report.

problematic situation persisting for decades should be allowed to continue or worsen. We strongly believe some action can be taken in order to improve the situation.

iv) The rising pressure of the number of university students: During the round table's first meeting, a university representative confirmed that there is pressure at the faculty and even the university to accept more students. Another participant stressed that for his university, students represent a net loss rather than a net profit. Participants all agreed that in an ideal world, classes would be smaller in order to provide better quality legal training. They also noted that there had not been a significant increase in the number of admissions in the past 15 years. Rather, it seems there is a better pass rate for accepted students. In all faculties, there has been a relatively steady yearly increase in the CEGEP R score required for admission. Therefore, admissions are already selective. For example, some universities only accept one out of ten applicants.

v) Ethnocultural issues: Participants suggested adding an ethnocultural dimension to our study, which we did.⁶⁸

vi) Transparency: The Quebec Bar and the Bar School keep meticulous statistics on wages for articling positions and unpaid articling positions. They agreed to provide us with these numbers for research purposes. It seems that the actual statistics for unpaid articling positions are more alarming than those of our study.⁶⁹ We asked participants if we could publish these figures and make them more accessible. We were met with surprising resistance; some participants argued that the numbers could be misinterpreted and that further context was necessary. We believe otherwise, and our justification appears in one of the recommendations in this report.

vii) Emploi-Québec statistics:⁷⁰ It was suggested that statistics about the legal profession published by Emploi-Québec were not obtained from the proper places and were not up to date. This is in part true, and since this resource often provides adolescents with information about career guidance, we are working alongside the organization to rectify the situation.

viii) Changes in the typical student profile: All participants mentioned a major trend in faculties regarding typical applicant profiles: incoming students are now older, have a more diverse background and are often on their second degree. Universities are trying their best to adapt to this change and are more likely to adapt to unconventional paths.

ix) Unpaid articling positions: The round table could not reach a consensus when it came to denouncing the existence of "unpaid articling." Some people noted that in their day, some law students were even forced to pay for their articling positions. It was also noted that outside of Montreal and Quebec City, Bar School students were sometimes happy just to land any articling position, even one without pay. Overall, however, a majority of participants were critical of unpaid articling. The Bar School confirms that 7.7% of articling positions in 2014 were unpaid.

x) Communication between universities, the Bar and the Bar School: There is some form of communication between the Bar and universities. In reality, however, it isn't clear that this mechanism is used. At a time when university curricula are being reformed, there does not seem to be any systematic meetings between Bar School representatives and those in charge of program renewal at universities.

⁶⁸ See section *Ethnocultural issues* of this report.

⁶⁹ According to the Bar School's statistics, 7.7% of articling positions were unpaid.

⁷⁰ Information on the job market according to Emploi-Québec. [Online]. http://imt.emploiquebec.gouv.qc.ca/mtg/inter/noncache/contenu/asp/mtg122_sommprofs_01.asp?PT4=53&lang=FRAN&Porte=1&cregncmp2=QC&cregncmp1=QC&pro=4112&PT2=21&cregn=QC&PT1=45&PT3=10&pgpr1=mtg122_descrpession_01%2Easp

xi) New university curricula and mediation: All participants noted that mediation and participatory justice were the ways of the future and that they would occupy an important place in academic programs.

xii) “Let the market decide”: During these meetings, some participants sporadically suggested “letting the market decide,” discouraging a quota system or other more “interventionist” solutions. We agree with these participants that it is not the university’s role to regulate the market. However, as stated in the recommendations,⁷¹ we believe that the Bar School and the Quebec Bar should intervene, as their mission is to protect the public.

xiii) The importance of innovation: Participants were unanimous in saying that our profession needs innovation. We could not agree more. We believe that it is the duty of universities and the Bar School to encourage students to innovate and foster creativity.

P. What is happening elsewhere

In making our recommendations (presented in section 6 of this report), it is crucial to analyze similar problems that have been discovered in other jurisdictions and, where appropriate, to model ourselves on solutions that have been implemented.

i) Ontario

Of all the Canadian provinces, Ontario is the most relevant to this study. It is the only province where the ratio of lawyers per capita is higher than in Quebec, the only province that clearly had to deal with problems similar to those in Quebec, and the only province to have decided to apply a solution.

Ontario faced an “articling crisis” in the early 2010s when it experienced a critical shortage of articling positions. In 2012, about 400 students were unable to secure an articling position,⁷² creating an unprecedented situation.

The Law Society of Upper Canada responded by creating the Law Practice Program⁷³ (“LPP”). It consists of a four-month academic course followed by a four-month work placement that, together, replace the articling position. The Law Society of Upper Canada notes that work placements can be paid or unpaid.

In his *Globe and Mail* article published November 23, 2012 Kirk Makin writes:

The public has been given a rare window into a profession in turmoil, as leaders of the Ontario bar debate the future of articling, the treatment of female lawyers and whether young lawyers are unprepared to practise law.

At the end of 10 hours of emotional debate in the Law Society of Upper Canada’s governing council Thursday, it was clear that some of the country’s top legal minds believe their profession is, in effect, broken.

In another vote Thursday, the council responded to a critical shortage of articling positions by creating an alternative path to the profession. It calls for four months of extra classroom education as well as an unpaid, co-op work placement.

“The law schools are now sending us flood upon flood of students,” said lawyer Bradley Wright. “Because no one fails any more, being accepted into first-year law school guarantees you a call to the bar. ... Just show up at the door and you will be accepted into our profession.”

Articling positions have been an indispensable prerequisite for those entering the profession. About 400 law students were unable to secure an articling position last year⁷⁴.

⁷¹ See section *Detailed recommendations* of this report.

⁷² Kirk Makin, “Top Lawyers Fear Their Profession is Broken,” *The Globe and Mail*, November 2, 2012. [Online]. <http://www.theglobeandmail.com/report-on-business/industry-news/the-law-page/top-lawyers-fear-their-profession-is-broken/article5580546/>

⁷³ Law Practice Program. [Online]. <http://www.lsuc.on.ca/licensingprocess.aspx?id=2147497057&langtype=1036>

⁷⁴ Kirk Makin, “Top Lawyers Fear Their Profession is Broken,” *The Globe and Mail*, November 2, 2012. [Online]. <http://www.theglobeandmail.com/report-on-business/industry-news/the-law-page/top-lawyers-fear-their-profession-is-broken/article5580546/>

Students officially have the choice between the LPP or an articling position. But it seems rather obvious that students who find an articling position choose this option, while those who do not find one choose the LPP.

Warren Bongard, CEO and co-founder of ZSA Legal Recruitment in Toronto, does not hold the LPP in high regard:

The best the LPP program, as currently constituted, could realistically hope to achieve is to defer the problem further downstream. Once candidates emerge from the licensing process – whether having articulated or having completed the LPP – they will still require jobs. The lack of articling positions is a symptom of a larger problem, which is that the number of law graduates continues to outpace the market demand. Creating an alternate path to licensing may temporarily reduce the pressure, but without jobs available, the real problem remains virtually unchanged further down the line⁷⁵(our emphasis).

ii) The United States

The United States has been hit hard by increasing numbers of lawyers and decreasing legal demand.

This model illustrates that access to information is critical. If people are aware of the problem, they will make decisions accordingly; some may choose not to study law or to explore other career options. This conclusion is the subject of our first recommendation, found later in the report.

In 2010, some red lights had gone off:

The law school Class of 2010 faced a bleak employment market. Nine months after graduation, only 87.6% of the class reported a job of any type. More than a tenth of the employed graduates were working part-time, and more than a fifth held jobs that did not require a law license. As the National Association for Law Placement (NALP) declared when releasing these figures, the job market for 2010 graduates was riven by “many underlying structural weaknesses” and represented “the interruption of employment patterns for new law school graduates that [had] been undisturbed for decades”⁷⁶.

By 2013, the American legal employment crisis was well recognized. The previous year, only 56% of graduates had found a full-time position practicing law:

The barren job market for law school grads has become a familiar reality by now. But here’s something that tends to get lost in the story: The problem isn’t just about no-name law schools churning out JD’s nobody wants to hire. Even graduates at some of the country’s top programs are struggling.

At this point, it seems, there are only a small handful of schools that could reasonably be called safe bets.

The American Bar Association recently released its annual collection of jobs placement data from all 202 accredited law schools, and the big picture was, as expected, dreadful. Nine months after graduation, just 56 percent of the class of 2012 had found stable jobs in law - meaning full-time, long-term employment in a position requiring bar passage, or a judicial clerkship, i.e. the sorts of jobs people go to law school for in the first place. The figure had improved just 1 percent compared to the class of 2011⁷⁷.

In January 2014, the American Bar Association (ABA) received a report titled Report and Recommendations – Task Force on the Future of Legal Education.⁷⁸ The following statement appeared on the first page:

⁷⁵ Warren Bongard, “Articling Crisis Continues, Despite Pilot Program,” ZSA, May 5, 2015. [Online].

[En ligne]. <http://www.theglobeandmail.com/report-on-business/industry-news/the-law-page/top-lawyers-fear-their-profession-is-broken/article5580546/>

⁷⁶ Deborah Jones Merritt, “What Happened to the Class of 2010? Empirical Evidence of Structural Change in the Legal Profession,” *Public Law and Legal Theory Working Paper Series No. 920*, The Ohio State University Moritz College of Law, April 8, 2015, p. 1.

⁷⁷ Jordan Weisman, “The Jobs Crisis at Our Best Law Schools is Much, Much Worse Than You Think,” *The Atlantic*, April 9, 2013. [Online] <http://www.theatlantic.com/business/archive/2013/04/the-jobs-crisis-at-our-best-law-schools-is-much-much-worse-than-you-think/274795/>

⁷⁸ The American Bar Association, Report and Recommendations – Task Force on the Future of Legal Education. [Online]. http://www.americanbar.org/content/dam/aba/administrative/professional_responsibility/report_and_recommendations_of_aba_task_force.authcheckdam.pdf

At present, the system faces considerable pressure because of the price many students pay for their education, the large amount of student debt, consecutive years of sharply falling applications, and dramatic changes, possibly structural, in the market for jobs available to law graduates. These factors have resulted in great financial stress on law schools, damage to career and economic prospects of many recent graduates, and diminished public confidence in the system of legal education. The predicament of so many students and so many recent graduates who may never procure the employment they anticipated when they enrolled in their law schools is a compelling reality that should be heeded by all who are involved in our system of legal education.

More bad news followed later that same year:

Ten months after graduation, only 60 percent of the law school class of 2014 had found full-time long-term jobs that required them to pass the bar exam. Even that improvement over the class of 2013 (a 57 percent employment rate) came with three asterisks: Last year, the American Bar Association changed the job-reporting rules to give law schools an extra month for the class of 2014 to find jobs; graduates employed in law-school-funded positions count in the employment rate; and the number of jobs that require bar passage fell from 2013 to 2014⁷⁹.

The news coincided with a drastic decline in enrolment in American law schools. In 2004, over 100,000 students were registered. In 2015, that number had dropped to an estimated 55,000 or fewer, a 45% decrease over 10 years.⁸⁰ Some questioned whether it was time to start closing programs. Unlike in Quebec, many of these are private institutions.

Although we lack studies for each American state, our research leads us to believe that there is a shortage of lawyers in rural regions. In the United States, lawyers are moving towards urban centres. This is the case with Alabama,⁸¹ Arkansas,⁸² North Dakota, South Dakota,⁸³ Georgia,⁸⁴ and Montana.

Information available regarding the job market for lawyers seems to be the major reason behind the decline in law school enrolment. Other creative solutions have been studied in the United States. One Arizona university decided to hire its best students to form its own non-profit firm. We doubt that these solutions would be sustainable or practical in Quebec.

iii) France

There are obvious links between Quebec and France for the purposes of this report: not only do we share the French language, but also—and especially—our civil law system is modeled after theirs.

France is currently facing a similar problem to ours. In November 2013, the then-President of the Bar of Paris explained the situation to the *Figaro Étudiant*:

[Translation]

Recent law graduates accounted for 1,050 members of the Bar of Paris in 2002, but that number grew to 1,532 in 2012, which is nearly a 50% increase over 10 years. Many students pursue legal studies thinking that it will guarantee them a comfortable future. The reality is much different. Not everyone finds the work or clients they'd

⁷⁹ Steven J. Harper, "Too Many Law Students, Too Few Legal Jobs," *The New York Times*, August 25, 2015, p. A19.

⁸⁰ Natalie Kitroeff, "Is It Time to Start Shutting Down Law Schools?" *Bloomberg Business*, July 1, 2015. [Online] <http://www.bloomberg.com/news/articles/2015-07-01/is-it-time-to-start-shutting-down-law-schools->

⁸¹ Wolfe Jones, "How Alabama's Budget Crisis Affects the State Courts," August 17, 2015. [Online] <http://www.wolfejones.com/how-alabamas-budget-crisis-affects-the-state-courts/>

⁸² Lorelei Laird, "In Rural America, There Are Job Opportunities and a Need for Lawyers," *ABA Journal*, October 1, 2014. [Online] http://www.abajournal.com/magazine/article/too_many_lawyers_not_here_in_rural_america_lawyers_are_few_and_far_between/

⁸³ Patrick G. Goetzinger, "Project Rural Practice: Saving an Endangered Species by Recruiting the Sweet Sixteen," *The American Bar Association – Bar Leader*, 37, 6, (July-August 2013). [Online] http://www.americanbar.org/publications/bar_leader/2012_13/july_august/project_rural_practice_saving_endangered_species_recruiting_sweet_sixteen.html

⁸⁴ Kathryn Hayes Tucker, "State Bar Youth Launch Matching Service for Lawyers," *Daily Report*, April 21, 2015, n.p.

hoped for, and wages struggle to keep up. Young lawyers sometimes feel cheated: "Some blame us for allowing them to enter a profession where they aren't experiencing the anticipated job prospects," explains Christiane Féral-Schuhl, President of the Bar of Paris. Occupying the position since January 2012, she confirmed last year that France needed to act to limit the number of lawyers [original author's emphasis]. This is a first for a profession that tends to be liberal in nature, rejecting any type of regulation.⁸⁵

Today, fewer young people are finding employment or placements. Lawyers organized a debate and the Bar of Paris tasked Mtre. Kami Haeri with preparing a report on the subject. Express summarized the mandate in a December 2013 article:

The goal is to find solutions in a profession where the average income of young lawyers has stagnated at around 2,000 euros for the past four years.⁸⁶ 'Too many lawyers are entering the profession. We cannot guarantee that they will thrive professionally in the coming years. They recently expressed genuine frustration, leading to a number of departures in the early years of practice,' laments Kami Haeri. Several solutions are being considered. Longer studies, entrance exams in the most selective law schools, or introducing a numerus clausus,⁸⁷ following the example of medical studies.⁸⁸

In the report, Mtre. Haeri identifies the main problems affecting the profession, some of which resemble our own: "A significant and sustained increase in [entrance] exam registration (...), increased wealth disparities in the profession, [and] a stagnation or even a decline in lawyers' income during their first year of practice.⁸⁹"

Mtre. Haeri's report calls for the creation of a national exam. Such an exam is already common here, under the authority of the Bar School. The absence of a standardized exam in France means that universities are essentially the gatekeepers to the profession. Mtre. Haeri's report encourages all institutions to make access more difficult. In addition to the creation of a national exam granting bar associations control over access to the profession, the report suggests a variety of restrictive measures such as placing a limit on the number of attempts to pass the exam and raising the passing score.⁹⁰ The report does not call for a formal *numerus clausus*.

Finally, we should note that in France, there are only about 95 lawyers per 100,000 residents. It is nearly impossible to draw a comparison to Quebec (almost 3.5 times higher) for the simple reason that French lawyers do not have as many duties and responsibilities as their counterparts in Quebec and Canada.

⁸⁶ Although it is not indicated in the text, it is understood that 2,000 euros is paid on a monthly basis, which is the most common pay frequency in France.

⁸⁷ From the Latin "closed number." This is the expression used in France and elsewhere to limit access to a profession. We use "quotas" more often. Note that the two terms are not equivalent.

⁸⁸ Johan Garcia, "Trop d'avocats en France ? La profession réfléchit à des solutions" [Too Many Lawyers in France? The Profession is Seeking Solutions], L'Express, December 6, 2013. [Online] http://www.lexpress.fr/actualite/societe/trop-d-avocats-en-france-la-profession-reflechit-a-des-solutions_1305738.html

⁸⁹ Kami Haeri, member of the Parisian bar association's council, "Rapport sur la réforme de l'accès initial à la profession d'avocat" [Report on Reforming Initial Access to Practice Law], November 2013, p. 4. [Online] <http://www.avocatparis.org/mon-metier-davocat/publications-du-conseil/reforme-de-lacces-initial-la-profession-davocat>

⁹⁰ See previous footnote.

DETAILED RECOMMENDATIONS

The following recommendations are based on this report's main conclusions, namely that there is an uncontrolled rise in the number of lawyers per 100,000 inhabitants, stagnation or falling demand for traditional legal services, and a lack of information published on the subject.

We are not making any recommendations on the situation of female lawyers or members of ethnocultural communities. This is not because their situation is satisfactory; on the contrary, members of ethnocultural minority groups are not as well paid as members of the social majority. This situation is unacceptable and is unfortunately not specific to the legal field. We need to continue to change our practices in order to achieve equal pay based on skill, regardless of our identity.

While conditions for women have improved, they seem to have stagnated. Male lawyers are still earning more than their female counterparts. We are not making any specific recommendations about this matter in this report because others are dedicated to this very issue. We believe that since 70% of law students are female, legal professionals will have no choice but to address the issue. Lawyers who change their mentality about women in the profession will have a competitive advantage in a few years.

RECOMMENDATION 1 - INFORMATION AND TRANSPARENCY: Information on young lawyers' employment must be ongoing, reliable, detailed and offered on the greatest possible number of platforms. This information allows current or potential students to make an informed decision on their university curricula.

As we have seen in the United States, information is key. As more prospective students were informed on the employment situation, fewer applied for law school. We believe that it is even more important to make this information accessible here, because American law students also have to consider taking on an average debt load of \$250,000, whereas law students in Quebec take on 10 times less debt. Specifically, the Quebec Bar needs to publish the average time it takes to obtain an articling position, the average salary for these positions, the number of unpaid articling positions and its outlook on legal demand and student employability. By making the most data available in the most transparent way possible, we will be better off. We need to trust future students to interpret the data realistically and constructively.

Universities need to inform students and future students (for instance, at open houses) and young lawyers need to mingle with law students as much as possible to increase the spread of information on the ground, as they are doing now.

Lastly, Emploi-Québec needs to publish real, annual statistics provided by the Quebec Bar. This source of information needs to be accessible to whoever wants to study law and it needs to be updated as often as possible.

RECOMMENDATION 2 – SET REASONABLE QUOTAS: Whether we like it or not, access to the profession is limited by quotas at the end of professional training at the Bar School. In fact, the Bar School states that around 80% of its students receive a diploma each year,⁹¹ but they don't know how or why this rate remains constant. Instead of a constant success rate each year, the Bar School must aim to maintain 275 lawyers⁹² per 100,000 residents in Quebec. In the interest of fairness, we recommend that this more reasonable phase of quotas take effect in three years. This would allow current law students to complete the Bar School program according to the conditions in effect when they began their bachelor's degree in law. It is important to play down quotas because they already exist, both in terms of university admissions and at the Bar School.

Since the Interim Report was published, a number of stakeholders from Quebec's legal field started publicly speaking about the employment situation of young lawyers. Candidates running for President of the Bar made it a priority in their campaigns for the 2015-2017 term. At the Quebec Bar's Annual General Meeting in June 2015, Mtre. Bernard Synnott, then at the end of his term as President of the Bar, suggested that the number of lawyers would continue to grow by 800 a year unless there were quotas in place.⁹³ Mtre. Antoine Leduc, then president of the CBA Quebec Branch, also brought up quotas in a magazine article for the trade magazine *Le Monde Juridique*.

After having studied the possibility of establishing quotas by requiring an additional year of study, an additional bachelor's degree or higher tuition fees, we realized that these measures are in place elsewhere and do not necessarily achieve their goal; on the contrary, we sometimes find them to be discriminatory.

We know that universities already have "quotas" to maintain prestige, but they also have them because they want to control the student-teacher ratio. Primarily they achieve quotas based on academic records, although letters of recommendation are also considered in certain cases. Law faculties do not consider it their role to regulate the legal market, and we agree. Similarly, few serious commentators question the importance of an education in history, philosophy or theology by arguing that students in these disciplines will not have any job prospects.

The Bar School says there are no quotas at the end of its program. Yet, for the last 10 years, success rates of the bar exam (and retries) have been surprisingly steady. In good years and bad, around 80% of students pass the exam and can move on to articling positions. This type of quota is similar to that used for psychology students, who most often earn bachelor's degrees. However, to become a fully registered psychologist, you need a doctoral degree. Yet in reality, a minority of students go on to complete a PhD in psychology.

⁹¹ The Bar School's website. [Online]. <http://www.ecoledubarreau.qc.ca/fr/evaluations/faq/>

⁹² The proposed number is based on our best estimate of an ideal number, according to the Albertan and Canadian averages. This estimate is essentially inaccurate and the authors are open to looking at other statistics to reach a more accurate number, if such statistics exist.

⁹³ Mtre. Synnott did not discuss the validity of quotas or the increase in the number of lawyers. He informed the audience of how there will be an inevitable increase in lawyers without quotas.

It is clear that a rise in the number of lawyers does not make justice more accessible. Throughout North America, there have never been so many lawyers and such a lack of accessibility to the justice system. We accept the hypothesis suggested at the round-table meetings that the main cause of an inaccessible justice system is a slow, inefficient and outdated system, rather than just too many lawyers. It remains true that the current uncontrolled rise in the number of lawyers is certainly not a remedy for this inaccessibility.

The Quebec Bar needs to be ready to innovate and take the lead in temporarily and accurately regulating access to the profession when students reach the Bar School stage.

We believe that setting reasonable quotas at the Bar School would be the most sensible course of action. Structures are already in place, and it would be easy to modify the percentage of students who can come into the profession every year according to the market's needs. In the interest of fairness, we believe that current undergraduate students should be allowed to benefit from a grandfather clause and be evaluated according to the unofficial pass rate of 80%. In subsequent years, students will already be aware of the change in the process.

It is time to move forward with this plan of action. We formally recommend making the quotas that already exist at the end of the Bar School reasonable, setting a variable rate each year according to the market's needs. This quota system would take effect in three years and would only be based on marks.

RECOMMENDATION 3 – INNOVATION: In the coming years, law will not be practiced in the same way as it was in the past. Young lawyers need to innovate. It's their responsibility. They need to make their profession evolve to make it more accessible and fair. They also need to ensure that justice is a priority for our governments.

To do so, we need to encourage them to think differently and be creative: this is the responsibility of the universities and the Bar School. Teaching programs need to reflect the diversity of practices and changes in legal demand. The law needs to be taught differently than it was 100 years ago to account for the new reality of the market.

It has been reported that there is incompatibility between the number of lawyers and unsatisfied legal demand, but that the two should be able to work together. If this is the case, why have we still not bridged the gap?

There is near unanimous agreement that some things are necessary: scanned courthouse procedures, service and digital procedures. Young lawyers no longer need to seek out these innovations. They need to look farther, and it is up to them to find a real and courageous solution to our system that we believe to be slow and inefficient.

Universities need to review their programs. Some want to abandon lectures. Except for recommendation 4, our study and expertise is not enough to draw clear conclusions for a single recommendation to change law programs. However, we believe that trying something else would be a step forward. Any modification that would inspire young lawyers to be innovative or enterprising should be applauded.

RECOMMENDATION 4 – MANAGEMENT TRAINING: Universities need to commit to offering management training to their students in administration, entrepreneurship, marketing and accounting. One out of three lawyers practices in a firm with less than 10 lawyers. It must be noted that in the future, lawyers will spend a good part of their time on administrative tasks, managing human resources and developing a client base. They will be entrepreneurs, and this reality must be taken into account in the curricula for future lawyers.

We need to accept the idea that practicing law goes hand in hand with competition, business development and commercialization. These are now a lawyer's essential tasks.

For a long time, the former Code of Ethics of Advocates, in the well-known section 3.08.03, encouraged lawyers to avoid “all methods and attitudes likely to give to his profession a profit-seeking or commercial character.”

When he was the President of the Quebec Bar 10 years ago, Denis Mondor said:

[Translation]

Lawyers today are professionals, just like accountants and engineers. The difference is that lawyers are always officers of the court. The inescapable commercialization of the professional is not incompatible with the lawyer's particular role.⁹⁴

The new code of ethics has done away with the term “commercialization.” We believe that it is merely a realistic reflection of a profession in which lawyers must— whether right or wrong—meet billable hour targets and carry out client development activities, two criteria reviewed by law firm partners when it comes time to select new partners.

We are not suggesting that this is a perfect example, but some universities have already reacted by adding a number of multidisciplinary activities to their curricula. We applaud these initiatives. During the round-table meetings, participants demonstrated a desire to “guide” students through non-standard paths. This is also good news. Without judging its merits, we believe that it is now impossible to avoid the commercialization of law and we need to deal with it in the most reasonable way possible: by accepting it and preparing our students to handle it responsibly.

RRECOMMENDATION 5 – COMMUNICATION IN THE LEGAL FIELD: The Minister of Justice, the President of the Quebec Bar, law faculty deans and the director of the Bar School must meet regularly and coordinate their strategies and understandings of the legal field. Permanent communication channels must be put in place and used.

The round-table meetings brought up the communication channels between the Quebec Bar and law faculty deans. That being said, communication seemed to be sparse and infrequent. When the Bar School modifies its curriculum, a few universities do the same and there does not seem to be any efficient exchange of information regarding what each institution wants to do. We need to bridge these gaps. The Bar School and law faculties must agree on their respective roles.

RECOMMENDATION 6 – UNPAID ARTICLING POSITIONS MUST BE DISCOURAGED BY THE QUEBEC BAR: The Quebec Bar must take a stand against unpaid articling positions.

Unpaid articling positions are on the rise and we believe that this is a consequence of a difficult job market for young lawyers, which can be explained by a combination of a lack of innovation, an inaccessible and inefficient justice system and an oversupply of lawyers.

This is no reason to offer unpaid articling positions.

The Quebec Bar is aware of this practice, which is not a new phenomenon. It does not post unpaid articling positions on its website, which is a way to discourage the practice.

We believe that this discouragement, while laudable, is not enough. The Quebec Bar should denounce the situation loud and clear and take a stand against unpaid articling positions, by all possible means.

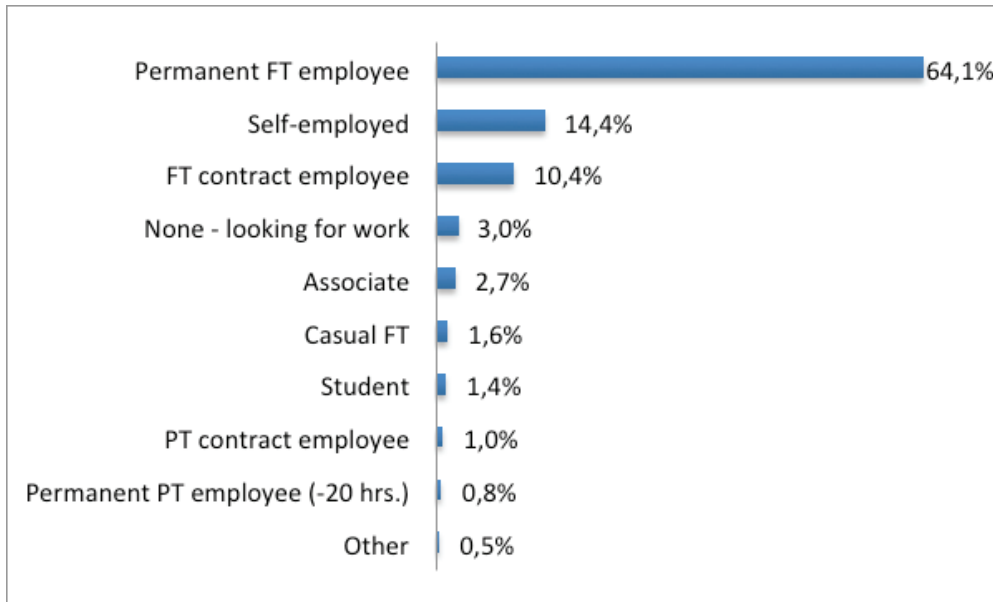
RECOMMENDATION 7 – OUTSIDE MONTREAL AND QUEBEC CITY, RECORDS AND ADVERTISING: The Quebec Bar, together with Presidents of sections of the bar, young bar associations outside of Montreal and Quebec City, and the AJBR, must keep records of the number of lawyers that need to be attracted to communities outside Montreal and Quebec City and must promote practicing law there.

Our study does not indicate exactly in which region there might be employment or demand for young lawyers, since this was not its original subject, but the topic came up. The Quebec Bar has certain statistics on practicing law outside of Montreal and Quebec City and seems to be signalling that there are jobs in these areas. From what we understand, this is true for certain regions but not others. Furthermore, it seems that some of these regions' problems will be solved with the arrival of a handful of lawyers. It is therefore not a viable solution for Quebec's systemic problem.

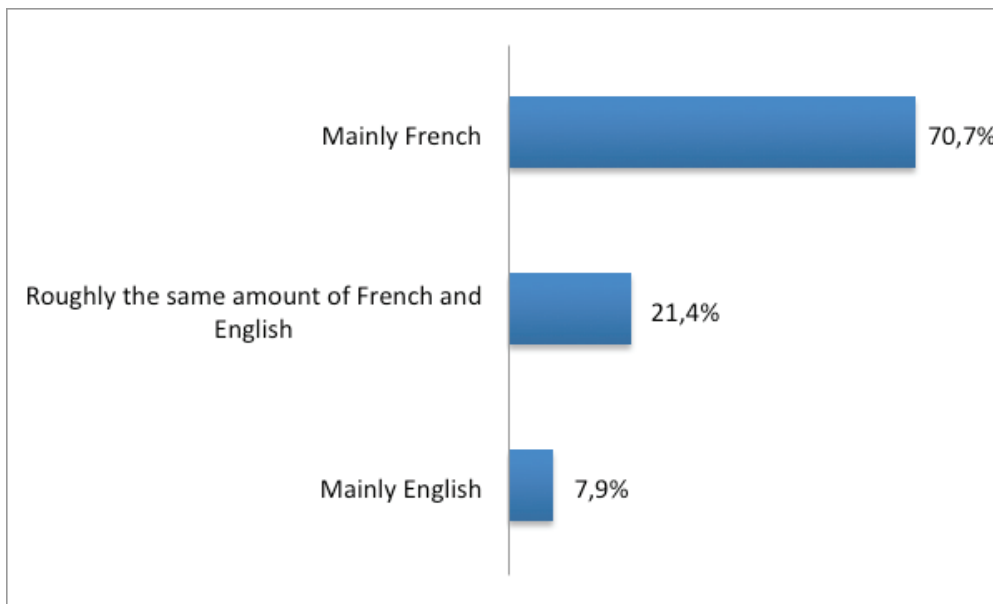
Annexe

The following pages include questions whose responses were compiled and reproduced in tables by economist Henri Beaugard. The reader is encouraged to consult those of interest.

Positions held by survey respondents.



Language used in the workplace.



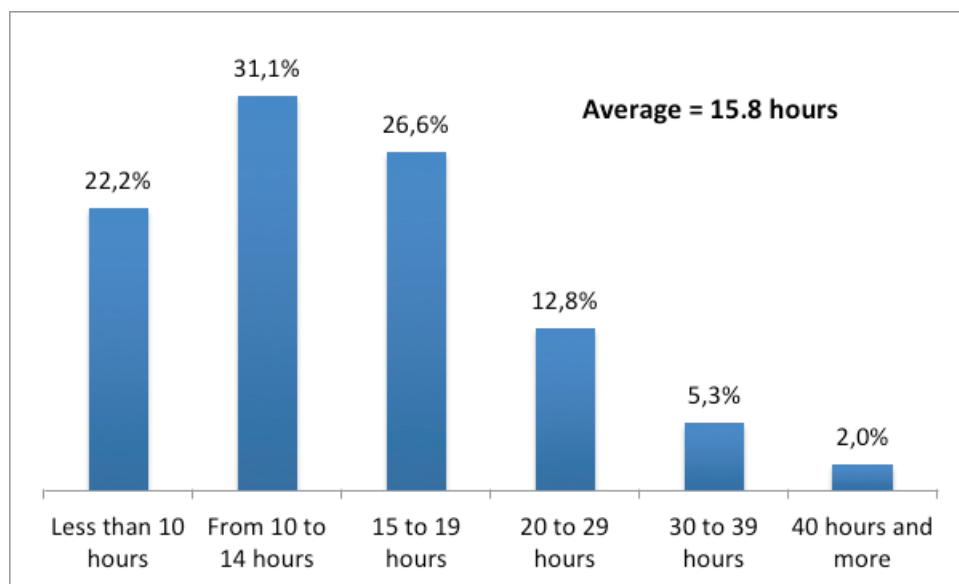
A higher number of participants cite “mainly French” as their workplace language in Quebec City and elsewhere, as well as in the public sector. There is a greater proportion of the other two responses in Montreal, among in-house counsel and lawyers making over \$90,000. In firms with over 100 lawyers, there is a greater proportion of “roughly the same amount of French and English.”

Did you have one or more full-time job(s) prior to starting law school?

YES	19.8 %
NO	80.2 %

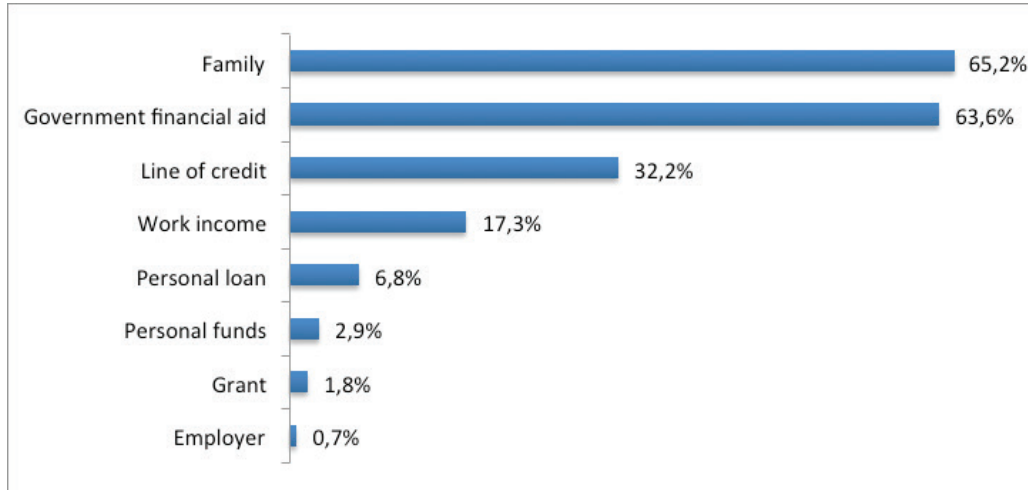
Did you work while in law school?

Yes, related to the legal field	28.4 %
Yes, unrelated to the legal field	47.7 %
No	19.1 %
Other	4.8 %

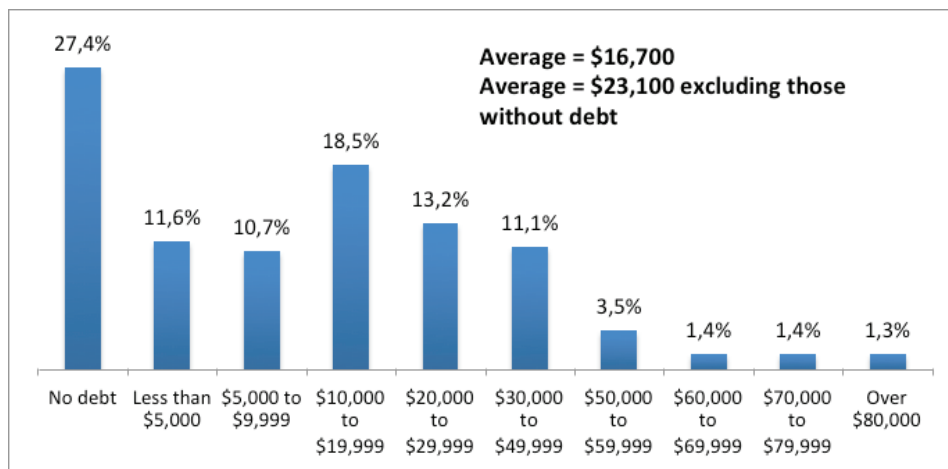
How many hours did you spend on average at this job each week?**Have you completed or are you completing graduate studies after your undergraduate degree in law?**

YES	39.0 %
NO	61.0 %

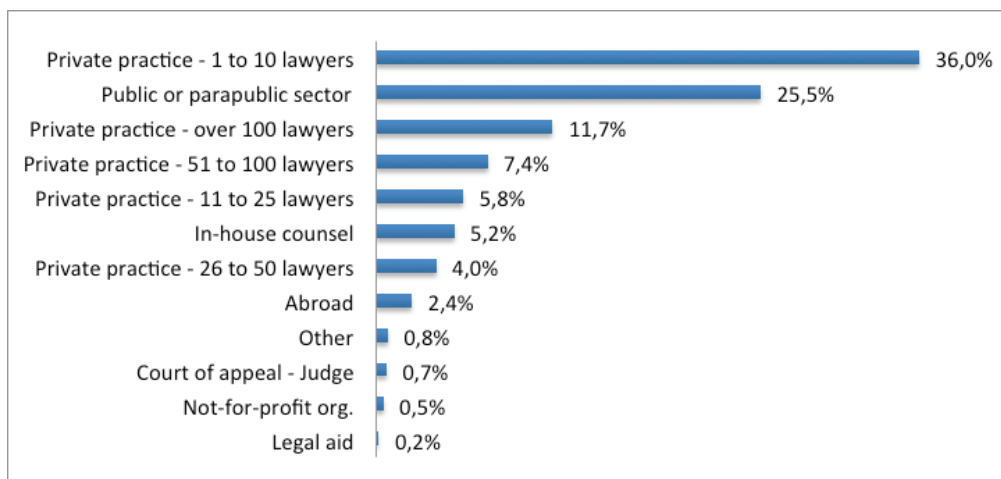
How did you pay for law school?



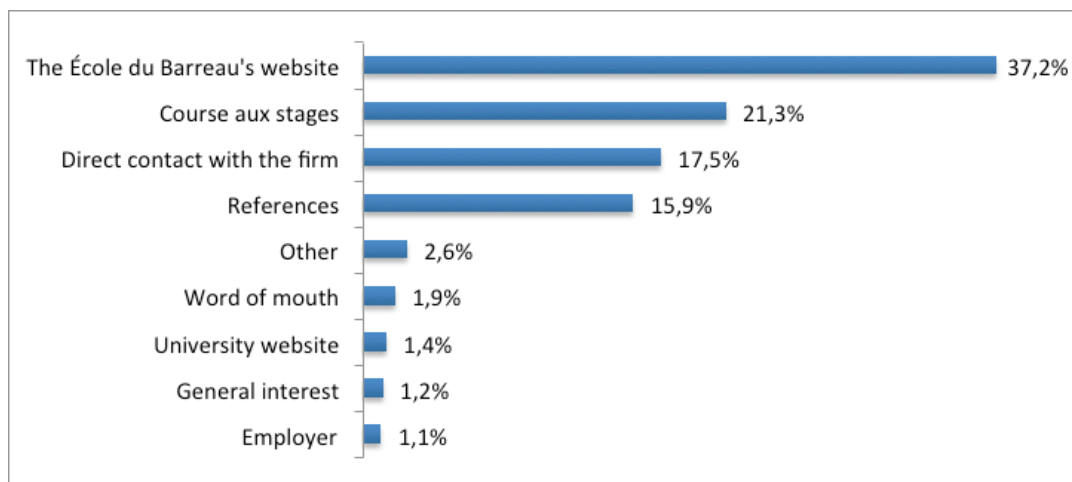
How much student debt did you have at the end of law school?



Where did you carry out your articling position?

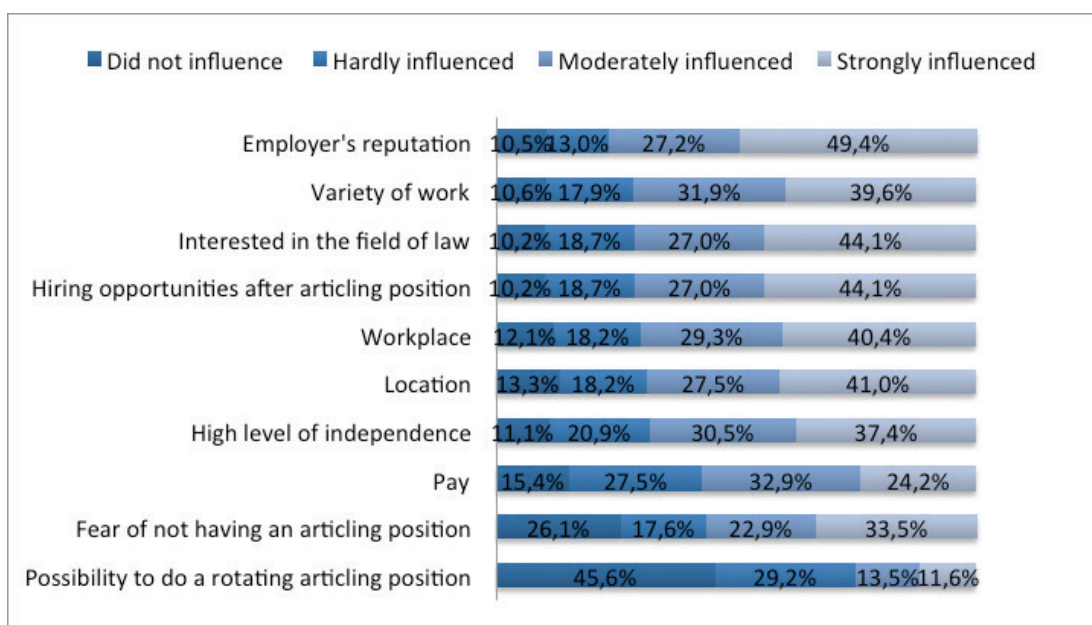


How did you find your articling position?

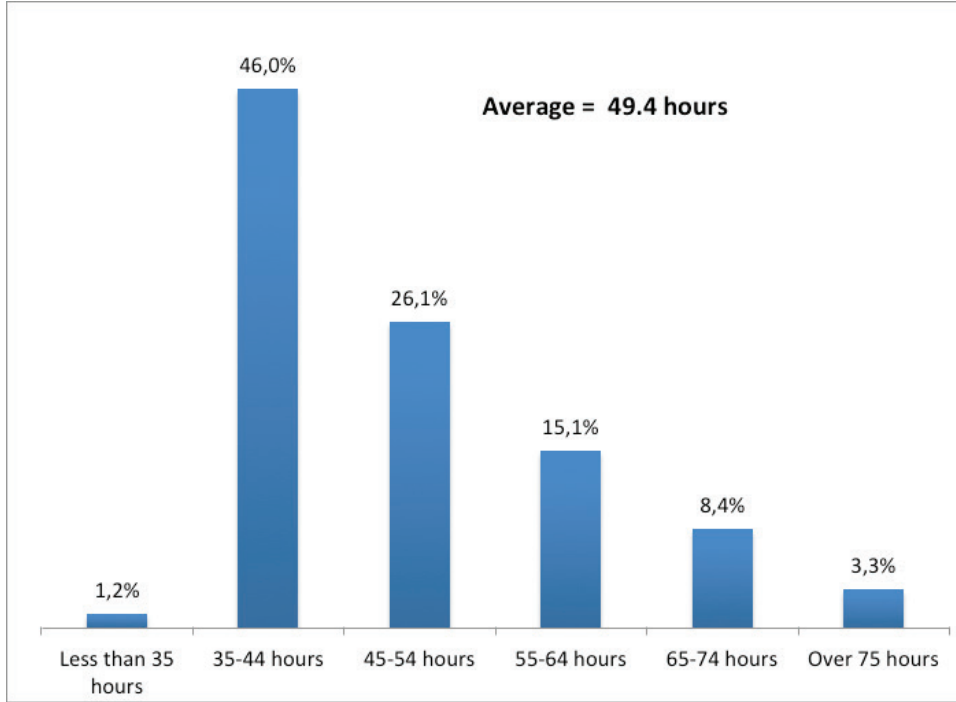


“Direct contact with the firm” is more common in places outside of Montreal and Quebec City (25.9% and 17.5%).

How did the following factors influence your choice of articling position?

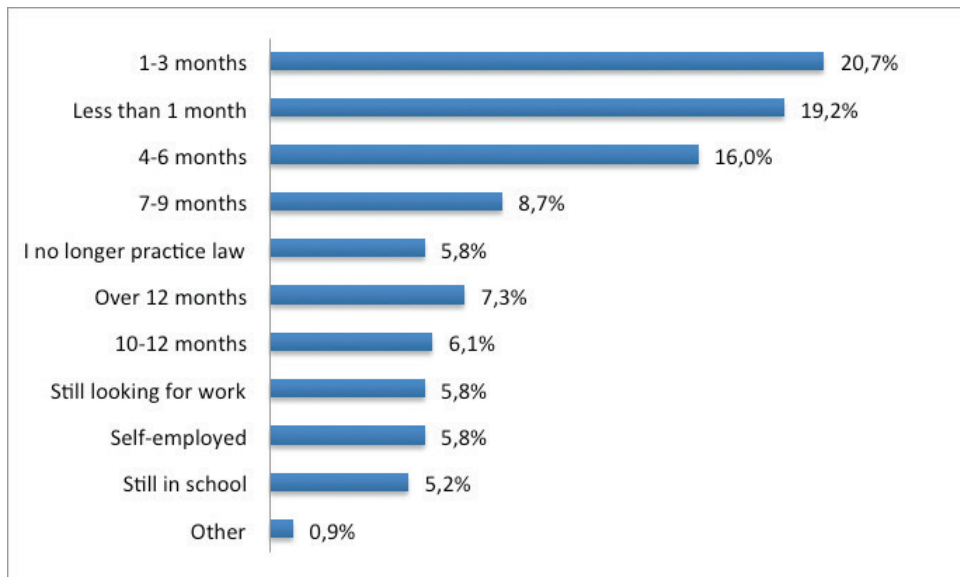


How many hours a week on average did you work during articling?



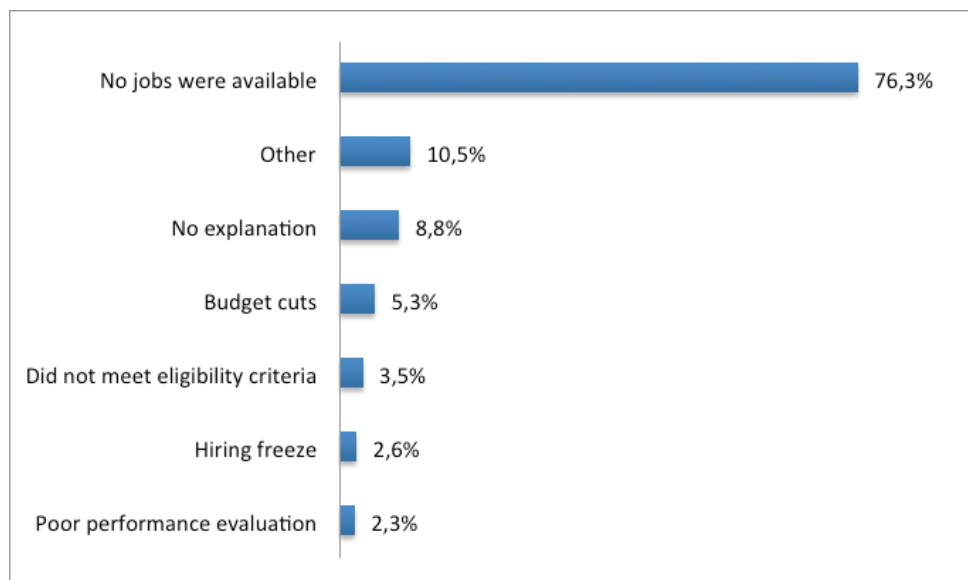
The average number of hours worked per week varies little, irrespective of participant differences. All young members log an average 50-hour work week, regardless of location, gender and when they were admitted.

Length of job search for those who did not receive an offer following articling.



The average time spent looking for work for lawyers who did not receive an offer following their articling positions was 4.8 months.

Reason(s) given by your employer to explain the lack of job offer following your articling position?



Where did you hope to work?

	At the start of your degree?	Upon acceptance into the Roll of Order?	Variance
Private, over 100 lawyers	20,6%	14,0%	-6,6%
Private, 51 to 100 lawyers	14,7%	14,0%	-0,7%
Private, 26 to 50 lawyers	14,7%	16,1%	1,4%
Private, 11 to 25 lawyers	14,8%	23,9%	9,1%
Private, 2 to 10 lawyers	16,9%	26,5%	9,6%
Solo practice or freelance	6,0%	8,6%	2,6%
Public or parapublic sector	33,4%	36,8%	3,4%
In-house counsel (public or private)	23,8%	33,3%	9,5%
Professor, lecturer, or academic	7,8%	11,2%	3,4%
International	18,8%	9,9%	-8,9%
Non-legal field	6,6%	12,5%	5,9%
No expectations	18,0%	6,0%	-12,0%
Other	1,7%	2,8%	1,1%

Expectations to practice in large private firms with over 100 lawyers decreased by 6.6%, while those for smaller firms of 2 to 10 and 11 to 25 lawyers grew by nearly 9%. Expectations to work as in-house counsel also increased by almost 9%.

What is your current work situation compared to when you were registered on the Roll of Order?

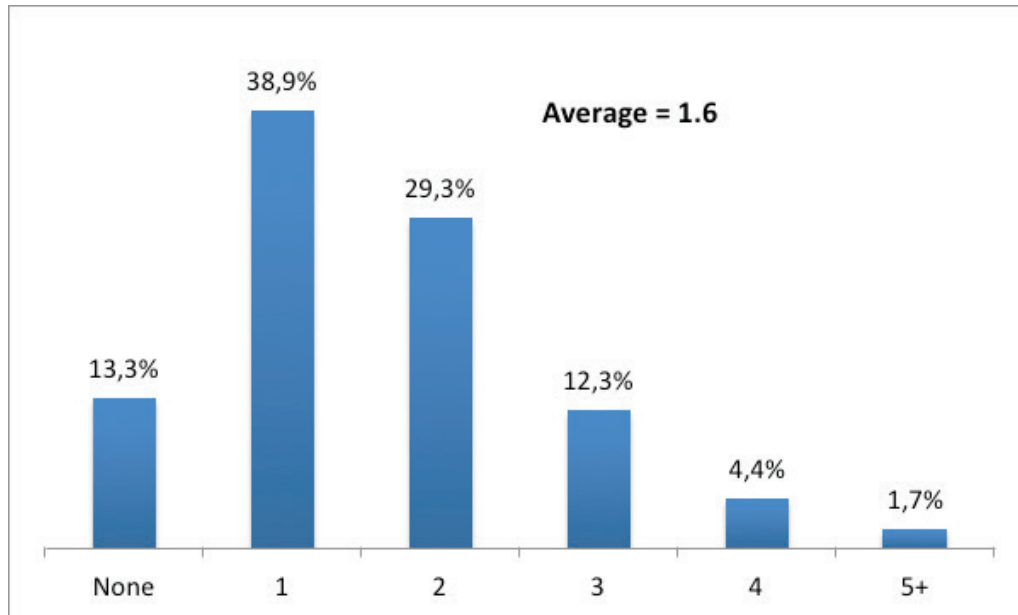
	When registering on the Roll of Order	Currently	Variance
Private, over 100 lawyers	9.7%	7.4%	-2.3%
Private, 51 to 100 lawyers	5.8%	3.0%	-2.8%
Private, 26 to 50 lawyers	3.2%	2.2%	-1.0%
Private, 11 to 25 lawyers	5.4%	5.2%	-0.2%
Private, 2 to 10 lawyers	23.7%	19.6%	-4.1%
Solo practice or self-employed	3.8%	10.3%	6.5%
Public or parapublic sector	17.5%	25.4%	7.9%
In-house counsel	3.5%	11.6%	8.1%
Student	7.5%	0.8%	-6.7%
Unemployed	14.1%	2.2%	-11.9%
Paralegal	0.6%	4.2%	3.6%
Legal assistant	0.1%	0.4%	0.3%
Non-legal field	2.9%	0.2%	-2.7%

Between admission into the Roll of Order and the current situation, the employment situation changed, especially in the cases of “solo practice or self-employed,” “public or parapublic sector,” and “in-house counsel” with increases of 6 to 8%.

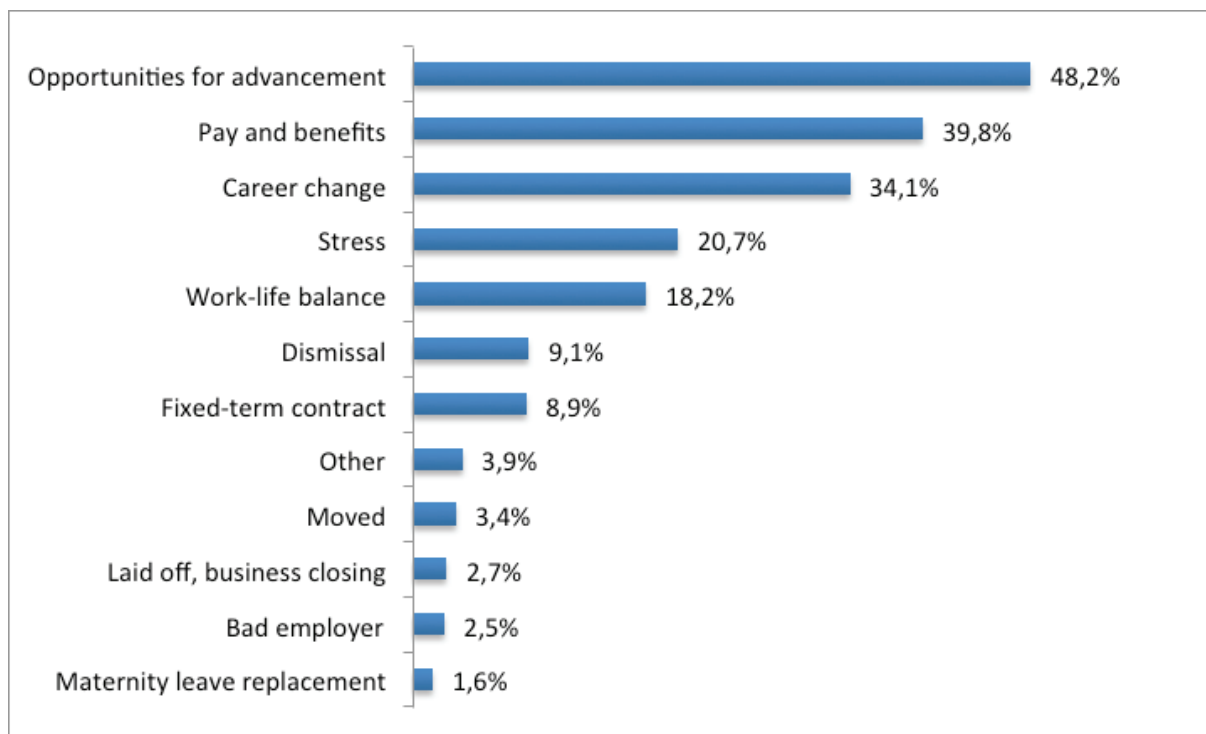
Changes in law practice in terms of practice areas or fields of law.

	When registering on the Roll of Order	Currently	Variance
Business law (commercial and corporate)	29.3%	34.4%	5.1%
Tax	6.1%	8.8%	2.7%
Criminal, penal, and prison	19.4%	14.8%	-4.6%
Family	22.2%	16.1%	-6.1%
Immigration	3.3%	4.4%	1.1%
Litigation (civil, commercial, construction, administration)	54.9%	34.4%	-20.5%
Intellectual property	5.8%	8.6%	2.8%
Employment, labour, health, and safety	19.1%	17.4%	-1.7%
Management or administration	3.1%	11.3%	8.2%
Academic	1.9%	2.9%	1.0%
Insurance	0.6%	1.1%	0.5%
Personal	0.8%	2.0%	1.2%
Health	0.6%	0.9%	0.3%
International	0.9%	2.9%	2.0%
Research	0.6%	1.1%	0.5%
Unemployed	1.6%	2.6%	1.0%
Other	4.3%	11.0%	6.7%

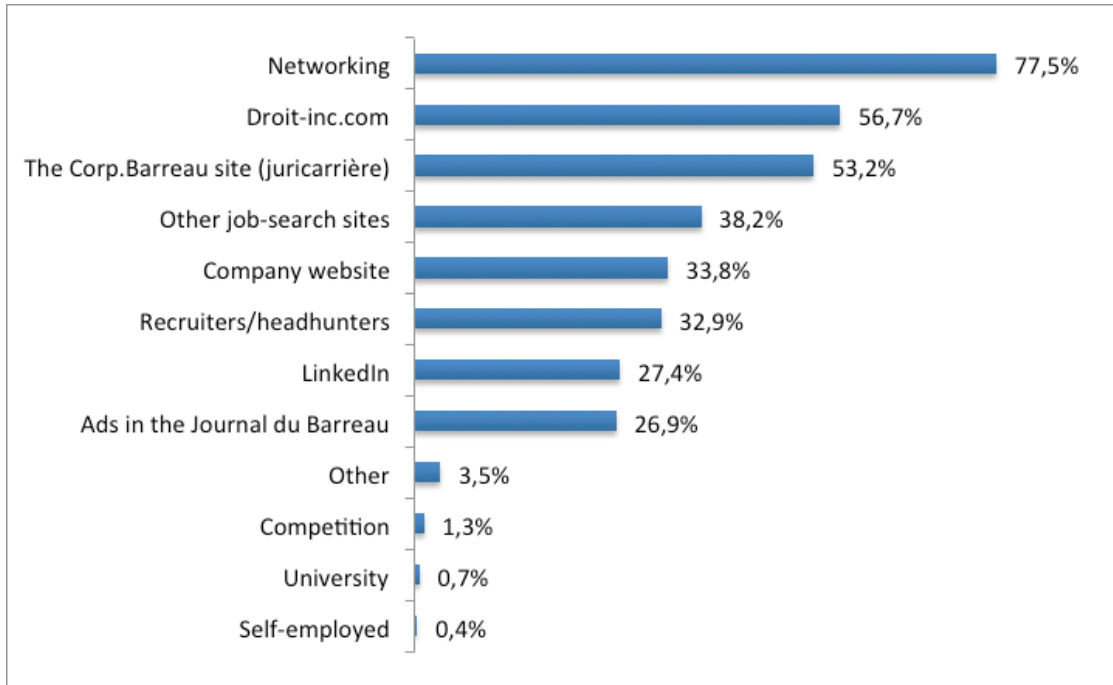
Since admission to the bar, how many different employers have you worked for in the legal field?



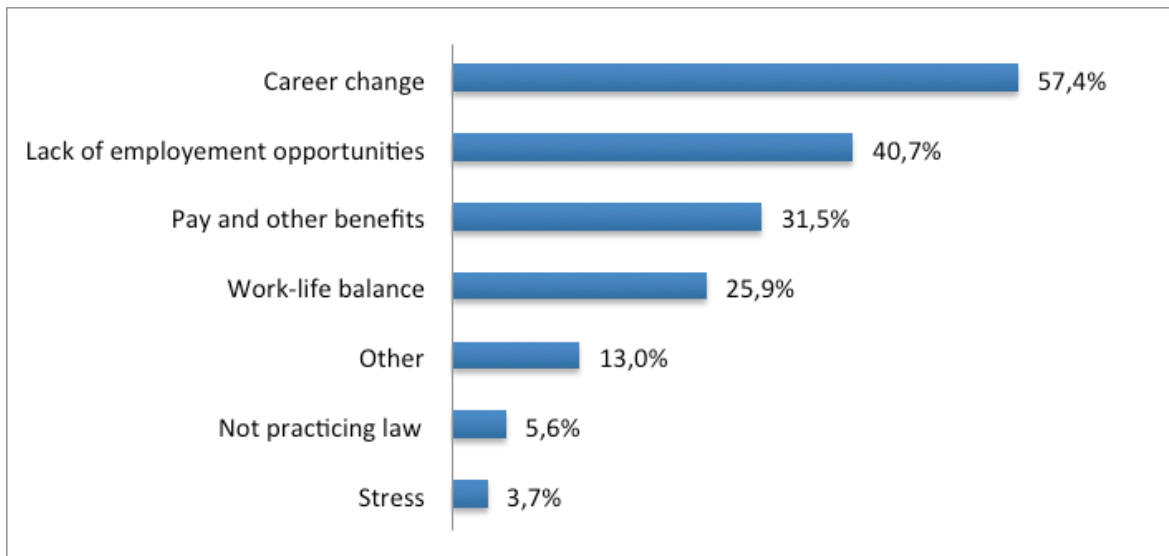
For what reason(s) did you change jobs?



If you changed jobs or are currently looking for a new job, how do/did you search for employment?

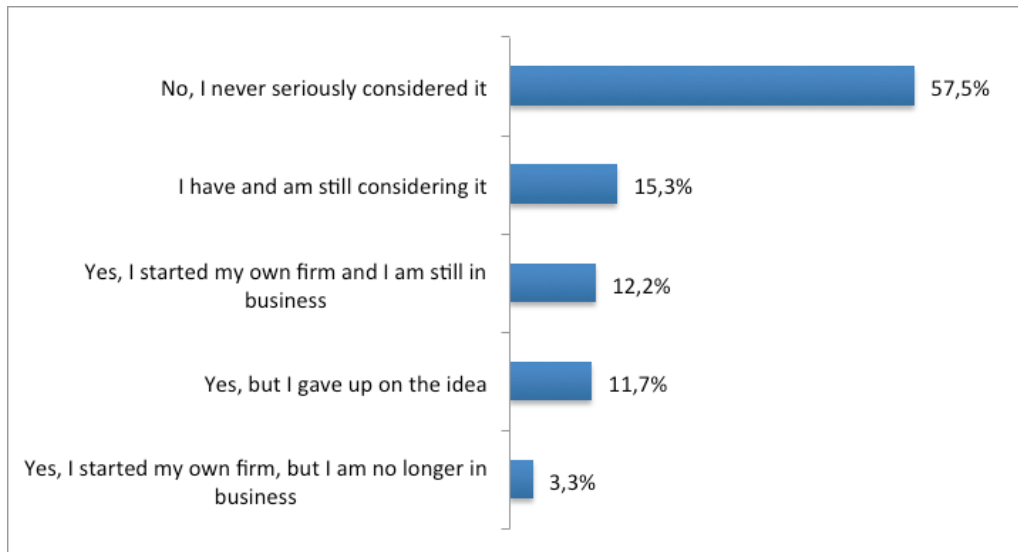


If you left the legal profession, what reason(s) led you to do so (out of 57 respondents)?



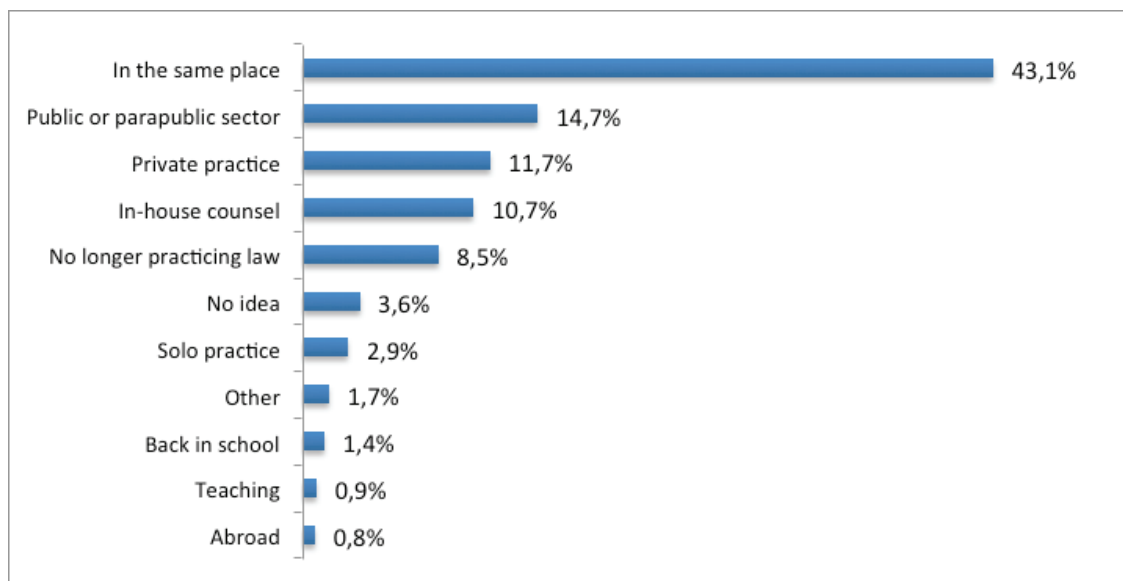
Though the first response is almost redundant—how can you leave a profession without a career change?—the second and third responses address frustrations in the labour market: most likely the lack of employment opportunities or pay was considered inadequate or insufficient.

Have you ever seriously considered opening your own firm?



Male lawyers are slightly more likely than female lawyers to have started their own firms and remain in business (16.4% vs. 10.4%). Least likely to have considered it: female lawyers (61.3% vs. 48.9%), lawyers in the Quebec City region, lawyers with incomes over \$90,000, lawyers in the public sector, and lawyers serving as in-house counsel.

Where do you see yourself in five years?



How would you assess your workload?

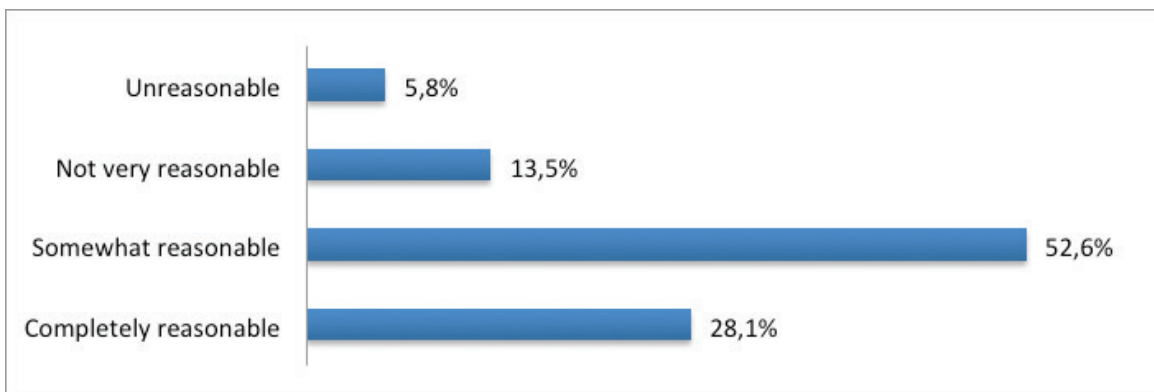
Too high	8.4 %
Fairly high	39.8 %
Adequate	45.2 %
Insufficient	6.5 %

Target billable hours vs. hours billed.

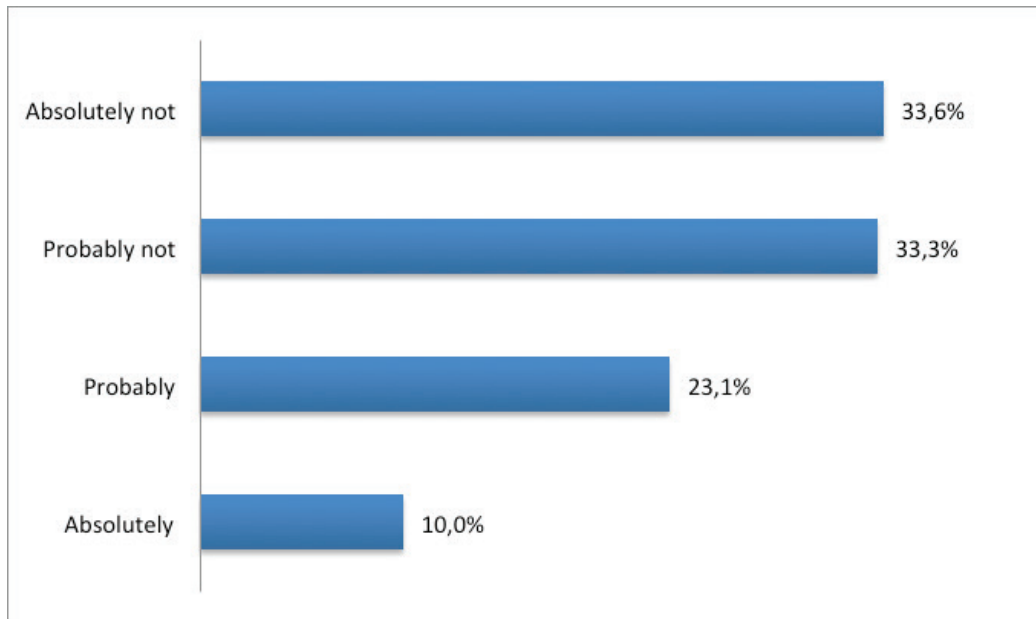


The least ambitious targets (less than 1,400 hours) were not met while the most ambitious (over 2,000 hours) were exceeded. The average goal was 1,500 hours per year and the average hours billed was 1,490 per year. This is a success rate of 99.4%.

How do you assess your employer's target number of billable hours required?



Would you accept a pay cut for the equivalent reduction in the number of billable hours required?

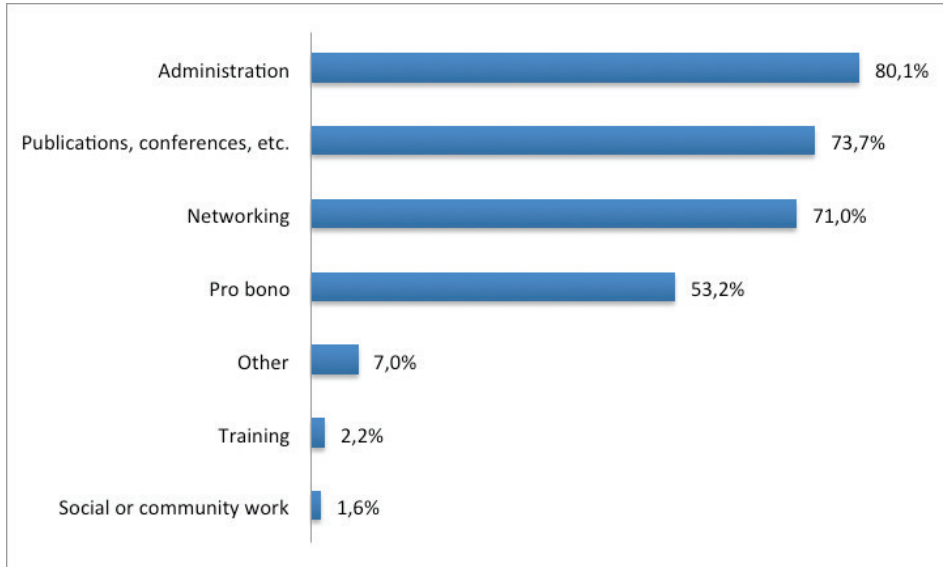


Those with incomes of \$90,000 and more are slightly more likely (“absolutely” and “probably”) to accept a pay cut for the equivalent reduction in the number of billable hours required.

Does your employer keep track of your non-billable hours?

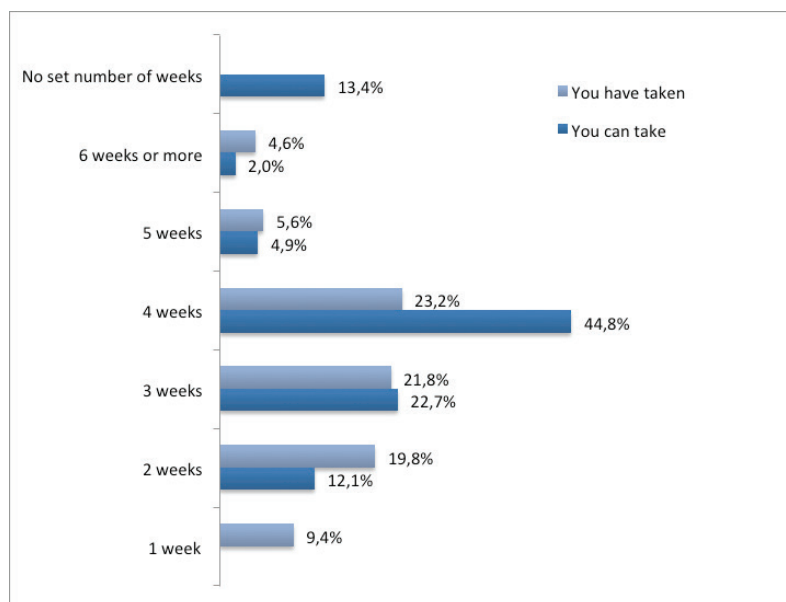
Yes	41,9 %
No	33,9 %
I don't know	24,1 %

What does your employer consider non-billable hours?



Male lawyers are relatively more likely to network (82.6%) than female lawyers (60.6%), and it is more likely to occur in large firms with over 100 lawyers. Publications and conferences are relatively more common in Montreal, among lawyers earning over \$90,000 and in firms of more than 11 lawyers. Pro bono is relatively more common in firms with over 100 lawyers.

How many weeks of paid vacation do you have?



Employees are granted an average of 3.6 weeks' vacation, but only take an average of 2.6 weeks off. Throughout the profession, the amount of vacation time increases with experience and the number of years since being admitted to the bar, which is not a surprise. Those with the most vacation time are those with the highest income.

Did you work during your vacation?

Yes	31.7%
No	68.3%

“Yes” is a relatively more common answer to this question in firms of over 11 lawyers and solo lawyers. “No” is a relatively more common answer in the public sector.

Which of the following benefits do you receive?

Payment of professional dues	70.1%
Paid training hours	66.4%
Group health insurance	55.7%
Professional liability insurance premiums	54.0%
RRSP paid in part by employer	34.1%
Employee Assistance Program (EAP)	28.6%
Unpaid leave	23.2%
Extra vacation time	18.4%
None of these benefits	18.4%
Physical activity program	18.0%
Option to take leave for studies	13.0%
Option to take leave for professional development	11.0%
Additional hours paid in cash	9.0%
Car or public transportation	5.7%
RRSP paid in full by employer	4.3%
Other	2.6%
Cell phone	1.6%
Gas – mileage	0.8%
Group life insurance	0.7%
Parking	0.7%
Teleworking computer	0.4%

What do you think of the total annual dues required by the Quebec Bar to practice law?

	2004-2008	2009-2012	2013-2015
Too high	73.7%	78.6%	81.2%
Fair	25.9%	21.4%	18.8%
Not high enough	0.4%	0.0%	0.0%

Which of the following changes to professional dues should the Quebec Bar assess?

Require a different amount according to income	49.7 %
Exempt newly admitted lawyers from paying dues	42.9 %
Reduce the amount for lawyers in their first 10 years of practice	38.8 %
Reduce the amount for lawyers in their first 5 years of practice	35.1 %
Reduce the amount for everyone	33.7 %

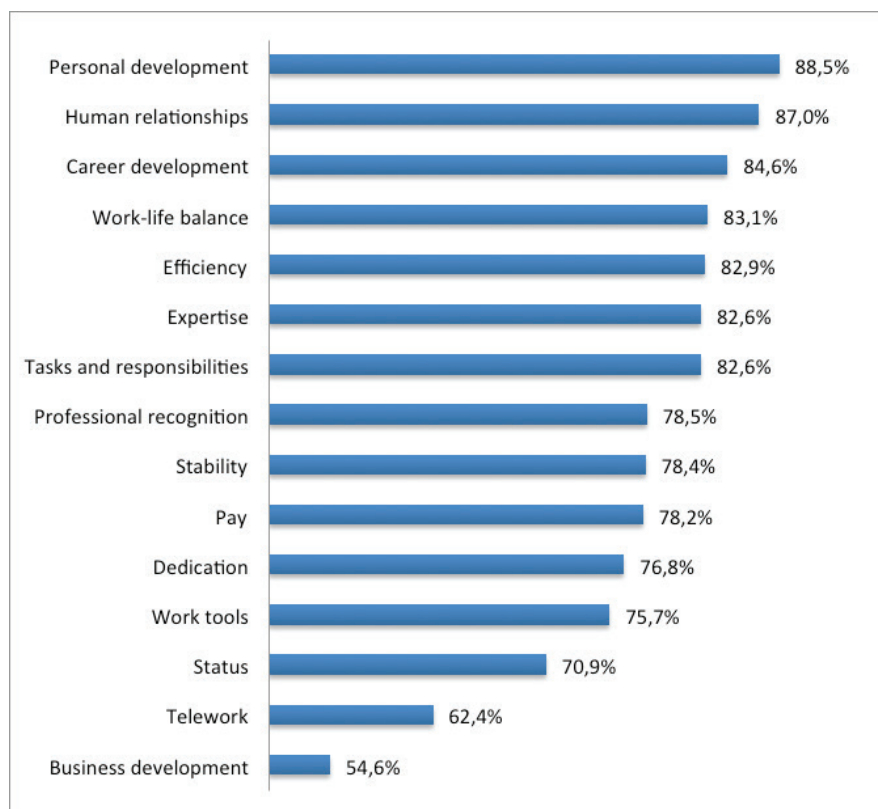
How important are the following aspects of your personal and professional lives?

	Personal development	Human relationships	Career development	Work-life balance
Not at all important	0.4 %	0.2 %	0.6 %	2.0 %
Fairly important	3.0 %	3.5 %	5.0 %	7.4 %
Important	27.7 %	31.9 %	34.5 %	30.2 %
Very important	68.9 %	64.5 %	59.9 %	60.4 %

	Efficiency	Tasks and responsibilities	Expertise	Stability
Not at all important	0.3 %	0.4 %	0.5 %	1.3 %
Fairly important	3.8 %	3.2 %	5.2 %	11.1 %
Important	43.3 %	45.1 %	40.8 %	39.1 %
Very important	52.6 %	51.3 %	53.5 %	48.5 %

	Pay	Dedication	Recognition	Work tools
Not at all important	8.2 %	0.7 %	1.0 %	1.0 %
Fairly important	49.5 %	8.5 %	9.0 %	10.3 %
Important	42.3 %	50.8 %	43.7 %	49.5 %
Very important	78.2 %	39.9 %	46.3 %	39.2 %

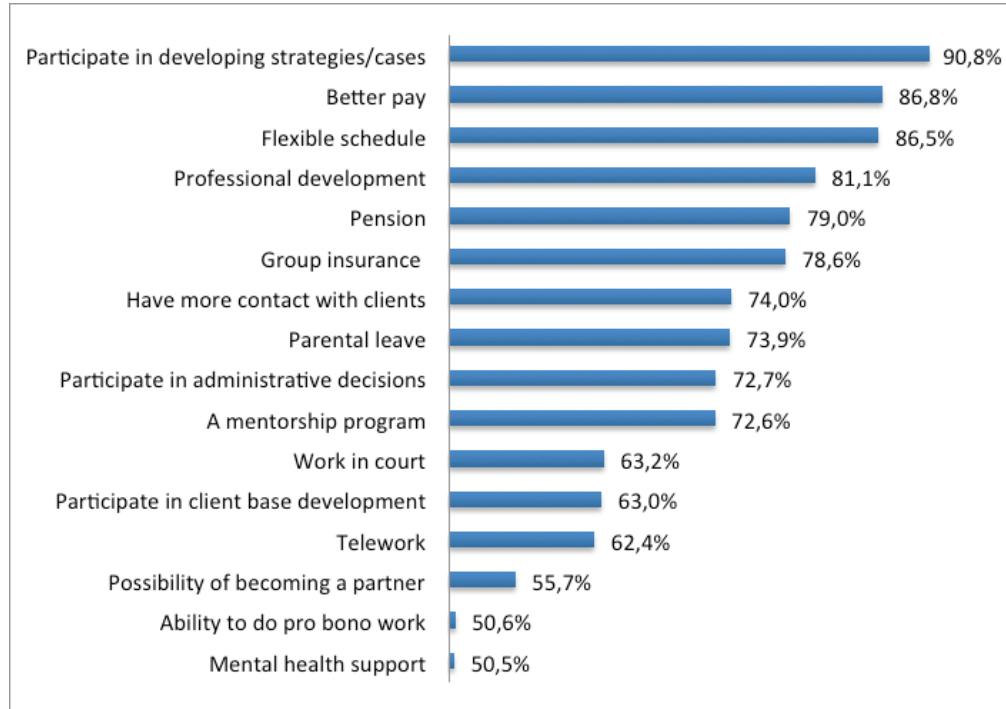
The following graph ranks different aspects of young Bar members' personal and professional lives according to importance.



The following are more common for::

- Career development: female lawyers, the youngest admitted lawyers, in-house counsel
- Personal development: female lawyers, lawyers working in Montreal
- Pay: lawyers who passed the bar after multiple attempts, lawyers with the highest income
- Social status: lawyers working in Montreal
- Work-life balance: female lawyers, lawyers working in the public sector
- Tasks and responsibilities: lawyers working in Montreal, in the public sector and as in-house counsel
- Stability: female lawyers, lawyers outside of Montreal and Quebec City and in the public sector
- Professional recognition: female lawyers, lawyers with income between \$70,000 and \$89,999

How interested are you in the following working conditions and activities?



There is a stronger percentage of “very interested” in the working conditions and activities from the following groups:

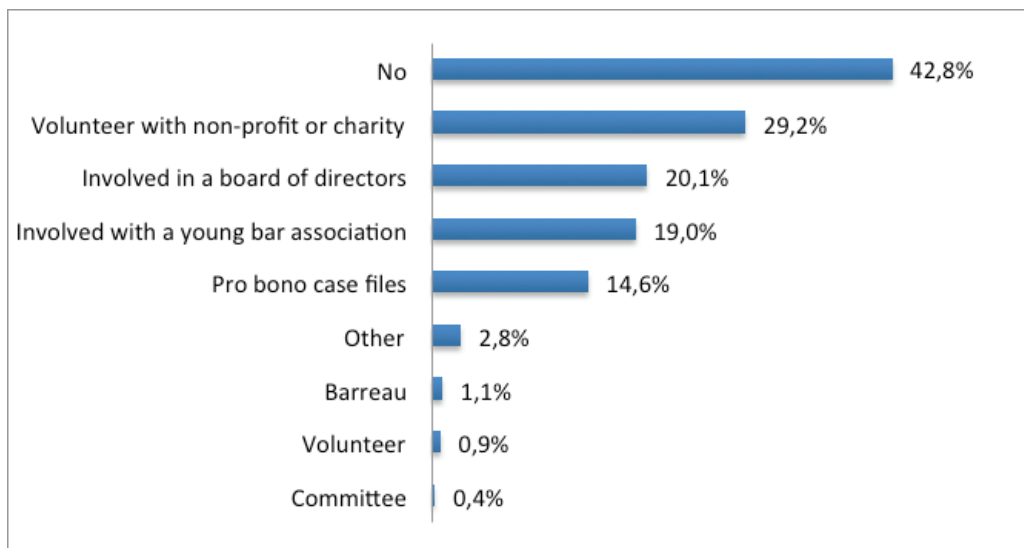
- A better salary: female lawyers, in-house counsel
- Flexible schedules: senior lawyers
- Access to professional training: female lawyers, lawyers in the public sector

Does your employer pay for or offer professional development?

No	13.9 %
Yes	73.4 %
Yes, in part	12.6 %

For this who answered “yes, in part”:

A certain amount per year	23.6 %
Eligible training only	50.9 %
Did not pay certain fees	10.9 %
Will no longer pay	5.5 %
Other	9.1 %

Are you involved in volunteer or pro bono work?

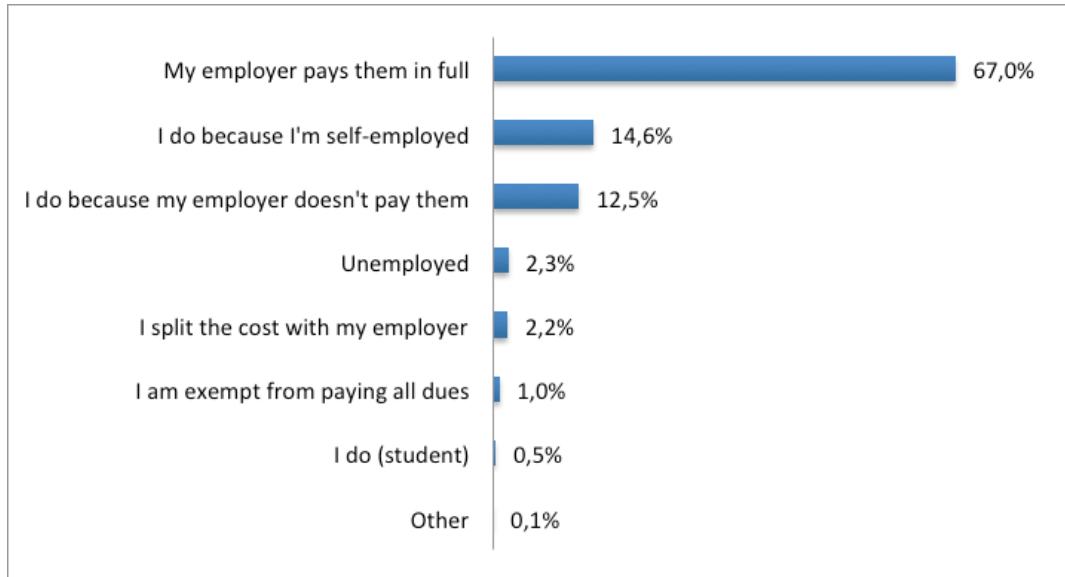
Pro bono activities are relatively more common among:

- Male lawyers
- Male lawyers practicing in Montreal
- Lawyers who were offered a permanent position after their articling positions
- Lawyers with the highest income
- Lawyers in private practice (solo practice to big firms)

Does your employer recognize your pro bono or community work?

Yes	34%
No	66%

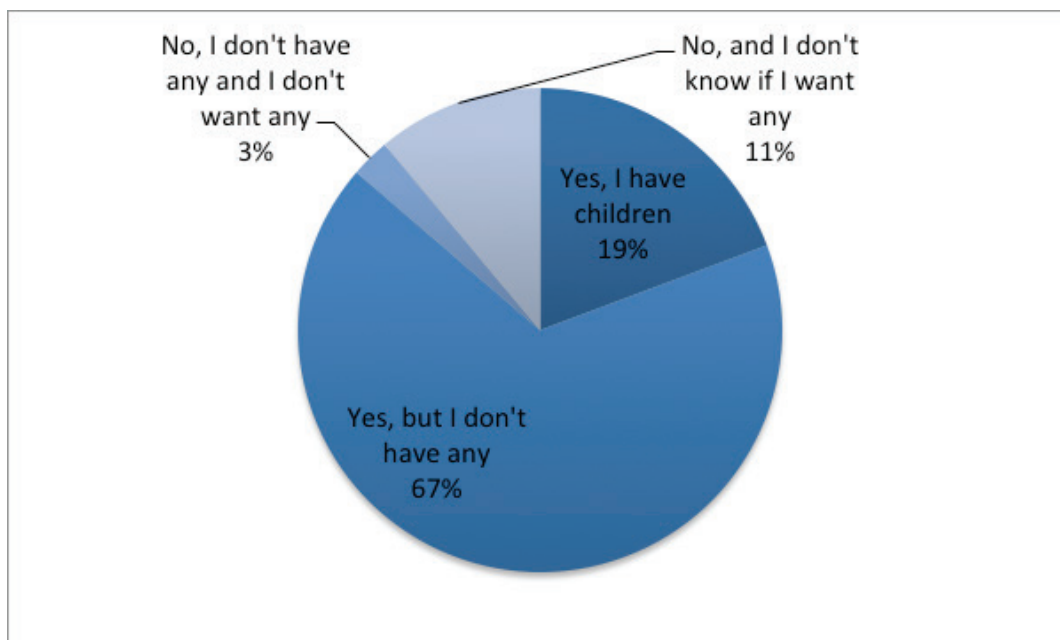
Who pays your Quebec Bar dues?



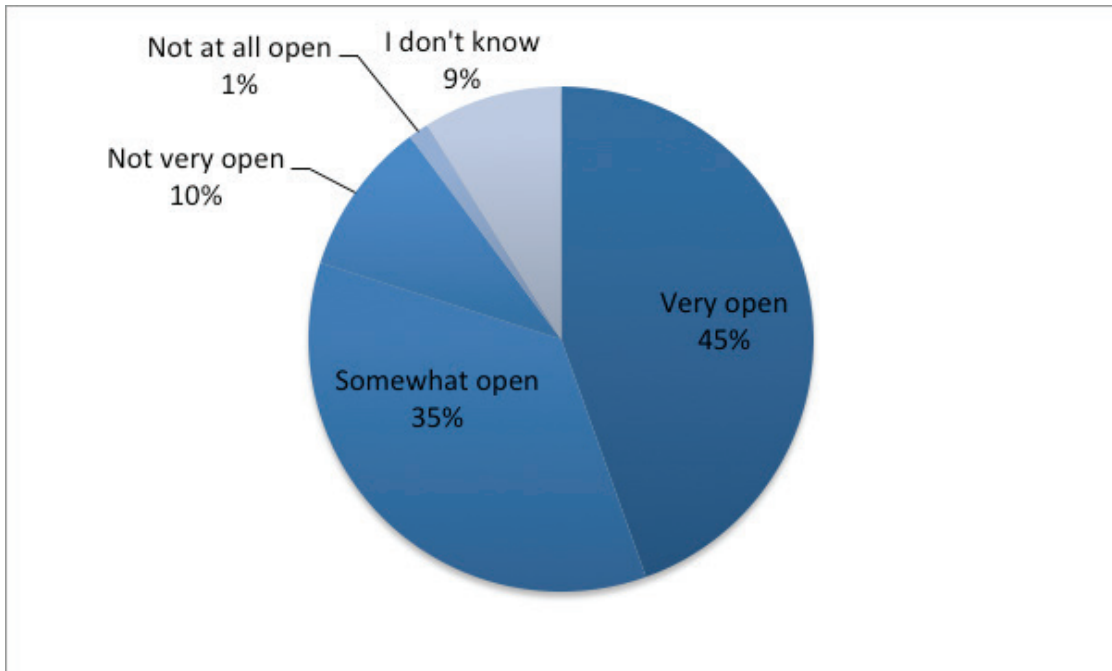
Dues are paid by the employer more often in the following professional situations:

- Firms with 10 lawyers or more (between 100% and 92%)
- Public sector (77.2%)
- In-house counsel (95.2%)

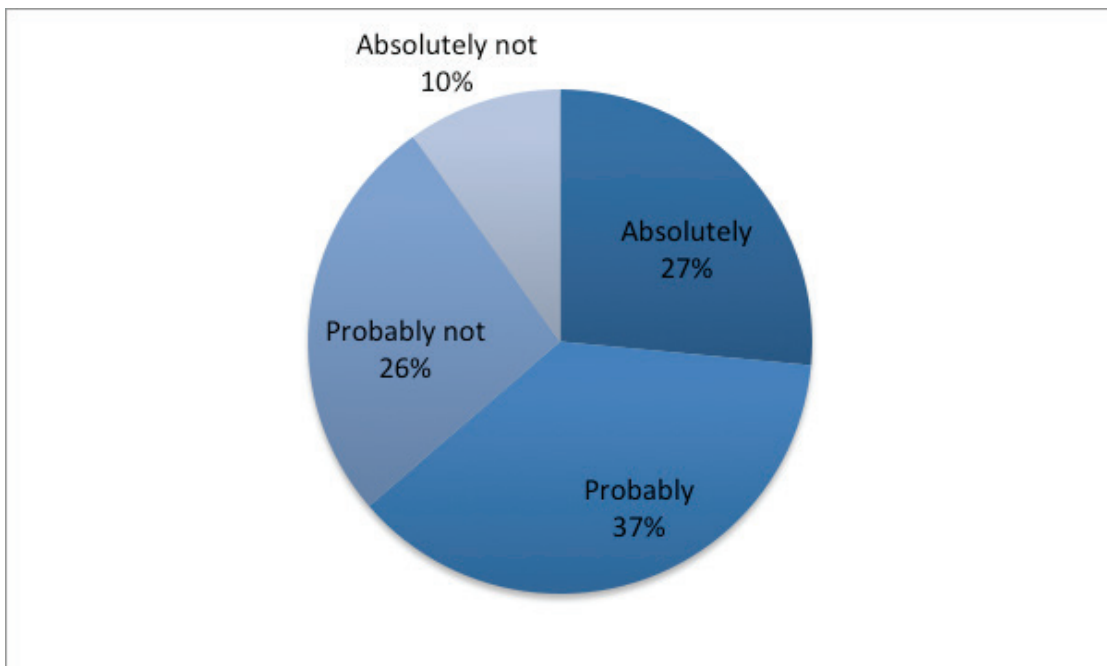
Do you want to have children?



Would you say that your employer is very, somewhat, not very or not at all open to parental leave?



Do you think having a child can hinder your professional development?



Do you have a flexible schedule that allows you to balance your work, family and personal life?

Yes	34%
No	66%

Does your employer let you work from home to balance your work, family and personal life?

