



ALBERTA LAW SOCIETY

LIBRARIES

## RESEARCH GUIDE

# barristers & solicitors

This research guide on barristers and solicitors covers the broad areas of legal ethics, conflicts of interest, practice issues, liability, duties, and responsibilities. Practice in Alberta is governed by the *Legal Profession Act* and by the Law Society of Alberta.

## legislation and rules

*Legal Profession Act*, R.S.A. 2000, c. L-8.

[http://www.qp.alberta.ca/574.cfm?page=I08.cfm&leg\\_type=Acts&isbncln=9780779737604](http://www.qp.alberta.ca/574.cfm?page=I08.cfm&leg_type=Acts&isbncln=9780779737604)

Canadian Bar Association. Ethics and Professional Issues Committee. *Code of professional conduct*. The Association, 2006.

KF 306 C3 C36 2006

<http://www.cba.org/CBA/activities/code/>

Law Society of Alberta. *The rules of the Law Society of Alberta*. The Society, 2001-

KF 334 ZA3 L39 2001

[http://www.lawsocietyalberta.com/resources/rulesOfTheLawSociety\\_Y2RgvP.cfm](http://www.lawsocietyalberta.com/resources/rulesOfTheLawSociety_Y2RgvP.cfm)

Law Society of Alberta. *Code of professional conduct*. The Society, 2002-

KF 306 L38 2002

<http://www.lawsocietyalberta.com/resources/codeProfConduct.cfm>

## case law

*Canadian abridgment*. 3<sup>rd</sup> ed. Carswell, 2003-

"Professions and occupations"

IX Barristers and solicitors

Digests of Canadian cases are organised under this classification in vol. 86 and vol. 87 in print and available electronically through LawSource.

CanLII (Canadian Legal Information Institute)

<http://www.canlii.org>

CanLII provides searchable full-text access to Canadian case law. The scope of coverage varies by jurisdiction and court. Boolean operators, proximity connectors, phrases and date restrictions can be incorporated into your query. Using the [Advanced Search] feature, you can select one or more jurisdictions to be searched, limit your search to appellate decisions, and restrict your search by type of tribunal. You can also use CanLII to retrieve cases by citation or name.

Hamilton, Keith R. *Self-governing professions : digests of court decisions*. Canada Law Book, 1995-

KF 2900 H35 1995

Summaries of court decisions affecting self-governing professions, including legal, are in an updated volume.

LawSource, LexisNexis *Quicklaw* and Maritime Law Book provide electronic subject access to legislation, case law and topical material. LexisNexis *Quicklaw* groups topical information under the sources [Legal Profession Cases - Topical], [Professional Responsibility Cases - Topical], and [Professional Responsibility Tribunal Decisions - Topical]. Maritime Law Book classifies case law under the topical heading "Barristers and Solicitors".

For further assistance, call 403.297.6148 (Calgary) or 780.422.2342 (Edmonton) or contact your local ALSL branch.

April  
2009

**encyclopedia**

Adamski, Jakub and Sossin, Lorne. *Legal profession. (Halsbury's laws of Canada)*. LexisNexis, 2007.

*Canadian encyclopedic digest (Western)*. 3<sup>rd</sup> ed. Carswell, 1979-  
Title 16 : "Barristers and Solicitors"

Discussion of this area of law with annotations to legislation and cases is located in vol. 4 in print and available electronically through LawSource. This title is current to 2004.

**texts**

American Law Institute. *Restatement of the law : the law governing lawyers*. The Institute, 2000-  
KF 306 R47 2000

Buckingham, Donald E. et al. *Legal ethics in Canada : theory and practice*. Harcourt Brace Canada, 1996.  
KF 306 L44 1996

Campion, John A. *Professional liability in Canada*. Carswell, 1994-  
KF 1289 D55 1994

Casey, James T. *Regulation of professions in Canada*. Carswell, 1994-  
KF 2900 C37 1994

Ellis, Mark Vincent. *Fiduciary duties in Canada*. Carswell, 1988-  
KF 733 E55

Grant, Stephen M. and Rothstein, Linda R. *Lawyers' professional liability*. 2<sup>nd</sup> ed. Butterworths, 1998.  
KF 313 G72 1998

Horne, Frederic T. and Hurst, Peter T. *Cordery on solicitors*. 9<sup>th</sup> ed. LexisNexis Butterworths (U.K.), 1995-  
KF 300 C79 1995

Hutchinson, Allan C. *Legal ethics and professional responsibility*. 2<sup>nd</sup> ed. Irwin Law, 2006.  
KF 306 H67 2006

Lundy, Derek et al eds. *Barristers & solicitors in practice*. LexisNexis, 1998-  
KF 305 A8 B37 1998

MacKenzie, Gavin. *Lawyers and ethics : professional responsibility and discipline*. Carswell, 1993-  
KF 306 M33 1993

MacNair, M. Deborah. *Conflicts of interest : principles for the legal profession*. Canada Law Book, 2005-  
KF 310 C58 M32 2005

Manes, Ronald D. and Silver, Michael P. *Solicitor-client privilege in Canadian law*. Butterworths, 1993.  
KF 311 M36

Ng, Michael. *Fiduciary duties : obligations of loyalty and faithfulness*. Canada Law Book, 2003-  
KF 730 N45 2003

Orkin, Mark M. *Legal ethics : a study of professional conduct*. Cartwright, 1957.  
KF 306 O77

Proulx, Michel and Layton, David. *Ethics and Canadian criminal law*. Irwin Law, 2001.  
KF 306 P76 2001

Smith, Beverley G. *Professional conduct for lawyers and judges*. 3<sup>rd</sup> ed. Maritime Law Book, 2007-  
KF 306 S651 2007

For further assistance, call 403.297.6148 (Calgary) or 780.422.2342 (Edmonton) or contact your local ALSL branch.

Stevenson, W. A. and Côté, Jean. *Civil procedure encyclopedia*. Juriliber, 2003.

KF 8816 ZA2 S84 2003

The topic of professional privilege is covered in chapter 41.

Thanki, Bankim ed. *The law of privilege*. Oxford University Press, 2006.

KF 8959 A7 L39 2006

Tjaden, Ted. *The law of independent legal advice*. Carswell, 2000.

KF 311 T52 2000

## journals

Search the *Index to Canadian legal literature* in print or electronically on LawSource under the headings "Lawyers", "Legal ethics", "Practice of law" to identify applicable articles.

A relevant journal in ALSL is *Legal ethics*. Hart Publishing, vol. 1, 1998-.

Additional full-text articles are available electronically through

- HeinOnline, a database providing full-text access to Canadian and international law reviews and legal journals which may be searched at no charge in ALSL branches;
- LawSource, which contains a collection of Canadian journals and law reviews, as well as all articles and case comments appearing in Carswell law reports; and
- LexisNexis *Quicklaw's* [Legal Profession Commentary - Topical], a collection of journal articles, research papers and newsletters.

## seminars

Legal Education Society of Alberta (LESA) seminar materials and papers from bar association meetings are searchable by [Keyword] through the ALSL catalogue, [www.lawlibrary.ab.ca](http://www.lawlibrary.ab.ca). Detailed information on the Table of Contents is found under the [Table of Contents] display option.

## internet resources

Law Society of Alberta. Hearing Reports.

<http://www.lawsocietyalberta.com/lawyerregulation/notices/hearings/>

Reports of the Law Society of Alberta Hearing Committee regarding suspensions, disbarments, and other disciplinary actions are posted here.

Maritime Law Book. Legal research guide to ethics 2006.

<http://www.mlb.nb.ca/>

This guide is available for free download from the Maritime Law Book site. It is intended to provide instruction on how to find cases that are relevant to ethics and refers to some of the first principles of the law in this area.

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