



**LEGAL EXCELLENCE PROGRAM  
EVALUATION  
Final Report**

**April 2010**

**Evaluation Division  
Strategic Planning and Performance Measurement**



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## **EXECUTIVE SUMMARY**

### **1. Introduction**

The Legal Excellence Program (LEP) was established in 2001 to meet the growing need of the Department of Justice (DOJ) to have a stable supply of “high-quality” entry-level lawyers. It has been the Department’s principal mechanism of recruiting and retaining articling students.

The pressures and challenges that existed eight years ago still exist today and new challenges have since emerged. Globalization, explosion of information technologies, the economic prosperity of the recent past resulting in increased commercial activities, and concerns of terrorist threats have dramatically increased the demand for legal services across Canada, which has made competition for top law graduates more intense. The Department is now required to increase the proportion of junior lawyers in its legal staff to meet budget cuts but the 2008 Public Service Employee Survey shows that retention of lawyers, especially at junior and middle levels, has become a challenge for the federal government due to significant salary gaps between lawyers in the private and public sectors and between the provincial and federal governments.

Whether the Department can recruit and retain a sufficient number of “high-quality” entry-level lawyers will have an impact on its ability to deliver on its mandate within resource constraints.

The purpose of this evaluation is to examine the rationale and continued relevance of the Program; the extent to which the program design is appropriate to support the objectives of the LEP; and what has happened as a result of the Program.

### **2. Methodology**

Three research methods were used to conduct this evaluation: review of key documents; interviews of 62 key informants (senior managers and Human Resource [HR] managers, LEP coordinators and HR advisors, DOJ lawyers who worked in the private sectors before and

Directors of Career Services at universities); and surveys of stakeholder groups (third year law students, DOJ current and former articling students and DOJ managers).

### **3. Findings**

#### **3.1 Role of the LEP in recruiting entry level lawyers**

The recent announcement to concentrate external hiring at the LA-01 level and to put a temporary pause on hiring at the LA-02 level and up has sent a strong signal that the Department is moving to change its legal staff complement. This means that there will be an ongoing need to recruit entry-level lawyers.

The Program's role in recruiting future LA-01s needs to be reviewed in light of the new direction the DOJ is taking. It is important that the role for the LEP (relative to other departmental recruitment mechanisms) be defined on the basis of a clear understanding of the needs of the Department and with consideration given to efficiency and effectiveness, rather than to be determined by the current budget availability or any historical expectation of the Program.

There are considerable advantages to hiring through the LEP, most notably that DOJ articling students have been evaluated by several managers over the course of their articling term and in a sense, they have been already "test driven"; they have learned about the federal government and the role of the Department in supporting it; and they can be hired immediately following the successful completion of their articles as there is no need for a second competitive process. The disadvantages are that it takes time and resources to develop articling students and they are only available for hiring as counsel following the successful completion of their articles and admission to the Bar.

The LEP has largely been managed by very busy people who have many other competing responsibilities. As a result, the Program's capacity to be proactive or to link hiring priorities to departmental needs has been limited. There is considerable opportunity to improve the Program and to make it more useful to both the Department and to articling students. But in order to do this, it will need dedicated resources, both financial and human.

### **3.2 Governance structure**

The evaluation found that the LEP lacks a clear governance structure. As a national initiative, there are no explicit roles and responsibilities set out for the key departmental stakeholders. Consequently, the Program is comprised of a set of loosely connected and regionally managed operations without having a management framework with clearly defined roles and responsibilities. The evaluation found that this situation has caused confusion, undermined program coherence and cohesiveness, and resulted in lost opportunities for the sharing of information and best practices. There is a need for a strong coordinating function between the National Capital Region (NCR) and the regions that will work to enable LEP teams across the country to establish and achieve common program objectives and ensure that there is more coherence in the way the Program is managed in the Department.

### **3.3 A common framework for program consistency**

There is a need for the LEP to have greater implementation and management consistency across the Department. Because the provincial law societies set rules and regulations pertaining to the recruitment and training of articling students, there is an acknowledged need for certain flexibility in how the LEP is managed from region to region. This flexibility is also important as there are marked differences in the labour markets across the country and the competitive market for lawyers. However, the evaluation identified a number of areas where more consistency is desirable. For example, the DOJ provides varying levels of financial support to students during their Bar Admission Course and bar exams. Other areas where there is need for more consistency include program planning, student training, supervision and performance evaluation.

### **3.4 LEP national spokesperson and communication strategies**

The evaluation found that there is a need for the LEP to have a “champion” or spokesperson as the absence of one has meant that the Program has lost a lot of its visibility both within the Department and externally. The spokesperson should be the main DOJ point of contact responsible for promoting the Program. It is important that there is strong and continuous communication between the Program and its key stakeholders such as, internally, with DOJ management at all levels, relevant ministerial committees and the DOJ Articling Student Alumni, principals and supervisors, and externally, with university Career Services, student bodies, bar associations, law societies and legal career service organizations.

### **3.5 Sharing of information and best practices**

The evaluation found a need for the LEP to have a formal mechanism for exchanging program-related information and sharing of best practices, particularly in the area of marketing and student training. This would help enhance program consistency and cohesion, improve the efficiency and effectiveness of resource use and encourage innovation among LEP teams.

### **3.6 The name of the Program**

The name of the Program does not contain words that reflect either the mandate of the Program, i.e., recruiting and training articling students, or its home organization, i.e., the Department of Justice. Although the LEP is increasingly known among law students as a DOJ articling program, it is advisable to change the name of the Program to one that is more self-evident.



## **1. INTRODUCTION**

The Department of Justice (DOJ) went through a period of rapid expansion around the turn of the century. The Legal Excellence Program (LEP or Program) was established in 2001 to meet the DOJ's growing need to have a stable supply of entry-level lawyers. Three important considerations contributed to its establishment: the expectation that there would be a wave of "Baby Boom" retirements within the next five to ten years; the increasingly organized and competitive market for recruiting and retaining new lawyers; and the relatively low public profile of the Department as an employer of choice among prospective articling students. The Government of Canada's 1999-2000 branding exercise found that the DOJ was not in a strong position to compete for "top talent" graduating from law schools.

Since this time, the LEP has been the Department's principal source for articling students and ultimately, an important source of entry-level lawyers. It has hired hundreds of articling students, most of whom have been retained by the DOJ following the completion of their articles.

The 2008 Strategic Review has required that the Department reconsider how it provides legal services. In response, the DOJ developed the Law Practice Model, which is designed to help the Department reorganize the way it assigns legal work. In the short term, the Department will focus its external recruiting efforts at the entry or LA-01 level. This means that the Department needs to be assured that its hiring policies and programs are able to support the recruitment and hiring of high-quality lawyers.

### **1.1 Objective of the Evaluation**

The purpose of this evaluation is to examine the rationale and continued relevance of the Program; the extent to which the program design is appropriate to support the objectives of the LEP; and what has happened as a result of the Program.

It is important to point out that this evaluation is not designed to assess the effectiveness of the LEP operations in each of the regions. Rather, the evaluation assesses the strengths and weaknesses of the Program at a national level.

The evaluation covers the period from 2001 when the Program was announced until February 2009, when the data collection for the evaluation was completed.

## **1.2 Structure of the Report**

This report contains five sections, including this introduction. Section 2.0 describes the Legal Excellence Program, while Section 3.0 describes the evaluation methodology. Section 4.0 summarizes the key findings, and Section 5.0 presents conclusions, recommendations and management response.

## **2. DESCRIPTION OF THE LEGAL EXCELLENCE PROGRAM**

This section of the report describes the LEP, its past and current context, its objectives, program design and implementation.

### **2.1 Program Context**

Before the LEP was implemented, the decisions to recruit, train and retain articling students were made largely on an *ad hoc* basis by individual managers. There was limited evidence of planning, monitoring or reporting at the corporate level. Consequently, it was not widely known in the legal community that the DOJ had an interest in hiring and retaining articling students.

At the beginning of this decade, the DOJ became concerned that it might be losing top law graduates to private law firms. The example commonly touted at the time was that most students who clerked in the Supreme Court of Canada and federal courts at the time ended up working for big law firms on Bay Street, rather than at the DOJ.

In response, the LEP was developed to help the Department compete effectively for top law graduates and retain them as DOJ employees. The LEP launched its awareness campaign and, at the same time, announced a guaranteed hire-back policy<sup>1</sup>, similar to what the big legal firms were offering to their articling students, i.e. a two-year term employment post-articles upon satisfactory performance and admission to the Bar. The hire-back policy was phased out in 2004-2005 due to budgetary uncertainties, except in British Columbia (BC) where the policy remained in effect.

### **2.2 Program Objectives**

The objectives of the Program are to recruit, train and retain high-quality<sup>2</sup> articling students with a view to meeting the DOJ's short and long-term needs for lawyers. To achieve these objectives,

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<sup>1</sup> The Quebec Regional Office did not implement this policy.

<sup>2</sup> The term *high-quality* has not been defined.

the DOJ offers law students in the LEP the opportunity to draw on the experience and expertise of an assigned mentor or supervisor to provide them with professional guidance and support. Students can also take advantage of a formal training and development component, which is designed to enhance advocacy skills, introduce them to issues facing Crown counsel and give them an overview of the Department's array of legal work.

## **2.3 Program Design**

### **2.3.1 Program Governance**

The LEP is included as one of the Department's staffing and recruitment strategies in the *Department of Justice Human Resources Management Plan 2007 – 2010*. The two LEP top priorities stated in this document are 1) to better meet DOJ long-term recruitment and staffing needs; and 2) to market the DOJ's brand and ensure integrated and targeted recruitment in support of renewal.

The Director General, Human Resources and Professional Development Directorate (HRPDD) is responsible for the LEP in the NCR; in the regions, the respective Regional Director General (RDG) or Deputy Regional Director General is responsible for the Program. Regional LEP coordinators who report directly to their respective RDG often chair a student committee. These committees provide students' supervisors a forum in which they can discuss issues of shared concern with their peers. It also allows LEP staff to keep in touch with what is happening with the new recruits.

The regions have a great deal of autonomy in determining how their respective part of the Program is structured and run. Since there has been no explicit description of the roles and responsibilities of the managers of the LEP in the regions and Headquarters (HQ), there is consequently no formal or reporting relationship between them. Currently, communication between the Program managers in the NCR and the regions is voluntary participation through occasional teleconference calls organized by the HQ LEP.

### **2.3.2 Program Resources**

While there is no dedicated budget for the LEP in the regions, there is a small staff made up of middle-to-senior-level lawyers or a combination of HR advisors and lawyers dedicated to the

LEP<sup>3</sup>. Most LEP lawyers work for the Program on a part-time basis, except in BC where a lawyer serves as the LEP coordinator on a full-time basis. In the regions, except BC, the LEP does not have its own budget; hence, their operational expenses are allocated on a case-by-case basis from the RDG’s education or communication budgets.

In contrast, in the NCR, the LEP is managed by HR personnel and has a dedicated budget to pay the salaries of articling students in the NCR. In addition, the NCR budget provides funding for the national marketing kit (including the Website, booklet, etc.).

Through the LEP, between 50 and 70 articling students are hired annually and an additional 30 or more law students are hired each year for summer jobs across the Department. The salary for articling students ranges from \$30,000 (in Moncton) to \$55,000 (in Toronto)<sup>4</sup>.

In addition to the variance in salary across the country, there is no standard practice in the Department with respect to the support provided to articling students for salary and costs related to the Bar Admission Courses and bar exam. Articling students are given time off during their articling term to take the Bar Admission Courses and the bar exams as applicable. During this period, three regions pay for both the salary and cost of the Bar Admission Course and the bar exam; two regions pay only the salary; and one region pays neither. Table 1 summarizes this comparison by region.

**Table 1: Comparison of DOJ Financial Support to Articling Students by Region**

<b>Level of Financial Support</b>	<b>Atlantic</b>	<b>Quebec</b>	<b>NCR</b>	<b>Ontario</b>	<b>Prairie</b>	<b>BC</b>
Students salary paid during the Bar Admission Course and exam	yes	no	yes	yes	yes	yes
Costs for the Bar Admission Course and exam are covered	yes	no	no	no	yes	yes

## 2.4 Program Components

This section provides a brief overview of the main components of the LEP and focuses on common program activities and characteristics.

<sup>3</sup> In the Northern Region, the Director manages articling students.

<sup>4</sup> More detailed information regarding the salaries for articling students is provided on the LEP Website: <http://www.justice.gc.ca/eng/dept-min/lep-pea/regions/artpro.html>.

### **2.4.1 Marketing**

The LEP uses a variety of marketing approaches including: developing and maintaining the Website, program brochures and fact sheets; hosting open-houses; attending job fairs; and participating in a range of outreach activities with the career services office at law faculties. In some regions, the RDGs have yearly meetings with the Deans of the law faculties, and the LEP staff provides information sessions and presentations to both students and career services staff, serves on student panels and teaches on a part-time basis.

### **2.4.2 Recruitment**

Information about the application process is posted on the LEP Website with “hot links” to each region. Articling students are hired through a competitive process similar to that of the hiring of all federal employees. The interview and hiring processes are managed by each region, including the NCR. A Statement of Merit Criteria has gradually been introduced to assist in the screening of applicants. Law students who meet these criteria are typically interviewed by a selection board. A written exam may also be administered. The Department must respect the hiring policies of the federal government. However, in order to remain competitive, DOJ chooses to follow the rules and regulations of the individual provincial law societies regarding recruitment timelines (e.g. interviews and articling job offers).

The DOJ, like most other legal employers, recruits articling students once a year. In Ottawa, there are two hiring processes - one for common law and one for civil law. The decision of how many articling students to recruit is normally made by a senior management committee in each region usually on the basis of budget availability.

### **2.4.3 Rotation/Placement**

DOJ articling students generally are assigned to between three and five rotations, depending on where they article. The Public Prosecution Service of Canada (PPSC) continues to be included as one of the rotation possibilities in most regions. In the Quebec Regional Office (QRO), articling students used to work in their chosen area for the whole term but this is changing. The QRO has been piloting since January 2009 an in-house development program to enable articling students and new LA-01s to work in more than one directorate within the Office. In the NCR, articling students are asked to rank their four areas of interest out of some 70 possibilities and are placed in four rotations after an elaborate matching process. Each rotation lasts about three months.

Articling students in the Northern Region, who are normally located in the Yellowknife office, have the opportunity to work on a variety of files and are also offered an opportunity to work at PPSC as part of their rotation. In other regional offices, most sections offer opportunities as rotation sites. The Ontario Region includes a clerkship at the Ontario Court of Justice (Criminal Division) as a possible rotation.

For common law students, the articling term is between 10 and 12 months depending on the province. For civil law students, the articling term lasts from 9 to 12 months, depending on the number of months the student needs for the Bar Admission Courses. The articling term includes the period required to take the Bar Admission Course and the bar exam, which may occur either before or in the middle of articles, except in the QRO where the Bar Admission Course and bar exam (four or eight months) are done before the actual articles, which are six months in duration.

#### **2.4.4 Orientation and Formal Training**

In addition to the mandatory orientation offered by the Public Service Commission, LEP articling students receive orientation that all new departmental employees attend as well as sessions specifically designed for them.

Besides on-the-job training, articling students are typically offered comparable access to in-house professional development courses as any DOJ counsel. The availability of in-house training for articling students varies by region. Some regions, notably BC, Ontario and Quebec, have developed their own training materials and offer articling students part-time courses over a period of time. The BC Regional Office (BCRO) (the QRO will soon) requires all of its articling students and junior lawyers to follow a three-year curriculum designed to develop their legal writing and advocacy skills. Articling students are encouraged to attend relevant courses/conferences offered free of charge by the provincial bar association or law society. Opportunities to attend conferences or courses that incur a cost are granted occasionally, at the discretion of the manager.

#### **2.4.5 Supervision/Mentoring and Evaluation**

All articling students have a supervisor in each rotation; as well, some have a mentor for the duration of the articling term. Supervisors are generally middle-to-senior level counsel who have either volunteered or been assigned. Supervisors serve as the point of contact for the articling student, working with the student, the section manager and the principal responsible for the

student. Formal mentoring for articling students is not common, but the issue has begun to receive some attention with the initiation of the departmental Mentoring Program.

Supervisors play a very important role in determining the outcome of an articling experience. They are expected to ensure that the work assignments are educational and appropriate in terms of workload and complexity. They are responsible for obtaining feedback from the lead counsel on the quality of the work completed and for preparing an evaluation of each student at the end of the rotation. Supervisors discuss the evaluation of a student's performance with the student; subsequently, the evaluation is reviewed by the section manager and submitted to the articling principal who is authorized by the Law Society to approve the successful completion of a student's articling term. Principals are required to have a minimum number of years of practice. While the day-to-day responsibility for supervision of an articling student is often delegated to supervisors, a principal may serve as a student's supervisor during one of the rotations.

As a developmental program, an advantage of the LEP is that it allows managers to use these successful evaluations as the rationale for bridging a post-article student to a permanent LA-01 position without a second competitive process.

#### **2.4.6 Retention**

The hiring of DOJ articling students who have successfully completed their articles has always been an important outcome for the Program. During its initial years, the LEP offered a guaranteed hire-back policy. Under this policy, all articling students with a positive performance appraisal were guaranteed a two-year term counsel position upon graduation from the LEP and call to the Bar. Although this policy ended in 2004-2005 (except in BC), a little-known fact is that the Department has continued to retain the majority of the people hired under the LEP.



### 3. METHODOLOGY

Three research methods were used to conduct this evaluation: key informant interviews, surveys of the target population, and stakeholder groups and document review.

#### 3.1 Key Informant Interviews

Table 2 shows the distribution of interviews included in the evaluation by respondent category. A total of 62 interviews were conducted involving 58 people.<sup>5</sup> Most of the interviews were conducted in-person between November and December of 2008.

**Table 2: Distribution of Interviews by Respondent Category**

<b>Respondent Category</b>	<b>Number of interviews</b>
Senior managers and HR managers responsible for the LEP and managers who hired LEP participants	20
LEP coordinators and HR advisors	15
Immediate supervisors	12
Lawyers who worked in private firms before coming to the DOJ	5
University Directors of Career Services	10
<b>Total</b>	<b>62</b>

#### 3.2 Surveys of the Stakeholder Groups

Three Web-based surveys were carried out for this evaluation during the months of January and February of 2009. The Research and Statistics Division administered these surveys and provided a summary report for each.

The survey populations were third-year law students across the country; current and former DOJ articling students working in the Department; and DOJ managers who either have employed or may employ articling students. In each case, the whole population was surveyed. In the case of

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<sup>5</sup> A number of interviewees played two or more roles (e.g. a manager or a LEP coordinator who worked for a private firm before joining the DOJ).

the third-year students, this was done in anticipation of a low response rate. In the case of the two internal stakeholder groups, the population is relatively small; therefore, sampling was not necessary.

For the third-year law student survey, all 20 Canadian law schools were approached and 18 collaborated. The survey link was sent to a total 3,342 students. While the response rate (7 percent) was lower than anticipated, it is close to the norm (10 percent) for Web-based surveys. Those students who did respond were conscientious in providing comments or suggestions.

In addition, two other electronic surveys were sent to current and former DOJ articling students and to managers. The survey of managers did not include the 20 managers who were interviewed for this evaluation.

The table below provides a summary of the survey populations and response rates.

**Table 3: Survey Populations and Response Rates**

Survey Group	Survey Population	Respondents	Respondent Gender	Respondent Language	Response Rate
Third-year law students	3,342	219	F 63% M 37%	E 61% F 39%	7%
Current and former DOJ articling students	275	139	F 62% M 38%	E 73% F 27%	51%
DOJ managers	88 <sup>6</sup>	27	n/a	n/a	31%

### 3.2.1 Limitations of the Surveys

Due to certain program realities and constraints beyond our control, several limitations inherent to our approach regarding the surveys have been identified as follows:

- There could be an uneven representation across the regions in the two internal surveys (articling students and managers involved). Since there was no central database for the Program, the names of the survey respondents had to be collected from the LEP personnel across the regions. Due to staff turnover, some regions had difficulty in generating their list, and it is uncertain the extent to which these lists were complete for all regions.

<sup>6</sup> This number does not include the 20 managers who were interviewed for the evaluation.

- The uneven participation could be an issue with the survey of third-year law students as well. Participation in the survey was hampered by certain university policies that preclude third parties from approaching students directly. At two universities, students could only find out about the survey if they happened to open a particular newsletter where the survey link was attached. As a result, the response rate from one of these universities was particularly low.
- The results of the student survey may overstate the level of awareness and knowledge of the LEP and the DOJ, as students who responded to the survey may already have been interested in a legal career in the federal public service and were more informed about the Department than the general student population.
- The results from the survey of current and former articling students may present a more favourable view of the LEP and the DOJ, particularly among those who were already retained by the Department.

### **3.3 Document Review**

Although only a very limited number of historical documents and statistics on the Program were available, those documents that were examined provided some contextual information for this evaluation. Included in the review was information on the LEP Website, memos, presentations and the Ontario Regional Office (ORO) survey of articling students. In addition, the evaluation examined a number of key documents on the recently launched DOJ HR initiatives, such as *Law Practice Model Support, February 2009*, the *DOJ Human Resource Management Plan (2007-2010)* and the *DOJ Employment Equity Progress Report, 2008-2009*. The review extended to several published and unpublished studies on the subject of branding the Public Service of Canada, post-secondary recruitment and career choices of the legal profession.

## 4. KEY FINDINGS

This section of the report examines key findings of the evaluation with respect to the rationale and continued relevance of the Program; the extent to which the program design is appropriate to support the objectives of the LEP; and what has happened as a result of the Program.

### 4.1 Program Rationale and Continued Relevance

The articling market environment is dynamic. It changes with the economy, labour market, demographics and social values of the time, as many informants noted. The pressures and challenges that existed eight years ago still exist today and, in some ways, have become even more acute with the increasing number of people retiring.

New challenges have since emerged in the Canadian context. Globalization, the explosion of information technologies, economic prosperity, which has generated increased commercial activities of the recent past, and concerns of terrorist threats have increased the need for legal services. However, the supply of law graduates has not kept pace with the change and there is a shortage of lawyers in Canada. This shortage has caused the cost of legal services to go up significantly<sup>7</sup>.

Over the past decade, the salary level for lawyers in the private sector has been rising while that of lawyers in the public sector has been lagging behind. For example, the weekly pay for an articling student can be as high as \$1,600 in a large law firm in Toronto whereas it is \$750 at the DOJ; the annual salary for a first-year associate can be as high as \$115,000 but only about \$60,000 at the DOJ<sup>8</sup>. According to key informants, some provincial ministries of Justice have increased the salary level for their lawyers to the extent that there are substantial salary gaps between the provincial and federal government lawyers at the entry and junior levels. Thus, lawyers who prefer to work in the public sector can continue do so with increased wages and comparable benefits by working for a provincial government.

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<sup>7</sup> *Where is a lawyer when you need one?* p. 46-47, MacLean's, February 9, 2009

<sup>8</sup> The Association for Legal Career Professionals' Website: [www.nalpcanada.com](http://www.nalpcanada.com) and LAW (LA) Group Arbitral Award Effective November 1, 2009 – Pay Structure

According to the 2008 Public Service Employee Survey, federal lawyers in the LA category reported considerable uncertainty about staying in the public service. Of the 1,612 lawyers who responded to the survey, 9 percent reported that they are thinking of leaving their department or agency in the next two years and 14 percent within five years. Thirty-four percent said they are not sure if they will stay with or leave their current organization in the next two years. Most of those who are thinking of leaving intended to pursue a career in another department or agency or outside of the federal government. Approximately 26 percent reported that salary and benefits were the most important reason to leave and an additional 19 percent reported this as either their second or third most important reason to leave.

In addition, the DOJ is facing another significant challenge. Following decisions taken as part of the Strategic Review, the Department plans to increase the proportion of entry-level lawyers in its legal staff by 11 percent<sup>9</sup>. The Department has just announced a temporary hiring pause of its intermediate and senior level counsel (LA-2A and up).

Given these changing realities and challenges, the DOJ will continue to need a reliable source of entry-level lawyers to replenish its workforce. The LEP is more relevant now than ever.

While the managers who were interviewed regarded the LEP as a reliable, efficient and effective mechanism for recruiting future lawyers, they dismissed the LEP program objective to meet short-term staffing needs. They reasoned that although articling students can alleviate some short-term work pressures, the emphasis must be on their education as it is an investment and obligation towards the profession.

## **4.2 Program Design**

Through the LEP, the DOJ articling program changed from an entirely *ad hoc* hiring mechanism in which individual managers hired articling students as needed and as resources permitted, to a series of regionally managed programs operating within a national program framework and title.

Initially, the LEP was headed by a senior counsel who had exceptional leadership and communication skills. While this individual was responsible for managing the NCR LEP, he also assumed the role of the Program champion. Under his leadership and with the help of a common program Website, the DOJ's visibility and image as a "good place" for articling students improved. Following his departure, this individual was not replaced; the Program no longer had a

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<sup>9</sup> Law Practice Model Support, Presentation to BM/RFD Conference, February 16, 2009

recognized spokesperson. The NCR HQ has been unable to continue to provide leadership and support to the collective LEP as it has never been resourced to do this. Directors of Career Services at the law schools reported that the visibility of the LEP as a national program has weakened since the departure of the Program's "figurehead or spokesperson".

Since the termination of the guaranteed hire-back policy in most regions, the continued existence of the Program as a national initiative has been called into question by a few key informants. From their perspective, the LEP was first thought of as a national program because of the guaranteed hire-back policy; since the policy is no longer in effect on a national scale, there is nothing to hold the Program together any longer. One region went as far as to question the necessity of the LEP altogether by saying that they would do exactly the same thing with or without the Program. It is clear from these statements that it is not widely known that the majority of articling students are hired by the Department post-articles.

Many basic elements of a national initiative are absent from the LEP, including a clearly articulated governance structure; dedicated resources; common policies, principles, standards or practices; or a capacity to monitor progress and to report on results across the Department. While the LEP is part of the DOJ HR Management Plan 2007-2010, no explicit recruitment targets have been set. It is worth noting that few key informants were aware that the LEP is part of the Department's overall HR plan.

The Director General, HRPDD is accountable for the LEP but has limited authority over much of the Program spending or hiring decisions. That there is such an apparent disconnect between this individual's responsibility and authority is something that warrants review from a corporate perspective.

Several regions suggested that there is a need to lay out fundamental principles or an overall framework for the LEP on a national level with regard to promotion and marketing but to leave the recruitment function, the crux of the Program, to the individual regions. Each province's Law Society sets the rules for articling students. Consequently, the LEP must deal with different sets of rules and constraints in each province. Since the regional offices understand these needs and constraints best, it makes sense that they continue to have a significant role in the recruitment and hiring of articling students who are likely to be hired as LA-01s post-articles.

Some LEP coordinators reported that they wanted more guidance and consistency on various issues such as the "bridging" process between summer students and articling students. Two regions went even further as to suggest that HQ should play a more active role in supporting the

program operations, such as providing basic student orientation and training, and HR training for interviewers.

Key informants agreed that the Program needs a central coordination unit and clearer roles and responsibilities for all parties involved; a common vision and a framework for the Program as a national initiative; and flexibility in program implementation. It is clear that there is a need for a more coherent and coordinated approach to the management of the LEP.

### 4.3 Recruitment

The LEP has attracted a significant number of applicants for articling positions in the DOJ. Between 2006 and 2009, the Department received 3,973 applications for a total of 231 articling positions. On average, the Department hires between 50 and 70 articling students a year. While the number of applicants has remained relatively constant during this period, the number of hires has increased modestly in last two years, with most of this increase in BC and Ontario. The NCR and OROs receive more than half of the applications for articling students and a comparable proportion of the hires. The NCR hired more than any other region. The Northern Region formalized its articling program in 2007-2008, with the hiring of one student in Yellowknife. It plans to recruit one student in each of the three northern offices by the fiscal year 2011-2012.<sup>10</sup>

**Table 4: Articling Student Applications and Hires by Region and Year**

Region	2006		2007		2008		2009		Total	
	Number	%	Number	%	Number	%	Number	%	Number	%
<b>Atlantic</b>										
Hired	1	5%	1	5%	1	3%	1	4%	4	4%
Applied	22		19		30		24 <sup>11</sup>		95	
<b>Quebec</b>										
Hired	5	4%	6	4%	6	3%	6	3%	23	3%
Applied	120		165		192		192		669	
<b>NCR</b>										
Hired	18	7%	20	8%	21	9%	21	8%	80	8%
Applied	260		244		244		266		1014	

<sup>10</sup> Subsequent to the data collection for the evaluation, it was brought to our attention that the Northern Region began hiring summer law students in Yellowknife and Iqaluit starting the summer of 2009. The Northern Region recruits on a nation-wide basis since it has no local law school to draw upon.

<sup>11</sup> The application in the Atlantic Region was still in process; this number is an estimation based on the number of applicants for the three previous years.

Region	2006		2007		2008		2009		Total	
	Number	%	Number	%	Number	%	Number	%	Number	%
<b>Ontario</b>										
Hired	9	3%	9	3%	12	5%	14	6%	44	4%
Applied	298		298		251		221		1068	
<b>Prairie</b>										
Hired	9	6%	7	5%	11	8%	11	6%	38	6%
Applied	142		141		134		188		605 <sup>12</sup>	
<b>BC</b>										
Hired	8	10%	7	5%	10	8%	15	14%	40	9%
Applied	77		131		133		109		450	
<b>Northern</b>										
Hired	0	n/a	0	n/a	1	.02%	1	.03%	2	.03%
Applied	0		0		41		31		72	
<b>Total</b>										
Hired	50	5%	50	5%	62	5%	69	6%	231	6%
Applied	919		998		1025		1031		3973	

According to the survey, 26 percent of managers indicated that they could recall instances when they would have liked an articling student to work in their section but could not get one. This would suggest that there may be demand in the system for more articling students in the future. When managers were asked what factors influenced their decision to offer placement opportunities for articling students, 82 percent of the respondents regarded the availability of appropriate work for students as the most important factor, followed by staffing need (60 percent). The availability of both supervisors and space was a factor but was not viewed as a serious obstacle; solutions could generally be found.

#### 4.3.1 Calibre of LEP Recruits

Overwhelmingly, the key informants were positive about the calibre of the LEP articling students and described them as being bright, with diverse non-legal experience and maturity, competent and eager to learn. An important benefit, pointed out by many manager informants, is that LEP-trained students are better prepared for and more likely to have a long and satisfying career in the Public Service because they tend to be more attuned to the “*all of government*” perspective. An added benefit is that managers are able to assess the capacity and the personal suitability of their

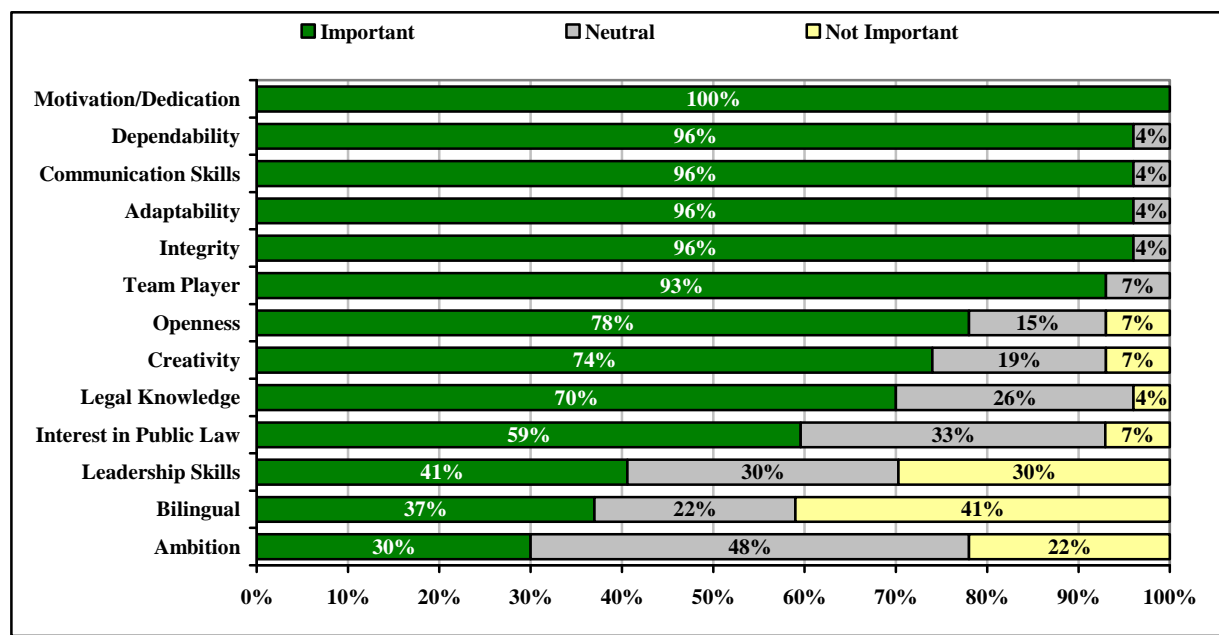
<sup>12</sup> The number of applicants for Manitoba and Calgary Offices is estimated.



articling students as potential employees in a real setting over a period of time; and they can bypass the onerous and often lengthy HR hiring process, upon the students’ successful completion of their articles and admission to the Bar, as the student has already been hired as part of a competitive process.

In the survey of managers (Figure 1), Motivation/Dedication was ranked the most important quality for a lawyer, closely followed by dependability, communication skills, adaptability, integrity and capacity to be a team-player. Ambition was the least sought-after quality. Managers also identified other qualities as being important, such as: practical experience, flexibility, cultural sensitivity, good judgement, work ethics, loyalty, thoroughness, personal suitability and sense of humour.

**Figure 1: When hiring a lawyer, the level of importance attributed to each of the following qualities**



*Note: For the purpose of this analysis, the lower end of the scale (1, 2 and 3) was combined as well as the higher end (5, 6 and 7).*

### 4.3.2 Contributions to LA-01 Recruitment

Although the LEP is a proven method to recruit high-quality entry-level lawyers, it is not providing sufficient numbers of new recruits to support DOJ’s current or projected staffing needs, particularly since the implementation of the Law Practice Model. Between 2006-2007 and

2008-2009, the people hired following their articles in the LEP represented 38 percent of the total hires of LA-01s in the Department (Table 5).

**Table 5: Number of LA-01 hired through the LEP and from outside posting for the years 2006-2007 to 2008-2009**

Region	Fiscal Year	Source of LA-01		Total hires	% LEP hires
		LEP	Outside LEP		
Atlantic	2006-2007	1	3	4	25%
	2007-2008	1	3	4	25%
	2008-2009	1	7	8	12%
<b>Atlantic total</b>		<b>3</b>	<b>13</b>	<b>16</b>	<b>19%</b>
Quebec	2006-2007	5	3	8	63%
	2007-2008	5	3	8	63%
	2008-2009	5	10	15	33%
<b>Quebec total</b>		<b>15</b>	<b>16</b>	<b>31</b>	<b>48%</b>
NCR	2006-2007	14	26	40	35%
	2007-2008	17	42	59	29%
	2008-2009	18	55	73	25%
<b>NCR total</b>		<b>49</b>	<b>123</b>	<b>172</b>	<b>28%</b>
Ontario	2006-2007	8	13	21	38%
	2007-2008	8	12	20	40%
	2008-2009	9	14	23	39%
<b>Ontario total</b>		<b>25</b>	<b>39</b>	<b>64</b>	<b>39%</b>
Prairie	2006-2007	7	10	17	41%
	2007-2008	7	1	8	88%
	2008-2009	5	6	11	45%
<b>Prairie total</b>		<b>19</b>	<b>17</b>	<b>36</b>	<b>53%</b>
British Columbia	2006-2007	7	7	14	50%
	2007-2008	8	6	14	57%
	2008-2009	11	6	17	65%
<b>BC total</b>		<b>26</b>	<b>19</b>	<b>45</b>	<b>58%</b>
North	2006-2007	0	0	0	
	2007-2008	0	1	1	0%
	2008-2009	1	2	3	33%
<b>North total</b>		<b>1</b>	<b>3</b>	<b>4</b>	<b>25%</b>
<b>Total</b>		<b>138</b>	<b>230</b>	<b>368</b>	<b>38%</b>

There are a number of reasons behind the relatively low numbers of LEP hires. Until recently, it has been unclear how many LA-01s are needed by the Department in the longer term. Staffing through the LEP is challenging because it requires a planning horizon of two years or longer,

counting from the time of recruiting articling students to the point of post-article job placement. For example, if a student were hired by the LEP upon the completion of second year law school in June 2009, this individual must complete the third year of study before starting the articling term in July 2010. The individual is expected to complete the articles in July 2011, when he is eligible to be hired as a LA-01. Moreover, because there have been no ongoing dedicated resources for the Program in the regions, recruitment of articling students has tended to remain constant, irrespective of the increase in demand for entry-level lawyers. Some regions reported that they planned to raise their level of recruitment in FY 2009-2010.

Budget uncertainty and difficulties in projecting staffing needs are not the only explanations for under-recruiting, according to some managers and LEP informants. The LEP produces graduates once a year. Situations arise that require immediate staffing actions for fully qualified entry-level lawyers (e.g. staff turnover, sick leave, sudden increase of workload). Some LEP coordinators have expressed the concern that it would not be in the Department's best interest to only hire LEP graduates; that in so doing, it could overlook some talented individuals who did not article with the DOJ but who would be welcome additions to the staff complement.

While it is neither possible nor appropriate to suggest that the LEP be the exclusive source of LA-01s, it will be important for the Department to consider the appropriate role for the Program in light of the other recruitment programs in the DOJ, recent changes to LA hiring policies and the overall HR plan.

### **4.3.3 Summer Student Employment Programs as a Recruitment Strategy**

Increasingly, summer student programs are used as a recruitment strategy because this allows the recruitment process to start earlier. Although strict rules are imposed by the provincial law societies on the timing of interviewing articling students, fewer restrictions are placed on the timing of recruiting summer students, except in Ontario where the same restrictions apply to the hiring of both summer students and articling students. In recent years, students have been interviewed on the campus and offered summer employment opportunities at the DOJ following the first year of law school; these positions can often lead to articling positions.

Currently, the BC, Prairie and Ontario regions offer a summer student program<sup>13</sup>. In the BC Region, summer students are given the opportunity of being interviewed for an articling position

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<sup>13</sup> Summer students hired under the Federal Student Work Experience Program or the Clinic Law Program at the University of Ottawa may work at the DOJ but are not bridged to articling positions.

before external candidates. In the Ontario Region, summer students are “bridged over” to articling student positions. In the Prairie Region, the process to hire summer students is separate from that of articling students. In the NCR and Quebec regions, civil law students who have obtained an articling position are offered work in the summer prior to their articles, but there is no active recruitment of summer law students for the purpose of feeding into the articling pool.

With NCR offering the greatest variety of articling opportunities, a concern was expressed that if HQ were to start a summer law student program, it may create a situation or perception that they are favouring local residents. The reason is that summer law students recruited through the LEP do have advantages over others in becoming articling students. In this view, the issue of fairness could become a concern for residents in other parts of the country. However, if the LEP is managed more as a national program, students from across the country would be encouraged to apply for articling positions in any DOJ office.

There are advantages to sponsoring summer programs for law students for the Department. Since interviews for summer students can start months earlier than those for articling students, the probability of getting top candidates through summer programs is likely to be higher. One regional office expressed the view that students interviewed for summer positions are of much higher calibre than those interviewed for articling positions. In their view, better students tend to get summer jobs and are likely to return or be invited back for articles by their summer job employers.

#### **4.3.4 Other Recruitment Considerations**

##### **4.3.4.1 Employment equity**

According to the LEP informants, while the Program has not been required to meet any targets to recruit members of the Employment Equity (EE) designated groups, EE has been an important consideration for managers and LEP coordinators in the selection of candidates. *The Department of Justice Employment Equity Progress Report, 2008-2009* indicated that for that period, the LEP recruitment rates were proportionally higher for all but one of the designated groups compared with the total new hires in the LA category and employees in the Department as a whole (see Table 6).

**Table 6: EE Representation among new LEP hires compared with total new hires in the LA category and the Department of Justice as a whole in 2008-2009**

Designated Group	LEP (n=64)	LEP %	Total New LA Hires (n=235)	Total New LA Hires %	DOJ	DOJ %
Visible minorities	10	15.6	37	15.7	683	13.9
Persons with disabilities	6	9.4	9	3.8	296	6.0
Aboriginal Peoples	5	7.8	7	3.0	184	3.7

#### 4.3.4.2 Official language requirements

The second official language requirements do not apply to LEP recruitment, except in Quebec where applicants have to pass second official language tests of the Public Service to qualify for an articling position. In the NCR<sup>14</sup>, the need for bilingual capacity is greater; however, it is logistically difficult to implement language tests because of the time constraint, i.e., hiring decisions and offers have to be made before the testing can be arranged in most cases. As a result, the NCR assesses the official language proficiency of its articling students around the middle of the articling term.

#### 4.3.4.3 Interview process

The key stage in recruiting students is the interview process. The interview provides the most direct and personal contact between the Program staff and candidates and gives both the potential employer and the potential employee an opportunity to assess and form an impression of each other through face-to-face contact. The Department must respect both the hiring requirements not only of the individual law societies but also those of the federal Public Service. As a result, the DOJ interview style is different from that of private law firms; it is a competitive process that is more structured and substantive. “*Students are being wooed at other firms, yet they are being quizzed at the government*”, a student commented. Despite these differences, students did not seem to object. In fact, according to the Directors of Career Services, students who are really interested in the DOJ may be intimidated but generally not deterred by the interview process. Furthermore, this process supports the impression that the Department has high professional standards for its workforce.

While such reporting was not common or widespread, there were a few instances in which students expressed disappointment about the way they were treated during the interview process.

<sup>14</sup> Subsequent to the drafting of this report, the LEP made changes to the linguistic profile required for articling students in the NCR, creating bilingual in addition to unilingual French or English positions.

To maintain a neutral and impartial position, LEP interviewers are not supposed to reveal anything about how the student is doing by way of words or facial expressions. In addition, they are expected to record the students' responses in as much detail as possible. *"There is no rapport built between the student and interviewer because the interview is more like an exam"*, complained a student. A few students also reported they experienced some challenges with scheduling interviews.

This may be an area for DOJ to reconsider its communication strategy and to provide more information to prospective interview candidates about the interview process and what the Department expects. There may also be opportunities to provide training for interviewers to ensure that the students are made to feel comfortable during the process while all the rules are being respected. Some students suggested that a "warm-up" prior to the actual interview, during which the candidate is informed about what to expect, could help avoid surprises and establish some rapport between the interviewers and the interviewee.

#### **4.4 Retention**

According to some Directors of Career Services at law schools, students are more likely to accept a lower salary in exchange for the certainty of a post-article job when deciding where to article. Some of them were of the view that top students are turning away from the DOJ due to the elimination of the hire-back policy. This assertion seems to be at odds with the findings from the third-year student survey in which post-article job offers were rated 11<sup>th</sup> of 18 factors to consider in choosing a place to article (Figure 3). However, this rating was raised to number two among current and former DOJ articling students (Figure 4). The finding points to a significant communication gap - both within and external to the Department - as even without the hire-back policy, almost all LEP students who successfully complete their articles are hired by the DOJ.

Managers' views about the advisability of making the guaranteed hire-back policy an official departmental policy were mixed. While they reported that such a policy could potentially help attract top candidates, some were apprehensive about the potential impact the policy could have on their hiring decisions. Managers expressed concern that they could be put into situations in which they would be compelled to hire someone irrespective of whether the candidate was a "good fit" with their organization.

In recent years, private law firms have gradually abandoned their guaranteed hire-back policies, according to the LEP informants. Based on the information obtained by the evaluation, most

provincial ministries of Justice do not have a guaranteed hire-back policy. Some provinces offer graduating articling students a term position of one or two years but all of them require their articling students to compete for an indeterminate counsel position at the end of their term employment.

In contrast, the BC Region not only maintained the guaranteed hire-back policy but also made it more attractive early last year. It now offers their articling students indeterminate employment upon successful completion of their articles, instead of term employment as was the case under the original hire-back policy. The Ontario Region wants to explore the options before making any decisions on this issue.

The termination of the guaranteed hire-back policy may have had an impact on the Department's ability to attract applicants, but that doesn't seem to have affected articling students' chance to obtain a counsel position in the DOJ post-articles. For the period of three years, from 2007 to 2009, a total of 157 articling students graduated from the LEP, of whom 147 (94 percent) were offered a counsel job at the DOJ.<sup>15</sup>

Table 7 provides a breakdown by region and year of the number of articling students who graduated from the LEP and the number of counsel job offers made during the three-year period. The majority of articling student graduates accepted the positions offered.

**Table 7: DOJ Articling Students Offered a Counsel Job from 2007 to 2009, by Region and by Year**

Job Offer	2007		2008		2009		By Region	
	Number	%	Number	%	Number	%	Number	%
<b>Atlantic</b>								
Students	1		1		1		3	
Job Offers	1	100%	1	100%	1	100%	3	100%
<b>Quebec</b>								
Students	6		5		6		17	
Job Offers	5	83%	5	100%	5	83%	15	88%
<b>NCR</b>								
Students	16		18		20		54	
Job Offers	15	94%	18	100%	20	100%	53	98%
<b>Ontario</b>								
Students	10		9		9		28	
Job Offers	9	90%	9	100%	9	100%	27	96%

<sup>15</sup> These figures include both determinate and indeterminate positions.

Job Offer	2007		2008		2009		By Region	
	Number	%	Number	%	Number	%	Number	%
<b>Prairie</b>								
Students	13		9		7		29	
Job Offers	10	77%	8	89%	6	86%	24	83%
<b>BC</b>								
Students	7		8		10		25	
Job Offers	7	100%	8	100%	9	90%	24	96%
<b>North</b>								
Students					1		1	
Job Offers					1	100%	1	100%
<b>Total</b>								
Students	53		50		54		157	
Job Offers	47	89%	49	98%	51	94%	147	94%*

\*Reasons given by the Program graduates for not accepting an LA-01 position with the Department post-articling were largely personal decisions related to: changing career direction, returning to school for more studies, and relocating the family.<sup>16</sup> Table 8 shows the job acceptance rate by articling students across the regions over the same period.

**Table 8: Retention Rate from 2007 to 2009 by Region<sup>17</sup>**

	Atlantic	Quebec	NCR	Ontario	Prairie	BC	North	Total
Job offers made	3	15	53	27	24	24	1	<b>147</b>
Offers accepted	3	15	49	25	19	24	1	<b>136</b>
Job offers declined	0	0	4	2	5	0	0	<b>11</b>
Rate of retention	100%	100%	92%	93%	79%	100%	100%	<b>93%</b>

The retention rate is also affected by the stiff competition from both the private and public sectors, particularly during the recent economic boom in Alberta and Saskatchewan. For example, the salary for articling students at Alberta Justice is approximately \$18,000 (40 percent) higher than that offered by the Department. Toronto and Vancouver are also facing a similar challenge (i.e., a considerable gap in salary levels for articling students and junior lawyers between the provincial government and the DOJ). Despite this, both the Ontario and BC regional offices have managed to maintain a high retention rate. According to a key informant, this could be due to the fact that the Ontario Office in Toronto has been trying during their

<sup>16</sup> No further information is available regarding the articling students who did not accept a position with the DOJ.

<sup>17</sup> This is the retention rate for 2005 to 2007 cohorts.



recruitment process to eliminate candidates who were not committed to working for the Department.

## **4.5 Communication Strategies**

### **4.5.1 Marketing Messages**

Many LEP coordinators, managers, student supervisors and Directors of Career Services believed that the LEP could do more to inform and educate law students about the unique advantages of articling with the Department, including: the wide selection of specialties, some of which are exclusively DOJ domains (e.g. constitutional law, aboriginal law, tax law, legislative drafting); early opportunity to get involved in cases that provide courtroom exposure; high profile cases; good professional development opportunities; wealth of library information; and ultimately, the possibility to work in jurisdictions across Canada.

### **4.5.2 Communication Tools**

#### **4.5.2.1 Internet**

The Internet has been gaining importance as a marketing tool among students. The survey showed that increasingly more students first become aware of the LEP through the Internet and that they generally learned more about the LEP from the DOJ Website than from other sources. The percentage of the current and former departmental articling respondents who first learned about the Program through the Internet is 22 percent; among third-year students, this level is 35 percent. For career planning, more students consulted the Internet (64 percent) than the Career Services Office (49 percent). Fifty-three percent of the students and 46 percent of the Department's articling students reported that they had learned the most about the LEP through the DOJ Website.

Regarding the LEP Website, the Directors of Career Services at the law schools expressed the view that it is hard to find information about the Program because its name is not instinctive; key practical information is not readily accessible; the Website is hard to navigate and not always up-to-date. In short, the Website was viewed as not being very user-friendly and hence its usefulness as a marketing tool is compromised.

In contrast, most law students and current and former DOJ articling students were largely positive about the Website; they described it as being from fairly easy (65 percent) to very easy (25 percent) to navigate. Over 90 percent of the student respondents thought that the description of the LEP was both clear and complete. However, 23 percent of the DOJ articling student respondents, who had had the opportunity to work in the Department, thought that the description could be improved. Respondents from both survey groups liked the Program brochure *Do Your Career Justice* for its clarity and completeness. Student respondents also noted that information in electronic form is much easier to distribute and is more environmentally friendly.

A suggested improvement made by the students is to make the LEP Website more interactive. Some students indicated that they would like to be able to send questions and get answers through the LEP Website. Most of all, they would like to get in touch with people who have articulated or who are currently articling with the DOJ. Quite a few Directors of Career Services and students suggested that the LEP Website should include video clips that portray the joys and challenges of being a Justice lawyer and that this could prove to be a powerful way of communicating to students (e.g. *A Day in the Life of a Constitutional Law Lawyer*).

When students were asked about their opinions on the use of FaceBook/MySpace in the context of the LEP, their reactions were mixed. Some said that FaceBook/MySpace is the way of future communication while others were adamant that they are a personal and private space and there would be resentment if they were intruded upon, at least for now.

#### **4.5.2.2 Outreach**

Outreach is an area that has witnessed more development in recent years as competition for top candidates intensified. LEP outreach activities include hosting open houses, participating in career fairs and making presentations to law student and career advisors. To raise the awareness of its articling opportunities, the Northern Region has developed a recruitment strategy, targeting students who are looking for certain articling experience only possible in the North.

Career fairs and open houses are the second most important marketing tool after the Internet, according to the two student surveys, which indicate that the LEP has been effective at these events and that progress has been made over time. Over three-quarters (82 percent) of the student and 70 percent of DOJ articling student respondents found the presence of the LEP at career fairs and open houses to be either useful or very useful to improving their understanding of articling opportunities in the Department.

Outreach activities are resource intensive. Some departmental managers reported that big firms maintain a constant presence by having a large number of their senior lawyers serve as part-time faculty members and by contributing money so that classrooms or reception halls are built in their name. This reality may have created a negative perception as one student respondent commended, *“Private firms do a good job of getting their name out there but students have the impression that the government wants us to come to them”*.

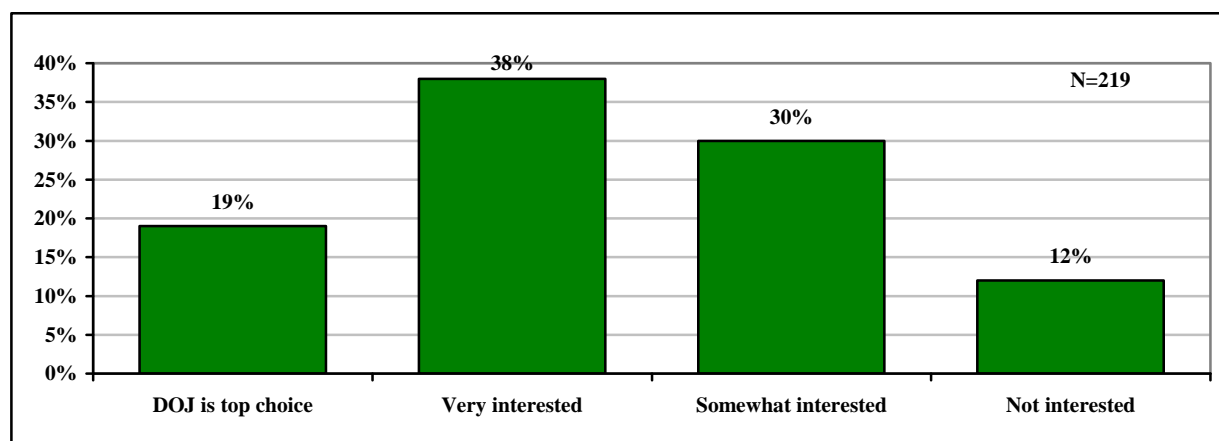
Although it was generally acknowledged among informants that the Department could not be expected to spend money on expensive gifts or social events, it should be more proactive and innovative in its marketing approaches. The DOJ could focus on creating more direct personal contact with law students. The survey showed that meeting students at the school has become the most used approach by legal employers to reach out to students. Some of the smaller regions would like Ottawa to send senior lawyers to law schools across the country to speak directly to students and to answer their questions. Some students expressed an interest in visiting the office of their potential employer and talking to people working there in order to explore their articling options. Some LEP coordinators suggested that the Department could give organized student tours, thereby providing a more personal face to a large bureaucratic organization. This could prove to be a powerful marketing strategy for as one student respondent put it, *“Personal relationships are a big reason why students decide to go to a particular firm”*.

#### **4.6 Visibility and Perceptions**

According to the Directors of Career Services, articling opportunities in the Department were largely unknown among law students before the LEP; since its launch, law students have become increasingly aware of what the DOJ can offer to its articling students. However, this view might be overly optimistic according to the results of the law student survey. When third-year law students were asked about the LEP, just over one-third (37 percent) of the respondents indicated they were aware of the Program. This should be interpreted with caution because it is possible that more students were aware of articling opportunities at the Department but fewer of them associated it with the LEP.

Figure 2 provides a breakdown of respondents’ reported level of interest in articling at DOJ. Just over half of the students reported that the Department was either their top choice as a place to article or that they were very interested in articling at the DOJ.

**Figure 2: Level of interest in articling at the Department of Justice by students**



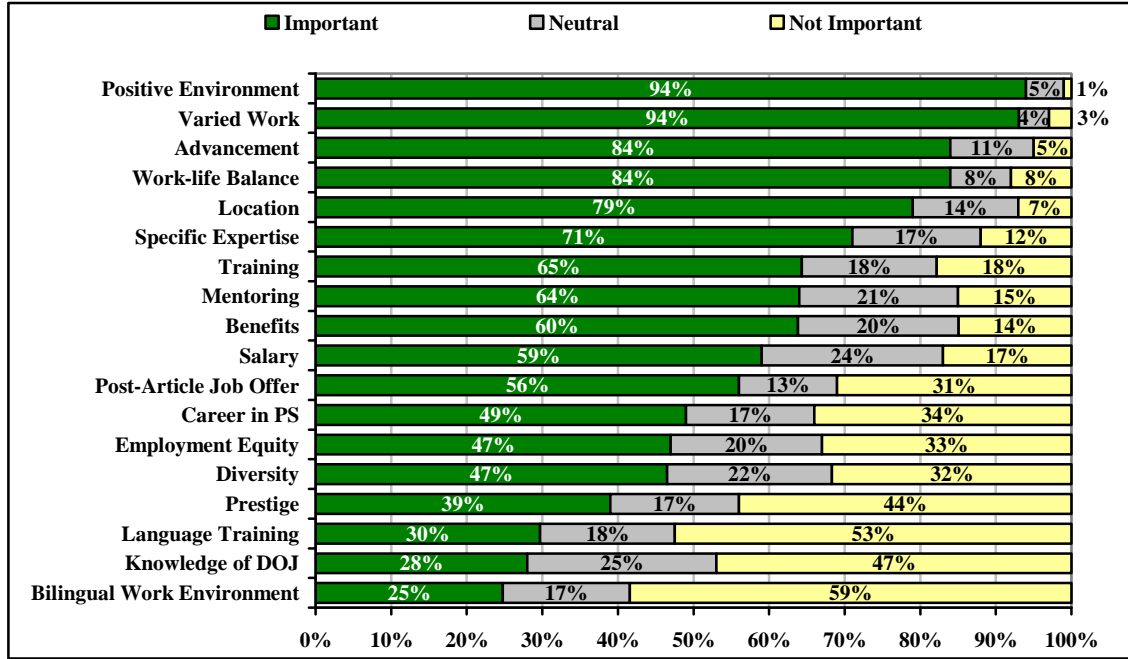
The same survey also revealed that somewhat distorted views still exist about the Department and government lawyers in general. For example, some law students reported that the DOJ only does policy work in the areas of constitutional law and aboriginal law; government lawyers are poorly paid; top lawyers don't work for the government; public sector lawyers are generally not valued by the private firms, that is, it is easy to move from the private sector to the public sector while the reverse is not true.

When looking for a place to article or work, the two groups, current law students and DOJ current and former articling students, were asked to indicate the importance of certain factors when making a decision on where to article, using a scale of 1 to 7 (1 being not at all important and 7 being very important).

The most important factors for third-year law student respondents were to have a positive work environment, varied work, followed by advancement and work-life balance. The results are shown in Figure 3.

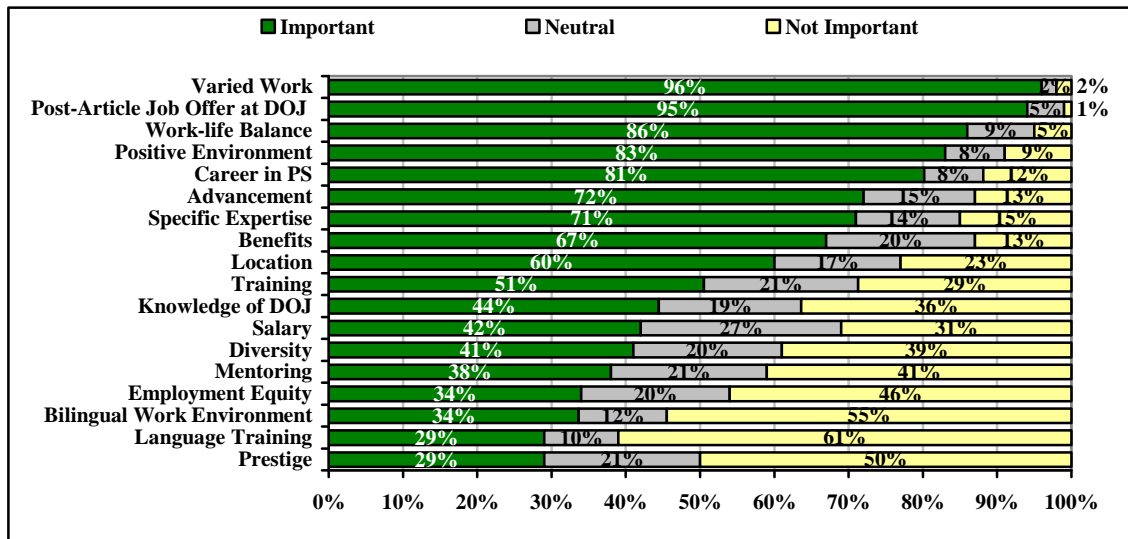
The most important factors, reported by current and former DOJ articling student respondents, are varied work, post-article job offer, followed by work-life balance and positive work environment. Opportunity for language training and prestige were found to be the least important to respondents. The results are shown in Figure 4.

**Figure 3: Level of importance placed on various factors in choosing a place to article by third-year law students**



Note: For the purpose of this analysis, the lower end of the scale (1, 2 and 3) was combined as well as the higher end (5, 6 and 7).

**Figure 4: Level of importance placed on various factors in choosing a place to article by current and former DOJ articling students**



Note: For the purpose of this analysis, the lower end of the scale (1, 2 and 3) was combined as well as the higher end (5, 6 and 7).

The biggest difference between the two groups was their rating of the importance of a job offer post-articling. DOJ articling student respondents ranked a post-articling job offer as the second most important factor whereas student respondents ranked it 11<sup>th</sup> out of the 18 factors. Possible explanations for the difference between the two groups might be a predicted shortage of lawyers in the country so students are not overly concerned about their job prospects; the new generation may be more open to the notion that job security is no longer the norm; and students may believe that by over-emphasizing job security one may limit one's career options. However, the fact that both groups did not rank salary highly important should not be a surprise as those who apply to articling or work in the Department are generally not expecting a high salary. Benefits were generally rated more highly.

For the 12 percent of student respondents who were not interested in articling with the DOJ, the reasons included low salary; more interested in corporate law/solicitor work; "slim chance" of being offered an articling position at the Department; not wanting to work for a big bureaucracy; more attracted to the criminal jurisdiction of the provincial government; and concern over reduced mobility from public to private practice. These findings correspond with the results obtained by the ORO from their enquiries over the years.

It appears that the Program needs to better tailor its message to students and to dispel certain myths, such as the DOJ mainly does policy work and has no need for lawyers in the area of commercial law. When the students were asked how the LEP might make articling or working in the Department more appealing to them, they remarked that while they understand that the DOJ cannot match big firms on salary or on promotion budgets, it could do a better job of advertising the breadth and the impact of its work, (i.e., the differences that the Department can make in the life of Canadians, and how well past DOJ articling students have fared in their careers).

As well, messages should be made more relevant to students on a practical level. For example, they want to know the kinds of files articling students might be asked to work on and highlights of recent or current legal issues in which the DOJ is engaged. They also want to know the level of education and other types of achievements successful articling candidates possess, which can help dispel some of the myths about the Department (e.g. only interested in "A" students).

## **4.7 Training and Supervision**

### **4.7.1 Student Training**

All regions have to meet the education requirements for articling students of their respective Law Society but some exceed these standards. BC, and to some extent Ontario regions, have developed extensive in-house courses for articling students and junior lawyers. In the BCRO, articling students are expected to commence a three-year curriculum of classroom training (roughly three hours per month) and to complete the curriculum if they are retained post-articles. The ORO has prepared a comprehensive orientation manual for their articling students and is offering them an extensive Trial Advocacy Program which runs for much of the articling term. It provides articling students with oral and written advocacy training in both civil and criminal litigation, culminating with a moot hearing at the Federal Court. The QRO piloted an in-house development program for articling students and new LA-01s in January 2009 to enhance their exposure to different areas of law as well as the skills and knowledge required for the practice of law.

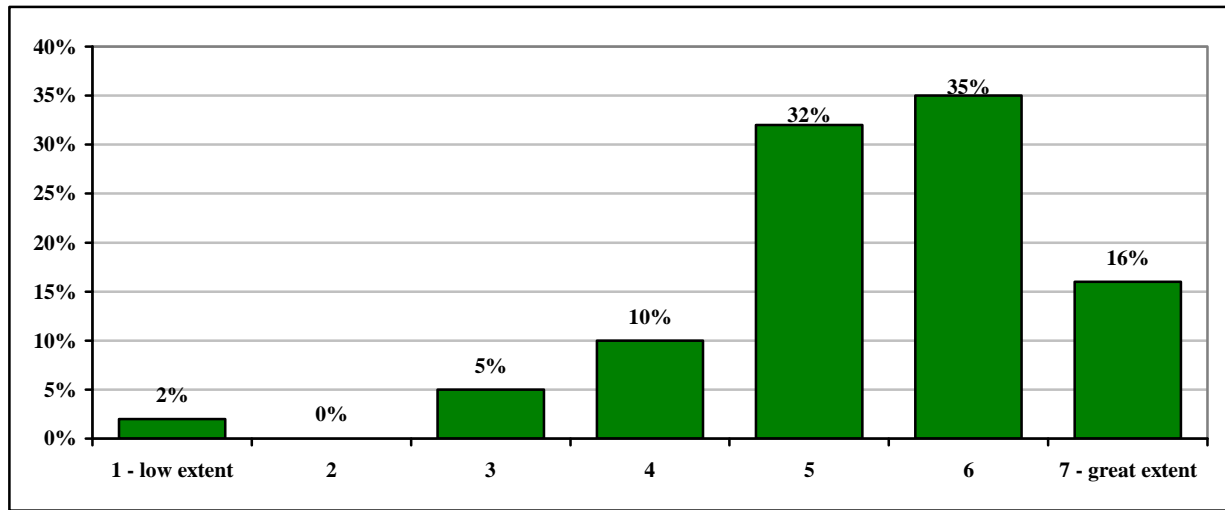
The NCR offers articling students over 70 potential rotations. To the extent possible, the NCR attempts to match the students' interests to the area of law in each rotation. However, student interests tend to concentrate in such areas as International Law, Public Prosecution, Human Rights and War Crimes. Due to the limited number of students who can be accommodated in these areas of law, some students may have to accept alternative rotations. Outside of the NCR, students are offered a standard set of rotations, most frequently through all sections in the Office.

According to the survey, approximately three-quarters (77 percent) of DOJ articling student respondents were able to choose the areas of law that interested them for their articling term. Of the remaining 23 percent who did not have this opportunity, 56 percent noted that there was a standard rotation; 19 percent indicated their preference but were not accommodated; 14 percent were not offered a choice; and the remaining 11 percent articulated at the Federal Court of Canada.

Ninety-five percent (95%) of DOJ articling students indicated that they were offered work that interested them. Of those choosing to elaborate on what areas of work they would have liked to have done, 50 percent indicated they would have liked to have had more legal rather than research or administrative work. Others identified areas such as Economic Law, Environmental Law, Human Rights, Immigration Law, Indian and Residential Schools, Real Estate Law and

War Crimes. Figure 5 shows that a significant majority of articling students reported that their rotations in the Department met their learning expectations.

**Figure 5: Extent to which rotations met or are meeting students' learning expectations**

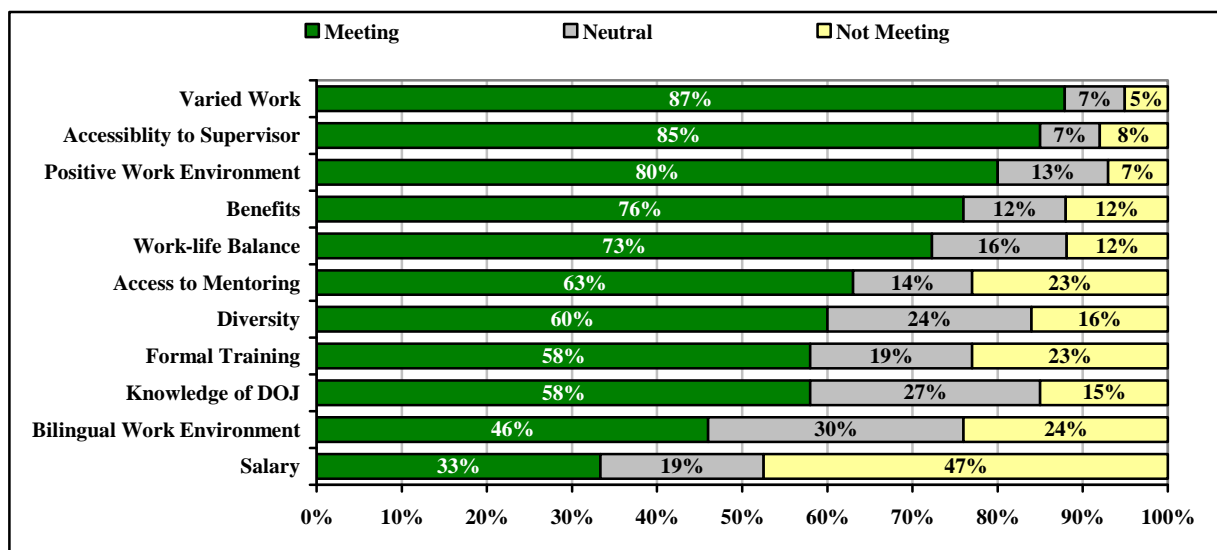


Ninety percent (90%) of students indicated that the rotation through different types of law helped them identify long-term career interests. Of the remaining 10 percent of respondents, more than half indicated that they already knew what areas interested them and their articling rotation did not change that.

Respondents were asked to rate on a scale of 1 to 7 the extent to which certain aspects of their experience met their expectations (Figure 6). Varied work was identified as meeting expectations of a majority of respondents, followed closely by accessibility to their immediate supervisor and positive work environment. Less than half of the respondents indicated that the salary was meeting their expectations. Figure 6 provides a breakdown of their responses. Benefits were rated significantly higher by the respondents and may be an important point to advertize as a reason to work in the federal government.



**Figure 6: Extent to which characteristics of the DOJ articling experience met or are meeting students' expectations**



*Note: For the purpose of this analysis, the lower end of the scale (1, 2 and 3) was combined as well as the higher end (5, 6 and 7).*

Ninety-six percent (96%) of respondents indicated that they would recommend the Department to others as a place to work for the following reasons:

- Varied and interesting work
- Good work-life balance
- Excellent work environment
- Good learning experience and mentoring
- Employment at the end of articles

A few current and former DOJ articling student respondents commented that, although they would recommend the Department to others, the low salary was an issue that should be considered.

Those who would not recommend DOJ as a place to article identified low salary, lack of work-life balance and mentoring as issues of concern.

The LEP needs to explore ways of improving collaboration and sharing among its teams in the area of training. It seems that some smaller regions are only able to meet the requirements of

provincial law societies, but not much more. The reason for that is the lack of resources. Given the considerable work and investment of the BCRO and ORO in the area of training, it would seem that the other regional offices could benefit from this and adapt the training to meet their specific requirements. This would not only improve efficiency in resource use in terms of developing training resources, but would also work towards equalizing the learning experience of DOJ articling students across the country.

#### **4.7.2 Student Supervision**

Supervisors and principals are LEP front line staff; the LEP would not have been possible without the support it has received over the years from many counsel who have volunteered to supervise articling students. The evaluation found that most supervisors were enthusiastic about their student supervisory duties, which they do in addition to their regular duties. Some continue to act as a resource person and career counsellor for the students they supervised. In their view, they are having a satisfactory career with the Department and want to share their experience with articling students. Furthermore, they said that it is part of their professional duty to help develop Justice's future lawyers.

Many supervisors stressed that they had benefited from being a supervisor, both professionally and personally. The fact of negotiating with their colleagues about projects for the student puts them more in touch with their colleagues and their work. Many supervisors continue to serve as mentor to their students many years after the students have finished their articles. One supervisor has remained closely connected to a network of his former students. This individual said with much pride that this network has greatly helped him in his work (e.g. speedy information exchange, cutting through red tape in foreign countries). Many supervisors claimed that working with young people and people with diverse backgrounds energizes them and gives them new perspectives; in addition, it helps them to do their job better, as through the Program they have become more sensitive to generational and diversity issues in the workplace.

Supervisors and principals receive little or no formal training for their supervision duties. In some regional offices, they are provided with duties and responsibilities in writing and in others, they operate on the basis of what they are told by their predecessors. In most regions, there is a student committee coordinated by the LEP staff and the students' supervisors are members. These committees meet several times a year and they provide a forum in which supervisors can discuss or get updated on issues, get support from their fellow supervisors and give or receive informal coaching.

The lack of standard practices or training of supervisors has resulted in some former articling students complaining that their experience with supervisors has been inconsistent between rotations (i.e., some were excellent while others were not). Some supervisors have also expressed frustration about the fact that they are not totally clear about what is expected of them, even though they have been a supervisor for a number of years.

One of the ways that the LEP can build more consistency into the Department's articling program is to ensure that the student supervisors are provided with training, particularly with respect to roles and responsibilities, expectations of supervisors, and how to assess the progress made by students in a consistent manner.

## **5. RECOMMENDATIONS AND MANAGEMENT RESPONSE**

### **5.1 Introduction**

The LEP has been supplying the Department with roughly one-third of its intake of entry-level lawyers. Because of the growing demand for entry-level lawyers in the DOJ as a result of the implementation of the Law Practice Model, there is a need for the Department to review the role of the Program in light of this new policy.

While the LEP has proven to be an effective mechanism for recruiting high-quality entry-level lawyers, for it to assume a greater role or even to stay viable in this increasingly competitive legal labour market, the Program needs to be strengthened in terms of its governance and resourcing. There is also a need for more consistency in how the Program is administered, including the training provided to articling students. There are opportunities to improve program planning, sharing of information and best practices, and performance monitoring and reporting.

This chapter summarizes the key findings of the report leading to the recommendations. It also contains the management response to these recommendations that has been prepared for the LEP.

### **5.2 Issues**

#### **Issue 1: Role of the LEP in recruiting entry-level lawyers**

The recent announcement to concentrate external hiring at the LA-01 level has sent a strong signal that the Department is moving to change its legal staff complement. This means that there will be an ongoing need to recruit entry-level lawyers.

The LEP's role in recruiting future LA-01s needs to be reviewed in light of the new direction the Department is taking. It is important that the role for the LEP (relative to other DOJ recruitment mechanisms) be defined on the basis of a clear understanding of the needs of the Department and with consideration given to efficiency and effectiveness, rather than to be determined by the current budget availability or any historical expectation of the Program.

There are considerable advantages to hiring through the LEP, most notably that DOJ articling students have been evaluated by several managers over the course of their articling term, and in a sense they have been already “test driven”; they have learned about the federal government and the role of the Department in supporting it; and they can be hired immediately following the successful completion of their articles as there is no need for a second competitive process. The disadvantages are that it takes time and resources to develop articling students and they are only available for hiring as counsel following the successful completion of their articles and admission to the Bar.

The LEP has largely been managed by very busy people who have many other competing responsibilities. As a result, its capacity to be proactive or to link hiring priorities to departmental needs has been limited. There is considerable opportunity to improve the Program and to make it more useful to both the Department and to articling students. But in order to do this, it will need dedicated resources, both financial and human.

**Recommendation 1: Given the recent decision to concentrate external hiring of legal counsel at the LA-01 level, the Director General, HRPDD should consult with the portfolios, sectors, relevant ministerial committees (e.g. HR.Com, Employment Equity, Official Languages) and regional offices to determine which process or combination of hiring processes will be used to hire the entry-level lawyers, and subsequently, to establish the role of the LEP and the ongoing resources required to support this initiative.**

**Management Response:**

Agreed.

We will determine the combination of hiring processes to be used to hire entry-level lawyers, including the role of the LEP in such recruitment. This assessment will take into account the objectives and numeric goals of the Law Practice Model and resource requirements.

**Recommendation 2: Develop results-based objectives for the LEP, supported by a performance measurement and reporting strategy that will support management decision-making at the national level.**

**Management Response:**

Agreed.

We will clarify the objectives of the LEP and the related performance indicators. Performance and related information will feed into annual HR planning exercises to determine the annual intake of articling students. Performance information will be used to support decision-making around ongoing improvements and changes to LEP

## **Issue 2: Governance structure**

The evaluation found that the LEP lacks a clear governance structure. As a national initiative, there are no explicit roles and responsibilities set out for the key departmental stakeholders. Consequently, the Program is comprised of a set of loosely connected and regionally managed operations without having a management framework with clearly defined roles and responsibilities. The evaluation found that this situation has caused confusion, undermined program coherence and cohesiveness, and resulted in lost opportunities for sharing of information and best practices. There is a need for a strong coordinating function between the NCR and the regions that will work to enable LEP teams across the country to establish and achieve common program objectives and ensure that there is more coherence in the way the Program is managed in the Department.

**Recommendation 3: Strengthen the governance structure for the LEP, including establishing a central coordination function and a clear definition of roles and responsibilities of the key departmental stakeholders, in light of the role established in Recommendation 1.**

### **Management Response:**

Agreed.

We will review the overall governance arrangements for LEP. It will clarify the roles and responsibilities of all key departmental stakeholders and in particular the role of the central coordination function located within HRPDD.

## **Issue 3: A common framework for program consistency**

There is a need for the LEP to have greater implementation and management consistency across the Department. Because the provincial law societies set rules and regulations pertaining to the recruitment and training of articling students, there is an acknowledged need for certain flexibility in how the LEP is managed from region to region. This flexibility is also important as there are marked differences in the labour markets across the country and the competitive market

or lawyers. However, the evaluation identified a number of areas where more consistency is desirable. For example, the DOJ provides varying levels of financial support to students during their Bar Admission Course and bar exams. Other areas where there is need for more consistency include program planning, student training, supervision and performance evaluation.

**Recommendation 4: Develop standardized principles and guidelines to build greater consistency into the management and implementation of the LEP across the Department.**

**Management Response:**

Agreed.

We will review the overall LEP program design, determine where and to what degree national consistency and regional flexibility are required and develop clear standards and guidelines to improve overall program management.

**Issue 4: LEP national spokesperson and communication strategies**

The evaluation found that there is a need for the LEP to have a “champion” or spokesperson as the absence of one has meant that the Program has lost a lot of its visibility both within the Department and externally. The spokesperson should be the main DOJ point of contact responsible for promoting the Program. It is important that there is strong and continuous communication between the Program and its key stakeholders: internally, with DOJ management at all levels, relevant ministerial committees and the DOJ Articling Student Alumni; and externally, with university Career Services, student bodies, bar associations, law societies and legal career service organizations.

**Recommendation 5: In consultation with the heads of portfolios, sectors and regional offices, the Director General, HRPDD should nominate an “LEP Spokesperson”, for approval by Senior Management, who will be responsible for promoting the Program.**

**Management Response:**

Agreed.

The DG, HRPDD will consult with Direct Reports and propose the nomination of the Spokesperson for the Program.

**Recommendation 6: The LEP Spokesperson should oversee the development and implementation of a communication strategy designed to strengthen ties with the Program’s stakeholders and support increased program cohesion and visibility.**

**Management Response:**

Agreed.

We agree that there is a need to develop a communication strategy designed to strengthen ties with the Program’s stakeholders and to increase program visibility.

The role of the Spokesperson will be addressed under Recommendation 3, including his/her role with respect to the development of a communication strategy.

**Issue 5: Sharing of information and best practices**

The evaluation found a need for the LEP to have a formal mechanism for exchanging program-related information and sharing of best practices, particularly in the area of marketing and student training. This would help enhance program consistency and cohesion, improve the efficiency and effectiveness of resource use and encourage innovation among LEP teams.

**Recommendation 7: Develop opportunities and mechanisms to share information and best practices among LEP supervisors and managers across the Department.**

**Management Response:**

Agreed.

We will share information and best practices more broadly across the Department.

**Issue 6: The name of the Program**

The name of the Program does not contain words that reflect either its mandate – recruiting and training articling students, or its home organization – the Department of Justice. While the LEP is increasingly known among law students as a DOJ articling program, it is advisable to change the name of the Program to one that is more self-evident.

**Recommendation 8: Change the name of the Program to reflect its purpose more intuitively (e.g., Department of Justice Articling Program).**



**Management Response:**

Agreed.

The LEP Working Group will consider different names for LEP which more intuitively reflect the nature of the Program.

**APPENDIX A:**  
**Legal Excellence Program Survey – Third-Year Law Students**

## Legal Excellence Program Survey – Third-Year Law Students

Si vous préférez répondre à ce questionnaire dans l'autre langue officielle, veuillez passer à la [version française](#) maintenant, car vous ne pourrez pas le faire une fois que vous aurez commencé à répondre aux questions.

This survey will take approximately 10-15 minutes to complete. Please complete the survey in one session as the data will be lost if you leave the survey before submitting your answers. If you click on your browser's "back" button while completing the survey, you will need to respond again to the questions that follow the one you returned to.

All data collected in this evaluation will be kept confidential by the Evaluation Division and findings will only be presented in aggregate form for the express purpose of the evaluation.

Should you have any questions, please contact [Yuping Manga](#), Evaluation Manager at (613) 952-8476. If you encounter any technical problems with the survey, please contact [Jo-Anne Chrétien](#) at (613) 957-9610.

### Section 1

1. When did you begin to plan the direction that your career in law would take?
  - High school
  - Undergraduate studies
  - First year of law school
  - Second year of law school
  - Third year of law school
  - Other, please specify: \_\_\_\_\_
  
2. Which of the following sources have you consulted in planning for your career upon completion of law school? (Check all that apply.)
  - Family/Relatives/Friends
  - Career development office at the university
  - Internet searches
  - Law professors
  - Practising lawyers I know
  - Information from potential employers
  - Career fairs, law days and/or open houses
  - Other, please specify: \_\_\_\_\_

3. At what point did you first hear from potential employers about career opportunities in their organizations?
- During first year of law school
  - During second year of law school
  - During third year of law school
  - Other, please specify: \_\_\_\_\_
4. What form did the contact from potential employers take? (Check all that apply.)
- Brochures and other written materials
  - Invitations to visit the firm
  - Invitations to career fairs
  - Law school orientation activities
  - Social events
  - Other, please specify: \_\_\_\_\_
5. Are you aware of the Legal Excellence Program offered by the Department of Justice Canada to articling students?
- Yes (Go to Q6)
  - No (Go to Q22)
6. How did you first become aware of the Legal Excellence Program at the Department of Justice Canada?
- Family/Relatives/Friends
  - Through the career development office at the university
  - From another student
  - From a law professor
  - From a flyer or poster
  - By searching the Internet
  - From a practising lawyer
  - By attending a career fair or an open house
  - Other, please specify: \_\_\_\_\_
7. From which source did you learn the most about the Legal Excellence Program at the Department of Justice Canada?
- University Career Advisor
  - Department of Justice Canada Web site
  - A brochure entitled “Do Your Career Justice”
  - Handouts from open house, career fair, or law days
  - Other, please specify: \_\_\_\_\_

## Section 2

**The next few questions ask about the Web site of the Department of Justice Canada where information about articling opportunities at the Department is available.**

8. Have you ever visited the Web site of the Legal Excellence Program at the Department of Justice Canada to search for articling opportunities?
- Yes (Go to Q9)
  - No (Go to Q14)
9. Please indicate how easy it was to navigate the Web site of the Legal Excellence Program.
- Very easy
  - Fairly easy
  - Not at all easy
10. Please indicate how clear the description of the Legal Excellence Program is on the Web site.
- Very clear
  - Fairly clear
  - Not at all clear
11. Please indicate how complete the description of the Legal Excellence Program is on the Web site.
- Complete
  - Fairly complete
  - Not complete
12. While looking for a place to article, would you have liked to have had a free online exchange of information, for example through Facebook or MySpace, with Department of Justice Canada lawyers who recently articulated or students who are currently articling at the Department?
- Yes
  - No, why not? \_\_\_\_\_
  - Don't know
13. Do you have any suggestions for improving the description of the Legal Excellence Program on the Web site of the Department of Justice Canada?

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### Section 3

**The next few questions concern the Legal Excellence Program brochure entitled “Do Your Career Justice”.**

14. Have you seen the brochure entitled “Do Your Career Justice”?
- Yes (Go to Q15)
  - No (Go to Q19)
15. Where did you obtain a copy of the brochure entitled “Do Your Career Justice”?
- I attended a career day
  - I attended an open house at the Department of Justice Canada
  - Career office at the university
  - Family/Relatives/Friends
  - Other, please specify: \_\_\_\_\_
16. Please indicate how clear the description of the Legal Excellence Program is in the brochure “Do Your Career Justice”.
- Very clear
  - Fairly clear
  - Not at all clear
17. Please indicate how complete the description of the Legal Excellence Program is in the brochure “Do Your Career Justice.”
- Complete
  - Fairly complete
  - Incomplete
18. Do you have any suggestions for improving the brochure “Do Your Career Justice”?
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

#### Section 4

**The next few questions concern any career fair, career day, law day, or open house you attended during law school.**

19. During your first or second year of law school, were you informed of any career fair, career day, law day, or open house at which the Legal Excellence Program of the Department of Justice Canada was present?
- Yes (Go to Q20)
  - No (Go to Q22)
20. How did you learn about the career fair, career day, law day, or open house at which the Legal Excellence Program was present? (Check all that apply.)
- Career development office at the university I attend
  - I received a flyer or poster by e-mail
  - I heard about it from another law student
  - I heard about it from a law professor
  - I found it on the Internet
  - Other, please specify: \_\_\_\_\_
21. Have you attended a career fair, career day, law day, or open house at which the Legal Excellence Program was present?
- Yes (Go to Q21a)
  - No (Go to Q22)
- 21a. Which event did you attend? (Check all that apply.)
- Open House at the Department of Justice Canada
  - Career fair or career day
  - Law day
  - Other, please specify: \_\_\_\_\_
- 21b. Please rate the presence of the Legal Excellence Program at the career fair, career day, law day, or open house you attended on a scale of 1 to 7 (1 being not at all useful and 7 being very useful).
- 1
  - 2
  - 3
  - 4
  - 5
  - 6
  - 7

## Section 5

**We are interested in your perception of the Department of Justice Canada as a place to article or work and in knowing what factors are important to you when making your decision.**

22. How do you feel about the possibility of articling or working at the Department of Justice Canada?
- The Department of Justice Canada is my top choice among all possibilities for articling or work.
  - I am very interested in articling or working at the Department of Justice Canada.
  - I am somewhat interested in articling or working at the Department of Justice Canada.
  - I am not interested at all in articling or working at the Department of Justice Canada.
23. Did you apply for an articling position at the Department of Justice Canada?
- Yes (Go to Q24)
  - No (Go to Q23a)
- 23a. Please explain why you are not interested in articling or working at the Department of Justice Canada. (Check all that apply.)
- Working for the federal government does not interest me
  - The salary is not high enough
  - Not the right location
  - Chances are slim for getting into the articling program
  - Poor opportunity for employment offer after articling
  - Other, please specify: \_\_\_\_\_



24. When you were choosing where to article, how important were the following factors to you? Please rate each of the following factors on a scale of 1 to 7 (1 being not at all important and 7 being very important).

1 being not at all important  
and 7 being very important

- |  |                          |   |
|--|--------------------------|---|
| a. A public service career   | <input type="checkbox"/> | 1 |
| b. Varied and interesting work opportunities   | <input type="checkbox"/> | 2 |
| c. Specific expertise/relevant field of study  | <input type="checkbox"/> | 3 |
| d. Prestige  | <input type="checkbox"/> | 4 |
| e. Salary  | <input type="checkbox"/> | 5 |
| f. Benefits  | <input type="checkbox"/> | 6 |
| g. Location  | <input type="checkbox"/> | 7 |
| h. Work-life balance   |                          |   |
| i. Career advancement  |                          |   |
| j. Positive work environment   |                          |   |
| k. Bilingual work environment  |                          |   |
| l. Opportunity for official language training  |                          |   |
| m. Diverse workforce   |                          |   |
| n. Employment Equity practices   |                          |   |
| o. Mentoring program   |                          |   |
| p. Formal training (seminars, conferences, etc.)                                     |                          |   |
| q. Knowledge of the Department of Justice<br>Canada                                  |                          |   |
| r. Opportunity for employment at the<br>Department of Justice Canada after articling |                          |   |

25. Do you have any suggestions for making articling or working at the Department of Justice Canada more appealing to law students?

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## Section 6 - Demographics

**This survey is completely confidential and we are not asking you to sign it; however, we would like to know a little about you. Please answer the following questions. The answers to these questions will help us in our analysis of the evaluation data.**

26. Which law school do you attend?
- Dalhousie University
  - McGill University
  - Queen's University
  - University of Alberta
  - University of British Columbia
  - University of Calgary
  - Université Laval
  - University of Manitoba
  - Université de Moncton
  - Université de Montréal
  - University of New Brunswick
  - Université d'Ottawa (droit civil)
  - University of Ottawa (common law)
  - Université du Québec à Montréal
  - University of Saskatchewan
  - Université de Sherbrooke
  - University of Toronto
  - University of Victoria
  - University of Western Ontario
  - University of Windsor
  - York University, Osgoode Hall Law School
  - Other, please specify: \_\_\_\_\_
27. Which region of the country is your usual place of residence?
- British Columbia
  - One of the Prairie provinces
  - Ontario (other than the National Capital Region)
  - National Capital Region
  - Quebec
  - One of the Atlantic provinces
  - Northern Region

28. What is your gender?

- Male
- Female

29. What is your first language (mother tongue)?

- English
- French
- Other, please specify: \_\_\_\_\_

30. In which official language do you prefer communicating?

- English
- French
- Bilingual

**Thank you for participating in our survey.**

Don't hesitate to contact us:

[Yuping Manga](#)

Evaluation Manager

Evaluation Division

613-952-8476

**APPENDIX B:**  
**Legal Excellence Program Survey –**  
**Students Declining an Articling Position**

## Legal Excellence Program Survey – Students Declining an Articling Position

Si vous préférez répondre à ce questionnaire dans l'autre langue officielle, veuillez passer à la [version française](#) maintenant, car vous ne pourrez pas le faire une fois que vous aurez commencé à répondre aux questions.

This survey will take approximately 5-10 minutes to complete. Please complete the survey in one session as the data will be lost if you leave the survey before submitting your answers. If you click on your browser's "back" button while completing the survey, you will need to respond again to the questions that follow the one you returned to.

All data collected in this evaluation will be kept confidential by the Evaluation Division and findings will only be presented in aggregate form for the express purpose of the evaluation.

Should you have any questions concerning this survey, please contact [Yuping Manga](#), Evaluation Manager at 613-952-8476. If you encounter any technical problems with the survey, please contact [Jo-Anne Chrétien](#) at 613-957-9610.

### Section 1

1. How did you first hear about the Legal Excellence Program at the Department of Justice Canada?
  - Family/Relatives/Friends
  - Through the career development office at the university
  - From another student
  - From a law professor
  - From a flyer or poster
  - By searching the Internet
  - From a practicing lawyer
  - By attending a career fair or open house
  - Other, please specify: \_\_\_\_\_
2. From which source did you learn the most about the Legal Excellence Program at the Department of Justice Canada?
  - University Career Advisor
  - Department of Justice Canada Website
  - A brochure entitled "Do Your Career Justice"
  - Handouts from open house, career fair, or law days
  - Other, please specify: \_\_\_\_\_

3. Have you attended a career fair, career day, law day or open house at which the Legal Excellence Program was present?
- Yes (Go to Q3a)
  - No (go to Q5)
- 3a. Which event did you attend? (Check all that apply.)
- Open House at the Department of Justice Canada
  - Career fair or career day
  - Law day
  - Other, please specify: \_\_\_\_\_
4. Please rate the presence of the Legal Excellence Program at the career fair, career day, law day, or open house you attended on a scale of 1 to 7 (1 being not at all useful and 7 being very useful).
- 1 - not at all useful
  - 2
  - 3
  - 4
  - 5
  - 6
  - 7 - very useful

## Section 2

**We are interested in your perception of the Department of Justice as a place to article or work.**

5. Please explain why you are not interested in articling or working at the Department of Justice Canada.
- Accepted an offer from a private law firm
  - Accepted an offer to clerk with provincial/federal court
  - Accepted an offer from a provincial government
  - Accepted an offer from a non-government organization
  - The rotations offered by Justice Canada were not of interest to me
  - Decided to pursue an academic career in law
  - Decided to continue my education in law
  - Decided not to pursue a law career after all
  - Decided to put my career on hold for personal reasons
  - Other, please specify: \_\_\_\_\_

6. When you were choosing where to article and work, how important were the following factors to you? Please rate each of the following factors on a scale of 1 to 7 (1 being not at all important and 7 being very important).

1 being not at all important  
and 7 being very important

- |  |                          |   |
|--|--------------------------|---|
| a. A public service career   | <input type="checkbox"/> | 1 |
| b. Varied and interesting work opportunities   | <input type="checkbox"/> | 2 |
| c. Specific expertise/relevant field of study  | <input type="checkbox"/> | 3 |
| d. Prestige  | <input type="checkbox"/> | 4 |
| e. Salary  | <input type="checkbox"/> | 5 |
| f. Benefits  | <input type="checkbox"/> | 6 |
| g. Location  | <input type="checkbox"/> | 7 |
| h. Work-life balance   |                          |   |
| i. Career advancement  |                          |   |
| j. Positive work environment   |                          |   |
| k. Bilingual work environment  |                          |   |
| l. Opportunity for official language training  |                          |   |
| m. Diverse workforce   |                          |   |
| n. Employment Equity practices   |                          |   |
| o. Mentoring program   |                          |   |
| p. Formal training (seminars, conferences, etc.)                                     |                          |   |
| q. Knowledge of the Department of Justice<br>Canada                                  |                          |   |
| r. Opportunity for employment at the<br>Department of Justice Canada after articling |                          |   |

7. Even though you have chosen to decline an offer of an articling position at the Department of Justice Canada, would you recommend the Department to others as a place to article?

- Yes (Go to Q7a)  
 No (Go to Q7b)

7a. Please explain why you would recommend the Department of Justice Canada to others as a place to article. (Go to Q8)

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7b. Please explain why you would not recommend the Department of Justice Canada to others as a place to article.

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8. Do you have any suggestions for making articling or working at the Department of Justice Canada more appealing to law students?

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### Section 3 - Demographics

**This survey is completely confidential and we are not asking you to sign it; however we would like to know a little about you. Please answer the following questions. The answers to these questions will help us in our analysis of the evaluation data.**

9. Which law school did you attend?

- Dalhousie University
- McGill University
- Queen's University
- University of Alberta
- University of British Columbia
- University of Calgary
- Université Laval
- University of Manitoba
- Université de Moncton
- Université de Montréal
- University of New Brunswick
- Université d'Ottawa (droit civil)
- University of Ottawa (common law)
- Université du Québec à Montréal
- University of Saskatchewan
- Université de Sherbrooke
- University of Toronto
- University of Victoria
- University of Western Ontario
- University of Windsor
- York University, Osgoode Hall Law School
- Other, please specify: \_\_\_\_\_



10. Which region of the country is your usual place of residence?
- British Columbia
  - One of the Prairie provinces
  - Ontario (other than the National Capital Region)
  - National Capital Region
  - Quebec
  - Atlantic Region
  - Northern Region
11. What is your age category?
- 20 and under
  - 21 – 25
  - 26 – 30
  - 31 – 35
  - 36 and over
12. What is your first language (mother tongue)?
- English
  - French
  - Other, please specify: \_\_\_\_\_
13. In which official language do you prefer communicating?
- English
  - French
  - Bilingual

**Thank you for participating in our survey.**

Don't hesitate to contact us:

[Yuping Manga](#)

Evaluation Manager

Evaluation Division

613-952-8476

**APPENDIX C:**  
**Legal Excellence Program Survey –**  
**Past and Present Articling Students**

## Legal Excellence Program Survey – Past and Present Articling Students

Si vous préférez répondre à ce questionnaire dans l'autre langue officielle, veuillez passer à la [version française](#) maintenant, car vous ne pourrez pas le faire une fois que vous aurez commencé à répondre aux questions.

This survey will take approximately 10-15 minutes to complete. Please complete the survey in one session as the data will be lost if you leave the survey before submitting your answers. If you click on your browser's "back" button while completing the survey, you will need to respond again to the questions that follow the one you returned to.

All data collected in this evaluation will be kept confidential by the Evaluation Division and findings will only be presented in aggregate form for the express purpose of the evaluation.

Your participation in this survey will offer valuable information about how the Department of Justice Canada can continue to attract the articling student population.

Should you have any questions concerning this survey, please contact [Yuping Manga](#), Evaluation Manager at 613-952-8476. If you encounter any technical problems with the survey, please contact [Jo-Anne Chrétien](#) at 613-957-9610.

### Section 1

1. When did you begin to plan the direction that your career in law would take?
  - High school
  - Undergraduate studies
  - First year of law school
  - Second year of law school
  - Third year of law school
  - Other, please specify: \_\_\_\_\_
  
2. Which of the following sources have you consulted in planning for your career upon completion of law school? (Check all that apply.)
  - Family/Relatives/Friends
  - Career development office at the university
  - Internet searches
  - Law professors
  - Practising lawyers I know
  - Information from potential employers
  - Career fairs, law days, open houses
  - Other, please specify: \_\_\_\_\_

3. At what point did you first hear from potential employers about career opportunities in their organizations?
- During first year of law school
  - During second year of law school
  - During third year of law school
  - Other, please specify: \_\_\_\_\_
4. What form did the contact from potential employers take? (Check all that apply.)
- Brochures and other written materials
  - Invitations to visit the firm
  - Invitations to career fairs
  - Law school orientation activities
  - Social events
  - Other, please specify: \_\_\_\_\_
5. How did you first become aware of the Legal Excellence Program at the Department of Justice Canada?
- Family/Relatives/Friends
  - Through the career development office at the university
  - From another student
  - From a law professor
  - From a flyer or poster
  - By searching the Internet
  - From a practising lawyer
  - By attending a career fair or an open house
  - Other, please specify: \_\_\_\_\_
6. From which source did you learn the most about the Legal Excellence Program at the Department of Justice Canada?
- University Career Advisor
  - Department of Justice Canada Web site
  - A brochure entitled "Do Your Career Justice"
  - Handouts from open house, career fair, or law days
  - Other, please specify: \_\_\_\_\_

## Section 2

**The next few questions concern the Web site of the Department of Justice Canada where information about articling opportunities at the Department is available.**

7. Did you ever visit the Web site of the Legal Excellence Program at the Department of Justice Canada to search for articling opportunities?
- Yes (Go to Q8)
  - No (Go to Q13)
8. Please indicate how easy it was to navigate the Web site of the Legal Excellence Program.
- Very easy
  - Fairly easy
  - Not at all easy
9. Please indicate how clear the description of the Legal Excellence Program is on the Web site.
- Very clear
  - Fairly clear
  - Not at all clear
10. Please indicate how complete the description of the Legal Excellence Program is on the Web site.
- Complete
  - Fairly complete
  - Not complete
11. While looking for a place to article, would you have liked to have had a free online exchange of information, for example through Facebook or MySpace, with Department of Justice Canada lawyers who recently articulated or students who are currently articling at the Department?
- Yes
  - No, please specify: \_\_\_\_\_
  - Don't know
12. Do you have any suggestions for improving the description of the Legal Excellence Program on the Web site of the Department of Justice Canada?

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### Section 3

**The next few questions concern the Legal Excellence Program brochure entitled “Do Your Career Justice”.**

13. Have you seen the brochure entitled “Do Your Career Justice”?
- Yes (Go to Q14)
  - No (Go to Q18)
14. Where did you obtain a copy of the brochure “Do Your Career Justice”?
- I attended a career day
  - I attended an open house at the Department of Justice Canada
  - Career office at the university
  - Family/Relatives/Friends
  - Other, please specify: \_\_\_\_\_
15. Please indicate how clear the description of the Legal Excellence Program is in the brochure “Do Your Career Justice”.
- Very clear
  - Fairly clear
  - Not at all clear
16. Please indicate how complete the description of the Legal Excellence Program is in the brochure “Do Your Career Justice”.
- Complete
  - Fairly complete
  - Incomplete
17. Do you have any suggestions for improving the brochure “Do Your Career Justice”?
- \_\_\_\_\_
- \_\_\_\_\_

#### Section 4

**The next few questions concern any career fair, career day, law day, or open house you attended during law school.**

18. During your first or second year of law school, were you informed of any career fair, career day, law day, or open house at which the Legal Excellence Program of the Department of Justice Canada was present?
- Yes (Go to Q19)
  - No (Go to Q21)
19. How did you learn about the career fair, career day, law day, or open house at which the Legal Excellence Program was present? (Check all that apply.)
- Career development office at the university I attend
  - I received a flyer or poster by e-mail
  - I heard about it from another law student
  - I heard about it from a law professor
  - I found it on the Internet
  - Other, please specify: \_\_\_\_\_
20. Did you attend a career fair, career day, law day, or open house at which the Legal Excellence Program was present?
- Yes (Go to Q20a)
  - No (Go to Q21)
- 20a. Which event did you attend? (Check all that apply.)
- Open House at the Department of Justice Canada
  - Career fair or career day
  - Law day
  - Other, please specify: \_\_\_\_\_
- 20b. Please rate the presence of the Legal Excellence Program at the career fair, career day, law day, or open house you attended on a scale of 1 to 7 (1 being not at all useful and 7 being very useful).
- 1
  - 2
  - 3
  - 4
  - 5
  - 6
  - 7

## Section 5

**We are interested in your perception of the Department of Justice Canada as a place to article or work and in knowing what factors were important to you when making your decision.**

21. When you chose to article at the Department of Justice Canada, how important were the following factors to you? Please rate each of the following factors on a scale of 1 to 7 (1 being not at all important and 7 being very important).

1 being not at all important  
to 7 being very important

- |   |                          |   |
|---|--------------------------|---|
| a. A public service career                                      | <input type="checkbox"/> | 1 |
| b. Varied and interesting work opportunities                    | <input type="checkbox"/> | 2 |
| c. Specific expertise/relevant field of study                   | <input type="checkbox"/> | 3 |
| d. Prestige   | <input type="checkbox"/> | 4 |
| e. Salary   | <input type="checkbox"/> | 5 |
| f. Benefits   | <input type="checkbox"/> | 6 |
| g. Location   | <input type="checkbox"/> | 7 |
| h. Work-life balance  |                          |   |
| i. Career advancement   |                          |   |
| j. Positive work environment                                    |                          |   |
| k. Bilingual work environment                                   |                          |   |
| l. Opportunity for official language training                   |                          |   |
| m. Diverse workforce  |                          |   |
| n. Employment Equity practices                                  |                          |   |
| o. Mentoring program  |                          |   |
| p. Formal training (seminars, conferences, etc.)                |                          |   |
| q. Knowledge of the Department                                  |                          |   |
| r. Opportunity for employment at the Department after articling |                          |   |



## Section 6

**The Legal Excellence Program offers articling students a variety of experiences, with the majority of students having two or more rotations during the articling term. We are interested in your opinion of the articling experience at the Department of Justice Canada.**

22. Were you able to choose, for your articling term, areas of law that were of interest to you?
- Yes
  - No. Why not? \_\_\_\_\_
23. During your articling term, overall, were you offered, or are you being offered, work that is of interest to you?
- Yes (Go to Q24)
  - No (Go to Q23a)
- 23a. Please explain what kind of work you would have liked to have done.
- \_\_\_\_\_
- \_\_\_\_\_
24. Do you think that the rotation through different areas of law during your articling term helped you, or is helping you, identify your long-term career interests?
- Yes
  - No, why not? \_\_\_\_\_
25. Please rate, on a scale of 1 to 7 (1 being to a low extent and 7 being to a great extent), the extent to which your rotations met, or are meeting, your learning expectations.
- 1
  - 2
  - 3
  - 4
  - 5
  - 6
  - 7

26. Has the articling experience at the Department of Justice Canada met, or is it meeting, your expectations overall? Please indicate, on a scale of 1 to 7 (1 being not at all and 7 being fully) the extent to which each of the following aspects of your experience met, or is meeting, your expectations.

1 being not at all and 7 being fully

- a. Varied and interesting work opportunities  1
- b. Accessibility of your immediate supervisors  2
- c. Access to mentoring  3
- d. Formal training (seminars, conferences, etc.)  4
- e. Knowledge of the Department of Justice Canada  5  
 6
- f. Positive work environment  7
- g. Bilingual work environment
- h. Diverse workforce
- i. Work-life balance
- j. Salary
- k. Benefits

27. Would you recommend the Department of Justice Canada to others as a place to article?

- Yes (Go to Q27a)
- No (Go to Q27b)

27a. Please explain why you would recommend the Department of Justice Canada to others as a place to article. (Go to Q28)

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27b. Please explain why you would not recommend the Department of Justice Canada to others as a place to article.

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28. Do you have any suggestions for making articling or working at the Department of Justice Canada more appealing to law students and for enhancing the articling experience for those who choose the Department?

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## Section 7 - Demographics

**This survey is completely confidential and we are not asking you to sign it; however, we would like to know a little about you. Please answer the following questions. The answers to these questions will help us in our analysis of the evaluation data.**

29. Which law school did you attend?
- Dalhousie University
  - McGill University
  - Queen's University
  - University of Alberta
  - University of British Columbia
  - University of Calgary
  - Université Laval
  - University of Manitoba
  - Université de Moncton
  - Université de Montréal
  - University of New Brunswick
  - Université d'Ottawa (droit civil)
  - University of Ottawa (common law)
  - Université du Québec à Montréal
  - University of Saskatchewan
  - Université de Sherbrooke
  - University of Toronto
  - University of Victoria
  - University of Western Ontario
  - University of Windsor
  - York University, Osgoode Hall Law School
  - Other, please specify: \_\_\_\_\_
30. What is your current employment status at the Department of Justice Canada?
- Articling student
  - Counsel in a term position
  - Counsel in an indeterminate position
  - Other, please specify: \_\_\_\_\_

31. Which region of the country is your usual place of residence?
- British Columbia
  - One of the Prairie provinces
  - Ontario (other than the National Capital Region)
  - National Capital Region
  - Quebec
  - One of the Atlantic provinces
  - Northern Region
32. What is your age category?
- 20 or under
  - 21 – 25
  - 26 – 30
  - 31 – 35
  - 36 or over
33. What is your gender?
- Male
  - Female
34. What is your first language (mother tongue)?
- English
  - French
  - Other, please specify: \_\_\_\_\_
35. In which official language do you prefer communicating?
- English
  - French
  - Bilingual

**Thank you for participating in our survey.**

Don't hesitate to contact us:

[Yuping Manga](#)

Evaluation Manager

Evaluation Division

613-952-8476

**APPENDIX D:**  
**Legal Excellence Program Survey – Managers**

## Legal Excellence Program Survey – Managers

Si vous préférez répondre à ce questionnaire dans l'autre langue officielle, veuillez passer à la [version française](#) maintenant, car vous ne pourrez pas le faire une fois que vous aurez commencé à répondre aux questions.

This survey will take approximately 10 minutes to complete. Please complete the survey in one session as the data will be lost if you leave the survey before submitting your answers. If you click on your browser's "back" button while completing the survey, you will need to respond again to the questions that follow the one you returned to.

All data collected in this evaluation will be kept confidential by the Evaluation Division, and findings will only be presented in aggregate form for the express purpose of the evaluation.

Should you have any questions concerning this survey, please contact [Yuping Manga](#), Evaluation Manager, at 613-952-8476. If you encounter any technical problems with the survey, please contact [Jo-Anne Chrétien](#) at (613) 957-9610.

The Legal Excellence Program (LEP) is the primary means that the Department of Justice Canada uses to recruit young lawyers. As such it is important that we learn whether it is effective as a recruitment tool.

1. How familiar are you with the Legal Excellence Program (LEP) which is the Department's approach to the recruitment of articling students?
  - Very familiar
  - Somewhat familiar
  - Not at all familiar
  
2. Have you used an LEP articling student in the last three years?
  - Yes
  - No
  
3. Approximately, how many LEP articling students have worked in your section in each of the last three years?
  - 2007 \_\_\_\_\_
  - 2006 \_\_\_\_\_
  - 2005 \_\_\_\_\_

4. What factors influence your decision to offer placement opportunities for articling students? (Check all that apply.)
- The work is appropriate for an articling student
  - Availability of a supervisor or supervisors
  - Physical space to house an articling student
  - Need to look at junior counsel staffing needs 2 or 3 years in advance
  - Previous experience with articling student placement(s)
  - Other, please specify: \_\_\_\_\_
5. Was there a time when you would have liked an articling student to work in your section but could not get one?
- Yes, please specify: \_\_\_\_\_
  - No
6. Is the LEP the only approach your section uses to recruit articling students?
- Yes
  - No
- 6a. Please describe one other important approach your section uses to recruit articling students.
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- 6b. How does this approach compare with the LEP in terms of the recruitment of high- quality candidates?
- Better
  - Worse
  - About the same
  - Don't know
7. What training do you offer to articling students? (Check all that apply.)
- Formal training (e.g., seminars, conferences)
  - On-the-job training (e.g., mentoring, job-shadowing)
  - Books, audio/video materials for self-directed individual or group learning
  - Other, please specify: \_\_\_\_\_

8. How many articling students were offered counsel positions within your section at the end of their articling term in each of the last three years?

2007 \_\_\_\_\_

2006 \_\_\_\_\_

2005 \_\_\_\_\_

9. How important is the use of articling students in meeting your section's short-term staffing needs?

- Very important
- Fairly important
- Not at all important

10. Would you recommend the use of the LEP to other managers in the Department for meeting short-term staffing needs?

- Yes (Go to Q10a)
- No (Go to Q10b)

10a. Please explain why you would recommend the use of the LEP to other managers in the Department for meeting short-term staffing needs.

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

10b. Please explain why you would not recommend the use of the LEP to other managers in the Department for meeting short-term staffing needs.

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



11. When hiring a lawyer, which qualities are important to you? Please indicate, on a scale of 1 to 7 (1 being low and 7 being high), the level of importance you attribute to each of the following qualities.

1 being low to 7 being high

- |                                     |                          |   |
|-------------------------------------|--------------------------|---|
| a. Legal knowledge                  | <input type="checkbox"/> | 1 |
| b. Team player                      | <input type="checkbox"/> | 2 |
| c. Motivation/Dedication            | <input type="checkbox"/> | 3 |
| d. Adaptability and Flexibility     | <input type="checkbox"/> | 4 |
| e. Creativity                       | <input type="checkbox"/> | 5 |
| f. Communication skills             | <input type="checkbox"/> | 6 |
| g. Leadership skills                | <input type="checkbox"/> | 7 |
| h. Dependability                    |                          |   |
| i. Ambition                         |                          |   |
| j. Integrity                        |                          |   |
| k. Bilingual ability                |                          |   |
| l. Openness                         |                          |   |
| m. A genuine interest in public law |                          |   |

12. Is there one other quality that is important to you when hiring a lawyer?

- Yes, please specify: \_\_\_\_\_
- No

12a. Please indicate, on a scale of 1 to 7 (1 being low and 7 being high), the level of importance you attribute to this quality.

- 1
- 2
- 3
- 4
- 5
- 6
- 7

13. In your opinion, how effective is the LEP in recruiting high-quality lawyers for the Department in the long term?

- Very effective
- Fairly effective
- Not at all effective
- Don't know

14. Would you recommend the LEP to other managers in the Department for meeting long-term staffing needs?

- Yes
- No

14a. Please explain why you would recommend the LEP to other managers in the Department for meeting long-term staffing needs.

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14b. Please explain why you would not recommend the LEP to other managers in the Department for meeting long-term staffing needs.

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**Lessons Learned and Program Improvements**

15. Please describe any lessons learned or good recruitment practices that would enhance the effectiveness of the LEP.

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**Demographics**

16. Where do you currently work?

- British Columbia
- One of the Prairie provinces
- Ontario (other than the National Capital Region)
- National Capital Region
- Quebec
- One of the Atlantic provinces
- Northern Region

17. How many years of experience do you have in supervising articling students?

- Less than one year
- 2 to 5 years
- 6 to 10 years
- 11 to 15 years
- 16 to 20 years
- More than 20 years

**Thank you for participating in our survey!**

Don't hesitate to contact us:

Yuping Manga  
Evaluation Manager  
Evaluation Division  
613-952-8476