

“YOUNG PUPKIN WAS KEPT OUT OF THE LAW BY THE FOOL SYSTEM OF EXAMINATIONS”: BECOMING A LAWYER

There are many requirements to meet before a person can practice law in Canada. First, a person must hold a law degree from a recognised law school. The College of Law at the University of Saskatchewan is one such school. To be accepted into Saskatchewan’s three-year program, applicants generally must complete at least two years of university and write the Law School Admission Test (LSAT). The LSAT measures certain abilities considered important to the study of law. After graduating from the law program, the Law Society of Saskatchewan generally requires graduates to article for one year with a practicing lawyer, to attend the Bar Admission Course during the articling year, and to write and pass the Bar examinations. Only once all these requirements are met can a person become a practicing lawyer.

These requirements are onerous. However, it was not always this way. In the past, entry into the legal profession did not necessarily mean completing a law program or writing exams. For example, in Upper Canada (now Ontario), it was possible from 1832-1857 to become an attorney simply by articling with practicing attorneys. There were no exams before or after the articling. This led to criticisms. Without tests, it was said, grossly-illiterate attorneys could be practicing law. In 1857, the examination processes were restored. Over the next twenty years, the Law Society of Upper Canada raised testing standards and established formal education programs for would-be lawyers. This education and testing controlled who could become a lawyer, thus strengthening the profession and reducing the risk of clients receiving incompetent representation from a lawyer.

1. A criticism of early law school programs was that “a student who allowed himself to become a mere copying machine was not fit to become a lawyer”¹⁷. Do you agree? Are schools “copying machines” that merely reproduce dominant thought processes?
2. Is it preferable that people such as lawyers meet defined, professional standards?



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Moore, Christopher. *The Law Society of Upper Canada and Ontario's Lawyers, 1797-1997*. U of Toronto P, 1997, p. 116.