

List of refugee and immigration panel standards conditions

Applicant's name:

(First / last name)

Panel officer's name:

(First / last name)

Date:

(YYYY-MM-DD)

Length of conditions:

1. Supervision requirements

#	Condition	Apply
1	<p>Applicant to work under the supervision of a mentor approved by LAO and pursuant to a mentorship agreement approved by LAO under the second chair program.</p> <ul style="list-style-type: none"> Please indicate name of the mentor if one has already been identified as well as the panel (general or appellate) for which mentorship is required. Please specify the period of time for which mentorship is required. <p>Note: Please fill in the mentorship agreement at the end of this document.</p>	

#	Condition	Apply
2	<p>Applicant to work under the supervision of a lawyer approved by LAO at the firm at which they are employed.</p> <ul style="list-style-type: none"> • Please specify the name of the lawyer as well as the panel (general or appellate) for which mentorship is required • Please specify the period of time for which mentorship is required. <p>Note: Please fill in the mentorship agreement at the end of this document.</p>	

2. Education requirements

#	Condition	Apply
3	Applicant to join the Refugee Lawyers Association and associated email listserv.	
4	<p>Applicant to view the following online video refugee law training modules (on the LAO LAW section of the LAO website) (check all applicable boxes):</p> <ul style="list-style-type: none"> Overview of Immigration and Refugee System: Basis of Claim Forms Developing a Theory of the Case and Plan for Obtaining Supporting Evidence Pre-Removal Risk Assessments and Effective Writing Advocacy Humanitarian and Compassionate Applications Research skills Detention Reviews Inadmissibility and IAD Vacation and Cessation Requests to Defer and Motions to Stay Removal RAD JR 	

#	Condition	Apply
5	<p>Applicant to pass a test based on online video refugee law training modules (identified in condition four above).</p> <ul style="list-style-type: none"> Please specify which training modules if different than those in the modules checked in question four. 	
6	<p>Applicant to review <i>LAO's Refugee lawyer practice manual—Representing claimants before the Refugee Protection Division</i> (available online in LAO LAW section of LAO website).</p>	
7	<p>Applicant to audit a law school course on immigration and refugee law.</p> <ul style="list-style-type: none"> Please specify which course and duration. 	
8	<p>Applicant to read the chapters on refugee law and procedure in Lorne Waldman's <i>Immigration Law and Practice</i>.</p>	
9	<p>Applicant to subscribe to <i>Bottom Line in Refugee Law</i> (available on LAO LAW) and read its summaries of Federal Court and other cases as they are published.</p>	
10	<p>Applicant to attend an approved appellate advocacy training program.</p> <ul style="list-style-type: none"> Please specify the timeframe for this training and the course to be taken. 	
11	<p>Applicant to read United Nations High Commissioner for <i>Refugees Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status</i>.</p>	

3. Experience requirements

#	Condition	Apply
12	Applicant to attend a minimum of three refugee hearings with mentor or an LAO-approved lawyer before representing a refugee claimant at a hearing.	
13	Applicant to attend a minimum of three Federal Court judicial review or stay motion hearings with mentor or an LAO-approved lawyer before representing a claimant at a judicial review or stay motion hearing.	

4. Specific mentor oversight

#	Condition	Apply
14	Applicant's first three Basis of Claim forms to be reviewed by mentor prior to filing.	
15	Applicant's first Humanitarian and Compassionate application to be reviewed by mentor prior to filing.	
16	Applicant's first Pre-Removal Risk Assessment application to be reviewed by mentor prior to filing.	
17	Applicant's appellate panel matters to be reviewed by mentor prior to filing as follows: <ul style="list-style-type: none"> • first two Refugee Appeal Division (RAD) records • first two application records in support of applications for leave and for judicial review in Federal Court (and stay motion materials, if applicable). 	
18	Applicant may not submit any written work to the Immigration and Refugee Board (RPD, RAD, IAD) without prior approval of mentor. <ul style="list-style-type: none"> • Please indicate the timeframe for this condition. 	

#	Condition	Apply
19	<p>Applicant may not submit any written work to Federal Court without prior approval of mentor.</p> <ul style="list-style-type: none"> • Please indicate the timeframe for this condition. 	
20	<p>Applicant may not appear:</p> <ul style="list-style-type: none"> • as counsel at any IRB hearings unless mentor is also present as an observer OR • as co-counsel where agreed upon by mentor and applicant <p>Please indicate the timeframe or number of hearings for this condition.</p>	
21	<p>Applicant may not appear as counsel at any Federal Court hearings unless mentor is also present as an observer, or as co-counsel where agreed upon by mentor and applicant.</p> <ul style="list-style-type: none"> • Please indicate the period or number of hearings for this condition. 	

#	Condition	Apply
22	Other (please specify):	

5. Specific panel officer oversight

#	Condition	Apply
23	Applicant is required to inform panel officer when conditions are met.	
24	Applicant is required to speak with panel officer on a quarterly basis, or according to another timeframe if requested by panel officer.	

6. Other

#	Condition	Apply
25	Please enter any other relevant information.	

Agreement to comply with conditions of membership

(to be completed by all applicants)

I, _____, have read and understood the above conditions.

I understand that my membership on LAO's refugee and immigration general/appellate panel is contingent upon my compliance with these conditions. I understand that failure to comply with these conditions means that I do not meet the panel standards. Failure to comply with these conditions may also result in my removal from LAO's refugee and immigration general/appellate panel.

Signature of applicant:

(First / last name)

Date:

(YYYY-MM-DD)

Mentorship agreement

(to be read and signed under conditions 1 or 2)

These are the guidelines for mentors and mentees to follow.

1. Advance notice of file and review schedule

- Conditionally empanelled lawyers (mentees) must contact their mentor within two days of taking on a new LAO-funded file which requires mentor supervision:
 - to determine the mentor's availability
 - to provide deadlines
 - to discuss strategy early
 - to agree upon a schedule to review draft material within at least four days, and preferably one week before the filing deadline, so there is sufficient time for review; feedback; additional drafts; additional client meetings to incorporate feedback where necessary.
- When a matter is urgent, or where there is no firm deadline, a schedule must still be made and agreed upon.

Mentees must obtain mentor consent prior to accepting the case if the file deadline is seven days or less from the date the mentee is retained.

2. Use of Track Changes on written materials

- Mentees must provide mentors with written materials to be reviewed under the conditions (BOCs, submissions, draft factums, etc.) following the schedule as developed above.
- Mentors will provide feedback for the mentee to follow up. This feedback is to include edits and comments/questions using Track Changes.
- Mentees are expected to:
 - incorporate all suggestions/edits, showing their revisions in Track Changes
 - discuss with their mentor any edit or suggestion with which they take issue
 - provide the final copy of written material to the mentor.

3. Providing relevant documents to mentor

- The mentee must provide copies of all documents relevant to the case to the mentor as soon as possible, and in advance wherever possible.
- This time will enable the mentor to prepare to strategize with the mentee about the case and to review the mentee's written materials.

4. Advance notice about vacations or other absence

- The mentor will provide the mentee with as much notice as possible about scheduled vacations.
- The mentor will also advise the Senior Refugee Law Trainer of absences so that alternate mentor arrangements can be made, where work in advance is not possible.
- The mentor must be available to the mentee, adhere to the schedule agreed to above, and return emails or phone calls within 48 hours.

I, _____ (name of applicant), understand that one condition imposed upon me is formal mentorship.

_____ (name of mentor) has agreed to mentor me, in accordance with the conditions set out above. I undertake to comply with this arrangement.

Signature of applicant:

(First / last name)

Date:

(YYYY-MM-DD)

I, _____ (name of mentor), commit to mentor _____ (name of applicant) in accordance with the conditions set out above.

Signature of mentor:

(First / last name)

Date:

(YYYY-MM-DD)

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