

Vancouver Bar Association
Articling Interview Guidelines (Updated February 12, 2020)

The Vancouver Bar Association (“VBA”) has established guidelines with respect to interviews by employers in downtown Vancouver for both regular and summer articling positions. For the purposes of these guidelines, “employers” refers to any employer or intended employer of regular and/or summer articling students, and includes law firms, sole practitioners, legal departments of companies or non-profit organizations, government departments or ministries, and legal clinics, but does not include courts. Employers for which Law Society Rules 2-58 and 2-70 apply, must abide by those rules (reproduced below for your convenience). While employers are not required to abide by the remaining guidelines, the VBA is of the view that adherence to the guidelines set out below by as many employers as possible will streamline the interview process, support students in the recruitment process, and help to “level the playing field” to the extent reasonably possible. Employers agreeing to abide by the guidelines must conduct themselves according to both the letter and spirit of the guidelines.

The VBA Articling Interview Guidelines are as follows:

1. The VBA will set a week in August of each year for Vancouver employers to conduct interviews of students who have not yet begun their third year of studies for regular articling positions for the following year. The week will typically be set for the same week that those interviews take place in Toronto. The VBA will set a week (usually, in late October) each year for Vancouver employers to conduct interviews for summer articling positions.
2. The VBA will set an application deadline and interview call date (on or around June 30 and July 15, respectively) each year for articling interviews. The VBA will set an application deadline and interview call date (usually in early September and early October, respectively) each year for summer articling interviews. Employers may interview students that submit applications after the designated application deadline. No employer will call any student to arrange an interview prior to the designated interview call date set by the VBA.
 - 2.1. Notwithstanding paragraph 2 above, but subject to paragraph 2.2, employers are permitted to contact students by email only anytime after 8:00 am on the business day that is two business days before the interview call date to notify students that they intend to call on the interview call date for the purpose of scheduling an interview. Using an example for clarity, in the event that the interview call date is scheduled for a Thursday, employers will be permitted to contact students in accordance with this exception anytime after 8:00 am on the preceding Tuesday.
 - 2.2. Notwithstanding paragraph 2.1, employers may not contact students at all for a 12 hour period from 8:00 pm on the day before the interview call date to 8:00 am on the interview call date.
 - 2.3. Employers shall not suggest a specific date or time for the expected interview prior to the interview call date, nor shall students participate in the making of such appointments before the interview call date.
 - 2.4. While this helps students to plan interview schedules in advance of the interview call date, students are not required to respond to an employer’s intention to call or reciprocate their own intention to accept or decline an interview invitation prior to the interview call date.

- 2.5. Employers may, however, advise students before the interview call date of the dates of events during the interview period to which all interviewees will be invited.
- 2.6. Employers shall not communicate their intention to interview a student and subsequently not offer that student an interview.

Sample employer communication prior to the interview call date (for a summer articling position where the employer participated in OCIs): "We enjoyed meeting you at the OCIs and would be delighted to offer you an interview during the designated interview period. In this regard, we will contact you on the interview call date to schedule a mutually convenient time and date. Please note that we are hosting a cocktail reception for all candidates on Monday evening, September 23, from 5:30 pm – 6:30 pm and hope you will be able to join us. There is no need to RSVP at this time and we look forward to speaking with you on interview call day."

- 2.7. Employers shall not, directly or indirectly, pressure students to accept interview offers or to attend receptions or dinners.
3. Employers will only conduct interviews during the designated interview week, except in exceptional circumstances. Exceptional circumstances will include a student being unable to be in Vancouver during the designated week because of legitimate study or work restrictions, or due to exceptional personal circumstances. A student's absence from Vancouver during the designated week due to participation in another city's interview week will not constitute an appropriate basis for the grant of an early interview.
 - 3.1. Notwithstanding paragraph 3, employers are permitted to attend on-campus interviews ("OCIs") for the purpose of pre-screening students for invitations to the articling interview week for summer articles in Vancouver. Those employers attending OCIs agree that no offers will be made at the OCIs and that these guidelines otherwise continue to apply.
 - 3.2. Employers will not conduct interviews or hold any interview-like events, including cocktail receptions, dinners, or workspace tours, during the applicable blackout period as follows:
 - (a) Articling blackout period: The two-weeks preceding articling interview week.
 - (b) Summer articling blackout period: The two-weeks preceding summer articling interview week when that week falls on the third (or less) week of October, and the three-weeks preceding summer articling interview week when that week falls on the fourth (or more) week of October.

Employers may hold cocktail receptions, dinners, or workspace tours for groups of students prior to the applicable blackout period.

The VBA discourages employers from holding any events that are primarily targeted toward students (and in particular, potential applicants) during the applicable blackout period; all actions should be in keeping with the spirit of these guidelines. Employers shall not approach students to, directly or indirectly, suggest meetings and/or to promote their place of employment during the applicable blackout period. Employers may, however, respond to student-initiated emails during the applicable blackout period, provided that the intent of such

communication is not to facilitate interview-like interactions. The blackout period is intended to give students and recruiters a “break”, and to level the playing field for everyone involved in the recruitment process. Should you have any questions or concerns about whether or not an event may be viewed as keeping with the spirit of these guidelines, please email info@vancouverbar.ca.

- 3.3. Throughout the recruitment process, employers shall not, directly or indirectly, put pressure on students to accept an offer of employment or reveal their intention to do so. Students may, however, voluntarily communicate their level of interest in an employer, including their intention to accept a prospective offer from an employer if such offer were made. However, attempts by employers to solicit these intentions, directly or indirectly, are not appropriate.
4. No employer will make an offer or communicate an express intention to make an offer to a student prior to 8:00 a.m. (Pacific time) on the Thursday of the designated interview week (even in cases where legitimate early interviews have been held), unless the student has indicated that he or she will not be reachable (by telephone, fax, email or otherwise) during the designated interview week. Notwithstanding the foregoing, employers may make offers of regular articles to their own summer articling students and co-op students in advance of the interview week.
5. In accordance with Law Society Rule 2-58, all offers of regular articles by lawyers practicing in a firm (as defined in such rules) that maintains an office in downtown Vancouver (north of False Creek and west of Carrall Street) to students who have not yet begun their third year of studies must remain open at least until the “offer date” set by the Credentials Committee of the Law Society. The foregoing is a Law Society Rule and not a VBA guideline. When making an offer of regular articles to a student, employers shall expressly communicate the period for which such offer will remain open (which period shall, for greater certainty, comply with Law Society Rule 2-58, if such rule is applicable to the employer).
6. All offers of summer articles by an employer agreeing to abide by the guidelines must remain open for at least 24 hours after the time and date made. When making an offer of summer articles to a student, employers shall expressly communicate that such offer will remain open for 24 hours (or such longer period as the employer may determine).
7. In the spirit of fairness, students are encouraged to deal with offers received as expeditiously as possible, regardless of the time that the offer remains open. Students who accept an offer are encouraged to immediately notify employers from whom they have an outstanding offer. Students who have already accepted an offer are encouraged not to thereafter accept offers subsequently received.
8. Employers shall not initiate contact with students via non-professional social media platforms for the purposes of recruitment. The foregoing is not intended to apply to professional social media platforms such as LinkedIn.

RELEVANT LAW SOCIETY RULES

Hiring articulated students

2-58 (1) This rule does not apply to temporary articles under Rule 2-70 [*Temporary articles*].

(2) This rule applies to all lawyers practising in a firm that maintains an office in the city of Vancouver north of False Creek and west of Carrall Street.

(3) The Credentials Committee may designate an offer date in each calendar year.

(4) A lawyer must not offer articles to a student of any law school who has not begun the third year of studies unless the offer is to remain open at least until the offer date designated under subrule (3).

(5) As an exception to subrule (4), the Credentials Committee may allow a lawyer to withdraw an offer of articles before the offer date designated under subrule (3).

Temporary articles

2-70 (1) A person may apply for enrolment in temporary articles by filing the following with the Executive Director, not less than 30 days before the enrolment start date:

(a) an application for enrolment in a form approved by the Credentials Committee, including a written consent for the release of relevant information to the Society;

(b) an articling agreement in a form approved by the Credentials Committee;

(c) the application fee for temporary articles specified in Schedule 1.

(2) The Executive Director may enrol the following in temporary articles:

(a) a student at a common law faculty of law in a Canadian university;

(b) a person whose application for enrolment as an articulated student has been approved, but whose articling term has not yet begun;

(c) a person who is qualified to practise law in a Commonwealth country and has actually practised law in that country for 2 years or more.

(3) Temporary articles granted under subrule (2) (a) are void if the student ceases to be a student at a common law faculty of law in Canada.

(4) The Executive Director may only grant temporary articles under subrule (2) (a) that are subject to a definite termination date.

(5) The Executive Director must not grant temporary articles under subrule (2) (b) effective more than 6 weeks before the beginning of the person's articling term.

(6) The Executive Director must not grant temporary articles under subrule (2) (c) for a period exceeding 3 months.

(7) Time spent in temporary articles is not part of the articling term.

(8) Except as otherwise specified in these rules, a person enrolled in temporary articles has the rights, privileges and responsibilities of an articulated student.

(9) The Credentials Committee may revoke temporary articles at any time for any reason without giving notice to the temporary articulated student and without holding a hearing.