

The changing face of the legal profession:

Fact or fiction

1. There are too many lawyers in Ontario.
Yes No
2. If you answered YES to 1 above, the reason is:
 - a) Because there are too many newly called lawyers; or
 - b) Older lawyers aren't retiring.
3. Practice areas in which the number of E&O claims is on the increase correspond to areas of practice in which there has been the highest growth in the number of practitioners.
True False
4. In non-urban areas 40 per cent of lawyers are over age 55.
True False

Answers and insights

The answers to those questions – and a number of other surprising facts – can be found in an analysis of the legal profession in Ontario that LAWPRO conducted recently. The findings, based on information gleaned from our database, indicate that the profession is aging, that the areas in which most lawyers practice are changing, and the lure of urban practice is stronger than ever.

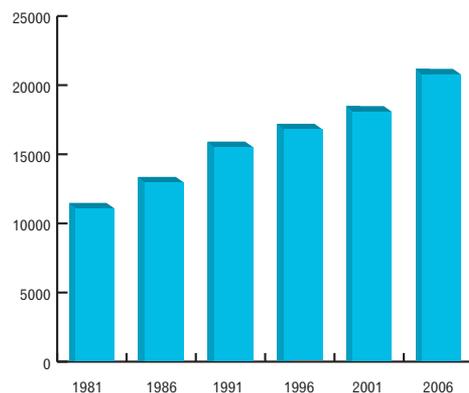
FACT

The practising bar continues to grow at approximately 2.5 per cent annually (about the same rate as it has for the past 25 years).

Lawyers have always had many career opportunities open to them: Private, government or corporate practices

are the primary ones. The fact that there has been a consistent trend would indicate an economic equilibrium is being achieved.

Number of lawyers in private practice, by year



FACT

The growth in the practising bar is a combination of two separate forces: more lawyers coming into practice, and fewer retiring.

- In recent years an average of about 1,300 lawyers were called to the Ontario bar, up about eight per cent from the average in the 1990s.
- As well, it appears that lawyers are deferring retirement. Not only are there more senior practitioners around (1,330 over 65 years age in 2006 compared to 670 in 1996), but the average age of the bar is continuing to increase and now stands at 47 – up from 45 in 2000 and 41.5 in 1990. This trend is particularly apparent in the personal legal services fields (real estate, family law, wills, criminal law); increased demand for these specific legal services in turn is a function of population growth.

FACT

The areas that have seen the highest growth in the number of lawyers are corporate, plaintiff litigation and criminal law. Despite the growth in the number of practitioners in these areas, claims frequency has been decreasing or stable.

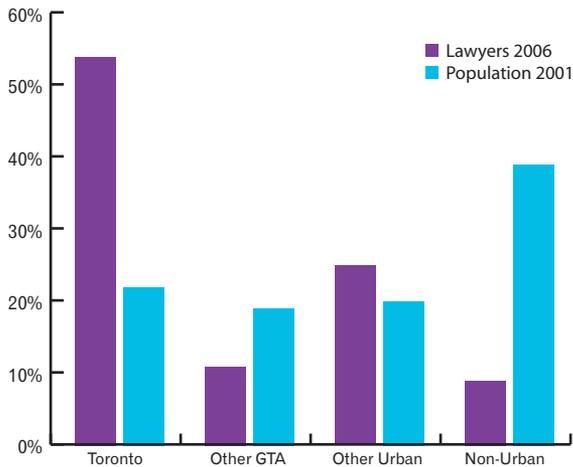
- For example, in the area of plaintiff litigation, the number of lawyers increased just over 50 per cent to 2,221 from 1,474 lawyers while claims in this area of law actually decreased 11 per cent to 477 claims in 2005 compared to 536 in 1997.
- Similarly, the number of lawyers practicing corporate law increased nine per cent between 2003 and 2005, while claims attributed to these lawyers increased only four per cent.

Real estate and wills practices appear to be more stable in terms of the numbers practising in these areas. Interestingly, those practising primarily real estate and wills law are, on average, eight to ten years older than those practising in other areas. Of the two, only real estate has demonstrated volatility in claims frequency. Between 1996 and 2005, the number of real estate claims has bounced from a high of 717 in 1996 to a low of 432 in 2003 and back up to 526 in 2005.

FACT

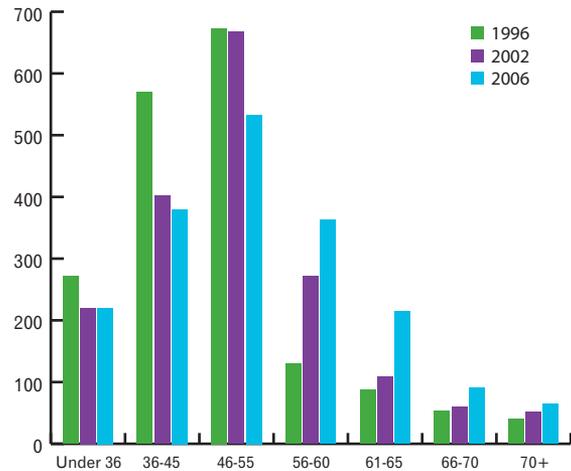
Urban areas, especially the Toronto area, attract a disproportionate number of lawyers – likely a function of higher level of corporate activity in these areas.

Percentage distribution of lawyers in private practice in 2006 and geographical distribution of Canadian population in 2001



In non-urban areas, the number of lawyers has remained fairly stable over the past 10 years but the aging of the practice in these areas over time is noticeable: 40 per cent or more are over 55 years old – approximately twice that found in Toronto.

Count of lawyers in non-urban areas, by age



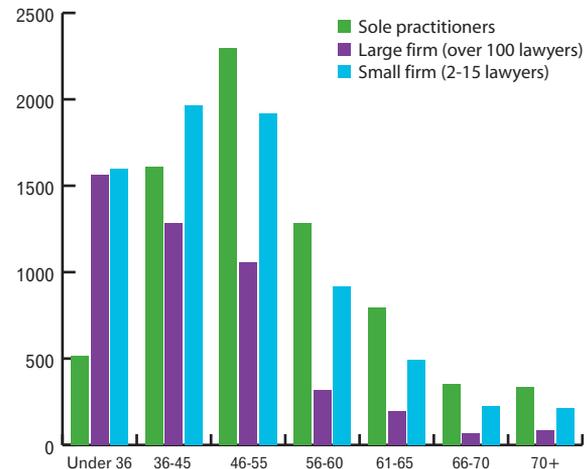
FACT

The age profiles of lawyers in sole practice is quite different from that of small or large firms.

Sole practitioners across the province are under-represented in the "under 36" age group and over-represented in the "over 55" age group. For example, of the 6,889 lawyers in sole practice in 2006, only 500 (seven per cent) were under the age of 36.

Large firms – and to a lesser extent small firms – tend to attract younger lawyers. In large firms, for example, 34 per cent of lawyers are under 36 years of age.

Count of lawyers by firm size (2006)



FOR MORE FACTS

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