



February 17, 2010

William Farrell
Director, e-Business Design and Application
Citizenship and Immigration Canada
180 Kent Street
Ottawa, Ontario
K1A 1L1

Dear Mr. Farrell,

Re: e-Business Design and Participation of Authorized Representatives

I am writing on behalf of the National Citizenship and Immigration Section of the Canadian Bar Association (CBA Section) regarding the expansion of online applications through MyCIC to work permit applications and visitor status extensions. We commend the efforts of Citizenship and Immigration Canada to provide technical solutions that enhance program delivery and reduce overall processing times. We also appreciate the opportunity to provide feedback on the design and content of an authorized representatives' portal. However, we remain concerned that launching this expansion of MyCIC services without allowing representatives to submit applications and respond to requests for information will effectively deny an applicant's choice to be represented by counsel on such applications. Involving counsel in the submission of online applications assists applicants in presenting their cases clearly, ensuring that all required information and documents are provided, and clarifying any misconceptions or misunderstandings.

Beginning in June 2008, MyCIC allowed for the online submission of off-campus work permits and study permit extensions. This was part of a broader initiative to modernize client services, facilitate information sharing and reduce the amount of time and resources spent on data entry. It did not have the capability to allow authorized representatives to submit applications or subsequently communicate with CIC on behalf of their clients. We identified this as a concern and received assurances that technical solutions would be developed to allow this to occur. We further understood that a solution would be identified prior to extending e-filing to other business lines. Notwithstanding such assurances, on December 19, 2009 CIC extended e-filing to other business lines without instituting measures permitting the involvement of authorized representatives in applications made through MyCIC.

We have now been advised that, as an interim measure, CIC will be taking steps to allow applicants using MyCIC to appoint a representative, upload submissions from an authorized representative and include the representative's address for delivery of status documents. However, lawyers will still be unable to access MyCIC to submit applications and will not

immediately receive notification that additional information has been requested or that an immigration officer has contacted the applicant. To rectify this situation, we understand that CIC is now exploring whether a representatives' portal with an online verification system can be established with the cooperation of provincial and territorial law societies.

We appreciate CIC's willingness to introduce these temporary measures and work toward a permanent solution that will improve service delivery while ensuring the right of clients to use counsel of their choice in the immigration application process. We urge CIC to make the addition of a representative portal a top priority, so that the portal may be established without further delay. The CBA Section is concerned that the technology used by the CIC may inadvertently frustrate the client's fundamental right to counsel.

Please update us on the status of the representatives' portal and a time line for completion, so that we may communicate this to our members. We remain available for additional discussions at any time.

Yours truly,

(Original signed by Kerri Froc for Stephen Green)

Stephen Green
Chair, National Citizenship and Immigration Law Section