

PRESS RELEASE

THUMBPRINTING PROSPECTIVE LAW STUDENTS IN CANADA: A CONCERN

OTTAWA – February 10, 2006 – The Council of Canadian Law Deans (CCLD) is concerned with the use of thumbprints by the Law School Admission Council (LSAC), an American non-profit corporation which administers the Law School Admission Test (LSAT). The LSAT is a standardized test required for admission to many law schools in the United States and in Canada.

Nathalie Des Rosiers, President of the CCLD and Dean of the Faculty of Law – Civil Law Section at the University of Ottawa, states that “although not all Canadian law schools require the LSAT, many Deans are very concerned by this thumbprinting practice of LSAC”. The concern is two-fold. First, the collection of thumbprints by an American entity constitutes a privacy risk for Canadian students since the information could be subject to the *USA Patriot Act*, an act which allows US federal agencies to retrieve and retain personal information without the consent or knowledge of the person concerned. Second, there is the concern of the legality of asking applicants to submit to fingerprinting in Canada, having regard to the Canadian *Personal Information Protection and Electronic Documents Act (PIPEDA)* and corresponding provincial statutes.

The CCLD is pursuing the issue with LSAC, in particular the way in which the information is collected and stored and the possible alternatives to the use of thumbprinting. The CCLD welcomes the intervention of privacy commissioners on the issue.

Depending on the outcome of the CCLD’s discussions with LSAC and the Privacy Commissioners' opinions, some law schools could change their policies regarding the use of the LSAT in their admission procedures.

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