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## With data analytics, it's not always "Follow the Money"!

by Rees W. Morrison, Principal with Altman Weil

The surge in law firms collecting, analyzing and visualizing information aims quite understandably to increase firm revenue. Why, managing partners ask, should we invest the time and money to do predictive analytics (aka machine learning), if we don't expect to hear the cash register ring? That relatively short-term goal of increased fees makes sense. It also orients the progressive firms to focus on analytic tools that pertain to substantive legal analyses.

Even so, this article argues that a number of benefits of predictive data analytics should be recognized in the domain of law firm operational management. All of the alternative exploitations of data ultimately bear on the financial success of the law firm but they are less immediately instrumental than, say, analyzing cost drivers of law suits to make more money on fixed-fee arrangements. As much as managing partners want to grow or increase profitability, bring in more fees and add more lawyers, they may overlook or discount secondary uses of law firm data for running the firm as leaders focus almost

exclusively on short-term, return-on-investment in business development.

Data handled well can benefit law firms operationally in several ways. This article explores a half dozen of them, some of which bear fruit years down the road.

### RECRUITMENT

One benefit of data is when the firm is hiring lawyers. When firm ambassadors make their pitch to lure lateral partners, they deserve to be able to describe the firm glowingly and convincingly. Solid, impressive numbers on

growth, revenue, quality and associates, not to mention clients, persuade recruits, especially when proclaimed with effective graphs. As they interview at law schools for new associates or brief search consultants, partners do a better job when they have at hand figures and numeric trends about their firm. Numbers and especially graphs of those numbers go a long way as the firm attends recruitment fairs. Stated more broadly, a law firm needs to have its partners and associates conversant with key numbers about the firm.

Information embedded in documents filed in red-weld folders does no one as much good as having the data stored in rows and columns of spreadsheets. In that format software such as Excel and open-source R can turn the straw of data into the gold of talent.

### FACILITIES

Another use of data arises frequently in infrastructure planning. Should we sublet

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**Who We Are**

The BCLMA, founded in 1972, is a non-profit organization with 180 Firm Representatives and 390 Affiliates across BC. It is the BCLMA's goal to provide educational and networking opportunities, to enhance skills as legal administrators and managers, and to provide professional and personal benefits to its registrants.

**Member Services**

The BCLMA provides opportunities to network with other law firm administrators and managers at annual Spring and Winter socials, and monthly subsection meetings. We host an annual Managing Partners Event, and a large conference every other year.

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Topics is a public newsletter. Contact the Editorial Committee to provide comments on articles, to offer suggestions for articles in future issues, or to augment the circulation list. We welcome your feedback! Please send comments to [membership@bclma.org](mailto:membership@bclma.org).

**Submissions**

If you have an article or story idea you would like to submit, please email Sunita March at [smarch@cfmlawyers.ca](mailto:smarch@cfmlawyers.ca). Please note that our prescribed article length is 1000 words. All submissions will be subject to review by the editorial board.

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additional space? Should we move to another location or open a branch office? Sometimes there are questions about installing a larger server or rewiring the existing offices. Should we do anything if we have 150 square feet per lawyer but the industry average is 200? Answers to all these questions, and decisions made thereafter, are wiser when there is data available to support them. Of course, the data has to be available to a computer program that can manipulate and communicate it.

#### PROPOSALS

Almost every Request For Proposal that a firm receives asks for data. The law department that issued the RFP wants to know about diversity, or about practice groups and their numbers of lawyers, or about the size of transactions handled. An RFP may ask for information about the number of matters by type and year, and on and on. Yes, some answers based on data might be resurrected from an earlier RFP response but it is much more efficient to have the raw data already compiled and curated in a spreadsheet or database.

#### SURVEYS

Many vendors and consultants conduct surveys of law firms. They ask for myriad



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pieces of information. If the law firm chooses to respond and bases its answers on empirical data already kept track of in various formats and repositories, the firm can more readily provide answers to surveys that interest them. In fact, a savvy appreciation of survey data, re-analyzed by the firm perhaps, brings even more value to a firm.

### PRESS

When reporters call, the partner or whoever responds will make points more tellingly if they can rapidly cite reliable facts about the firm or topic. "Almost 40% of our clients do business in more than 10 countries" impresses reporters far more than getting back two days later with "Lots of our clients are multi-nationals." The first statement, with its impressive precision and prompt delivery, can only be made if the appropriate numbers have been tracked, analyzed and made available. Journalists are impressed by facts and data are the epitome of facts.

### VENDORS

Any time a law firm considers buying something, it will make sounder decisions if it precedes the decision with tallies and tracking. Do we need to buy more user seats under a software license? Have people made sufficient use of the expensive subscription? Does printing double sided make a difference? Research into these kinds of questions pays off; research should be captured as data for decisions.

For all these "benefits beyond bucks," the general point is that insights are available more easily if the law firm compiles data and keeps it readily accessible. If much of its data is in that shape, the firm's staff can apply what is available and create new or better cuts of data.

Data that is at hand and can be worked with throughout the firm improves the operational efficiency of the firm. Doing so also rides the wave of younger people who are more computer savvy and are comfortable with data analytics. Decision speed, quality of management decisions, consensus that crystallizes around accepted figures, persuasiveness all manifest themselves over time as a better-run law firm. The six ways law firms can deploy data that are described above each fall into a functional area: HR, infrastructure, selling, public relations, and procurement. When a law firm collects and stores data that those functions can retrieve

# WELCOME & KUDOS

### New Member Firms and their Representative

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and analyze, the leaders of the law firms or functions can manage better and provide better service.

Data analytics at a law firm serves as a management tool that will play an increasingly instrumental role in law firms – even more so if they appreciate the longer-term value of a data-collection and data-analysis culture.

Two subtler and broader advantages from number consciousness should be emphasized. First, a data-friendly law firm encourages a different way of thinking about decision-making than traditional approaches. Make it a practice throughout the firm to ground arguments in data and argue with numbers (dare we urge statistics?), or else recognize that a dispute's resolution rests on values and ideology more than quantifiable evidence. If the Managing Partner feels deep down that it is time to open an office in Cuba, you can be sure there are facts and figures that can sharpen or challenge that opinion. Even so, well-marshalled facts can eat away at deeply-held beliefs and even, sometimes, change people's minds.

Second, being mindful of data is being mindful of what you do. This is a deeper benefit arising from a law firm's receptivity to data. An awareness of numbers (other than billable hours and fees received) helps lawyers and others in law firms think about their processes, describe them and their output in more tangible, numerate terms ("15 10Ks reviewed this month" rather than "Lots of 10Ks"), and become more aware and reflective about what they are doing. The more plots and graphs there are about activities, the more people think about how they're practicing law and how they might do better.

So, as the data deluge inundates law firms, their leaders ought to recognize that a bottom-line return from data analytics, preferably this quarter, is not the only measure of benefit from data analytics. With enlightened data consciousness, how the firm spends money and how it operates can improve in a wide variety of ways.



*Rees Morrison is a principal with Altman Weil. One of his specialties is data analytics for law firms and corporate law departments. Contact him at [rwmorrison@altmanweil.com](mailto:rwmorrison@altmanweil.com).*

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Mark Jeffrey, **Thorsteinssons LLP**, Vancouver  
Catherine Polder, **Camp Fiorante Matthews Mogerma LLP**, Vancouver  
Betty Lee, **Camp Fiorante Matthews Mogerma LLP**, Vancouver

## Firm Name Change

**Singleton Urquhart Reynolds Vogel LLP** (formerly Singleton Urquhart LLP)

## Retired

Tracy Zimmerman, Accounting Manager, **McQuarrie LLP**, Surrey  
Bonnie Kirk, Financial Analyst, **Lawson Lundell LLP**, Vancouver



After 35 years at Lawson Lundell LLP, **Bonnie Kirk** retired from the legal industry on December 20, 2017.

Bonnie has been a member of BCLMA for over 30 years and has volunteered for a number of different committees and roles during that time. Over the years, she has been involved with the Topics Editorial Committee, Conference Committee, and served as the Finance Chair for a period of time.

Bonnie's words of wisdom to BCLMA finance affiliates? "Become involved. By doing so, you will broaden your life skills tenfold. Furthermore, you will develop a strong support with others in your field. This is particularly important in Finance as our positions require our focus to be on risk management. Having said that, don't think you can do it 'alone'. Making a mistake could have dire consequences. By being involved, you will have the opportunity to network with very knowledgeable people that are more than willing to offer their advice."

And while Bonnie may miss the legal community, rest assured, she is very much looking forward to waking up to the light of the day instead of an alarm clock!

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## Insider Trading A Risk from Within the Firm

by Scott Bartos, Chief Risk Officer for Borden Ladner Gervais LLP

In the course of representing clients, law firms frequently learn of confidential and highly sensitive information concerning clients. In the case of companies and other issuers whose securities are publicly traded, this information may affect the market price of the securities of these entities.

The Law Society's rules of professional conduct impose an ethical duty on lawyers to hold in strict confidence all information acquired in the course of client representation and to refrain from divulging any such information unless authorized by the client or required by law to do so.

Transactions by a firm's personnel in securities of their clients carry the potential for misunderstanding and disputes that could be embarrassing and may possibly undermine the trust and confidence essential for an effective solicitor-client relationship.

Inappropriate trading in client securities can also lead to legal or regulatory proceedings. A number of firms have recently found themselves in the headlines for this very reason – firm personnel caught in the crosshairs of an insider trading investigation. While not a new risk for the legal industry, it is one that should remain on the top of your list of key risks.

Recent cases certainly drive home the point. In one example this year, the Ontario Securities Commission ("OSC") issued a claim against a

former employee at a leading Canadian law firm alleging they had been tipping off others about deals handled by the firm.

Earlier in the year, in what could be called a watershed case, the OSC reached a settlement with a foreign partner in a major global law firm with offices in Canada, pursuant to which he was found to have violated the firm's policy requiring employees to preclear their securities trades. There was no allegation that the partner contravened Ontario securities law, nor that he was in possession of material non-public information at the time. Nor was there an allegation that he engaged in abusive, willful or knowing misconduct, or that he knew any information that would explain why the issuer was on the restricted list. The issue turned on the fact that the partner breached an internal policy.

The Commission agreed to accept the voluntary settlement reached by the partner and OSC staff which included a \$10,000 fine, an 18 month trading ban and \$20,000 in costs on the basis it would be in the public interest. The Commission noted that it was in

"uncharted territory" as it was the first case of its kind, and that it engaged the animating principles of the Securities Act.

### WHAT DOES THIS MEAN FOR YOUR FIRM?

These recent cases provide some valuable lessons (which may apply depending on the nature of your firm's practice).

- All firm members should be made aware of the various laws that relate to confidential information, securities trading and offences such as tipping off.
- Depending on the nature of your firm's practice, you may want to consider a policy that sets out the firm's expectations in respect of employee behaviour as it relates to the integrity of capital markets including ensuring confidential, material information is safeguarded and that trading is appropriately restricted in order to prevent impropriety or the appearance of impropriety.
- If you put a policy in place take steps to ensure that your employees are complying with the policy.
- You should ensure that all staff are reminded of their legal responsibilities on an annual basis.

Firms would be wise to invest in specific guidelines and procedures for all personnel relating to the protection of client and firm confidentiality and the propriety of various

personal financial transactions. Because of the complexity of the securities laws and other rules, your policy may not be able to effectively address all considerations but simply having one is a step in the right direction.

Although lawyers are under an ethical duty to hold in strict confidence all information acquired in the course of client representation, it is important to keep in mind that non-lawyers at your firm also need to be aware of the legal obligations related to material, non-public information and trading in public securities.



Scott Bartos is the Chief Risk Officer for Borden Ladner Gervais LLP (BLG) and a seasoned executive with experience in both risk management and compliance. Prior to joining BLG in 2016, Scott held a number of executive risk management roles with one of the largest international financial institutions in the world. In his role, Scott is responsible for ensuring the implementation of an enterprise wide risk management framework capable of identifying and mitigating various risks.

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## MEMBER SNAPSHOTS



**LISA GEDDERT**

**How long have you been a BCLMA member?**

1 ½ years

**Where do you work?**

RDM Lawyers

**Where did you vacation last?**

Playa del Carmen

**Where were you raised?**

Calgary, AB / Texada Island, BC

**Favourite wine under \$20?**

Arrowleaf Pinot Gris

**Favourite BC day trip?**

Downtown Vancouver

**Favourite lunch spot?**

U and I Thai, Abbotsford

**Favourite restaurant?**

Cactus Club – everything on the menu is great

**Something surprising about you?**

Oldest of 10 kids

**Favourite or most recent movie?**

*PS I Love You* – too hooked on Netflix so haven't seen a movie in ages

**What's a must-read book?**

*The Mammoth Book of Covert Ops* by Jon E. Lewis

**How do you spend your spare time?**

Relax

**What do you most enjoy about working in the legal industry?**

The diversity of my job – Accounting, Admin, HR

**What movie describes your life?**

*Thelma and Louise* – LOL – I did a quiz. Either that or *A Series of Unfortunate Events*





## When the Office Party Goes Wrong Workplace Investigations

by Preston Parsons, Associate at Overholt Law

Is your firm carrying baggage from the office Christmas Party? Some unlucky organizations are. Generally speaking, the days of out-of-control office parties filled with scandal and intrigue are from a bygone era. More businesses all the time are implementing a variety of different social host control mechanisms, from limiting drinks for attendees to providing taxi fare or hotel rooms. There are however still the occasional attendees that take the party too far and need to be confronted.

Information on these may come to your attention in a variety of ways, whether through direct observation of inappropriate behaviour, a formal complaint to management, or merely the run of the rumour mill. In all three instances, it behooves management of the firm to look into the situation, to address it early, and in a business-like manner.

Should the need for a workplace investigation arise, the following are a few considerations to keep in mind:

### **INTERNAL VS. EXTERNAL**

Is it appropriate for the investigation to be conducted internally? Sometimes it is more

appropriate to have an external investigator who can bring an arms-length and neutral eye to the situation.

### **IMPARTIALITY**

Whether the investigator is from the firm or contracted externally, it is important to consider the perception of the person's impartiality. Would the investigator be perceived by all parties as likely to be fair? If not, better to choose another.

### **SCOPE**

Is the investigator to gather evidence and find facts only, or to also provide recommendations based on the findings? Is there a need

for privilege over the investigation report?

### **CONFIDENTIALITY**

To the extent possible, it is best to keep the investigation, its processes, and the final report details confidential. Inform all parties who are interviewed to keep the matter confidential and not to discuss their interview with others to prevent each person's evidence from being tainted. You do need to provide the subject of the investigation with a full outline of the allegations being investigated though.

### **FAIRNESS**

It is important that the respondent is provided with a full outline of the allegations being investigated prior to their interview. Ambushing the respondent with allegations on the spot in a first meeting and expecting an immediate response is hard to justify in many cases.

### **TIME-OUT**

Is it appropriate to have the respondent at the workplace during the investigation process or should they be sent home? Should they be put on paid leave or can you get away with

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unpaid leave? These questions are dependent on the situation. If the conduct is serious enough that you feel the respondent needs to be removed from the workplace during the investigation process, I advise seeking privileged advice from counsel on the situation.

Conducting a proper and thorough workplace investigation requires skill and is important to get right. While perfection is not required, professionalism is. The firm can face liability, including for constructive dismissal, where an investigation is mishandled. Asking the questions posed above will help guide you in determining the approach your firm needs to take to the investigation and hopefully, the start of a resolution to the problem.



*Preston Parsons is an associate lawyer at Overholt Law, practicing in the areas of employment and labour relations, human rights and privacy law. Overholt Law is a boutique employment and labour relations firm*

*located in downtown Vancouver, British Columbia. For more information regarding Overholt Law, please visit [www.overholtlawyers.com](http://www.overholtlawyers.com).*



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# BCLMA WINTER SOCIAL



A: Leslie, BCLMA Director & 2018 conference chair highlights the April 19 – 20th conference agenda

B: Rob Antejos (SAI) Winter Sponsor, Barb (Synergy Business Lawyers) & Fran Brooks (Do Process) Contributor Sponsor

## BCLMA Winter Social

Photos by Jesse Donaldson

The BCLMA annual winter social attracted 160 association members, sponsors and business partners to the Terminal City Club on November 23. It was an earlier holiday get together than in past years but that contributed to the fact that a good time was had by all.

In a lively atmosphere guests were greeted with a glass of sparkling wine and passed canapes while an upbeat jazz pianist filled the room with music. There was a turkey carving station, a risotto station along with small buffets with cheese, sushi and yummy holiday desserts. And this was a reception!

A puzzle match up networking event encouraged people to move throughout the room and meet new colleagues. Each person was

given one of three puzzle pieces from a cut up holiday card. If all three pieces found each other and matched up to complete the holiday picture, all three were entered into a draw for one of nine prizes.

Lorraine Burchynsky, BCLMA President and Rob Walls, BCLMA Director and Business Partner Liaison commanded the microphone. Lorraine welcomed the attendees and thanked the outgoing subsection chairs and

co-chairs from our nine subsections. She also recognized the association volunteers from all our various committees; Survey, Social Media and Topics Newsletter. Rob acknowledged and thanked the evening's sponsors who collectively support the event. If not for our wonderful sponsors, BCLMA would not be able to hold these wonderful festive and well-attended gatherings. Many people won amazing door prizes generously donated by our sponsors and BCLMA.

Mark your calendars! Next year's annual winter social will take place on November 29 at the Sutton Place Hotel.

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- Shaw Sabey – Exclusive bottle of Italian wine – won by Neena
- BMC – Fitbit Alta HR – Won by Steven
- SAI – Gift Certificate to the Keg – won by Kathleen
- Do-Process – Gift Certificate to Leone – won by Christa

- i-worx – Gift Certificate to the Keg – won by Kayla
- R. Johnson – Gift Certificate to Pacific Centre – won by Amy
- BCLMA draw prizes (various gift cards) were hidden in 12 pockets of a large Christmas stocking. If your number was drawn you selected the card from one of the pockets. Winners were: Scarlett, Chanel, Lisa, Heather, Naomi, Katie, Beth, Katherine, Peter, Gina, Carina, and Mikayla

# BCLMA WINTER SOCIAL



C: Diane Cronk (Arlyn Recruiting)  
BCLMA Premier Sponsor connects  
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D: HR colleagues Amy (McMillian)  
& Scarlett (AHBL)

E: Mario Montagiliani (Shaw Sabey)  
BCLMA Premier Sponsor & Jay  
(Farris)

F: Alexa (Harper Grey) & Kathleen  
(Grant Kovacs Norell)

G: Brian Mauch (BMC) Winter Event  
Sponsor & Gina (DuMoulin Black)

H: HR Duo, Elizabeth & Priti (Farris)



# BCLMA WINTER SOCIAL



I: Small Firm Chairs – Ronda (Manthorpe) and Ruby (HHGB) catch up

J: Marketing pals Priscilla (RBS) & Geeta (BLG), one of our BCLMA's Newsletter editors

K: North Shore member Susanne (Lakes Whyte) and Beth (Clark Wilson)



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# BCLMA WINTER SOCIAL



L



M



N

L: Naomi (Clark Wilson) Peter (AHBL)  
Sam (Singleton Reynolds) Brenda (AHBL)  
& Tania (AHBL)

M: BCMLA new members Jazmin &  
Neena, (Holness Law)

N: Mikayla & Lavinia (Sangra Moller) &  
BCLMA President Lorraine

O: Leanna (AHBL) Nancy and Larisa  
(Blakes) catch up

P: Maureen (Jeffery & Calder) on the Left  
and Bonnie Kirk (Lawson Lundell) on the  
right, both BCLMA members of 30+ years  
chat with new member Roshi (Stirling IP)



O



P



# LAW FIRM TRANSFORMATION

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## Litigation Support: A Foreign Term

by Carlos Tyler, Litigation Support Specialist at Norton Rose Fulbright LLP

For most people, the titles “litigation support” and “e-discovery” hold little understanding. In a world hurling at breakneck speed into the technological unknown, the legal industry is more in need of people who fall under this title, along with litigators that have a firm understanding of technology and electronically stored information. In a perfect world, a litigation support person fits somewhere in-between a Paralegal and an IT professional, with a solid understanding of database systems, document management systems, operating systems, and also a fundamental if not intermediate understanding of general litigation.

Many of the litigation support professionals in the industry today probably never imagined being in this role. Most, if not all, were administrative assistants, paralegals, and IT professionals; often thrown into what is now known as litigation support/e-discovery. I myself arrived in the industry via a similar path, with an initial background in information technology. Upon joining the legal industry through an entry level position, I obtained my Paralegal certificate, and now have married the two industries. Did I foresee this happening? No. Did I plan for this to happen? No.

Traditional document exchange is slowly evolving, as we move away from paper and the photocopying of documents towards e-mailing documents, uploading them to a cloud server, burning them on a CD or DVD, and copying documents onto a USB or portable hard drive.

This is where the litigation support person comes into play. It is no longer cost-efficient for the lawyer, student or paralegal to conduct a review by opening each and every electronic document they receive separately, let alone taking notes and marking up the

documents. At this stage there are still many firms that will print every received document for review, which becomes problematic if there are hundreds or even thousands of exchanged documents.

Enter the litigation document database! This is where your received electronic documents, and even your client documents, can be stored, marked-up, and a whole lot more. Many have heard of Summation, Relativity, IPro, Concordance and Eclipse; these are just a few of the database software suites currently being used in Vancouver.

As litigation becomes more complex and the amount of discoverable information increases, we need to become more aware of how we as an industry will handle this change in the legal landscape of e-discovery.

Things like predictive coding, technology assisted review (TAR), and now artificial intelligence are beginning to facilitate this rapid change. These technologies are now being packaged with the traditional database suites.

Predictive coding is the use of keyword search, filtering and sampling to automate portions of an e-discovery document review. The goal of predictive coding is to reduce the number of irrelevant and non-responsive documents that need to be reviewed manually.

Technology Assisted Review (TAR) is a process of having computer software electronically classify documents based on input from expert reviewers, in an effort to expedite the organization and prioritization of the document collection. The computer classification may include broad topics pertaining to discovery responsiveness, privilege, and other designated issues. TAR (also sometimes called Computer Assisted Review or CAR) may dramatically reduce the time and cost of reviewing ESI (Electronically Stored Information), by reducing the amount of human review needed on documents classified as potentially non-material.

We must keep in mind that these technologies only work effectively with native files, i.e. Microsoft Word, Excel, mht e-mails, etc. Basically file types that have OCR (optical character recognition) text built into the

## SAVE THE DATE

### **BCLMA Annual General Meeting**

Thursday, March 1st, 2018  
4:00 pm - 6:00 pm  
Farris Wills Vaughan & Murphy LLP

### **BCLMA 2018 Conference**

April 19 - 20, 2018  
Conference Kick-off Event & Reception  
Thursday, April 19  
5:00 pm - 8:00 pm  
Vancouver Convention Centre East

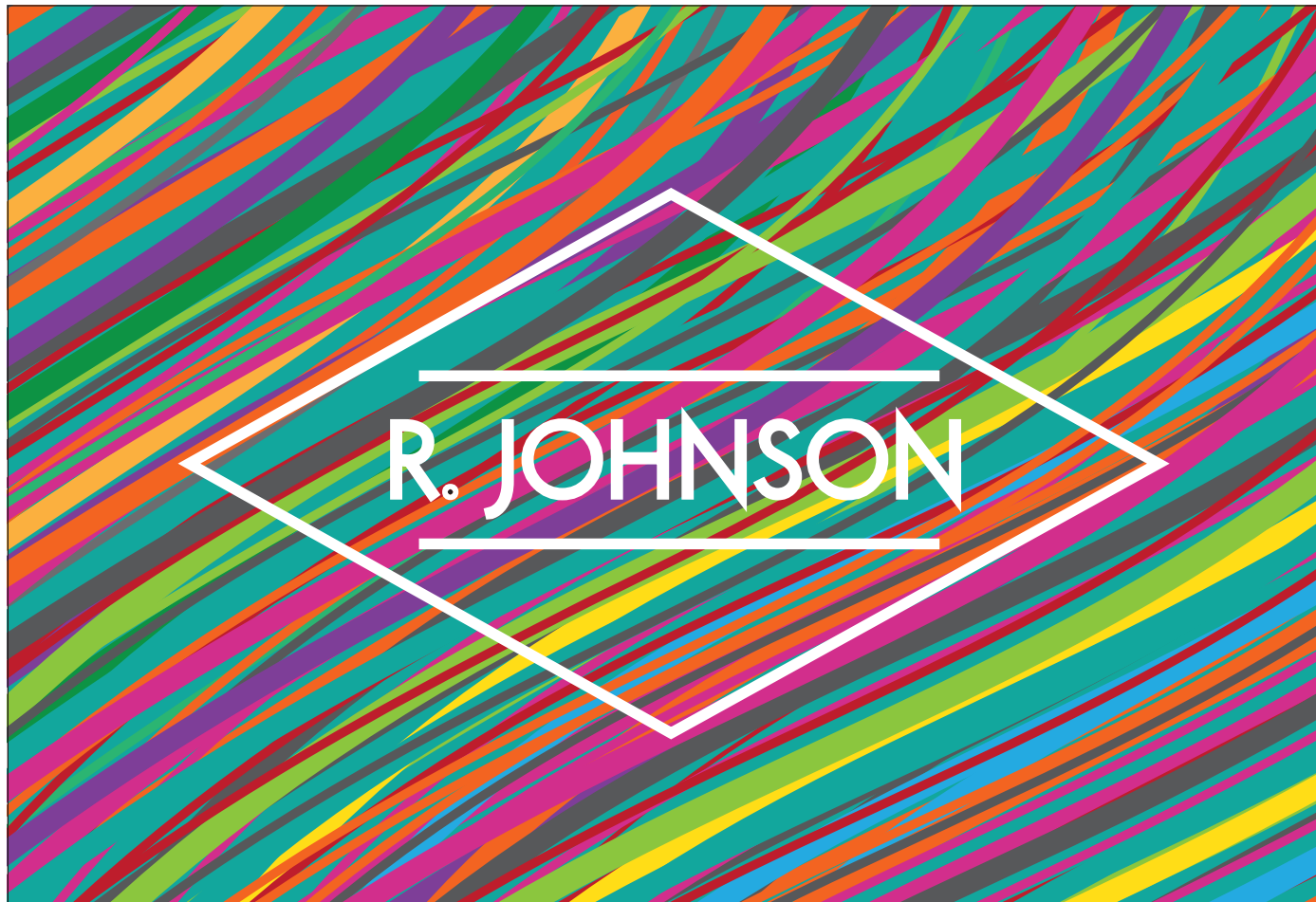
### **Conference Day & Market Place**

Friday, April 20  
8:00 am - 8:30 pm  
Vancouver Convention Centre East  
Visit [www.bclmaconference.com](http://www.bclmaconference.com)

### **BCLMA Summer Social**

Thursday, June 7, 2018  
5:15 pm - 8:00 pm  
Bridges Restaurant, Granville Island

**For more information and to register for events visit [www.bclma.org](http://www.bclma.org)**



document itself, which these technologies then extract and utilize. Document types like PDF (Portable Document Format) do have this function built into them, but a majority of PDF documents exchanged are photocopied, and must be processed in another program before being introduced into these technologies. You must also keep in mind that photocopied PDF documents that are processed for OCR text are not 100% accurate, which could alter the results of using these technologies.

Though we are further behind than our neighbours to the south with regards to e-discovery, Canada is slowly making progress, with our eastern counterparts in Ontario leading the way.

With the writing of this article, I wanted to shine a small light on what the litigation support/e-discovery professional is required to know and understand.

I can't help but be reminded of Moore's Law, which is the observation that the number of transistors in a dense integrated circuit doubles approximately every two years, and how this relates to legal technology. I can barely imagine what the legal technology landscape will look like in the next five to 10 years, and the need for the litigation support/e-discovery professional as we approach this time.

"The courts in British Columbia have recognized the significance of the issues surrounding e-discovery and are beginning to develop law and guidelines in response to these emerging problems. However, technology seems to develop much faster than the common law and more guidance is required as new technologies emerge." ~ General Litigation, E-Discovery in British Columbia – Kim A. Wigmore & Justine V. Forsythe, October 1, 2007. (Whitelaw Twining)



*Carlos Tyler is a litigation support specialist in the dispute resolution and litigation group in the Vancouver Norton Rose Fulbright LLP office. He assists with preparing legal documents, document production and electronic discovery support.*

# RECESS



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# MEMBER SNAPSHOTS



**LARISA TITOVA**

**Where do you work?**

I am a library manager at Blake, Cassels & Graydon LLP

**Where did you vacation last?**

On my last vacation I went to UAE and Oman. It was a fun trip!

**Where were you raised?**

I was born in Ukraine, but grew up in Russia. I moved back there when I was 19

**Have you lived abroad?**

Aside from Ukraine and Russia, I also lived in the United States for 2 years – in Texas and California. I attended the U of T at Austin and I did a 3 month practicum at Stanford.

**Favourite wine under \$20?**

These are from the former Soviet Union regions: Sapevari – Godori (red) from Georgia and Solaricco Fresco 2013 (white) from Moldova

**Favourite BC day trip?**

Buntzen Lake in the summer.

**Favourite lunch spot?**

I like several places – Mosaic at Hyatt, Rue 909 Sushi on Dunsmuir, new Kamei Royale on Hastings

**Favourite restaurant?**

There are so many good restaurants in Vancouver so it is very hard to answer this question! My recent favourites are Miku and East is East.

**Something surprising about you?**

I grew up in Siberia because my father was in the military. In winter the school would be closed when the temperature fell below -37C and I would be so happy as I could go tobogganing with my friends!

**Favourite or most recent movie?**

The last movie I saw was *The Bolshoi* at the Vancouver International Film Festival.

**What's a must-read book?**

I just finished reading *Mrs Sherlock Holmes* by Brad Ricca. It is a story of Grace Humiston, the lawyer, detective, and first woman U.S. District Attorney.

**How do spend your spare time?**

Do yoga, go for a walk.

**What do you most enjoy about working in the legal industry?**

I enjoy helping students and lawyers with their research.

**What movie describes your life?**

*From Russia with Love*



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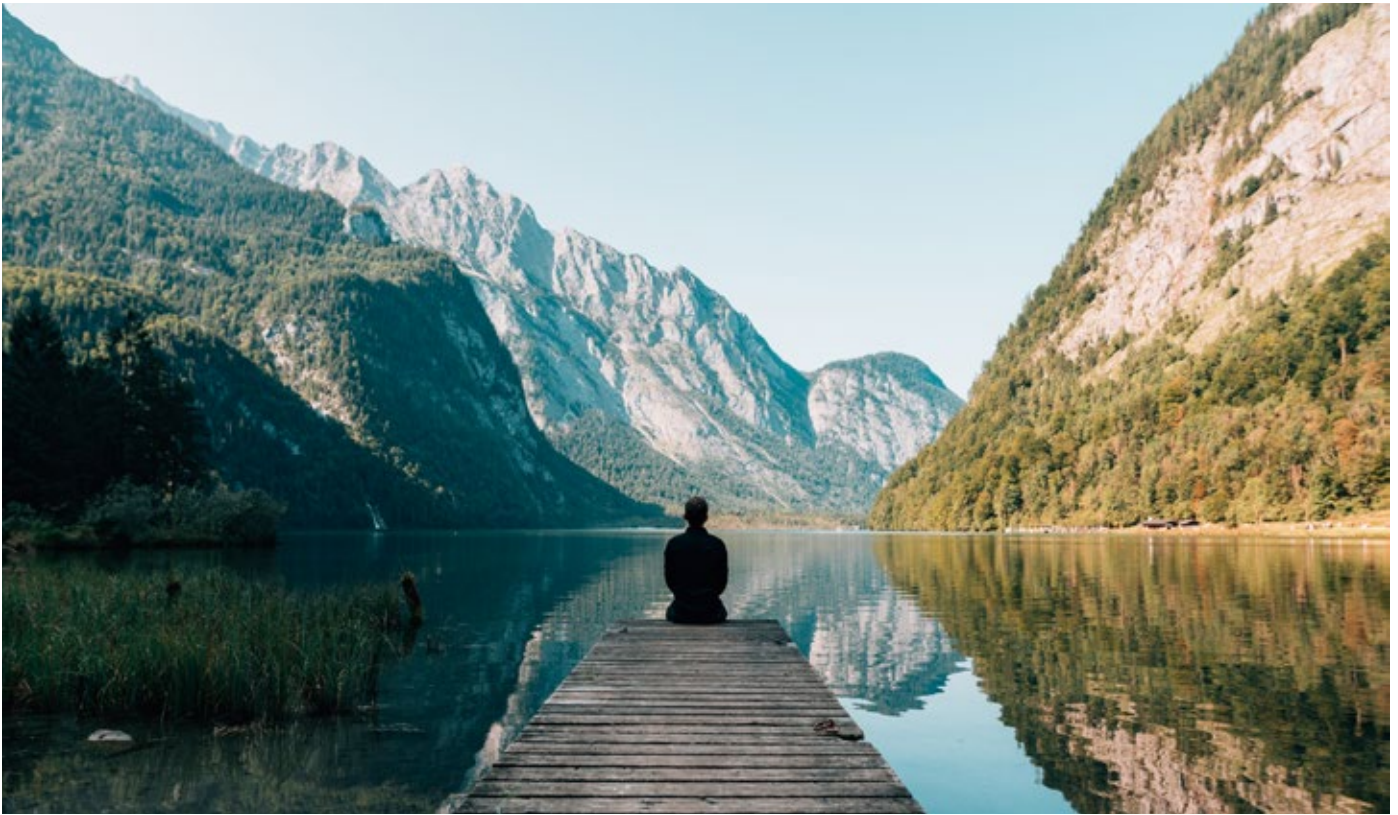
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## Stressed? How Resilient Are You?

by Scot Orth, Mindfulness Trainer and Coach

For most of us lucky enough to live in the Western world, we live in possibly one of the most abundant and prosperous times ever. Housing costs aside here in Vancouver (#\$@!), we have more abundance than ever in so many ways: social events, access to excellent and diverse food, wine, craft beer, locally roasted coffee, theatre, live music, classes, blogs, activities for our kids, books, music, movies, TV, vacations... it goes on and on. It would seem like this should make our lives so great – yet it can actually have the opposite effect.

### YOUR BRAIN ON 'ABUNDANCE'

So what is the problem? As we embrace this amazing world, we continually see there is more we could do or get. To accommodate more, we go faster, we get better organized or we multi-task. But as we continue to add more into our lives, eventually we find ourselves in a state of overwhelm; where we are racing to keep up with it all. Compound this with the stress of work deadlines, children and aging parents and overwhelm takes over.

Our nervous system perceives the state of overwhelm as a 'threat'. Not a real tiger kind of threat, but a threat nonetheless; to our

status (not keeping up with expectations) or to our time (back to back meetings and activities – how will we fit it all in? When will we get a break?).

Our innate response to threats is 'fight or flight'. 'Fight' looks like us pushing back, resisting or resenting our commitments. 'Flight' looks like losing ourselves to social media, Netflix, food, alcohol or other distractions. Meanwhile the threats continue to loom or grow.

Soon, anxiety becomes a constant in the background and we are no longer able to

really be present in or truly enjoy anything we do. We become reactive, sometimes even to small inconveniences. After days, weeks and months of 'battle', we can grow weary of it all.

There's got to be a better way...

### UNDERSTANDING YOUR BRAIN IS STEP 1

I have found it immensely helpful to understand how our brain works and how it unconsciously drives much of our thinking and behaviour. Here are just a few ways we are naturally wired. From an evolutionary point of view, they make great sense. Left unchecked, they run too much of our lives and create stress. We are wired to:

- Learn, grow and explore (it is natural for us to want to add more and more in to our already busy lives)
- Be part of the tribe (it is natural for us to want to know what is going on and be part of everything, FOMO, or fear of missing out, is real).
- Be distracted by things that are 'shiny' and not significant, pulling us away from what is truly important

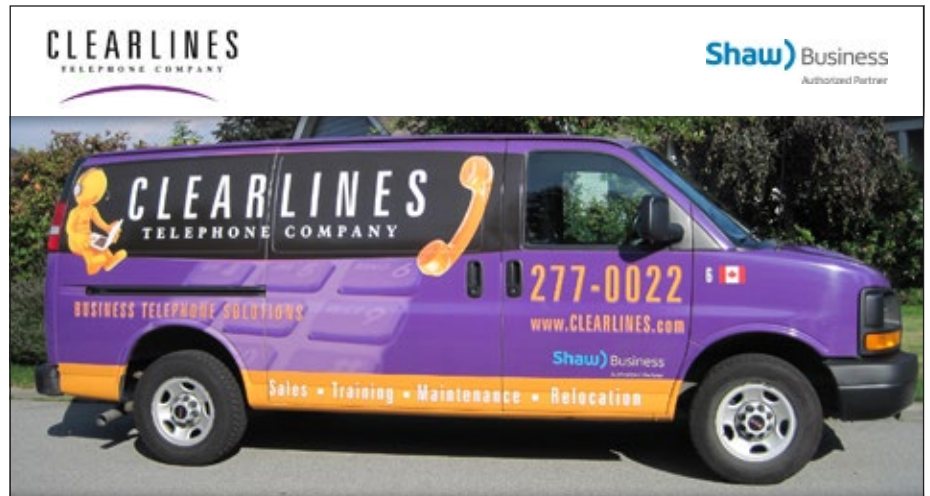
- To make sense of our world (we can over-analyze our world and create new 'threats' simply from our thoughts on things).
- Also, we live in a world that is unpredictable and changing (we resist this truth and desperately scramble to bring control to a world that is ultimately unfolding in its own way).

If you pause to reflect on this list you will see that many of the things that are creating stress in our lives are not the external circumstances themselves, but rather how we respond to those external circumstances.

So how do we more intentionally and gracefully respond to a changing world that we can't control and a brain that is wired to chase dopamine and react to 'threats' (which may be real or perceived)? We do this by training our awareness 'muscles' and building resilience.

#### FINDING RESILIENCE

Resilience is defined as "the capacity to recover quickly from difficulties; toughness. It is also the ability of a substance or object to spring back into shape; elasticity." We need to accept that the world is not



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## MEMBER SNAPSHOTS



**SAMSON CHOW**

#### How long have you been a BCLMA member?

21 years

#### Where do you work?

Kane Shannon Weiler LLP

#### Where did you vacation last?

Vegas

#### Where were you raised?

Vancouver

#### Have you lived abroad?

Hong Kong for about 6 months

#### Favourite wine under \$20?

Roscato – a sweet red

#### Favourite BC day trip?

Vancouver Aquarium

#### Favourite lunch spot?

Cactus Club

#### Favourite restaurant?

Sushi Town

#### Something surprising about you?

I majored in Aquaculture in University

#### Favourite or most recent movie?

Still love those 80s classics like *Back to the Future*

#### How do you spend your spare time?

Walking by the waters along the North Shore and taking in the views of downtown Vancouver

#### What do you most enjoy about working in the legal industry?

Learning about the law and due process without having to go to law school

going to become less stressful. If anything, abundance is increasing, as is change and complexity. It is up to us. Here are several tips to help you build more resilience:

- **Meditate.** Just 10 minutes/day is enough to make a difference. At one level, meditation is simply strengthening your focus and awareness 'muscles'. These are the same 'muscles' that you will need during the day to notice and over-ride your brain's natural reactivity. Slow rhythmic breathing during meditation calms your entire nervous system – bringing you out of 'fight or flight'.
- **Learn to say No!** There is far more to do or be part of than you can ever keep up with. Accept this and practice bringing more focus to the activities that are important and let go of trying to do it all.
- **Practice Acceptance and Openness.** Try not to get upset or angry over what is out of your control. If you can't change something, don't waste your energy wishing it were different. Instead, focus on what you do have control over.
- **Add Gratitude.** If there is one practice that comes up over and over as a way to reduce stress and increase happiness – it is practicing gratitude. It forces us to slow down, pausing to notice what's good in our world. In our fight or flight state we become self-focused and operate in survival mode. We are blind to the many blessings we already have. Gratitude helps us notice and appreciate the abundance we live in!

Unfortunately, we don't get more resilient from simply reading an article like this. We need to act! So, here's your challenge: pick one of the tips above and commit to it for 14 days. I guarantee you will feel more resilient to your world. If you do take on the challenge, please email me at [scott@mindfulwisdom.ca](mailto:scott@mindfulwisdom.ca) as I would like to support you over the 14 days and hear how it goes. The world needs more resilience.



*Scott Orth is a mindfulness trainer and coach who gives busy professionals the tools they need to come out their stressful thinking to be more resilient in a hectic world. Scott offers a range of workshops, lunch 'n learns and programs in his pursuit of supporting one million mindful leaders. For more information, email [scott@mindfulwisdom.ca](mailto:scott@mindfulwisdom.ca) or visit [mindfulwisdom.ca](http://mindfulwisdom.ca).*

## SOUNDING BOARD

### YOUR BCLMA. YOUR NEWS.

The Board has been very active over the past few months. We had a wonderful Fall Educational Event on the topic of diversity and inclusion with Ellen (Ellie) Krug; an insightful presentation by Eric Seeger of Altman Weil at the Managing Partners' luncheon about Law Firms in Transition; and most recently the Winter Social. Both the Managing Partners' lunch and the Winter Social had record numbers in attendance, which speaks to the vibrancy of our community and bodes well for the future growth of the Association.

In the spirit of "inclusivity", we are making a very important change to our Affiliate membership. Effective January 1, 2018, Affiliate members may join, at no additional charge, any sub-section they feel is relevant to their current position and/or future professional growth. By opening up the membership in this way, the Board hopes to encourage greater participation in the online forum discussions, and provide additional learning opportunities for our members. In addition, we believe current members of the subsections will reap the benefits of a wider perspective in their conversations. Hopefully, this initiative will be a win for everyone.

We are pleased to announce that the Trainers' subsection, which has been on hiatus for the past little while, will be reconstituted in 2018 as the Learning and Development Subsection. Judie Borojevich of BLG and Barb Blouin of Lawson Lundell have graciously offered to act as co-chairs and aim to present three meetings in 2018.

The Technology Subsection has also decided to rebrand as the IT Subsection. The members believe this name better reflects the breadth of their discussions, experience and interests.

BCLMA is continuing to grow and provide educational and networking opportunities for its members and the wider legal community. Most of our events include a guest rate, and we encourage members to invite colleagues from within their firm, or from non-member law firms, who may benefit from our offerings.

The Board, in consultation with Subsection chairs and co-chairs and the Association's business partners, is creating a three-year strategic plan. While it is in the early stages of development, we can tell you that the future of BCLMA remains committed to helping our individual and firm members achieve the highest level of professionalism in law firm administration. This will be achieved through enhanced learning opportunities and greater access to events and resources for our members working at a distance. The plan will be unveiled in full in early 2018.

The 2018 conference, **LAW FIRM TRANSFORMATION: Engage, Plan, Communicate**, will be held at the Vancouver Convention Centre East on April 19th and 20th, 2018. The program is designed to help all members, regardless of their role within their firm, gain understanding of, and confidence in their ability to manage others through the process of change. The format will be a combination of speakers and hands-on workshops. The sessions will be fun, energizing and informative. Registration is now open however payment of the conference fee is not due until January 29, 2018. We look forward to seeing you there.





## Guilty Eating

by Barb Kemp, Cook and Food Educator

Isn't it time the experts stop guilting us about the food we eat? Every time I go for a cookie, donut, or French fry I have to shut down a shaming voice shouting inside my ear, "No! Don't eat that. It's full of fat, you will become an oversized blimp overnight!" It doesn't stop me. I eat it with guilt and pretend not to notice the pesky voice.

Every time I gleefully go for the saltshaker and lightly shake (okay, maybe not so lightly) salt all over my food, I feel like I'm suddenly going to have a heart attack. I've been told salt is bad, but let's face it...salt makes food taste better. In fact, it reduces bitterness and can make food taste sweeter...how bad can that be?

Then, there is sugar! I don't know about you, but I get extreme pleasure from eating a sweet, chewy, chocolate chip cookie. However, sugar is the new enemy. It's at the root cause of...well, apparently everything! We eat way too much (which is easy to do) and are going to die of something (pick your illness) because of it. Well, at least we will die happy!

Not only do we have health guilt today, we are now heaped with environmental guilt. Yep, every time we take a bite of food we have to worry about how it affects our water supply,

soil sustainability and air quality. Agriculture is a huge driver of climate change. If you think about it, farmers have to drive tractors to produce food. Then, that food is transported to a distribution centre or manufacturing plant and driven to the grocery store. Then we drive to the store and back with our precious grub. This endlessly repeating cycle creates greenhouse gases and climate change doom!

If you are a red meat eater, it's doubly bad. Farmers grow tons of food for cows, in turn creating massive amounts of manure and methane gas, which is really harsh on the environment. Just drive past a cow lot and your nose will know what I mean.

The guilt doesn't stop there. Our food purchases are also part of the problem. Think of all the food we buy and don't eat. Now imagine all the fossil fuels that went into creating that food only to have it land in the

trash can. We, the consumers, are mostly to blame for the 1/3 of food that is globally lost or wasted along the chain starting at the farm and ending in our kitchens. Talk about guilt!

So, how do we conquer healthy and environmental eating guilt? Here are suggestions:

- Eat! Enjoy all the food you consume... isn't that what life's about? Yes, we should listen to the health and environmental folks. But take what they say and apply it to your own lifestyle, income, and traditions. If you love chocolate chip cookies, then don't eat them all. Share them with your workmates. If you cook too much food, share it with your elderly neighbour. If you can't afford fresh produce, buy frozen peas and carrots.
- Read your food labels so you know what's in your food. If the first item in your barbecue sauce says sugar, then skip it and go for the one that has tomato sauce as its main ingredient.
- Eat locally and eliminate food travel.
- Eat less red meat...yes, this is possible. The key is to get comfortable with herbs and spices. The complexity of these flavours will surpass the tasty fat in meat.
- Cook your own food. This way you can

control how much fat, sugar and salt you consume. The solution here is to menu plan. It's a lot easier to get your act together in the kitchen when you have a plan.

- Waste less food. Challenge yourself to create meals from leftovers in your fridge. Create a salad with the vegetables from your crisper, throw on some feta cheese, garbanzo beans and you will have a meal. Or make a fruit smoothie with the leftover spinach, some nuts, fruit and yogurt.

Do a little good and the guilt disappears.



*Barb Kemp is a cook and food educator as well as a passionate home cook who believes food is the foundation of good health. For the past 15 years she has been developing and delivering healthy eating and cooking programs for community organizations around the Province of B.C. She writes a Newsletter for the everyday cook and recently launched Cooking Reboot, a 4-week guided online program that puts healthy eating and cooking into day to day practice. [www.recipestotherescue.ca](http://www.recipestotherescue.ca)*



## Homemade Tomato Soup

A simple and tasty soup that everyone will enjoy!

Serves 4

- 2 tablespoons olive oil
- 2 tablespoons butter
- 1 small onion, chopped
- 1 celery stick, diced small
- 1 carrot, diced small
- 2 cloves garlic, minced
- 1 28 ounce can diced tomatoes
- ¼ cup tomato paste
- 2 cups chicken stock
- 1 teaspoon sugar
- 1 bay leaf
- Salt and pepper
- Grated Parmesan cheese (optional)

Heat oil and butter in a medium sized pot over medium-high heat. Add onion and sauté until soft, about 4 minutes. Add celery, and carrot and garlic. Continue to sauté another 3-4 minutes until veggies start to soften. Add tomatoes, tomato paste, chicken stock, sugar and bay leaf. Bring to a boil. Lower heat and simmer for 20 minutes. Discard bay leaf. Keep soup in saucepan and puree using an immersion blender or let cool briefly then puree in 2 or 3 batches in a blender. Return soup to pot, season to taste with salt and pepper. Reheat if necessary.

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# 2018 SURVEY SCHEDULE

Surveys provide valuable data to law firm managers. The more firms that respond, the more accurate the results; we need your input! Survey results are distributed only to participants, with the exception of the Support Staff and Charge-Out Rates Surveys, which can be purchased through the CBA ([orders@cbabc.org](mailto:orders@cbabc.org); 604.646.7863)

The BCLMA surveys are distributed throughout the year at a time that should work for the majority of participants. Your comments are welcome on any of the surveys. Nancy Sartene is the chair of the survey committee, so please contact her (via email: [nancy.sartene@blakes.com](mailto:nancy.sartene@blakes.com)) with any comments.

SURVEY	Distribution Date	Reply Deadline	Estimated Publication Date	Survey Co-ordinator
Associate Salaries	March 1	March 16	April 3	Nancy Sartene
Law Firm Economics	April 3	May 2	June 11-15	Sandy Delayen
Biennial Disbursement Survey	April 3	April 17	May 4	Naomi Anderson
Staff Ratios	May 1	May 15	May 31	Maggie Edwards
Support Staff Salaries	September 4	October 2	November 1	Kerri Garner
Charge-Out Rates	September 4	October 2	November 1	Kerri Garner
Small Firm & Medium Firm Administrators' Salary Survey (<30 lawyers)	September 21	October 12	November 2	Leslie Green
Management Staff Salaries (30+ lawyers)	October 2	October 16	November 1	Carina Bittel

- Note the Small Firm and Medium Firm Administrators' Surveys have been combined.
- The Law Firm Economic Survey will be compiled by Wolrige Mahon LLP, which has conducted the survey for BCLMA for a number of years.
- The Support Staff Salary Survey will be compiled by Western Compensation & Benefits Consultants and distributed by the CBA with significant input from BCLMA.
- Benefits and Charge-out Rates are part of the Support Staff Salary Survey.



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