



**VALA EXECUTIVE TO SEEK MORE MEMBERSHIP OPINIONS**

# ALA decision to be made by year's end

**BY JOHN HAWKE  
 HARPER GREY EASTON**

**V**ALA's executive will have to make a decision about whether to stay with ALA or go on its own by the end of the year, but first it will seek more opinions from VALA's membership.

When VALA updated its by-laws in late 2002, part of this process included forwarding them to ALA's Head Office to be reviewed and to ensure consistency between the two organizations. As a result of this process, ALA informed us that having subsection members who were not also ALA members was inconsistent with their by-laws. ALA's position required sub-section members to be full members of the parent organization.

This presented a problem for VALA. It was felt that most law firms would not pay the additional cost of having sub-section members join the parent organization. Assuming these individuals could meet the job qualifications required by ALA, the cost for most medium- and large-sized firms could easily surpass \$2,000 to register all members of the management team.



**JOHN HAWKE**

It was also felt the sub-sections were the backbone of our organization, and to force an ALA membership on these individuals and their firms would seriously impede VALA's ability to achieve its stated goals. ALA's request would seriously undermine the sub-sections' ability to fulfill their mandate to educate members

concerning administrative and management issues by reducing the number of individuals—some of our most active over the years—eligible

to participate in these activities. Earlier this year, ALA placed VALA on probation, which meant that we could not  
*Continued on page 2* →

**SMALL FIRM, BIG IMPACT**

## PR that packs punch propels markets

**BY SUSAN VAN DYKE  
 VAN DYKE MARKETING**

**P**ublic relations activities have largely been overlooked by law firms. Some firms hardly look beyond ads or lunch when engaging in business development tactics. But there's so much more.

For the small firm, being sensitive to efficiency, effectiveness and budget are imperative. Doing things on a

must, advertise strategically [See sidebar—Ed].

But avoid isolated marketing activities and go for a cumulative effect by layering your efforts with a variety of tactics.

First, some definitions. Public relations and advertising are different animals. PR strives to subtly influence attitudes and opinions among stakeholders—most often done through the media, often known as publicity. Advertising, on the other hand, is paid, controlled media space that will air or be published at a specific time or date.

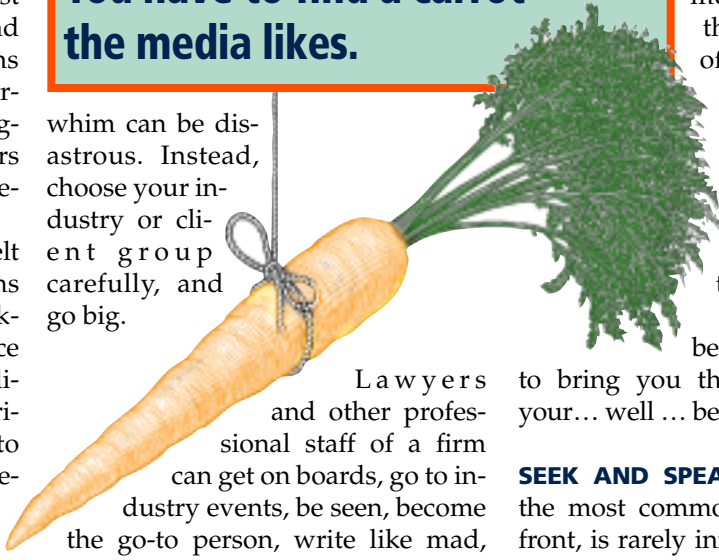


**SUSAN VAN DYKE**

Now, let's spill the beans on what's going to bring you the biggest bang for your... well ... beans.

**A news release is like a carrot. But not all carrots are tasty. You have to find a carrot the media likes.**

whim can be disastrous. Instead, choose your industry or client group carefully, and go big.



Lawyers and other professional staff of a firm can get on boards, go to industry events, be seen, become the go-to person, write like mad, contribute to your website and, if you

**SEEK AND SPEAK.** Media relations, the most common effort on the PR front, is rarely initiated by law firms,  
*Continued on page 3* →

→ VALA vs. ALA: Continued from page 1

longer accept new members until the necessary changes had been made to our membership structure. At VALA's Annual General Meeting in April, Wayne Scott, our outgoing President, outlined the situation to the members.

In response to his request for feedback, members sent a strong message that, given the choice between ALA's proposed changes or the Chapter's removal from the parent organization, most would choose the latter course of action. Most VALA members felt that while an ALA membership provided benefits to certain individuals, the Chapter received few tangible benefits from the parent organization. At the same time, all members felt that sub-section members were critical to VALA's long-term success.

Discussions were held throughout the summer between VALA, the Region 5 Management Team as well as the Directors of ALA. This culminated in a presentation by the VALA Executive to ALA's Board of Directors during their recent visit to Vancouver in early August. It was hoped that

ALA would be flexible concerning the issue of sub-section membership, recognizing the uniqueness of VALA as a Canadian Chapter. The VALA Executive received the ALA Board of Directors' response in late September which, unfortunately, indicated that unless we complied with the parent organization's by-laws, VALA would be removed as an ALA Chapter, effective January 1, 2005.

Where do we go from here? Based on some discussions primarily with members of the VALA Executive, it was believed there needs to be further consultation with members before any decision is made concerning this issue. Although there was a strong feeling voiced at the AGM to "go it alone" if ALA was going to be inflexible concerning our present membership format, less than half of VALA's members attended this meeting.

During the next few months, the Executive will contact all members to outline the various aspects of this issue—such as the pros and cons associated with leaving versus remaining an ALA Chapter, answering questions and obtaining your feedback.

Like many VALA members, I have experienced the benefits associated with an ALA membership. That included attending International as well as Regional Conferences, tele-seminars covering a number of relevant topics, receiving ALA publications and the resources available on ALA's website, as well as numerous networking opportunities with my peers. Fortunately, if VALA decides to go it alone, we will continue to enjoy these benefits as individual members not associated with any specific chapter.

Hopefully, the discussions over the next few months will address the opportunities which exist for our organization including: the creation of an organization with greater focus on issues relevant to Canadian law firms, expansion of membership opportunities to lawyers who are responsible for administrative tasks at smaller firms, greater cooperation with law firm administrators in neighbouring provinces, plus strengthening ties with our current and future strategic partners by providing them better marketing opportunities.

**“ In the future, one will be able to do everything from a single place... ”**



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→ *Marketing: Continued from page 1*

large or small. Build a trusting relationship with freelance and staff writers to create a win-win situation. Invite them to your seminars and events, alert them to important decisions—translate into plain English when necessary—and introduce them to agreeable news-making clients whenever possible.

Scoping the lion's share of media attention are lawyers listed in the CBABC-produced *Media Contacts* booklet. Chairs and co-chairs and their contact details are listed by section for quick reference. Writers and reporters sprinting to a deadline will find the quickest route to a qualified source. Is a member of your firm listed?

Get media training if your lawyers are averse to speaking to the media—remove the fear and outline the value media coverage will bring.

Convinced you've got a great story? Writing a media release is not difficult. The challenge is understanding what to communicate and how. Get your point across clearly and concisely, keeping the needs and interests of the media's audience in mind. It's all about the story. And your beans will go further here. An article is read with more credibility than an ad. In fact, PR professionals value editorial at three times the rate of advertising.

**ASSEMBLE A DATABASE.** For efficien-

cies sake, you'll need one. The gold-plated variety isn't necessary; there's probably a program on your computer that will do the trick. You'll save tons of billable hours (think holiday cards) and attract more work with this simple tool than probably anything else. Create fields for client, industry and matter type (trust me, this isn't rocket science) and you're ready to roll out targeted, relevant and timely bulletins painlessly and affordably.

Write, speak, shake. Step up to the plate—use your pen, pearly words or a firm handshake—but squirrel yourself away at your peril. Build referral sources one person at a time, but reach them en masse if you can. Target key publications with topic suggestions that are of interest to their readers. Volunteer to pull together a panel of clients and lawyers for their next conference, and always ask for the attendance list for future follow-up and inclusion in your database.

Shrink your name. Likely a traumatic move, but it will improve your odds of being remembered. A shorter name is easier on your marketing materials, your branding efforts and ultimately, your marketing budget. If your firm is known by a shorter name, that's a good indication you're ready for a change.

**BEEF UP YOUR WEBSITE.** Canadians are among the highest users of the Internet. Representative work must

be listed and up to date. Anything less is compromising your ability to attract work—and yes, you can do it without disclosing client names. Updated biographies should include quality photos and contact information.

**RECYCLE EVERYTHING.** An article can morph into a presentation, a posting on your website (biography and publications pages), the firm's newsletter, industry publication, a client alert or even in-house training. Editorial coverage can be clipped and sent to clients and, again, posted on the firm's website. Stretch each opportunity for maximum value.

**LUNCH WITH PURPOSE.** Invite clients, referral sources, other professionals and lawyers from large firms to join you. Ask questions and note opportunities for follow-up. Gather a cohesive—but non-competitive—working group together and share business development strategies. Make it a monthly lunch meeting for a year, and you'll be astonished at what you've accomplished over a sandwich.

Polish up (or rescue) your image. Take a critical look at your corporate stationery, your website, PowerPoint templates and e-mail signature blocks (located at the bottom of outgoing e-mail messages). They should present a unified look-and-feel, and project a compelling image that appeals to your prospective clients.

**ASK YOUR CLIENTS.** Most of all, remember your efforts are directed to your prospects, not your own lawyers. Create an advisory panel of clients (hint: this is an effective client-retention strategy) and pepper them with questions; present your ideas and collect their comments. Make it a relaxed and enjoyable gathering—remember, these are clients. Now you're on the right track and it hasn't cost you a hill of beans. ▼

*Susan Van Dyke, Principal, Van Dyke Marketing & Communications, is a law firm marketing consultant. She can be reached at 604-876-7769 or svandyke@telus.net*

## SOME ADVERTISING TIPS AND TRICKS

**A**dvertising can get expensive. Factor in the time or resources it takes to produce good art and strong copy, and it gets even pricier.

Choose familiar publications that reach your target market. Ask for good positioning, discounts and free layout services. You can have most publications produce your ad for free—but do it with caution and plenty of time to make any necessary changes.

Strong creative ads needn't be big. A small hard-working ad that appears frequently and in the same spot (not all publications will do this) will get decent exposure. Run an ad once or twice

(exception: announcement ads) and you've just donated the firm's hard-earned money—unless you have a strong "call-to-action" (i.e. "Call us by Nov. 15 for a free will"). Ad rates go down as frequency increases, but do negotiate with your sales rep for more space or free colour. And every ad should list your website address.

Bad ads are even costlier. Ads that are text-heavy, lack creativity and send the wrong message will blend in, rarely generate interest and, in some cases, will actually damage your image. When in doubt, test your ad on your target market. ▼

# Trust administration fee postponement will give firms more time to deal with multi-unit transactions

BY BONNIE KIRK, CHAIR,  
FINANCIAL SUBSECTION  
LAWSON LUNDELL

Changes occur within the legal community every year that inevitably impact the flow of financial data. This year is no exception. But before I discuss what's hot, let me tell you what's not.

The capture and remittance of the trust administration fee (TAF), scheduled to start October 1, has been postponed until March 2005. This postponement will be opportune for some firms, as it will allow them to re-think how they handle the way trust funds are recorded, particularly for files associated with multi-unit transactions, for such projects as strata-title complexes.

To facilitate the maintenance of matters involving strata units, some firms open a separate matter for each unit. If the proposed \$10 is to be charged on a per-matter basis, the separate-matter basis could culminate to a substantial amount. For example,

a 300-unit complex would attract a \$3,000 TAF remittance.

If, on the other hand, one matter were opened for the complex as a whole, the TAF requirement would be \$10. Of course, being able to identify each unit within one matter would depend on the sophistication of the firm's financial system.

Many systems today allow for user-defined fields to be created, to store additional information particular to a file.

Now that the Law Society of BC has postponed TAF capture, firms may want to use this time to consider other alternatives, particularly those who feel they cannot justify flowing the charge through to the client.



Here's more of what's currently abuzz within the financial subsection. In recent months, the Provincial government announced new services to improve how legal documents are processed, particularly those related

to the new Corporation Act and Land Titles.

As the charges associated with these services are to flow through the BC Online account, financial managers realized that the increased use would severely increase the workload of their data-entry clerks if the process continued to be performed manually.

During the summer, several firms met to discuss the impact these changes would have and what modifications could be made, if any, to streamline the process. The problem areas identified were:

- ✓ The folio field used to enter the client/matter number was not a required field and as a result was left blank. This caused excessive delays when trying to track down the client/matter numbers. Failure to do so resulted in writing off the charge.
  - ✓ The daily statement obtained from the BC Online website could be saved to file rather than being printed, but the format was not conducive to electronically transferring the information to a firm's financial system.
  - ✓ The transaction descriptions on the statement were in code, requiring firms to decipher the codes to fully disclose the service to the client, and
  - ✓ When a user incorrectly entered client/matter references, it resulted in a time-consuming process by the data-entry clerks to obtain the correct number. Again, the delay in charging the client sometimes resulted in the charge being written off as it missed the billing cycle.
- The meeting concluded with recommendations being formulated and sent to AccessBC, the vendor supporting BC Online. The following recommendations were submitted:
- ✓ Have their program recognize that if the BC Online account number is that of a law firm, and make the folio field required;

## TRAINERS' SUB-SECTION ADDED TO VALA

BY PETER MORGAN  
TOPICS MANAGING EDITOR

Where can you find monthly meetings that cover such topics as *Creating a Virtual Classroom*, *Making Your Classes Unforgettable*, and *Creating an In-house University Program*? At the VALA Trainers Subsection meetings—these are just a few of the topics planned for the year ahead.

VALA welcomed the new Trainers Subsection this past June, as many of the current members had been meeting on a monthly basis since spring, 2003.

"We're all excited about becoming part of VALA," says Judie Boroevich, Trainer at Borden Lad-

ner Gervais. Boroevich co-chairs the Trainers Subsection with Barbara Blouin, who is the Training Coordinator at Lawson Lundell.

"We know there are many benefits of belonging to VALA, one of which is visibility—more law firm trainers will now be aware that there is a local group that meets to discuss issues specific to their needs."

The monthly meetings cover a range of topics of specific interest to Trainers, and focus on both technical and soft-skills subjects. The Trainers Subsection extends a warm invitation to other law firm trainers to join the group.

See the contact information on the last page to find out the next meeting time and place.

→ *Financial: Continued from page 4*

- ✓ In addition to having a statement in printable form, provide a delimited ASCII file on the website available for downloading by firms;
- ✓ Provide fully-expanded descriptions of the type of service and details of transactions all on the same line as the cost for the service; and
- ✓ Explore the option to have the BC Online website refer to a client/matter validation list—which is a text file—residing on the local client workstation, thus stopping the input error at point-of-entry. This option would allow the program to check the validity of the entry without breaching client confidentiality.

Representatives from both AccessBC and the Provincial government were invited to attend the September Financial Sub-Section meeting to discuss our recommendations.

Rick Marx, the representative from AccessBC, confirmed that all of our recommended changes were possible and asked that in order to expedite the changes, he asked us to provide a cost analysis for processing the charges now, a report on what savings we could achieve with the changes being made, or both.

The focus of the October Subsection meeting will be two-fold and follow up on Marx's request. The first topic will surround the content of the cost analysis. The second will focus on determining the optimum method of editing the exceptions as, unfortunately, there will always be exceptions.

I was delighted to see such a strong turnout to our September meeting. It confirmed that many firms consider the meetings to be informative. Furthermore, now that the business world is in a perpetual state of change, I am confident that finding future topics for discussion will not be difficult. If you have never attended a meeting, and care to do so, they are scheduled for the third Thursday of each month and take place over lunch at the Metropolitan Hotel, 645 Howe Street at Georgia. Hopefully, we will see you there. ▼

## New Knowledge Management Sub-Section to cover 'a big realm'

BY GILLIAN CRABTREE  
EDWARDS, KENNY, BRAY

Is Knowledge Management (KM) critical? You bet. Law firms are changing environments, with an increasing number of challenges.

The turn-over of lawyers and staff continues, with experience and expertise constantly walking out the door. Clients are expecting their firms to find increasingly efficient and less-expensive ways to work. They are also looking for firms to share more of their knowledge through portals and extranets.

Mix in issues like the mergers of firms, matter-based work technology and privacy legislation—to name a few—and we begin to realize that KM just got more complex and more necessary.

There are lots of KM systems in today's law firm: document manage-

ment, databases of precedents, research or marketing... the combinations of information and technology never end. Many law firms are only starting to collate the knowledge

that has been codified, much less create processes to extract and document what's inside people's heads.

KM is a big realm, and understanding KM is an even larger task. It is not only capturing technologies, data, information or communication—although all of these elements are critical components. It is more about the processes that extract and document a firm's expertise and experience. It's about our intellectual capital. It is also

*Continued on page 6* →



GILLIAN  
CRABTREE

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# VALA Economic Survey, 18 sections and 26 graphs, finished, published

BY DAVID LIVINGSTONE  
AND THE  
WOLRIGE MAHON VALA TEAM

It has been wonderful getting to know the participants of the 2004 VALA Economic Survey during our first year of involvement.

We have been pleased by the feedback we've received, and the confidence the participants are showing by using the survey report as a reliable and relevant tool for making business decisions. For those firms who didn't participate in the survey, I have a brief outline of what the VALA Economic Survey by Wolrige Mahon offered to this year's participants.

## CONTINUITY FROM PAST SURVEYS

One of the goals of developing this year's survey was continuity. Being new to the VALA survey, we wanted the transition to be as seamless as pos-

sible for the participants. We left this year's survey with the same look and feel of previous surveys. Members can easily reference their past results without being burdened with format and layout changes or wasting valuable time reformatting the data.

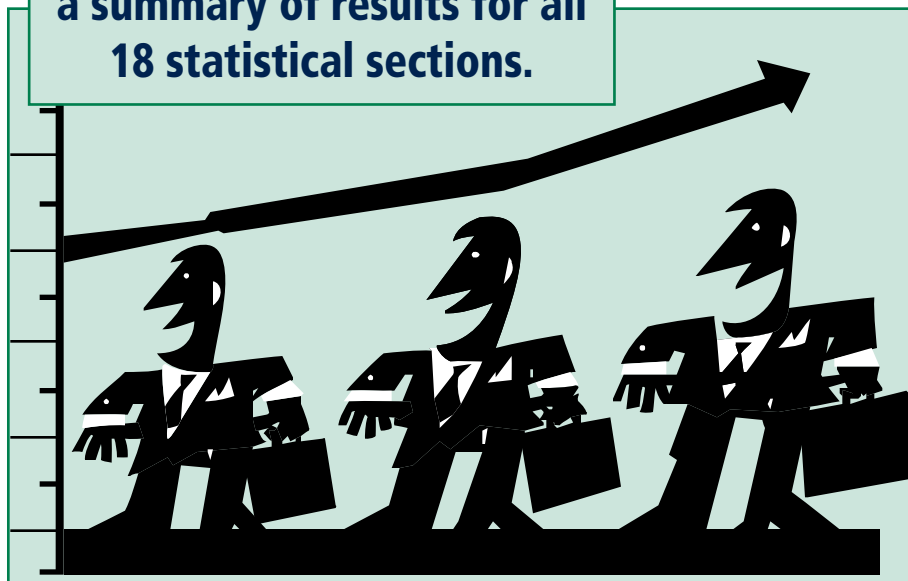
**AVERAGE AND MEAN PROVIDED** The historical data tables showed the average, high and low for many statistical categories. Sometimes average by itself can be misleading, not displaying the true spread of the data set.

This past year we added mean, the representation of the middle value of a population. The mean provides another tool to help firms understand how their performance in each category relates to the other survey participants.

**MORE ANALYSIS, TRENDS** One of the early comments we received from the survey participants was the

inclusion of more analysis of the statistics. They wanted more,

We provided each firm with a summary of results for all 18 statistical sections.



→ Knowledge: Continued from page 5

about adding value to these assets through filtering and contextual grouping, and providing opportunities for collaboration, creative thought and knowledge-sharing. KM

is also intensely political. Most people, including lawyers, don't like to share their knowledge. Good KM tackles cultural and political barriers in a tactful way. We have some big issues to discuss; please join. My contact info is on the last page. ▼

so we gave them more.

The survey is broken into 18 sections, supported by 26 graphs further communicating the data. Rather than blindly throwing down numbers, we systematically identified the more general information we could share with all the participants.

We displayed and summarized the major historical trends for both the over-40 lawyer group and under-40 lawyer group and noted any significant changes in the relative performance between the two.

Some firms have seen the historical trends sections as an eye-opener and have used it to further re-examine some of their historical performance.

## BEST PERFORMERS BENCHMARKING

As a measure for the performance of the firms, we benchmarked the sections with an average of the top seven firms as chosen by highest net income as a percentage of fee revenue. A summary of the performance of this group is given for each section. By its placement, the participants can readily check these results against the results of large firms, small firms and their own firms.

## SUMMARIES FIRM SECTION RESULTS

We provided each firm with a summary of results for all 18 statistical sections.

Our goal was to clearly communicate to the firms where their data deviated substantially from the survey average or mean and some clear explanations of some specific results.

One administrator told us that the summaries were useful to the staff at the firm and saved hours of time they once spent summarizing the survey data for in-house communications.

Now the analysis of the results was clear and presentable for partners and other staff members and they could spend their time acting on the information rather than interpreting it.

**INDUSTRY SNAPSHOTS** Another aspect of the survey we developed this year was small, non-financial reports of the business.

This year we included sections on risk management and taxation business structures, snapshots of data which can

Continued on page 7 →

# Does mentoring really add value?

BY LAURA REID  
ARLYN REID LTD.

Many law firms struggle with the concept of mentoring in their firm. Given the job of bringing young professionals along at an accelerated rate and having them contribute to the firm in a productive way can be daunting.



Laura Reid

Many partners responsible for mentoring conceptually agree that it is important, however they find that it can often be a thankless task, one to which they have difficulty in committing their time and energy.

Many partners, who say they already work extremely hard, find that associates do not appreciate how much time and energy goes into try-

ing to train them, only to have them leave the firm or seemingly to be unsatisfied. "Frankly," the partners will add, "we pay them a lot of money, and they do not seem as dedicated as they should be."

When speaking with associates on the topic of mentoring, most indicate that there is really lip service applied to the general concept, and that they often do not receive the mentoring they feel they need. Going for lunch once every six months—or even monthly—to discuss how things are going is really not what they have in mind. An effective program can achieve what both sides say they want from a mentoring relationship:

- ✓ A lower turnover of young professionals
- ✓ Improved risk management
- ✓ Improved client management
- ✓ Improved general productivity, including more effective returns on billable hours and increased

profitability

- ✓ Improved long-term retention of senior associates with effective entry into partnership
- ✓ Improved general morale

So why are firms still struggling? Many do not truly commit the resources required to have an effective program. In the past, professionals received their day-to-day mentoring or training by working closely with a senior partner who showed them the ropes and took them under their wing.

Today, 95% of partners do not have a practice that allows them to support both themselves and a full-time associate. As a result, most associates

*Continued on page 8* →

→ VALA Survey: Continued from page 6

be used to track economic changes or identify trends in the industry.

Depending on the results and on participant response, these reports can be done only once or periodically re-assessed to check their development over time. These reports can track trends which are less immediate than the balance sheet and income statement, but eventually important for the development of a successful firm.

**YOU ARE THE EXPERTS** The experts in the Vancouver legal industry are the members of VALA. We are proud that the survey participants feel we achieved our goal of displaying the relevant information in a clear, objective manner so they can use the data with confidence.

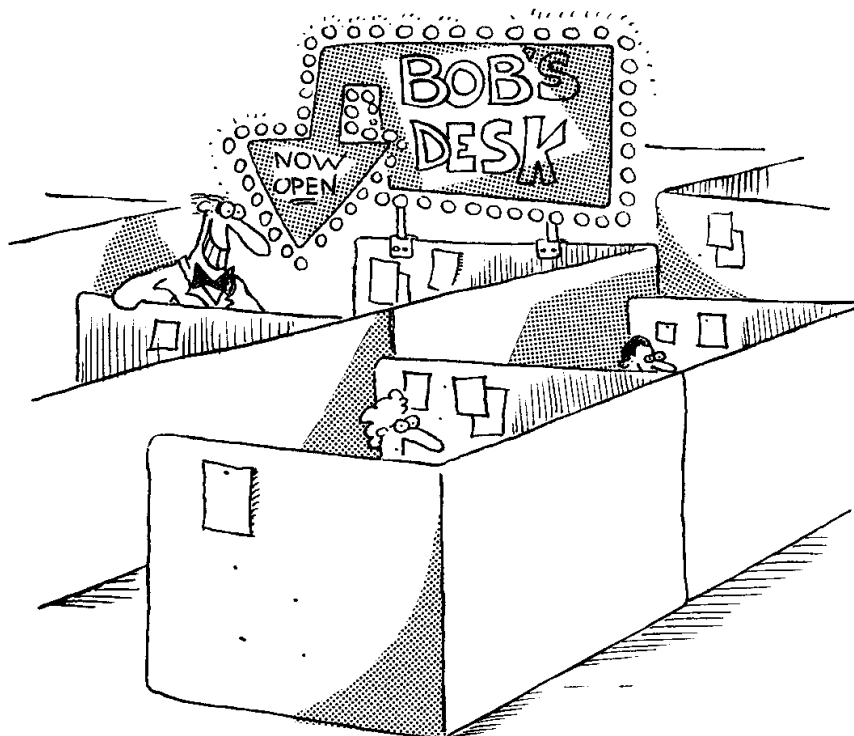
**WE NEED YOUR FEEDBACK** We are available for any comments regarding the survey; the more feedback we receive, the more we can refine the survey to represent the changing needs of the VALA survey participants.

If you would like to meet with us to go over the survey report with you, please call Paul Gaster at 604.691.6807.

We are eager to continue working with VALA and to continue to develop the survey as a valuable and integral tool for the management of BC law firms.



## FARCUS



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**Bob decides not to ask his mentor about how to get recognition...**

→ *Mentoring: Continued from page 7*

work with a variety of lawyers and partners. They receive little direct feedback, and are generally left to the concept of 'survival of the fittest.'

With the focus on associates needing to be financially viable at a much earlier stage in their career, combined with the increased pressure to have a viable practice—which includes marketing their services—they are often overwhelmed and dissatisfied. They feel that there is not enough focus on becoming an effective lawyer who is able to provide a client with quality legal services. If they feel they are failing at achieving the standards that they believe they should be accomplishing, they often look elsewhere for professional satisfaction.

The bottom line is not the only benchmark. A number of firms, after examining their internal demographics, become seriously concerned about succession issues at the partnership level.

The best practices and the most successful programs acknowledge that these are real business issues that face

a firm, and, at the core, they include:

- ✓ *A formal mentoring program:* Compared with simple, ad-hoc programs;
- ✓ *Achievable and measurable results:* These ensure that the resources and efforts provided by the firm produce the results required;
- ✓ *Clarity:* A clearly defined mentoring role, with clearly defined expectations for both the mentee and mentor, are essential;
- ✓ *Education:* Training senior partners with new skills for the most effective mentoring techniques, including how to mentor associates at different levels of development. Internal training and professional development programs should be designed to fill the gap in the current mentoring;
- ✓ *Thoughtful mentor matches:* For instance, have you considered the generational gaps? Does John, who has been practicing for 30 years, really make an effective mentor for Susan, who is a new call?;
- ✓ *Feedback:* Providing feedback to associates on how to become successful practitioners, and ultimately successful partners, is a require-

ment. Intelligent, thoughtful planning with effective feedback is at the core of most good programs;

✓ *Management on-side:* A strong commitment to mentoring by the leaders in the firm, both in the management and professional ranks, ensures support.

If you can say that your firm is running at a high profit margin, has low turnover, and that, when you look around the firm, the associates coming up are clearly stars on a partnership track, you likely have no need to improve your current internal mentoring model. If, on the other hand, you wake up at night wondering if any of the associates working at the firm are going to end up staying, and whether your top billing partners will be able to retire and hand over their profitable practice with no concern, you may need to revisit your current program. ▼

*Laura Reid is a Partner with Arlyn Reid, a human resources firm to corporate and professional services firms. She can be contacted at 604-681-4432 or at [www.arlynreid.net](http://www.arlynreid.net)*

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# VALA Summer Social tees up pitchin' prizes, puttin' gab

BY STEPHANIE CORNELL  
STIKEMAN ELLIOTT

Our cool and soggy weather gave leave long enough for us to enjoy an afternoon of golf and sun. VALA's Summer Social was held on Thursday, September 9th at Stanley Park's Pitch 'n' Putt.

Four groups played the course, with the groups consisting of both VALA and Strategic Partners members. Dye and Durham, Wolrige Mahon and IKON were all represented.

Dinner followed at the Fish House. At first glance, it appeared to be a general meeting for McCarthy Tétrault, as six MT employees attended the social. What great participation! As always, the meal and service at the Fish House were outstanding.

Annie Ronen of Ogilvy Renault and Allison Milroy of Lang Michener presented prizes to Marian Verdichio of



**FORE MOST:** (Left to right) Carol Hastie (Marketing), Susan Dick (IT) and Sonia Iida (HR), all of McCarthy Tétrault, with Paddy Carroll of IKON.



Thorsteinssons, and Victor Montagliani, Steve Beemish and Paul Schulz TOS/HUB International Insurance for the best-scoring team. The prize for lowest score went to Gabe Baker of IKON, and Donna Oseen of Fasken Martineau was crowned Most Honest Scorekeeper.

Special thanks to Tim Wurtz of Baker Newby for capturing the event on film, and thanks to the VALA Executive for hosting another great event. See you at the Holiday Social in December!

**LINKS FROM THE LINKS:** (Above left) Wayne Scott (Administrator) of Edwards Kenny Bray, with Clive Bellian and Cynthia Nerland of Dye & Durham • (Above right) Gabe Baker of IKON, Bonnie Kirk (Finance) of Lawson Lundell • (Below left) Allison Milroy (HR) of Lang Michener and Donna Oseen of Fasken Martineau • (Below right) Marian Verdichio (Administrator) of Thorsteinssons with Steve Beemish, Victor Montagliani and Paul Schulz—all of TOS.



**PROFILE: VALA EXECUTIVE VP ERNIE GAUVREAU**

# Making the moves smooth is the challenge for Gauvreau at RBS

**BY STEPHANIE CORNELL  
STIKEMAN ELLIOTT**

**A**lways on the move. If not running his usual 45 miles per week, Ernie Gauvreau, Director of Administration at Richards Buell Sutton (RBS), is repositioning an organization. "I've been with four different firms in the last 20 years, and each have undergone an expansion or merger where a relocation was involved!"

It all began in 1983 at the Edmonton law offices of Wood Caffaro, where Ernie, as Administrator, coordinated and executed the merger between two law firms. Then, as Director of Administration at Parlee McLaws, which operated out of both Edmonton and Calgary, Ernie conducted the relocation plans for both offices, resulting in im-

proved space utilization and lowered occupancy costs.

In 1992, Ernie had his own relocation process; he moved to Vancouver and joined Ratcliff and Company on the North Shore as Chief Operating Officer. While there, Ernie directed and managed not one but two expansions for the organization within 18 months. Ernie joined RBS in 1999 and, due to his obvious experience in the field, he coordinated the firm's move to its new premises at 401 West Georgia.

Space has not been Ernie's only challenge in his role as Administrator over the years. "There are a few. One is



**Stephanie  
Cornell**

managing all the different personalities. [Couple that with] different generations and their different needs...the challenge is to recognize the common elements and objectives in order to build a sense of the firm. I work hard at finding a consensus."

On the Human Resources side, Ernie charges himself with attracting and retaining competent people. At RBS, that seems to be effective; there is little turnover. Three individuals there have been with the firm more than 25 years, since before the tri-merger in 1985. Many others have been with the firm between 10 and 20 years.

Ernie also believes that people stick around because RBS is a fun place to work. "I have a simple work-philosophy," says 'Mr. G.', as he's known, "Make work fun." Additionally, he feels inspired to recognize the personal side of employees. When it comes to vacations and illnesses, "you have to show you care." This year, the firm offered a wellness program. Half of all employees now work with professionals as they undergo health assessments

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# Time to dust off E&O policy... but wait! There are ways to review it that may save money

**BY VICTOR MONTAGLIANI  
HUB INTERNATIONAL/  
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It's that time of the year again, when law firm administrators, either by their own initiative or an e-mail from the managing partner, dust off the policy on their shelf to discuss the upcoming January 1 renewal for the firm's errors-and-omissions policy, also known as professional-liability insurance.

Insurance is never a fun topic to ponder and, with the last few years of rising premiums, it has been even less so. Unfortunately, firms can't afford to allow their insurance portfolios to collect dust until renewal.

The insurance market will always ebb and flow between a hard mar-

ket, like the last few years, and a soft market, like it was in the mid-'90s. Firms that are vigilant in their risk management will, in the long run, lessen some of the impact of the these fluctuating premiums.

An obvious solution which is often pondered is reducing insurance coverage. Although the claims history in British Columbia shows little or no activity in excess of \$20 million, reducing coverage is only one of several ways to mitigate costs. Some other tips:

#### **ADOPT GOVERNANCE SYSTEMS**

Law firms can never have too many systems in place to guard against missteps or breaches. Internal audits, ethic committees and electronic security procedures are all

necessary loss-reduction techniques.

**BE PICKY** The best way to avoid a law suit from a client is to pick good clients. Once a client is engaged, a sound and specific engagement letter is a key to loss prevention. Periodically reassess client relationships, even long-term relationships. Those clients who consistently delay paying their bills could be providing a sign.

**DEVELOP RECOVERY PLAN** Prepare, prepare and prepare. Off-site backup of computer systems is essential. However, a firm must remember that one of the most important parts of your plan should be the Human Resources component. How will key people be involved? How will they coordinate the continuity of operations for the firm during a crisis?

**RISKY BUSINESS** Firms need to be vigilant of files as well as practice groups that are involved in risky matters. Creating an understanding

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# BC lawyers to report professional development activities: Society

**BY PETER MORGAN  
TOPICS MANAGING EDITOR**

**B**ritish Columbia lawyers, according to a report from the B.C. Law Society, will be required to report their professional development activities annually. This report, which includes continuing legal education, will be added to the *Annual Practice Declaration*.

The report says the Benchers approved the new reporting requirement at the recommendation of the Lawyer Education Task Force, which presented its first interim report in March. The report says the Benchers are also encouraging each lawyer "to complete at least 12 hours of coursework—the equivalent of two full course days—and 50 hours of self-study annually." The report, however, says the targets aren't mandatory.

The report says that, for BC lawyers, "staying current on the law has always been a matter of professional responsibility. Rule 1, Chapter 3 of the *Handbook* says that, for each area of law in which lawyers practise, they must "acquire and maintain adequate knowledge of the substantive law, knowledge of the practice and procedures by which that substantive law can be effectively applied and skills to represent the client's interests effectively."

The report says the Task Force concluded that, by setting expectations and requiring BC lawyers to report on

development, the Society would "publicly affirm its commitment and that of the profession to continuing legal education. The Society will also be able to collect comprehensive data for tracking continuing education in the profession and determining the future needs of BC lawyers."

Mandatory continuing education is common in the great majority of US states, and it may possibly lie ahead in BC, according to the report.

For the most part, says the report, a lawyer faces no consequences on reporting they failed to meet even the minimums—with one exception, says the report. "If complaints or concerns have arisen over a lawyer's competency, and if the Practice Standards Committee orders a review of that lawyer's practice, the lawyer's record of professional development activities may be considered in the course of the practice review and be noted in the resulting practice review report. As a result, the issue could be considered by the Practice Standards Committee or by a hearing panel should the lawyer's conduct or competence ultimately warrant a formal hearing."

Lawyers will also be asked to report how much of the educational time was devoted to professional ethics or practice management material. They will also be asked to report on the hours they devoted to self-study during that period, "excluding any research or review of material

undertaken in connection with specific files in their practice."

Lawyers will receive more information on the filing of their *Annual Practice Declaration* in advance of their next filing deadline.

The report says that if you have any questions about reporting on professional development activities, contact Alan Treleaven, the Society's Director of Education and Practice, at [atreleaven@lsbc.org](mailto:atreleaven@lsbc.org) or 604.605-5354. The toll-free number, within BC, is 1.800.903.5300.

→ *Insurance: Continued from page 11*

amongst more partners of what is going on in a practice is key.

Sound management over the type of client that is brought in is important, especially in compensation environments of "eat what you kill."

Finally, it is important that an awareness of best practices is created in a firm, starting from the receptionist and extending all the way to the senior partner. Unfortunately, by the time the firm's administrator or managing partner gets involved, it is too late, and you will be filling out a *Notice of Incident* report to the Law Society.

Keeping the dust off your insurance policy and touching base periodically with your insurance broker will keep in action a thought process which will manage your firm's risks much better. ▼

*Victor Montagiani is an Account Executive with HUB International/TOS Insurance in its Professional Liability Practice Group in Vancouver.*

→ *Gauvreau: Continued from page 10*

and developing fitness goals.

Ernie's business planning includes getting lawyers to think more like business people. Enter legal marketing—an area in which Ernie wants to become more involved over the years.

Despite all the changes and challenges, one thing remains constant: Ernie's VALA membership. A member for more than 20 years, Ernie obviously appreciates all that VALA

has to offer. He even served as Executive President in the Edmonton chapter. "I value the peer interaction. You're free to call whomever. It's great to not have to reinvent the wheel every time. There is real information-sharing. Being part of VALA also makes you feel like you belong somewhere. The Administrator role can be lonely. [They're] not part of any one specific group within the firm. VALA affords one those types of relationships."

Another relationship Ernie values

is his with the road. An avid runner, Ernie has run more than 15 marathons over the years, including Las Vegas and Boston. He also coaches with the Capilano Eagles, a running club on the North Shore. Running is an integral part of Ernie's life.

Yep. Always on the move. ▼



**Ernie Gauvreau**

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VALA, founded in 1972, is a non-profit organization with more than 80 Full Members and more than 120 Sub-Section Members across B.C. It is VALA's goal to provide educational opportunities for our members, to enhance skills as legal administrators and to provide professional and personal benefits to the members and their law firms.

## MEMBER SERVICES:

✓ Opportunities for members to network with other law firm administrators are provided by events such as our annual Spring and Winter social, or monthly sub-section meetings. We host an annual managing partners luncheon.

✓ Our job bank offers Members information on potential employment opportunities.

✓ The discussion section on our website allows our members to quickly get questions answered with advice from others who may have faced similar situations.

The best way to get involved is to become a part of VALA.

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