British Columbia Legal Management Association

A NEWSLETTER TO HELP OUR MEMBERS AND PARTNERS KEEP CURRENT ABOUT THE BUSINESS OF LAW

WINTER, 2006/5

Vision 2006 offers highlights of strategic planning by BCLMA executive

New forums, new vendors program to come

BY THE BCLMA EXECUTIVE COMMITTEE

he Executive Committee has completed its strategic planning for 2006.

The committee is confident that it will better serve the needs of its more than 240 members, not only for this year, but also well into the future.

BCLMA must continue to play fundamental role in knowledge, education

The legal professional continues to evolve and change, and as Leaders, Managers and Area Specialists, we are constantly striving to improve our knowledge and skills to better serve the needs of the organizations that we represent.

The Executive believes that the BCLMA must continue to play a fundamental role in this knowledge and educational process.

In addition to the success achieved by our subsections through their various educational offerings, we have committed to offering two educational forums (Spring and Fall) that will pursue topics of a general nature intended to assist all of us with our day to day challenges. Plans are well underway for our Spring Educational Session in May.

Over the years, the BCLMA has enjoyed tremendous benefits through its relationships with vendors. These relationships, coupled with their generous financial support, have allowed the BCLMA to offer valuable educational opportunities as well as subsidize a variety of other activities.

This year, we will be introducing a new Vendor Relations Program. It will develop existing relationships and create opportunities for even more educational and social events. We appreciate vendor support and recognize them as an integral part of our organization's success.

As mentioned, the BCLMA is currently 240 members strong, and growing. Our organization plays an important role

in the legal profession and, as your Executive, we are excited about the many opportunities that exist to expand BCLMA into an even more dynamic organization.

The challenge that this and past Executives have faced is the amount of time needed to execute the many great ideas.

Effective January 2006, the BCLMA has engaged the services of a part time Executive Assistant. Her name is Jane Kennedy, and her profile is included on page 5 in this issue. We look forward to Jane's contributions.

As your Executive, we remain committed to meeting the varied needs of the membership and look forward to a stronger, more vibrant and responsive BCLMA.

Then... and now A day in the life of a law firm administrator

BY WILLIAM S. HALPRIN

Arrive at office after drive through unusually heavy downpour. All motorists, inexperienced in driving under such conditions, turn out to practice. White-knuckled drivers congregate at all congested points. Rain ceases on arrival at front door.

8:46 A.M. Met at threshold by senior partner searching for missing file. Investigation reveals he has supplied the wrong name of file. Also, it is really a form in file that is required. Said form available in the forms cabinet, and is not needed until next week.

9:10 A.M. Telephone operator becomes ill and Continued on page 7

What makes associates loyal, happy? Here's a hint for you: it's not cash

BY STEPHANIE CORNELL STIKEMAN ELLIOTT

uest speaker Blaine Prescott delivered a presentation more than a year ago, at VALA's 2004 Educational Conference in Victoria, entitled What Keeps Managing Partners Awake At Night?

He discussed issues that are foremost in a typical managing partners' book of worries. Topics ranged from *Dysfunctional Practice Group Leaders* to the Flight Risk of Rainmakers. But one of the ten items on that list was Managing Income Expectations and the associated reality that everyone always wants "more."

ically assume that "more" means more money, since more money usually ensures a better standard of living, ing is so great, you would expect including a better house and car, and money to be a driving force in the caluxurious vacations. More money reer plan of a young legal profession-

gives you peace of mind, goes the theory, and a comfortable lifestyle. And the more money you make, the more loyalty you have towards your employer. 'Give them more money and they'll stick around,' is a widely-held perspective of all types of managers.

In fact, money is not the glue factor that keeps employees happy and loyal. An insufficient salary generally comes in at around number seven on the list of reasons why associates leave firms. According to Prescott's study of exit interviews, associates leave firms due to a lack of one or more of several things: training, communication with partners, mentorship, interesting work and career Most people automatically and log- development—not because of inadequate earnings.

In Vancouver, where the cost of liv-

al. However, consider that Vancouver is a growing city with almost endless choices of outdoor activities all year round, and money doesn't always play a role.

"More" in Vancouver has an even wider definition. In addition to training and communication, as well as respect and recognition, it means more time for personal and recreational endeavours, and more respect for individual career goals and family.

It would have been an outrageous idea to change firms, take a pay-cut and step off the partnership track, as little as 20 years ago. But today's generation of young legal professionals see things differently.

Meet Daniel, Stephen, Gary, Linda and Mark-not their real names-five young associates who have all changed firms at least once in less than five years. They have all worked for prestigious law firms, making excellent money, and yet sacrificed some of that for lifestyle changes they felt were much more important.

"Young associates do not see themselves tied to one job forever, and cer-Continued on page 4

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How to maximize your retirement nest egg with IPP

BY JAMIE FERGUSON, CA TAX MANAGER, **WOLRIGE MAHON LLP**

he media is full of advertising amountsfor various investment products, and people are assessing how they will put their annual RRSP contributions to work.

An Individual Pension Plan (IPP) is one alternative to your RRSP that you may find attractive. An IPP is a defined-benefit pension plan that is generally established for a single person.

Although anyone who is an employee of a corporation can be the beneficiary of an IPP, an IPP will be of most interest to entrepreneurs who are between 45 and 69 years of age and earn a salary or bonus in excess of \$100,000 annually.

This is because the pension rules in the Income Tax Act allow for greater contributions to a defined-benefit pension plan in the later years of your career than to an RRSP.

When you retire, a defined-benefit erate an annuity of that amount by the pension plan will pay you a predetermined amount. That amount is the sum of the pension-benefit



ed to each year of your employment with the sponsoring company. Under the Income Tax Act, the maximum pension-benefit amount for 2005 is \$2,000.

An actuary uses the pension-benefit amount and, combined with actuarial assumptions mandated by the Income *Tax Act,* assesses how much capital the pension plan will need in order to gen-

projected retirement date of the employee. The amount determined by the actuary is the maximum amount a company can contribute to the pension of the employee.

The Income Tax Act assumes that the employee will retire at 65, so the amount required depends on the age of the employee; older employees will have less time to let the money earn a compounding return, so they'll require a larger contribution. For example, the contribution required for 2005 for a 45-year-old is about \$20,412, whereas the maximum contribution for a 60-year-old would be about \$27,057.

Taking the example of the 60year-old employee, the \$27,057 would be contributed to the plan and grow, tax deferred, until the pension is paid upon retirement. The employer would claim a deduction of \$27,057. This provides the opportunity to shelter \$10,557 more in-Continued on page 9 🖛



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🐡 Motivators: Continued from page 2

tainly not one firm forever, " explains Linda. "This generation believes they are smart and are more likely to ask themselves what they can do with their lives outside of the big firm. They don't have the old mindset, 'I am born to be a lawyer.' They are more flexible to change. And if they are doing something they don't like, they are more apt to say, 'This isn't worth it. I'm out.'"

Daniel had recently joined a downtown firm. "A lawyer approached me at week's end with a pile of work and a tight deadline. I verbally groaned at the thought of having to work over the weekend. The lawyer looked at me with an expression that seemed to say, 'Huh? You're not excited about this? I - don't - get - that...' I knew at that moment that this was not the job for me."

Gary was seeing his extracurricular activities fall by the wayside, one by one, "I loved the work, but the sheer volume of it left me little or no time for anything else!" Often cancelling weekend plans or losing time for his hobbies, he began to resent his job. "It was depressing."

Stephen, generally perceived in

"This generation believes they are smart and are more likely to ask themselves what they can do with their lives outside of the big firm."

his previous firm to be a lifer, shocked his colleagues when he announced his departure. "I recognized that there were two types of partners there: the ones who brought in the work, and the ones who did the work. As an associate, I was working many late nights and weekends. The amount of time I would have had to commit to my job as a partner was not conducive to the type of family I wanted to have, and the type of father I wanted to be."

Stephen's stress levels steadily rose as the work piled up. "[A stiff drink] each night after work," he says, "was not the way I wanted to relax." Stephen needed another solution. So, he switched firms. The annual billing hours are less, and while responsive to its clients, the new office does not allow the clients to run the lawyers' lives. With more realistic turnaround and reasonable expectations, members of the practice group are happier. Stephen is motivated by carving out a good future for himself and his family. "There's no point in making lots of money if it means not seeing your family," he says.

Linda shares this sentiment. "There was way too much emphasis on billable hours, " she says of her previous firm. "And if you weren't striving for partnership, your commitment was questioned. I'm at a firm now where there is more emphasis on quality work and teamwork. If a tight deadline does come across the table, practice group lead-

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PROFILE: Jane Kennedy of BCLMA

Rising to the occasions is her job

BY STEPHANIE CORNELL STIKEMAN ELLIOTT LLP

he BCLMA Executive Committee is pleased to introduce Jane Kennedy as Executive Assistant to the Association. The Committee recognized a need for assistance within the Committee and the Association, so it asked her to help it implement the plans and ideas of the Association's working groups throughout the year.

Kennedy's roles will include Member Liaison, Vendor Relationships Manager as well as Events Co-ordinator. Her experience in the hospitality industry and the events-planning sector will be invaluable to our organization.

She is enthusiastic about joining

CORNELL TAKES OVER FROM HAWKE AS 'TOPICS' EDITOR

ohn Hawke, the Director of Administration for the Vancouver law firm Harper Grey

Easton, bids TOPICS farewell in this, the first issue of 2006. John has been the editor of this newsletter since the middle of 2003. He wrote articles and some editorials, and worked with vendors on the advertising side. Perhaps most importantly, John managed the newsletter's Editorial Board with zest and humour. All of us take this opportunity to thank him for a great job. As John steps down, Stephanie Cornell, the Co-ordinator of Marketing & Services at Stikeman Elliott in Vancouver, takes over as Editor as of this issue.

Stephanie

Cornell

John

Hawke



Jane Kennedy: Roles include Member Liaison, Vendor Relationships Manager and Events Co-ordinator

BCLMA, and especially excited about stepping into a new position. It is an opportunity to shape and create the

position from the ground up. gional D Kennedy is looking forward to assisting the sub-sections, Adding t and keeping them all informed. This will include updating the website and keeping its information current and relevant.

When she was Account Executive of Membership Services at Tourism Vancouver, she helped plan, coordinate and host events. She increased its membership through sales, and sold advertising in its publications and programs.

She also co-ordinated and executed various events as Director of Catering for the Sutton Place Hotel, maintaining budgets and training staff. She also launched several successful marketing strategies to generate new business. Throughout all this, Kennedy attended night school and completed course work towards a Marketing Certificate from BCIT.

It is particularly intriguing for her

It is an opportunity to create the position from the ground up.

to go from the vendor side of hospitality to the client side, saying, "I know the angles!"

Her expertise will allow sub-section leaders to focus on what they want to deliver—for example, an outstanding speaker—while she focuses on venues, menus, invitation design and distribution, and collecting RSVPs.

In recent years, Kennedy, who has a growing family, developed her own meeting-management business, and has executed a number of successful forums and conferences, for clients that include Tourism Vancouver, the Greater Vancouver Regional District and Oceans Blue Foundation, to name just a few. Adding the BCLMA to her client base is a perfect fit. We welcome her to the organization.

Her contact information is on the ast page.

Her expertise will allow sub-section leaders to focus on what they want to deliver—for example, an outstanding speaker while she focuses on venues, menus, invitation design and distribution, and collecting RSVPs.

Motivators: Continued from page 4

ers stay behind with the associates and help get the work done." This type of work ethic lends itself to opportunities for greater learning, mentorship, communication-and especially group morale.

One of the reasons associates disengage is the lack of communication and training. When a partner asked Daniel to complete a Schedule, he looked forward to the learning process. Instead, he was given a few other Schedules to study, and then asked to simply fashion his like the others provided. "I had never done a Schedule before. I had no idea what I was doing." Daniel committed himself to providing his best work, despite the lack of teaching and coaching. The results, though, were disappointing. "A small percentage of what I submitted was kept in the draft. It was disheartening."

Daniel committed himself to providing his best work, despite the lack of teaching and coaching. The results, though, were disappointing. "A small percentage of what I submitted was kept in the draft. It was disheartening."

Though income may have been a factor, it certainly was not the deciding one for any of these young professionals when considering a move. When they recognized that their individual career goals were not being met so early in their career, they were each willing to evaluate their needs and respond to them before it was too late.

Time to pursue activities and relationships outside of the firm is important to this generation since each aspect provides a sense of well-being and promotes personal health.

Gary left private practice to work in business. "The intensity and the challenges presented by the work are equal,

probably make more money in private

if not greater, than private practice, but practice, but the positive benefits on my the overall workload is more manage- life outside of work are immeasurable. able. It's true that over time, I would I'm working out at the gym again, right Continued on page 10 -



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A Day in the Life: Continued from page 1

disappears. Back-up operator is somewhere in office, exact location unknown, searching for missing file of aforementioned senior partner.

9:15 A.M.

Try out new brand of ribbons and lift-off tape. Work fine while I watch. Turn my back. Typewriters go bananas. Instruct secretary to go back to old brand. Wonder if smirk on secretary's face is cause for justifiable homicide.

9:20 A.M.

Fluorescent tubes in senior partner's office begin to flicker. Senior partner indicates loss of file is probably due to poor lighting. Write note to maintenance crew to change bulbs. Prepare mental excuse for tomorrow since change is highly uncertain.

9:30 A.M.

Clerk of Court telephones with news that a matter has been assigned out for trial in 15 minutes. No one in office has any inkling of what clerk is talking about. Name given does not appear in any of our numerous indexes. Senior partner comments on poor filing system. Secretary to clerk calls back to advise it was another firm. Senior partner remarks that Jones and Smith have much superior filing system. Jones telephones. Asks if we know the name and his file number in a matter we have with his office that they have been unable to locate.

9:45 A.M.

Senior partner demands reason coffee pot is always empty when he wants a cup. Make a new pot. Consider leaving used grounds in his wastebasket. Make note to have coffee-making instruction period at next partnership meeting.

10:00 A.M.

Messenger phones. Car stalled. Packet of papers imperative for 10:15 a.m. closing cannot be delivered in time. Conversation reveals destination is two blocks from breakdown and car is in parking lot. In view of fact that million dollars is involved, suggest to messenger as a last resort that he walk two blocks to closing and try to arrive before being fired.

10:10 A.M.

Senior partner disconnects overseas call twice while attempting to reroute call to associate. Refuses to accept call third time. No comment on filing system.

10:20 A.M.

Fifteen phone calls come in simultaneously. Operator copes with situation but necessarily takes a few minutes. Senior partner wants to know why our phones are not a n s w e r e d

promptly, indicati n g filing system may be to blame.

10:30 A.M.

Appellate brief must be put into word pro-

cessing system, corrected and shipped out by air express by noon. Parcel work out to operators. They all go on coffee break.

10:45 A.M.

Notice ice is six inches thick on cooling unit in refrigerator in employees' lounge. Inquire as to responsibility for defrosting. Lack of response indicates most likely nominee is me.

11:00 A.M.

Receive eight successive calls from vendors with world's greatest word processor. Available for demonstration in the next half hour. None can understand my reluctance to see him. All, however, direct me to have a nice day.

11:15 A.M.

Temperature hits 90 degrees in office. Air conditioning service people not available until tomorrow. (Will not work in such high temperatures.) Discover unit was turned off by persons unknown. Senior partner, in search of missing file, is prime suspect.

11:30 A.M.

Police arrive, guns drawn. Silent alarm was triggered. Police smile and leave, remembering Christmas is only a few months off. Make mental note to revise budget upward.

12 NOON

Weekly partnership luncheon meeting. Two partners discover they are about to sue our own clients. Senior partner wants someone else's

secretary instead of his own. He is reminded that he made the same switch in reverse six months ago. Says problems are caused by inability to cope filing system. Partner wants to change color of carpeting. Spouse doesn't like present shade. Senior partner objects to beards of associates. Inadvertently, serious business gets discussed and decided.

2:00 P.M.

Begin work on confidential monthly financial report. Interrupted every five minutes by procession of partners inquiring as to when report will be ready.

3:00 P.M.

Decide to leave early for a change since things are quiet. Walk around office to make sure everything is in order. On return to desk 10 minutes later, discover seven telephone messages, all requiring call-backs including one from senior partner re a missing file.

4:00 P.M.

Cheery, friendly, first-name calling solicitor from "A Good Cause" telephones. Will we match last year's contribution? Can't find record of that. Tell solicitor to write requesting donation. Am informed letter-writing facilities are nil, but messenger is standing by for immediate pick-up.

Continued on page 8 🖛

🗯 A Day in the Life: Continued from page 7

Tell solicitor, who is no longer cheery and friendly, to have a nice day.

4:10 P.M.

Client calls. Advises that huge unpaid bill for services will remain unpaid for foreseeable future. Tells me to have a nice day.

4:20 P.M.

Senior partner on way out of office comments that office is certainly running smoothly but filing system could stand improvement.

4:30 P.M.

Secretary hired two weeks ago wants to talk about overdue merit raise.

5:00 P.M.

doorway by outgoing staff. Stretcher bearers tell him to have a nice day.

6:00 P.M.

mendous traffic jam. Spouse advises dinner will be at Burger King. Firstborn announces project of charting granite outcroppings in North Vancouver in lieu of return to college. Hamburgers take half-hour to arrive. Counter person gives me funny hat.

Tells me to have a nice day.

Incoming client is trampled in doorway by outgoing staff.

The more things change, the more things stay the same. We should now tell you now that this article first appeared in Topics in Volume 5, Number 3, which Incoming client is trampled in was published in the Summer of 1989. We found it when we were looking for something else, thanks to our new Perfecto© filing system.

Besides slowly shaking our head, sigh-Home after driving through tre- ing and mumbling the mantra, "The

more things change...", we also got to wondering, as we flipped through that ancient issue, where the firms mentioned in it have gone.

In that same issue, Phil Baudin of Russell & DuMoulin-it's now Fasken Martineau—was profiled; Terry Rogers of Ferguson, Gifford delivered the President's Message, and that partnership dissolved; and Ken Werker of Douglas Symes & Brissenden—another partnership that has since dissolved—wrote a roundtable report on Marketing and Business Development at Small & Mid-Size Firms.

— Editor: Stephanie Cornell

SAVE THIS DATE

BCLMA Winter Social Wine Tasting! Thursday, February 23rd 5:30 - 7:30 pm Law Courts Inn 5th Floor. 800 Smithe Street. Vancouver RSVP to: Membership@BCLMA.org

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IPP vs RRSP: Continued from page 3

come than an RRSP in 2005.

Note that, with an IPP, the tax deduction is taken at the corporate level, whereas an RRSP deduction is taken at the individual level. For most entrepreneurs, however, this distinction is insignificant. A dollar saved by the company is a dollar saved by you.

Every three years, the actuary is required to reassess the sufficiency of the plan's assets to provide the promised benefit. Currently, the *Income Tax* Act assumes a 7.5% return; keep in mind that these assets should generally be invested fairly conservatively. If returns have not met expectations, then an additional contribution will be required to make up for the shortfall. This amount would also be deductible.

Conversely, if the return on the plan's assets exceeded the expected return, future contributions will need to be reduced.

At retirement, the employer has options. It could simply continue the plan, hoping that the plan's assets will continue to grow sufficient- current income, and for a larger

ly to meet its obligations.

If the plan develops a shortfall, the employer would continue to be vantages over an RRSP, including: responsible to make catch-up payments.

Alternatively, it could rid itself of this risk by purchasing an annuity to fund the stream of payments due to the employee, or it could have the employee transfer the plan's assets into an RRSP on a tax-deferred basis.

The primary advantage of an IPP

An IPP tax deduction is taken at the corporate level; an RRSP deduction is taken at the individual level. For most, the distinction is insignificant.

over an RRSP is greater contribution limits, once the required age and income attributes are met, and that, in turn, allows for greater sheltering of

amount of assets to grow tax-free. An IPP holds other significant ad-

- ✓ Terminal funding options: Although the Income Tax Act determines the maximum amount that may be prefunded, there is a window of opportunity, prior to any pension benefits being paid, for the plan to be amended to provide enhanced benefits.
- ✓ Past-service contributions: It is possible to make contributions to an IPP for past service. Generally, the contributions allowed for past service are greater than those allowed for an RRSP.
- Enhanced creditor proofing: Assets of the plan cannot be seized by creditors of the IPP, nor the plan sponsor (i.e., the employer).
- Catch-up contributions possible: If returns do not meet expectations, additional tax deductible contributions can be made, enhancing the likelihood that sufficient assets to fund your pension will be there.
- *Enhanced tax deductions:* Setup and V administrative costs are fully tax deductible.

Continued on page 10 🖛



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🖛 IPP vs RRSP — From page 9

- Interest deductibility: Interest on funds borrowed to fund an IPP is tax deductible
- Any actuarial surplus at retirement is owned by the beneficiary: Any amount in excess of what is determined to be necessary to fund the pension is the property of the beneficiary. The beneficiary could use these funds to enhance the pension benefits or make a gift of the amount to their spouse, heirs or estate.
- Extended contribution period: Contributions made up to 120 days after the employer's year-end are deductible.
- *Employee recruitment:* Assets may be transferred in from another defined-benefit plan. Therefore, an IPP might be attractive to potential employees who are members of a defined-benefit plan at their current employer.

Jamie Ferguson, CA Tax Manager, Wolrige Mahon LLP 604.691.6880 www.wolrigemahon.com

AN EXAMPLE OF HOW AN IPP WORKS

Dr. Smith was born January 1, 1960 and has earned sufficient employment income to qualify for the maximum pension benefit or RRSP contribution room – in our case, we used \$100,000.

Contributions are not allowed past the age of 69, so over the next 29 years, assuming a 7.5% rate of return, the individual making maximum RRSP contributions will have accumulated a nest egg of \$1,996,402. This would be sufficient capital to provide an annual pension of \$150,900 in retirement.

However, had Dr. Smith been making maximum contributions with an IPP, he would have accumulated a nest egg of \$3,069,706.

This would be sufficient capital to provide an annual pension of \$232,026 in retirement.



"My IPP contribution is a little short this month."

🍽 Motivators: Continued from page 6

after work, and still getting home in good time to pursue my interests. I have my weekends back! I am happier, healthier and less stressed."

Daniel got right out of law. "I'm working at a public company, and even have the luxury of setting my own hours. I can drop my daughter off at school every morning, and that is important to me."

Mark left for another reason altogether, one that is gaining its own popularity: recognition. "I joined my first firm as a student and after four years as an associate, I felt like I was still seen as the kid in the group. For me, it was difficult to develop a re-

Managing partners are likely not the only ones lying awake at night, wondering how to adequately and properly compensate associates. Administrators wonder the same thing.

spectable practice." Mark left to join a smaller regional firm, and he was instantly perceived as more than just a junior. He was seen as an experienced practitioner. It made a huge difference to his esteem and his practice.

Managing partners are likely not the only ones lying awake at night, wondering how to adequately and properly compensate associates. Administrators wonder the same thing. HR managers may also have the same concerns for their administrative staff. While reaching into the wallet may be the simplest solution, it is likely not a solution at all.

Managers need to get a little more creative with their compensation packages in order to attract and maintain the talent pool, especially at this very time when excellent candidates are so few.

Regarding an employee's personal and professional goals and responding to them accordingly may be all it takes to get a good night's sleep.

Wellness from the financial perspective

How to consider the corporate implications of choosing a wellness program for your firm

BY BONNIE KIRK, LAWSON LUNDELL LLP

he first question many would ask in reading this article is why would I, a person from the Financial Subsection, be writing about surrounding a wellness program. Our wellness programs. Usually programs concerning one's wellbeing are initiated by the Human Resources department.

And rightfully so, as they are the people-persons, the ones you turn to with issues of grievance, the ones you look for when needing a shoulder to cry on and, yes, the ones that offer a little Tender Loving Care when

have an interest in wellness programs.

Like any other program or project,

the implementation of a wellness program at a firm does have a financial impact. The ultimate goal is to ensure that the impact is positive by having the benefits exceed the cost. Because of this reason, we too look at the TLCs

TLC just happens to stand for Time, Labour and Cash.

A wellness program (WP) is considered to be long-term. If



successful, it lives in perpetuity, and its annual cost becomes accountable, just like any other expense. If not, its cost is still accountable but without any benefit. Therefore-before proceeding with implementing a pro-

needed. Well, financial people also gram-careful thought should be given to its design and implementation.







A wellness program is long-term. If successful, it lives in perpetuity, and its annual cost becomes accountable. just like any other expense. If not, its cost is still accountable, but without any benefit.

concerning wellness programs, which are too many to list here. But regardless of which program you choose, you must also remember that it is an investment of your firm's resources, and it should produce some form of return on that investment (ROI). Having said that, let us now take a closer look at what areas should be ad-Continued on page 12 -

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🕶 Wellness analysis— From page 11

dressed when considering a WP.

All successful projects follow a structured format commonly known as a life cycle. The extent of a project's ing a wellness program into the firm is life depends on the scope of the program. Whether it means switching from caffeinated to decaffeinated beverages, or incorporating a fitness program, taking a structured approach in 🖌 Reduce staff turnover by ___%, its implementation will afford a higher chance of success.

The life cycle of a project can be generally grouped into three phases: planning, implementation and follow-up. Of the three, planning would be considered to be the most critical phase in the project's development, as it will contain the groundwork for the next two phases. Often, this phase is rushed; people are eager to get the program underway. As a result, the likelihood of failure increases.

Before any project can begin, you must obtain approval from the executive and/or management, which means preparing a proposal. A proposal should include-but not be limited to:

- ✓ The scope of the program you wish to implement,
- ✓ Why and how you feel it would benefit the firm (objective(s)),
- ✓ Who would be involved in its implementation (internal staff vs. external consultants),
- What resources would be required (external: Cash, internal: Time/ Labour).
- ✓ The expected time-line from conception to completion, and
- ✓ What approach you propose to use in its implementation (i.e. roll-out vs. pilot)

Tip: You should not only obtain the approval of the executive and/or management but also their commitment to support the program. Once you have done so, you can begin the planning phase.

PHASE I: PLANNING

There are several steps involved in the planning phase.

Step 1: State your Objective

The objective is usually stated in the \checkmark Reduce overtime $__\%$, form of a mission statement. It can take the form of solving a problem or a

desire to improve a particular facet of vague, with statements like "To Increase operation. The statement should be Morale." specific.

For example:

The objective(s) behind incorporatto:

- ✓ Reduce the premiums for long– and short-term medical benefits,
- ✓ Increase productivity levels by __%,



Planning is the most critical phase in the wellness project's development, as it contains the groundwork for the next two phases. Often, this phase is rushed.

- ✓ Decrease average days absent %,
- ✓ Lower training costs ___%. Tip: A mission statement should not be

Step II: Develop Benchmarks

Tip: Once you have stated your objectives, develop benchmarks to use as a measuring stick. This is where your somebody in the Finance Department can be beneficial. They can extract historical data on most areas of the firm's operation.

For example, using the objectives mentioned above, ask them to help you determine:

- Premium costs of long– and shortterm medical benefits,
- ✓ Number of days from entry of time to payment of invoice (production turnover)
- Number of terminations per year (the average of the past two or three years)
- Hiring costs (Placement fees)
- Overtime costs (2- to 3-year average for charges to both office and client)
- Training costs (2 to 3-year average) Reviewing several years of data will help to reduce the impact of any unusual items experienced in any given year.

Step III: Program Options

Once you have set your benchmarks, analyze what type of program would have the most impact on the benchmarks. For example, would bringing in a dietician to discuss healthy food choices impact production levels? Or would a fitness program be a better choice?

To assist in determining the best program, conduct a survey throughout the firm. Explain that you are considering a wellness program, and that you value their input in determining what program would be best suited for their firm. Offer several choices.

It is important that people feel they are included in this part of the process. Remember, the majority of people resist change and once you give someone a benefit like that, it is often difficult to retract the offer without consequence.

Step IV: Design

Based on the survey results, decide on the scope of your program. In de-Continued on page 13 🖚

you are going to be looking for a change in the benchmarks set from before the program starts to some point in time after its implementation.

Decide if you should start with a small change (i.e. a session on diet) or incorporate a full-blown package (cooking classes on basic meal preparation).

Step V: Resource Requirements

Once you have chosen a program, decide on whether it can be implemented using internal resources, or if it should be out-sourced. At this point, estimate how long the program would need to be in operation before results—a change in the benchmarks-can be seen. If the program can be implemented using in- 🗸 ternal resources, identify how many people would need to be involved, and what role each person would take.

Ensure the people involved understand that seeing the effects of a wellness program could take a considerable amount of time and that you need them to be committed throughout its life cycle.

If you decide to outsource the development and implementation to consultants, determine what costs are involved. Most often, a mix of both internal and external resources will be needed and cost comparisons of both will need to be included in the analysis.

Phase II: Implementation

The implementation phase involves rolling-out whatever program you have chosen. This phase includes:

- ✓ Determining how you are going to communicate with the firm (paper form vs. e-mail);
- ✓ The frequency of communication (Don't be afraid to keep everyone well informed on the progress of the program, particularly its merits);
- ✓ Sending clear directives about the details-who, what, where and when—of the program;
- ✓ Setting up the reporting requirements for each team member.

Tip: In setting up the reporting requirements, develop a matrix listing the benchmarks determined in the planning phase.

Phase III: Follow-up

After the program is underway, it signing the program, remember that should be closely monitored. Meetings should be scheduled, their frequency determined by the scope of the program. The meetings should:

- Review the benchmarks set prior to the program's implementation on a comparative basis. Prior to every meeting, obtain an update on the statistical data from your financial person.
- Discuss participation levels. Be careful not to assume the program is successful because you have, for example in a fitness program, a 20% participation rate. If you had determined that 20% of the firm was physically active before the program, then you have not changed anything.
- Discuss areas of weakness or areas requiring improvement. Obtain feedback from participants and non-participants.

After the program is put in place there should be an annual review to determine if it should continue.

✓ If yes, a budget should be set for the following year,

✓ If no, consider changing the program and repeating the steps.

SUMMARY

As you can see, the success of a Wellness Program takes a considerable amount of forethought. From a financial perspective, its purpose is to change the life-style of an individual in such a manner that it would either increase production or decrease costs.

Finding the optimum balance, where you achieve a good result for personnel and the firm alike, takes not only planning but also a certain amount of finesse in its application. Having said that, I would like to close with words of caution. No one likes to be arbitrarily told they will be eating carrots instead of cookies, albeit from a financial perspective, carrots are cheaper.

It is because of this viewpoint that financial people leave the intricate task of implementing such a program to those who truly are nurturing by nature, the Human Resources people, the ones that are capable of providing a little traditional TLC.



All in all it was a great 'escape from the holiday blitz'

BY TIM WURTZ BAKER NEWBY LLP

he last annual holiday social of 2005, the Winter Social, was a welcome—and deserved—escape from the holiday blitz that seems to creep up every year.

Spirits were high for everyone. By spirits, I mean alcohol... and by everyone, I mean me.

The enormous loft at Bridges Restaurant on Granville Island provided a beautiful venue for an extremely well-attended event. Allison Milroy of Lang Michener, and Ernie Gauvreau of Gowling Lafleur Henderson LLP, dutifully greeted people as they arrived, ensuring they had their ticket for the always-anticipated door-prize draw.

Inside, shoulder to shoulder until dinner started, members exchanged holiday greetings, recounted their firm's activities throughout the year, and reacquainted themselves since meeting last, some, perhaps, at the Summer Social. Dye & Durham was the generous host for this social, providing many fabulous door prizes and chocolates at the table.

Continued on page 15 🖚



(Left to right) Anita Parke of Owen Bird Law Corporation, Kerri Pearce and Kathy Slocombe of Alexander Holburn Beaudin & Lang LLP.



Carol Hastie and Sonia Iida of McCarthy Tetrault LLP, in Vancouver



Gillian Crabtree of Edwards Kenny & Bray LLP, Wilma Macfarlane of Farris Vaughan Wills & Murphy LLP, Marian Verdicchio of Thorsteinssons LLP.



WINNERS OF THE WINTER SOCIAL DOOR PRIZES

Congratulations to:

Kathy Barry–Farris Vaughan Wills & Murphy LLP Gillian Crabtree–Edwards Kenny & Bray LLP Kerri Pearce–Alexander Holburn Beaudin & Lang LLP Jeff Mousseau–McDonald & Co. Raf Sansalone–Borden Ladner Gervais LLP Stephanie Cornell–Stikeman Elliott LLP John Pater–Alexander Holburn Beaudin & Lang LLP Sarah Glazzard–Farris Vaughan Wills & Murphy LLP Andrea Dawson–Richards Buell Sutton LLP Wilma Macfarlane–Farris Vaughan Wills & Murphy LLP Raf Sansalone, of Borden Ladner Gervais LLP, with Donna Oseen of Fasken Martineau Dumoulin LLP.



Kelsey Klaver of Borden Ladner Gervais LLP, Gillian Crabtree of Edwards Kenny & Bray LLP.

Two other notable prizes were provided by Victor Montagliani from TOS Hub International: (1) a s o c c e r s h i r t signed by the Canadian National Soccer Team; and (2) dinner for six cooked by his mom in-house with Victor as waiter.

Sam Mann from Singleton Urquhart LLP won the dinner, but as of *Topics*'s deadline, he had not yet taken Victor up on his offer. Victor's waiting for your call, Sam.

Throughout dinner, everyone was happy to pose for my everintrusive camera, and the candid shots came more easily as the night progressed, with Allison notably hamming it up towards the end of the evening. But after that, well, my young mind just seems to draw a blank. Those darn diligent waiters just could not stand to see an empty wine glass. So, by the third time that Elaine had to return upstairs to retrieve me, it was, indeed, time to go. I had a wonderful evening, and look forward to seeing everyone again at the next social.



Allison Milroy of Lang Michener LLP, Ernie Gauvreau of Sam Mann Gowling Lafleur Henderson LLP, Victor Montagliani of TOS Hub International.



Rita Scott of Dye & Durham, Andrea Dawson of Gowling Lafleur Henderson LLP



John Pater of Alexander Holburn Beaudin & Lang LLP



Sarah Best of Bernard & Partners



Gary Carter of Paine Edmonds LLP, Cynthia Nerland of Dye & Durham



Wayne Scott of Edwards Kenny & Bray LLP

Vancouver 2010: A golden opportunity

2010 Olympics outline describes spectacular Games in years to come

About 25 BCLMA members attended a Marketing Sub-section luncheon hosted at Fasken Martineau's of-

fices on November 17th. Attendees were treated to an enthusiastic presentation on the event that has everyone in Vancouver talking, and has everyone talking about Vancouver: the 2010 Olympic and Paralympic Winter Games.

Stephanie Herdman, Community Relations Co-ordinator of the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Games (VANOC), provided an overview of the preparations for the Games and what lies ahead.

The Games will be split between communities in Greater Vancouver and areas around Whistler. Indoor ice events will be held in Vancouver, and most outdoor snow events will take place in Whistler. Officially, the International Olympic Committee names the Games after the city that hosts the opening ceremony, and thus the Games are branded as Vancouver 2010.

It was just a little more than two years ago when the International Olympic Committee awarded the XXI Olympic Winter Games and the X Paralympic Winter Games to Vancouver, and a lot has been achieved in that short time. However, the true test of our Olympic mettle is about to begin.

The 2006 Olympic Winter Games are in Torino, Italy, this month. This marks a critical point for VANOC. Torino will be the last opportunity for staffers to witness a Winter Games first-hand. VANOC staff are using it to learn from the experiences and challenges Torino organizers have faced over the past seven years.

Torino's closing ceremony will be important to VANOC, in that it will signify the real countdown to Vancouver 2010. An eight-minute theatrical and cultural presentation will begin when Vancouver mayor Sam date, VANOC has lined up an impres-Sullivan receives the Olympic flag sive array of national level sponsors:

BY TIM TRAVIS BCLMA MARKETING SUB-SECTION LEADER, FASKEN MARTINEAU DUMOULIN LLP



and will stand as Canada's welcome to the world. In coming years, a mascot and other items will join Ilanaaq as the program for the "Look of the Games" unfolds.

from the mayor of Torino via Jacque Rogge, the president of the IOC. From that point on, the Olympic Winter Games belong to Vancouver. VANOC will embrace the Olympic spirit and share it with all Canadians, taking great effort to promote the Games as an all-Canadian affair.

Last year was a busy one for Games' organizers as they worked to attract corporate sponsors. From the beginning, VANOC has relied heavily on the support of the community, all levels of government, and four First Nasponsorship, which provides a great deal of funding and marketing. To

RBC Financial Group, Bell Canada, HBC, GM Canada, Rona and Petro-Canada join international sponsors invited by the IOC. Sponsorship and licensing programs will continue to grow as the Games draw near.

Last year also saw VANOC round out its executive, which includes one member from the city's legal sector: former BLG LLP managing

partner Ken Bagshaw, QC. He is leading VANOC's legal department as Senior Vice-President and General Counsel, Legal Services.

VANOC's 150 full-time employees, led by CEO John Furlong, will grow exponentially. By the time of the Games, VANOC expects its full-time staff to swell to 1,200 employees, with 28,000 more volunteering their time to the effort. To meet the space demands, VANOC will be moving from its present location in the central business district to a new, much larger location, which it's calling the "Olympic Campus", near the Trans-Canada Highway and Boundary Road.

A mix of new and existing facilities will await athletes and spectators in 2010. For those of us in the host region, that means much in infrastructure improvement and construction ahead.

Opening and closing ceremonies will be held at BC Place Stadium, the first time the events have ever been held indoors. Hockey fans will cheer on Canadian teams at General Motors Place as well as at a new UBC facility. Figure skaters will jump and twirl at the PNE grounds, and short-track speed skaters will whiz by the corners at the Pacific Coliseum.

A spectacular new indoor speed skating oval will be constructed along Richmond's riverfront. Curling stones will slide to the house at a newly constructed centre near Nat Bailey Stadium. The North Shore Mountains will provide an impressive backdrop as snowboarders and freestyle skiers thrill crowds at Cypress Bowl.

In Whistler, one of the most intertions. Just as important is corporate esting projects will be the new Sliding Centre, now under construction. The facility will house bobsledding, luge and skeleton competitions. The Continued on page 17 -

Seminar focuses on key attributes of the people who lead, not follow

BY CARINA BITTEL MARKETING DIRECTOR CLARK, WILSON LLP

MA's Vancouver Chapter presented a highly interactive lunch session recently, entitled *Leader*ship is an Action, Not a Position, led by Robert Gilfoyle, President of OTI Performance Inc.

Gilfoyle is a Vancouver consultant who assists clients, including law firms, with leadership effectiveness and strategic planning, as well as recruiting and retaining legal talent.

Nearly 30 attendees included marketers as well as other administrative professionals, lawyers and consultants, plus representatives from the Law Society and the CBA.

Gilfoyle led the audience in what he called "table talk." He encouraged everyone to discuss and define characteristics of effective leaders, based

🗯 2010 Golden — From page 16

Whistler Nordic Centre resort will also host Nordic events such as ski jumping, cross-country skiing and the biathlon in the nearby Callaghan Valley. And of course, the mountains themselves will welcome the fastest Alpine skiers in the world, including the prestigious downhill race.

In total, the Olympic and Paralympic Winter Games will attract about 6,000 athletes, all requiring housing and training facilities.

In Vancouver, the Olympic Village will be built along the False Creek Flats between Quebec Street and the Cambie Street Bridge. A fantastic legacy of the Games, the Village will revitalize the area and be the core of a new community in a currently underdeveloped part of the city. A smaller village will be built in Whistler and will house snow sport athletes and Paralympians.

Games organizers are also making a tremendous effort to promote the Paralympic Winter Games. Often on their personal experience. Each table shared their lists aloud. He then reviewed several credible research studies that reiterated the importance of certain characteristics, many of which had been shared among the group. He also stressed the measurable impact that good leadership has on the bottom line.

FREE WEBINAR FEB 22

The LMA is hosting a National Webinar on February 22 entitled, The Boundaries of Promoting Legal Services, which features Will Hornsby of Staff Counsel of the ABA's Legal Services Division. This event is free to all LMA members. Contact Heather Gray-Grant at Alexander Holburn for details.

overshadowed by the glare of the Olympic flame, VANOC intends to change that, and give the Paralympics their due attention. Most Paralympic events will take place in Whistler and a Paralympic Winter Games emblem is currently in development.

Vancouver is one of the largest cities to ever host the Olympic Winter Games. Appropriate, since the 2010 Games will be the biggest ever, attracting thousands of athletes from almost 100 countries. Even more substantial is the fact that there will be more international media representatives and journalists here in 2010 than there will be Olympic and Paralympic athletes—about 10,000 are expected.

During the bid phase, the Games were billed as being *Our Time to Shine*. With all those journalists, athletes and officials in town—not to mention the millions watching at home—that billing is about to come true. And that means a chance for everyone to shine. Some of the key concepts supported by research includes:

- Effective leaders provide a clear vision, have a solid focus on the client, engage all members of their team, build positive relationships with other areas or departments, and build personal credibility by walking the talk, sharing glory as well as pain, and committing to their team;
- Leadership is an action, not a position or title. When employees are asked in research studies to provide examples of leadership, the "leaders" they talked about were generally colleagues, and not necessarily "leaders" by title; and
- ✓ The most financially successful businesses do better than the rest on virtually every aspect of employee attitudes... and importantly, it is attitude that drives financial results, and not, predominantly, the other way around.

Gilfoyle concluded his presentation by providing his own model for improving leadership, one that any individual can use to improve their personal skills.

The next four years will be an incredible experience filled with promise, passion and excitement. Making the most of opportunities begins by planning now.

For our firms, that means working with our clients to seize the right opportunities and make the most of this exceptional occasion. In the build-up to Vancouver 2010, VANOC will be busy working with many suppliers and businesses—including some of your clients.

Success comes with early planning and preparedness. Just as the athletes of the world are training hard and VANOC is busy making its preparations for 2010, our firms and our clients should also be ready. The gold is there for the taking; you just have set your sights on it and go for it.

And then when the Olympic flame arrives in 2010, we can all share in hosting the greatest Games ever.

Key Dates

Olympic Games: Feb 12-28, 2010 Paralympic Games: Mar. 12-21, 2010

BCLMA EXECUTIVE & SECTION LEADERS

EXECUTIVE

Allison Milroy, *President* Lang Michener 1500-1055 W. Georgia St. Vancouver, BC V6E 4N7 P: 604.685.7084 <AMilroy@LMLS.com>

Ernie Gauvreau, **President Elect** Gowling Lafleur Henderson LLP Suite 2300, 1055 Dunsmuir Street Vancouver, BC V7X 1J1 P: (604) 683-6498 F: (604) 683-3558 <Ernie.Gauvreau@Gowlings.com>

Annie Ronen, *Past President* Ogilvy Renault 800–666 Burrard St. Vancouver, BC V6C 3P3 P: 604.806.0922 F: 604.806.0933 <ARonen@OglivyRenault.com>

Angela Zarowny, *Treasurer* Direct: 604.351.0124 <AZandDZ@Shaw.ca>

Stephanie Cornell, *Editor* Stikeman Elliott LLP 1700-666 Burrard St. Vancouver, BC, V6C 2X8 D: 604.631.1377 F: 604.681.1825 <SCornell@Stikeman.com>

Jane Kennedy, Administrator and Membership Services BCLMA 964 Beaconsfield Road North Vancouver, BC V7R 1T2 P: 604.988.1221 F: 604.988.1221 <membership@bclma.org>

Technology Officer Elaine Holmes, Baker Newby LLP 9259 Main St., Box 390 Chilliwack, BC V2P 6K2 P: 604.792.1376 F: 604.792.8711 <EHolmes@BakerNewby.com>

SUB-SECTION LEADERS Facilities & Service Management Gord Van Horn, Co-Chair Borden Ladner Gervais LLP 1200-200 Burrard Street Vancouver, BC V7X 1T2 P: (604) 687-5744 D: (604) 640-4095 F: (604) 687-1415 <GVanHorn@BLGCanada.com>

Tammy Toeppner, *Co-Chair* Borden Ladner Gervais LLP 1200–200 Burrard Street Vancouver, BC V7X 1T2 P: (604) 687-5744 D: (604) 640-4008 F: (604) 687-1415 <TToeppner@BLGCanada.com> Finance Bonnie Kirk, Co-Chair Lawson Lundell LLP 1600–925 West Georgia St. Vancouver, BC V6C 3L2 P: 604.685.34556 F: 604.669 1620

Leslie Morgan, Co-Chair Harper Grey LLP 3100–650 West Georgia Street Vancouver, BC V6B 4P7 P: 604.687.0411 D: 604.895.2854

<BKirk@LawsonLundell.com>

Human Resources Tina Giallonardo, Chair Miller Thomson 1800–840 Howe St. Vancouver, BC V6Z 2M1 P: 604.687.2242 F: 604.643.1200 <TGiallon@MillerThomson.cc

F: 604.669.9385

Knowledge Management Gillian Crabtree, Co-Chair Edwards, Kenny & Bray 1900–1040 West Georgia St. Vancouver, BC, V6E 4H3 P: 604.661.1087 F: 604.689.5177 <GCrabtree@EKB.com>

Steve Matthews, Co-Chair Clark Wilson LLP 800 -885 West Georgia Street Vancouver, BC V6C 3H1 P: 604.687.5700 D: 604.891.7716 F: 604.687-6314 <STM@CWilson.com>

Marketing Tim Travis, Chair Fasken Martineau 2100–1075 West Georgia St. Vancouver, BC V6E 3G2 P: 604.631.3131 F: 604.631.3232 <TTravis@Van.Fasken.com>

Small Firms Colleen Chapman, Brawn Karras & Sanderson 301–15117–101 Avenue Surrey, BC Canada V3R 8P7 D: 604.587.3600 F: 604.588.2331 <CChapman@BKS Law.com>

Trainers

Christina Saremba, Co-Chair Alexander Holburn Beaudin & Lang LLP 2700–700 West Georgia Street Vancouver, V7Y 1B8 P: 604.688.1351 D: 604.688.1351 F: 604.669.7642 CSaremba@AHBL.ca

Tara Cain, Co-Chair Fasken Martineau Dumoulin LLP 2100–1075 West Georgia Street Vancouver, BC V6E 3G2 P: 604.631.3131 D: 604.631.4758 F: 604.631.3232 <TCain@Van.Fasken.com> Technology

Brenda Johnson, Chair Edwards Kenny & Bray 19th Floor, 1040 W. Georgia St. Vancouver, BC V6E 4H3 P: 604.689.1811 F: 604.689.5177 <Blohnson@EKB.com>



EDITORIAL COMMITTEE

Stephanie Cornell, Chair

- Stikeman Elliott LLP 1700–666 Burrard St.
- Vancouver, BC, V6C 2X8 D: 604.631.1377
- F: 604.681.1825
- Bonnie Kirk
- Lawson Lundell LLP
- 1600 -925 West Georgia St. Vancouver, BC V6C 3L2 P: 604.685.3456

F: 604.669.1620

- <BKirk@LawsonLundell.com>
- Kerri Pearce
- Alexander Holburn Beaudin & Lang LLP
- 2700–700 W. Georgia St.
- Vancouver, B.C., V7Y 1B8
- D: 604.643.2145
- F: 604.669.7642
- < KPearce@AHBL.ca>

Tim Wurtz Baker Newby LLP 9259 Main St. Chilliwack BC, V2P 6K2 P: (1) 604.792.1376 F: (1) 604.792.8711 <TWurtz@BakerNewby.com>



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BRITISH COLUMBIA LEGAL MANAGEMENT ASSOCIATION President: Allison Milroy

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