

What goes up (and up, and up...)

Parity with the greenback – now what?

BY BONNIE KIRK
LAWSON LUNDELL LLP

The summer is over, much to the chagrin of many British Columbians. Most have said they were still awaiting its arrival when told fall had officially arrived.

Fall, for people associated with law-firm finance, signifies the start of heightened activity. It is a time when forecasts and budgets are compiled, a time when many questions must be answered, some of which do not come easily.

Will the current level of activity continue and, if so, for how long? Have we achieved our objectives for this year? If not, what is the reason? Finding the answers requires internal communications, and paying attention to economic conditions.

Projecting a forecast to year's end can be done with reasonable confidence as we approach the end of the fiscal third quarter. Information is gathered from all participants, such as revenue data from lawyers, and costs, prices and volumes from managers. Budgets, on the other hand, require external factors to be considered; the inflation rate, or level of employment, as examples. These items impact the budget. The farther out you project, the higher the risk of uncertainty becomes.

In looking at the economy today, most would say, "Who could ask for more?"



Bonnie Kirk

We are considered to be at full employment, the BC inflation rate in August was 1.3%, below the national average of 1.7%, business is booming and, as a bonus, we have just reached parity with the American greenback, something that has not happened in over 30 years. The last aspect gives one a reason to pause.



What's the impact of parity on law firms? Ask your clients.

Intergenerational conflict in workgroups

Dealing with the clash of the ages

BY TIM WURTZ
BAKER NEWBY LLP

True story: Two staff members are working on the same team and just can't seem to get along.

I suspect this will not prove to be an isolated incident.

One of them is 45 years of age, the other is 31. Seems pretty close, but there are subtle generational differences between these two people; the differences are antagonizing their relationship and cultivating continued interpersonal conflict.

Is it their personality, behaviour, individual work ethic? Is it their personal assumptions about the firm's expectations? Yes, yes and yes—it is



Tim Wurtz

all of the above.

Conflict begins when something is perceived to be unfair. This perceived unfairness is borne from an individual's background, previous employer's culture, personal attributes, family, peers, and co-workers.

A lack of understanding across generations can have detrimental effects on communication and working relationships. Intergenerational conflict can be toxic to morale, may decrease workgroup effectiveness, and may keep a

Continued on page 4 →

What impact, if any, would maintaining parity against the US dollar have on the legal community? We know for consumers, this is good news. But for businesses, it is not so good if their revenues are dependent on exports.

It is common to compile a three-case scenario based on different combinations of assumptions when preparing a budget.

The first case would assume a significant growth in revenues with a small increase in costs. The second case would incorporate a conservative increase in revenues and assume a slight rise in costs. The last case

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→ Parity—Now what?: Continued from page 1

would assume a decline in revenue with a slight increase in costs.

It is the last case that accountants ponder over in every industry, and I too have let my mind wander to this scenario. Although Canada is experiencing a strong economy, it would still be wise to pay close attention to what is happening south of our border.

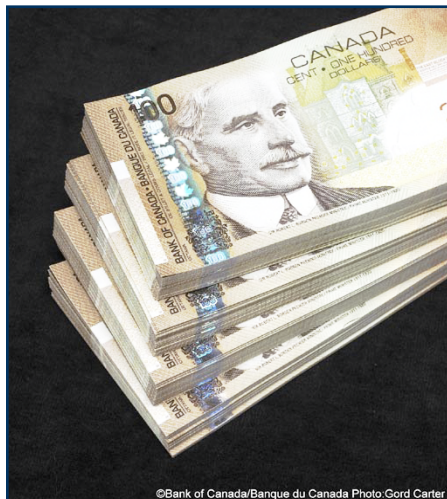
The United States is currently experiencing some severe economic problems—rising oil prices, increased unemployment and a decrease in the housing market, to name but a few.

This downturn in the US economy could impact Canada's economy, given that the US is our biggest trading partner: as of last year, it bought 81.6% of Canada's exports.

A decrease in demand for our products by the US would likely result in decreased business income. Mind you, it's anyone's guess now as to how the American future is going to impact Canada. Some say Canada's economy is strong enough to feel little impact from the US slowdown.

So why am I skeptical, given Cana-

da's strong performance, particularly when others tell me they are so optimistic?



©Bank of Canada/Banque du Canada Photo:Gord Carter

Some say Canada's economy is strong enough to feel little impact from the US slowdown.

Possibly it is to do with being a boomer and my experiences. Several years ago, we came to the realization that our senior citizens were hoarding food. People believed the reason was because seniors lived through the

hardship of the depression in the 1930s and were reverting to their past. Boomers who worked through the last two serious recessions, in the early 1980s and early 1990s, remember the impact the downturns had on many Canadians. Interest rates soared, unemployment was high, and foreclosures were common.

Now if experience is the cause of my skepticism, it would make sense that the next generation of accountants would have an optimistic view. Those in their early 30s and younger have never experienced, as adults, a downturn of any significance in the economy. Their budgets would be prepared on the assumption of business as usual. But will business be 'as usual'? That becomes one of the most important questions.

Regardless of the stance anyone takes when preparing the budget, it must be remembered that law firms provide legal services to clients, and if clients suffer economic hardships, the firm will follow suit.

If you believe there will be a negative impact on Canada's economy, it

Continued on page 3 →

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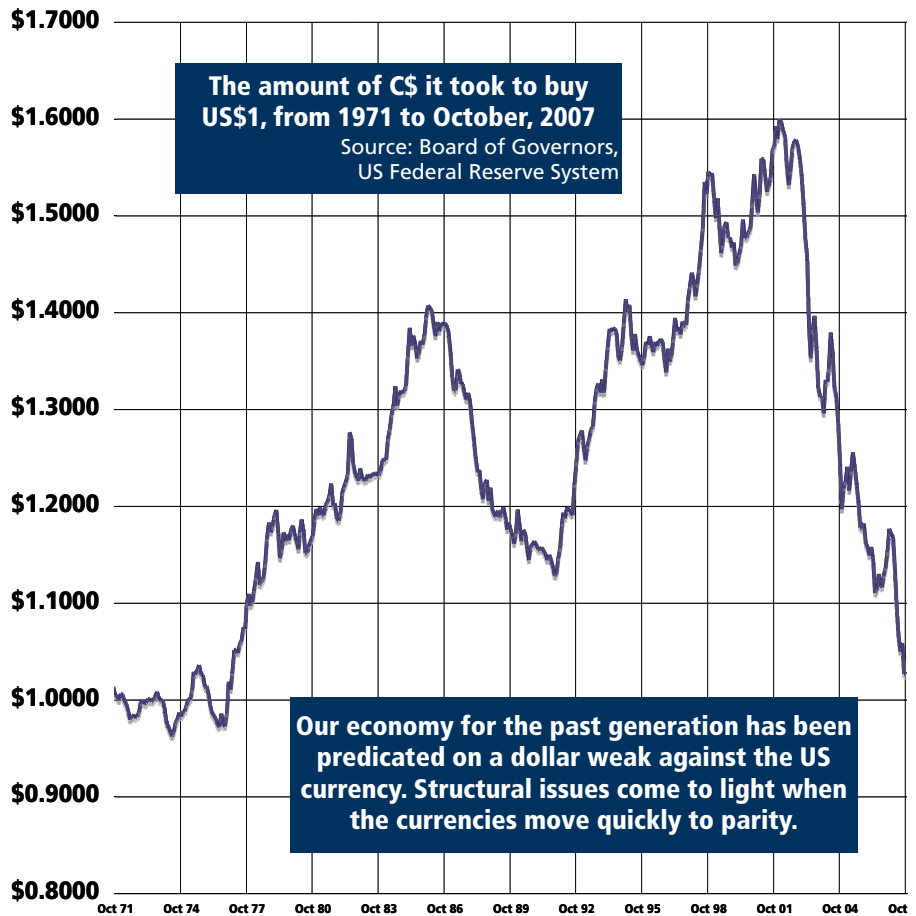
→ Parity - Now what? : Continued from page 2

would be prudent when preparing the budget to spend extra time on determining what drives your revenue.

Consider who your clients are, and to what degree economic conditions impact them. For many clients, legal fees are considered a variable cost and, in a worse-case scenario, variable costs are the first to be slashed.

Once the budget is prepared, monitor the hours closely. Pay attention to the number of new matters opened. Watch the ratio of the number of days accounts-receivable are outstanding, noting any increase. These are all indicators of what your clients are experiencing. In the meantime, I will gear myself up for the busy season, paying close attention to what the experts agree will happen.

I will also continue to ponder over the reason for my skepticism and decide if it is truly because of experience or maybe simply because of a lack of sunshine. I am starting to think it is the latter. I am already starting to dream about summer—and it is only October. ■■



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→ Clash of Ages: Continued from page 1

lawyer's practice, or the firm in general, from being efficient or moving forward.

Understanding the prevailing generational interpersonal conflict research and findings may help you to formulate solutions to difficult staffing problems caused by age gaps. There are many published ranges and terms for various generations, however, they mostly follow the characteristics listed here:

Traditionalists: 1925-1945: They are practical, patient, loyal and hard-working. They are respectful of authority, and follow the rules.

Baby Boomers: 1945-1963: Boomers are optimistic, ambitious, hard workers who are open to teamwork and cooperation, while slightly judgmental of differing opinions.

Generation X: 1964-1983: This generation balances their work and personal life, and is somewhat more skeptical, self-reliant; they are risk-takers. GenX employees have less confidence in long-term rewards, and greater expectations for short-term rewards.

Millennial: 1983—present: This youngest generation is technologically savvy, and looking for meaningful work. They value diversity and change, and are hopeful for the future. They likely seek quick advancement and promotion, and desire more balance between their work and professional lives. It is also argued that they do not understand resistance to change, and place less value in feeling a sense of pride at work.

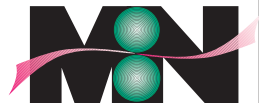
While there are obviously many other subtle differences, a few key characteristics differentiate the more mature workforce from the emerging one. The prevailing slogan is *Live to Work vs. Work to Live*. It is this *Work to Live* millennial generation that is our emerging workforce.

We Administrators, HR Managers and law-firm leaders must develop this next generation of support staff to better understand traditional views while nurturing their innovative and self-reliant nature. Members of the millennial generation are uniquely different in many ways from those classified in other age groups.

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GENERATIONAL TENSION: McQuarrie Hunter's David Hunt: "Younger, more vibrant employees can 'show up' those who have been with the firm a significant length of time. Younger workers have more enthusiasm and desire, and could outshine the more mature worker."

→ *Clash of Ages: Continued from page 4*

Younger staff do not see themselves tied to one job for their entire career. They are more likely to ask themselves what more they can do with their lives, and are far more flexible to change. It is this flexibility and perceived casual approach to employment that can lead the other older generations to look down on them.

How do we bridge the gap? You will encounter a fine line when trying to convince younger workers that they would benefit from recognizing the stability and experience that older workers bring to the firm and to workgroups. It will be just as difficult to persuade older workers that they could learn from the younger ones, and to value the relationship and technological focus the younger generations have.

You have to build solutions conducive to the existing climate of your firm. If you are in a more rigidly run firm and using traditional values, you must adhere to that and persuade the GenXers and Millennials that this traditional way of doing things is best for the firm and, in turn, is best for them. By turning the focus on their own ambitions, you can build the type of employee the firm has come to trust and on which it relies.

Conversely, in a more relaxed corporate climate, the structured, rigid, older Traditionalist or Baby Boomer must come to realize that they can learn and contribute to the firm by embracing emerging values and practices. Some guidance and effective messages to best encourage and motivate individuals in teams where generational interpersonal conflict is emerging may include:

Traditionalists: "Your experience is respected, and it is valuable to hear what has worked in the past. Your views and concepts will help us formulate solutions for the future."

Baby Boomers: "You are a valuable employee, and your input is worthy of consideration. Your contribution is unique and important to our success."

Gen Xers: "Let's explore some options outside of the box, and your technical expertise is a big asset."

Millennials: "You will be collaborating with other bright, creative people, and you have really improved this firm with your commitment and new ideas."

These meetings and communications may be given individually, or to the whole multi-generational workgroup. Having one segment or individual in the group hear the message given to a different demographic group may make them more sensitive to the issues, traditions, or ideas of either group. You need to

talk, and encourage communication, about why they are different and why people have different perspectives. Ideally, everyone will become more willing to invest in honest, candid, communication about these issues, to effect the best outcomes.

In seeking scenarios where a younger worker may feel threatened by the work ethic, loyalty and cooperative efforts of an older worker, David Hunt, HR Manager at McQuarrie Hunter can think of where the opposite may be the case.

"Younger, more vibrant employees can 'show up' those who have been with the firm a significant length of time," he says. "Younger workers have more enthusiasm and desire, and could outshine the more mature worker. In a particular instance, a secretary with 20 years of service is replaced by someone substantially younger. In this case, the older worker resents the newcomer. That, in itself, is embarrassing to the older individual who, as a result, becomes not as productive nor as responsive to change."

This issue brings about the problems of labeling. Labels tend to be made for staff based on their responses to generational differences in work ethic.

The older secretary, working diligently from 9 to 5 with her head down while keeping track of other employee's absences and tasks, will inevitably be called the "Hall Monitor." The younger worker, leaving the office frequently throughout the day, and being more socially active during most tasks, will be called the "Slacker." Neither titles are flattering, nor are they really indicative of the actual productivity of either employee.

Hunt notes that, "There has to be a trade-off between productivity and freedoms. Older workers may be well-paid for their experience, but there may be only one speed—mediocre."

When trying to deal with particular circumstances, Hunt concedes that Administrators and HR Managers are almost forced to be flexible, or employees will simply leave.

Younger workers expect more flexibility. If this flexibility is grant-

→ Clash of Ages: Continued from page 5

ed, the older workers wonder why they are receiving special treatment.

“Older workers seem to resent things more, and are more likely to bring it to someone else’s attention,” Hunt says. “Older workers want you to solve their problems.”

To avoid such issues, steps need

responses; while performing the reference checks, ask specifically if this employee was awarded flexibility because of their skill and productivity, or if they pushed the envelope. Ask if they adapted to firm culture, and what that specific culture was.

You will have an idea about which workgroup this new employee will be collaborating, so you can ask ques-

municate the benefits of building on traditional practices and procedures, while supporting flexibility and creativity, to successfully align and unify differing generations’ work ethics.

There is no silver bullet, but culture is key. You must clearly impart the conduct and behaviour that has come to be expected from all employees, regardless of age.

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to be taken during the interview process: Ask applicants about the organizational culture of their previous employer. Ask them about prior expectations for flexibility in hours, or about the structure of the day.

Don’t rest solely on the applicant’s

tions specifically tailored to psychologically profile the candidate and their fit within the generational demographic of the workgroup. You can also be forthcoming with your own firm’s culture to see if the candidate will be the right fit.

We must seek a balance, and com-

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Just one thing—where are you?!

Top talent wanted by every law firm in town, so entry-level battle rages

**BY MIKE BOWERBANK
BLAKE, CASSELS & GRAYDON**

Few firms admit they have a revolving door. However, with demand for talent on the rise, a large number of your current employees are checking around to see what else is available.

Some put out feelers, and if this develops into something positive, you're suddenly receiving the resignation letter of someone you thought was contented.

Unless you want the revolving door to spin fast enough to double as the office's air conditioner, you need to ensure your firm is paying competitively and that you are doing your best to keep your staff happy and enriched.

Sometimes, however, people just



Mike Bowerbank

feel the need to move on for any number of reasons and, if that happens, you have to hope you have replacements within arm's reach of your desire.

Where do you find good help these days, with demand for skilled workers higher than the number of qualified people to fill them?

Word-of-mouth and internal promotion are still the most preferred methods of finding talent, but when that well dries up, one must look further.

With new talent coming out of colleges every term, some may think

this will replenish the stocks but, as you all know, this is not the case. In fact, the graduate pool isn't sufficient to fill all the vacancies. This makes competition for these graduates fierce.

There are so many people scoping out colleges for prospects that one wonders if recruiters outnumber the

Word-of-mouth and internal promotion are still the most preferred methods

students. With multiple parties wooing students in colleges, eyes are starting to be cast to high schools. Where does this thinking stop? It may be just a matter of time before companies are scoping out the maternity wards!

Okay, so with competition for talent so intense, *Continued on page 8* →

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and colleges bursting at the seams with recruiting teams, what are the options?

RETIREES

Here's a crazy thought: do you remember those people who were forced out the door against their will because they'd reached the mandatory retirement age? Well, as of January, retirement is no longer mandatory at a specific age, so recent retirees are an obvious choice to acquire seasoned talent without necessarily having to pay seasoned prices.

Accountants, secretaries, word processors, administrators, clerks of all types, analysts, marketers and more: all have had their share of people dragged out of their offices (often leaving nail marks), given a hearty thanks and then cast aside, like a fly on a Twinkie. Those who wanted to continue working had to learn how to say "Welcome to Wal-Mart" or "Would you like fries with that?"

Whether you love or hate companies like McDonald's and Wal-Mart,

Most of the HR staff I talked to either don't use online job sites at all, or only use them occasionally.

you have to give them credit for recognizing a trend, as well as an economical labour source, ahead of the rest of the pack. What will you do to entice the best of the retirees in your firm—and your competitors' firms, for that matter—back into the labour force?

ONLINE

With sites like <<http://www.Monster.ca>>, <<http://www.VancouverJobShop.ca>> and <<http://www.JobShark.com>>, there are thousands of available résumés online. For a fee, you can post your available position and

browse through the online résumés.

If you want to do a national search for talent, one solitary job posting will cost you \$3,200 at VancouverJobShop.ca, and a single posting in just the Vancouver market will cost you \$218 for 30 days. Access to online résumés costs \$283.40 for 30 days and, if you select one of their candidates for hire, you pay significantly more than that in commissions.

In short, you have to pay somebody just to look at their collection of résumés! Remember the "old days" when you had more résumés than you knew what to do with? And all for free?

Most of the HR staff I talked to either don't use online job sites at all, or only use them occasionally. The problems cited are numerous: lack of time; lack of proper candidate skills testing; lack of verification of candidates' qualifications; improper references. The list goes on, but the bottom line is, to quote one source, "there are just too many unknowns."

Online job sites are nowhere near as effective from a time-or-money perspective

Continued on page 11 →



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YOU BE THE JUDGE

BY PAULA BUTLER, LAWYER

Here's the case we posed to you last issue, followed by a selection of responses from the members of the BCLMA. On the right is a new scenario for you to judge, and, below it, are instructions on how to let us know what you would do in that situation. Paula Butler is a sole practitioner who specializes in labour and employment law from her office in West Vancouver.

THE CASE OF SUSAN & JANE

Susan and Jane have worked together in their law firm's IT department for ten years. For the first four or five years, they had an excellent working relationship. Five years ago, Jane went on maternity leave and had twins.

One or the other of the twins seems to be sick all the time, especially during the last few years, and Jane is constantly missing work. Jane often calls in saying that she is sick, but Susan is sure that it's one of the children, or that Jane just wants to spend the day at home with them. Susan is increasingly angry that she has to cover for Jane all the time.

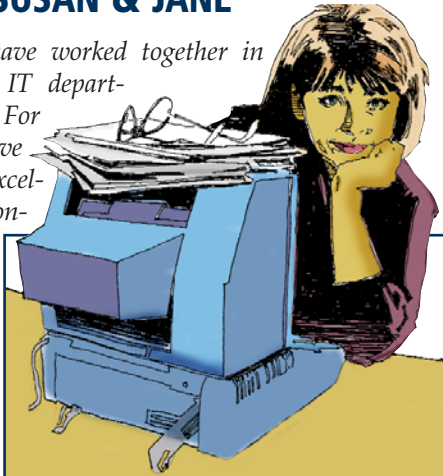
As Susan's new manager, you heard about the issue from your predecessor, who said she had decided to let the two of them work it out on their own since they're adults and the work is being done. You can see that Susan is unhappy at work, and that Susan and Jane hardly speak to each other.

What do you do in this situation?

Hi, this is Paula. Many of you wrote in with suggestions for the manager of Susan and Jane. The following are some examples, but there is no right or wrong answer to what any of us should do in a situation like that, only possibilities that work better than others. My comments are in italics.

RESPONSE: FIND A SOLUTION

You need to bring Jane into your office and confront her with the concern. Ask her if she is aware of the problems she is causing for IT by being away so much, and ask her if she has a solution. If she has no solution, or is unwilling to deal with the problem, it is your responsibility to provide a solution. You can consider not paying her for time off, ask her to formally work part-time and hire another part-time



Susan's frustration—and workload—increased when she covered for Jane.

Our new scenario—tell us what you'd do in:

THE CASE OF TOM & ANDY

Tom is a new employee in the mail room at the firm, in his first full-time job. Andy, a first-year associate, starts chatting with Tom one day and they realize that they share a mutual passion for trail riding. They occasionally meet for coffee and lunch to talk about bikes and bike trips. On one of their coffees together, Andy puts his hand on Tom's knee and suggests that they get together on the weekend. Tom is taken aback, and quickly mentions that he and his girlfriend are busy all weekend. Andy continues to make overtures to Tom, commenting that Tom must look good in his bike shorts, and suggesting that the two of them do some biking together. Tom is increasingly uncomfortable with this behaviour, but he cannot bring himself to talk to his supervisor about it. Then, Andy gets drunk at a firm social and puts his arm around Tom and starts whispering in and kissing Tom's ear.

You are the firm's Administrator. You see this happen, and see that Tom is embarrassed and uncomfortable.

What do you do in this situation?



Andy's drunk, and Tom is embarrassed and uncomfortable

HOW TO BE A JUDGE

This feature of Topics, compiled by Vancouver lawyer Paula Butler, is designed to get you thinking about workplace scenarios that might happen—or have happened—to you.

Read the case above, aimed at challenging your management ability. Then, click here <<http://www.BCLMA.org>> to go directly to the BCLMA website. On the home page, click on the **Respond to Topics Scenario** button to arrive at the You Be The Judge response form. Describe how you would answer the question at the end of the scenario. **Submissions are 100% anonymous. Neither sender's name nor the firm's name will be revealed to the editors—only your response.** Next edition, we'll print a selection of the anonymous responses—and provide a new scenario.

person or, as a last resort, you will have to give her notice.

Finding a solution for both Jane and the firm is a great option. An alternative work arrangement or series of unpaid leaves may work for all parties. It *Continued on page 10* →

is important to determine why she is away so much: is it because she has an illness or disability that she hasn't communicated to you, or is it because of her children? There may be Human Rights Code issues in either case, and there may be a duty to accommodate Susan, in either situation. This could determine what kind of solution the firm should be providing. If there is no good reason for the absences, a disciplinary approach is appropriate.

RESPONSE: UNFAIR TO SUSAN

I must recognize that the arrangement has become unfair to Susan to carry a disproportionate share of the workload. Further, I must recognize that failing to deal with the situation may cause Susan to leave the firm. I must deal with the situation... I would meet with Jane to discuss her absences, and to see if she understands that they cause Susan undue additional work... That is, does she really care? If she does not, it should be made clear

"I must recognize that failing to deal with the situation may cause Susan to leave the firm. I must deal with the situation..."

to her that her job depends upon it... If that doesn't minimize her absences, and level the workload between Susan and Jane, termination of Jane must be considered.

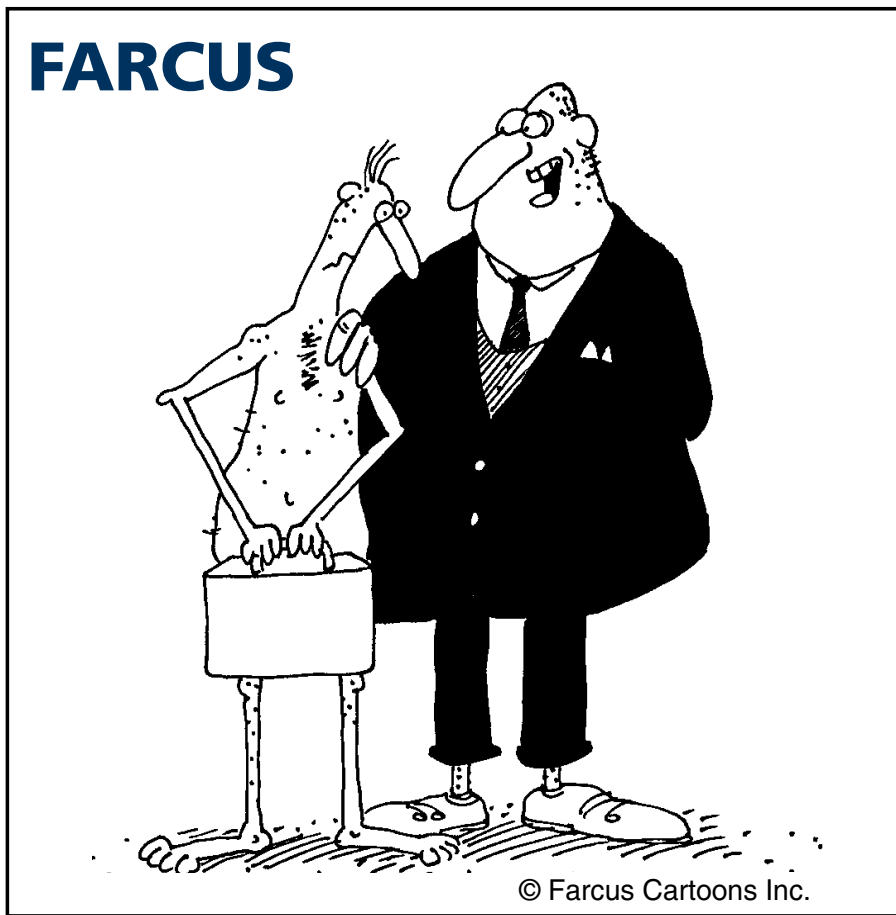
The situation is difficult for Susan, and Jane's absences are not just a matter for Susan and Jane to work out on their own. As discussed above, meeting with Jane to discuss her absences is a good idea. She needs to be clear about what the firm's expectations are. If a solution cannot be worked out, termination is an option.

RESPONSE: KEEP SUSAN ON STAFF

I would have a very frank discussion with Susan, allow her to vent her frustration about the situation, and then discuss with her the workload, and what she needs in order to handle the work and be happy doing it. It may be that she just needs access to a junior staff member when Jane is away to help with the mundane tasks. What is most important is that she be told that her contribution is both noticed and valued by the firm.

It is easy to focus on Jane, and to forget about long-suffering Susan. Having a frank discussion with Susan, including offering assistance while the issue is being worked out with Jane, is a good idea. In employee surveys, many workers communicate the importance of being recognized for their contributions on the job. Recognizing Susan, and letting her know that the situation is being acted upon, will likely go a long way to keeping her happy, and retaining her services.

I would have a very frank discussion with Susan, allow her to vent her frustration about the situation, and then discuss with her the workload...



"Fishbeck! You must be thinking 'Office Party!', too!"

LOOK AT OUR NEW SCENARIO

Thanks to those readers who responded to the case of Susan & Jane. Your comments help us all better understand our workplace, and the conversation has been great.

Don't forget to read the *Case of Tom & Andy*, our scenario for this issue, on page 10. Please let us know your suggestions about how you would solve that workplace problem, and we'll provide your comments in the next issue of *Topics*.

→ Talent Hunt – Continued from page 8

as using a recruiter, which brings me to this next section.

RECRUITERS

Well, here's an obvious choice. If those recruiters are doing all this work to get their hooks into the top talent coming out of colleges, why not just simply browse through their talent pool and hire the best they have? This usually works well, but you have to pay for this service,

recruiting and 50% other HR duties and get the best of both worlds.

Another concern they have with

For a fee, you can post your position on these websites, and browse through the online résumés.

too. When you find a great person, though, it's well worth the fees associated with getting them.

Most law firms use recruiters, so they are also putting most of their recruitment dollars into recruiters' fees. These fees add up. Before you know it, your fees could run into the six-figures over the course of a year for a larger firm, which prompts the question: Why not just hire a full-time recruiter?

One manager at a large firm says the organization spends an average of \$100,000 on recruiting costs each year. They believe they could create a full-time position consisting of 50%

third-party recruiters is the three-month guarantee. "Our probationary period is four months, and many times it takes the lawyer that long to say 'aye or nay.' As a result, we end up eating the placement cost, even if the person doesn't work out."

They wonder aloud at that firm if they'd be better served having their own in-house recruiter.

A conditional endorsement of this thinking comes from a surprising source. Laura Reid, co-owner of recruiting firm Arlyn Reid, says that under certain circumstances, an in-house recruiter might make good

business sense.

"If you're regularly paying over \$100,000 in recruiting fees, have a more-than-5% turnover rate, or are in a high-growth mode, then you may need an in-house recruiter," Reid says, adding, "If you're experiencing high turnover, it may be too much for a recruiting firm to keep up with, and it wouldn't make sense from a business point of view for you to be paying so much to recruiters every year. It would be more cost-effective to instead have the recruiters send you one or two people on contract whose sole job is to recruit full time for you."

But, Reid cautions, "It's tough to find top talent in any business. Even places with full-time recruiters still end up calling agencies because it's just that hard to find the right fit. As recruiters, we take responsibility for doing extensive testing and thorough referencing of applicants. Plus, applicants tell us the truth in what they want in an employer, whereas when the employer speaks directly with them, a candidate may say yes to anything just to get the job, but they won't necessarily be a good fit."

Lots of firms try to recruit on their own and Reid agrees that the best way to find talent without using recruiters is to communicate available positions to the whole firm and encourage people to use their personal and professional contacts to help you look—and that would be what we said earlier: word-of-mouth or promoting from within. Referral bonuses are helpful incentives for staff, and usually generate some good leads. Also, be sure to stay connected to your community, and take the time to talk to the Grade 12 population, as they are looking ahead to life after graduation.

There's a lot of talent out there, but there are even more people scouting it. How you find those fresh faces is up to you, but the worst possible thing you can do is nothing at all.

Like everything else in life, the harder you work, and the more creatively you approach a problem, the more likely you are to achieve the maximum success possible. Happy hunting! ■

Bring down the wall between firm's management and lawyers

BY GARY MITCHELL
GEM COMMUNICATION

You know it as the wall you feel but can't see: The disconnect that exists between your management and the lawyers within your firm.

Do you often feel intimidated by the lawyers for which you work? They are smart, but so are you. They know law; you know the business of law.

Do they know and understand marketing, HR, staff morale, business development, budgets and finance? They might have an LL.B, but you have degrees and experience in Business Administration and Marketing, and have CMA designations.

Don't assume they know what they are doing when it comes to the business of law. It can be frustrating to take instruction from lawyers when you recognize the possible negative impacts of the plan. Don't be afraid of posing questions to your lawyers. It's a new approach you may not have considered before.

Treat your lawyers like clients. Look at it from this point of view: When a vendor or outside supplier approaches you, what are some of the questions they ask?

- ✓ What's working for you?
- ✓ What's not working for you?
- ✓ What is your current situation?
- ✓ Where do you want to take the firm?
- ✓ What are your objectives?
- ✓ What is your budget?
- ✓ What is your timeline?
- ✓ What support do you need?

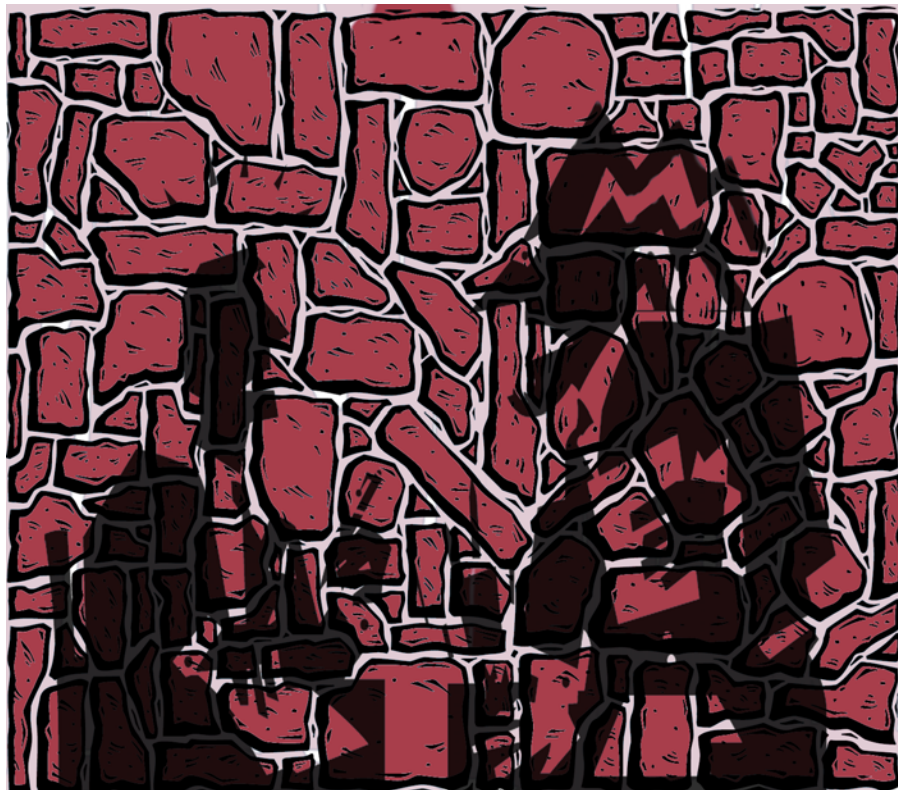
The list can go on and on.

The vendor is trying to understand you and your goals. If they wish to serve you, they must first understand your needs. Law-firm staff and management should take the same approach with lawyers: Treat them like clients.

Whether it's a budget, advertisement, policy issue, marketing plan or recruitment effort, one must ask the questions in order to fulfill the lawyer's expectations and create mutually beneficial results.

DISCOVERY

Just as your lawyers will go into a discovery meeting and ask question after question to gain understanding,



WALL WORK: Do you often feel intimidated by the lawyers for which you work? They are smart, but so are you. They know the law, but you know the business of law.

perspective and knowledge, you can use that same approach to create a winning strategy.

Here's how: The next time a lawyer comes into your office with a request or idea; don't automatically agree to undertake it. No, I am not suggesting you become disagreeable or vexing. What I am suggesting is: learn more. Get to the heart of their needs. This is a process I teach to lawyers when dealing with prospects and clients.

Ask the lawyer:

- ✓ Why are you suggesting this idea?
- ✓ What is the goal (or what are the goals)?
- ✓ What impact will it create?
- ✓ What specific, measurable results are you expecting to achieve?
- ✓ What outcome do you seek?

Help them to understand how

much time the project might take:

- ✓ What amount of follow-up is required on their behalf?
- ✓ What other supportive measures might be useful to include in order to achieve maximum results?

They don't always understand you and your role, and you might not always understand their needs. Dis-

covery helps you bridge the gap, and bring down the wall.

BENEFITS OF THIS APPROACH

You will encourage ideas. You will fully understand their view, and be in a better position to help them. Chances are greater that the actual results are more likely to be successful since the potential results have been fully explored.

Instead of dismissing the idea, you are teaching them how to look at the bigger picture. Instead of butting heads with them, you are strengthening your relationship. This leads to a greater sense of trust. You will rely on that trust when it is time for you to pitch your ideas to them. And when you can pitch new ideas that are subsequent- → *Continued on page 14*

They were once part of the industry... and now?

Say, whatever happened to...

BY STEPHANIE CORNELL
FASKEN MARTINEAU LLP

Any number of reasons might persuade some of our BCLMA members to pursue new and other opportunities. We often wonder how they are doing, and quietly wish them success.



Stephanie Cornell

This past year, however, saw the return of some of our association's former popular members, giving us a rare opportunity to catch up. Each was enthusiastic to share their recent adventures.

JOAN KIER

For Joan Kier, the corporatization of her former firm provided her with the occasion to travel extensively. Joan learned to speak French—in France. She then traveled by car to Istanbul, and further north through eastern Europe to Denmark, Sweden,

Estonia, Finland and Russia, before returning to Canada.

After a few motorcycle camping trips in BC and Alberta, Joan then spent several months in Japan, Thailand, Vietnam, Laos, Cambodia, Sri Lanka, India and the Maldives before returning again to Canada. Following a year and a half on the road, Joan is the new Managing Director of Cook Roberts LLP, a small firm of 20 lawyers in Victoria, and lives on her waterfront property at Mill Bay.

Relocation to Vancouver Island was an important part of Joan's new life plan; it enabled her to be closer to, and support, her parents.

Having set a number of new personal goals for herself, Joan specifically re-joined the legal workforce because, "I really enjoy working with lawyers—I love the challenging environment."

One of those goals is to obtain her CMA designation, and she's attend-



Joan Kier

ing courses at UVIC to support this quest.

Joan has already identified some targets for her new firm as well, such as raising its profile, both in Victoria specifically, and on Vancouver Island in general. "Additionally, I'd like to reorganize the support-staff structure so that work is done more cost-effectively." Joan realizes she has her work cut out for her, noting, "[That process] won't happen overnight."

BOB WATERMAN

When the firm of Douglas, Symes & Brissenden dissolved in 2000, Bob Waterman found himself looking for work for the first time in 24 years. He found a short-term solution at a small firm in Richmond, but Bob was keen for something long-term.

An Alberta-based colleague urged him to return to the Prairies. Bob found a challenging a position with the firm, Field Law, with 92 lawyers, mostly in Alberta. He also found himself in a dilemma. He loved Van-



Bob Waterman

→ Continued on page 14

MAKING THE MOVES...

After nine years at Edwards Kenny Bray, Wayne Scott has moved on to become the new COO at Alexander Holburn... Fraser Milner Casgrain has many new recruits: Kristina Doerksen, Technology Trainer and Software Specialist; Jana Marshall, Marketing Specialist; Rick Smith, Office Services Manager; Dick Woo, Systems Manager... Marissa McCaffrey is the new HR Manager at Pryke Lambert Leathley Russell LLP... Lynn Clarke is the new Marketing Coordinator at Lindsay Kenney... Lorraine Burchynsky is the new Manager of Administration at Boughton Law Corporation; Hannah Won replaces Lorraine as the new HR Manager... and Doris Chin remains in the Marketing vein, now the Marketing Coordinator at Richards Buell Sutton.

BCLMA: NEW SUB-SECTION LEADERS

Greg Christensen, Director of Knowledge Management at Fasken Martineau DuMoulin leads the KM

Sub-Section for 2008... Jeff Mousseau is the first Co-Chair of the Small Firms Sub-Section... and say hello to the Aarons: Aaron Fahlman, Network Manager at FMD and Aaron Zuccolin, Information Systems at Watson Goepel, will Co-Chair the Technology Sub-Section.

BCLMA: NEW FIRMS & MEMBERS

We welcome the following Full Members to the association: David Bilinsky, The Law Society of BC... Sharon Butler, Quilan Abrioux Barristers & Solicitors... Lily Chu, Campbell Froh May & Rice LLP... Trine Nilsen, Thorsteinssons... and Donna Kitigawa, Heenan Blaikie LLP.

Have there been promotions or management changes in your office? Send the details when they occur (while you're thinking of them!) by e-mail to Topics editor Stephanie Cornell <SCornell@Van.Fasken.com>.



Greg Christensen

→ *What happened... - Continued from page 13*

couver—and so did his family.

When no desired prospects presented themselves in Vancouver, Bob

went looking for new opportunities.

Firstly, she wanted to give back to the community. "I started volunteer work in the Emergency department at Peace Arch Hospital. I also joined the

Barb began working in the public sector. Barb identified the differences immediately. "I found working in the government environment very different from the private sector and quickly realized it was not for me!"

When the right opportunity to return to the legal district became available, Barb made the switch. Barb works part-time as the Firm Administrator at Dolden Wallace Follick LLP in downtown Vancouver. As for her five-year plan: "Retired, for sure!"

While Joan's ability to attend monthly meetings is limited, she looks forward to tele-conferencing in to meetings, or listening to the audio recordings when they're available.

REJOINING BCLMA

Joan, Bob and Barb are all excited about rejoining the BCLMA. Each missed the networking, the monthly meetings and the support. "I've always had excellent experiences with the BCLMA." says Bob. While Joan's ability to attend monthly meetings is limited, she looks forward to tele-conferencing in to meetings, or listening to the audio recordings when they're available. Both are simple and viable options for all our out-of-town members. (Sub-section leaders are reminded to provide dial-in options for our members on the Island, in the Fraser Valley and in the Okanagan.)

If you haven't already, send a personal greeting along to our returning members at their new firms. They'd love to hear from you! ❏

decided to, well, commute. For the past five years, Bob has traveled between the Alberta firm's three offices—Edmonton, Calgary and Yellowknife—and would return to his family in Vancouver for three days at a time every second weekend.

Bob happily unpacked his suitcase for the last time in April when he accepted an offer as Director of Administration for Richards Buell Sutton LLP, a mid-size firm in downtown Vancouver. RBS has proved a perfect fit for Bob. With just one office, Bob no longer needs to travel for business—a feature his family appreciates as well.

Bob has embraced a new process of operations at RBS, one that affords him welcome autonomy. "Though I'm used to the committee process in a law firm, I now enjoy the one-on-one approach that I have with the Managing Partner. We have weekly meetings. It's very refreshing."

Bob has set goals for himself and RBS. He looks forward to expanding the capabilities and provisions of one of the city's oldest firms. "RBS has been constant at around 30 lawyers. I'd like to see RBS grow. I'd like to guide the firm through that process. Fortunately, the partners here are very open-minded."

BARB MARTENS

Barb Martens decided it was time for a change. After 17 years in the legal industry, she left her former firm and

Peace Arch Hospital Auxiliary. The Auxiliary plays a very active role in improving the Hospital. In June, the Auxiliary announced its commitment to donate \$1 million towards the purchase of an MRI as part of the *Partners in Caring Campaign* of the Peace Arch Hospital and Community Health Foundation. These funds are being raised through various events." Barb is also involved with the Big Brothers's In-School Mentoring Program. "All of these are rewarding!"

In addition to her volunteer work,

→ *Bringing down the wall - Continued from page 12*

ly adopted, you have a greater, positive impact on the future of the firm.

Before pitching a new approach or idea is where discovery may serve you the best. Have you experienced push-back when presenting a new idea to lawyers, to one or a group? Yes, I know: it's a rhetorical question.

Try taking some time using the discovery approach to help your "client" (the lawyer) see why they would need this new approach or idea.

So instead of having to pitch, you are clarifying needs. In the end, it's almost like the lawyer came up with the idea in the first place. And, once again, there is opportunity to build trust and to strengthen your relationship with the lawyers in your firm.

Send me an e-mail with your feedback on this approach, and let me know how it works for you! ❏

Gary Mitchell is the managing director of GEM Communications Inc. a firm specialized in the business of law, and a preferred supplier to the BC Branch of the Canadian Bar Association. He serves on the board of directors for the Legal Marketing Association, Vancouver Chapter as the chair of the marketing and media committee. Gary can be reached via <<http://www.GemCommunications.ca>>.

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FALL 2007

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Editorial © 2007 BCLMA, CANADA
Published by: MORGAN:Newsletters Ltd.

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The BCLMA, 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 the BCLMA'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 the BCLMA.

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