

A newsletter to help our members and partners stay current with the business of law ♦ Summer 2010

PAINE EDMONDS'S VETERAN ADMINISTRATOR

Gary Carter's unusual background underlies his support of BCLMA and firm

By Stephanie Marsh, Topics

Can she really do it?

This woman has had it. Now she's out for revenge. How would you handle her challenge?

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25 YEARS OF TOPICS

Silver awarded to 'Topics' in 2010

Congratulations *Topics*! Our association's newsletter turns 25 in 2010, our silver anniversary. During that time, just four Editorial Board Chairs co-ordinated the fantastic efforts of many contributors who have written



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Topics in Topics – Summer 2010

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Gary Carter – actually, Captain Carter (ret'd) CD, SSM – was born and raised in the small farming community of East Farnham, Quebec.

Gary says that he grew up poor, but it was never an issue because almost everyone else he knew there, with few exceptions, seemed to be in the same boat.

“Growing up with limited resources provides for learning, character and skill-building opportunities, which I believe I would have missed out on in less-difficult circumstances,” he says today.

It is these roots, combined with his



Gary Carter

15 years of military service, to which Gary attributes his strong sense of commitment, duty and work ethic.

“One of the most important lessons I learned growing up in a small, rural community, and which was reinforced by my years in the military, is the power of teamwork in the pursuit of a common goal. A community or a military unit – or a law firm – can only succeed with co-operation and teamwork.”

Giving back and ‘paying it forward’ has been a hallmark of Gary’s commitment to the BCLMA. He is now serv-

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WILL YOUR RTO/RPO BE ROCKED BY 'THE BIG ONE'?

It's 3 a.m.; do you know where your data is?

By Frank Butler, President of Synchronet

Ever wonder where your data is when you are not watching? Do you have ongoing concerns as to what you would do in the event of a catastrophic data loss? You should.

PriceWaterhouseCoopers reports that 93% of businesses that lose access to their data for 10 days or more filed for bankruptcy within a year; half of

them filed immediately. Sobering statistics indeed!

Queue Rod Serling and consider the following: You get a phone call at 1 o'clock in the morning from your commercial landlord telling you there has been a <insert your favourite bit of mayhem here> and you better get down here right away as the damage is significant. You arrive on site to discover your servers, desktop PCs, files, paperwork

[Data disaster → to Page 14](#)

Gary Carter's unusual profile → from Page 1
 ing his fourth term on the BCLMA's Board of Directors.

Gary's military life, which culminated with special distinctions – CD (Canadian Forces Decoration for Long Service) and SSM (Special Service Medal [Alert]) – began at 16 years of age, when he joined the Canadian Army's Royal Canadian Corps of Signals as a Soldier Apprentice (or *Boy Soldier*, as they were commonly known).

He attended the Royal Canadian School of Signals at Vimy Barrack in Kingston, Ontario. After graduation, he was posted to the 5th Signals Squadron at Valcartier, Quebec, where he worked as a radio-equipment technician.

While posted to Valcartier, Gary was nominated by his commanding officer to compete for one of 10 positions in the University Training Program for Men. He did, and won, subsequently attending the University of New Brunswick while continuing his military training during



HMCS Fraser, a former destroyer that fought during World War II, was Gary Carter's first naval posting. The ship, decommissioned in 1994, remains afloat in Halifax's Bedord Basin.

the summer months.

He completed Basic Officer training in Chilliwack and Administrative Officer training in Borden, Ontario.

During summer leaves from training, he worked as a volunteer camp director

and counsellor, helping to set up and run summer camps for delinquent youth. Gary graduated from UNB with an Honours BA in Sociology.

Gary's first commission in the Forces was that of Squadron Administration officer at 429 Air Force Squadron in Winnipeg. Two years later, he accepted a six-month posting to CFS Alert; a station located on the northern tip of Ellesmere Island in the Northwest Territories.

When he returned from his tour of duty at Alert, he was promoted to the rank of Captain and posted to a radar station in northern BC.

Following this tour of duty, Gary transferred to the Navy, taking two years of Naval Officer Training in Esquimalt before being posted to his first ship: *HMCS Fraser* in Halifax, NS.

Then it came time for a break. Having spent his entire adult life up to that point in the military, Gary wanted the opportunity to experience life outside of the mili-

Gary Carter's unusual profile → to Page 15

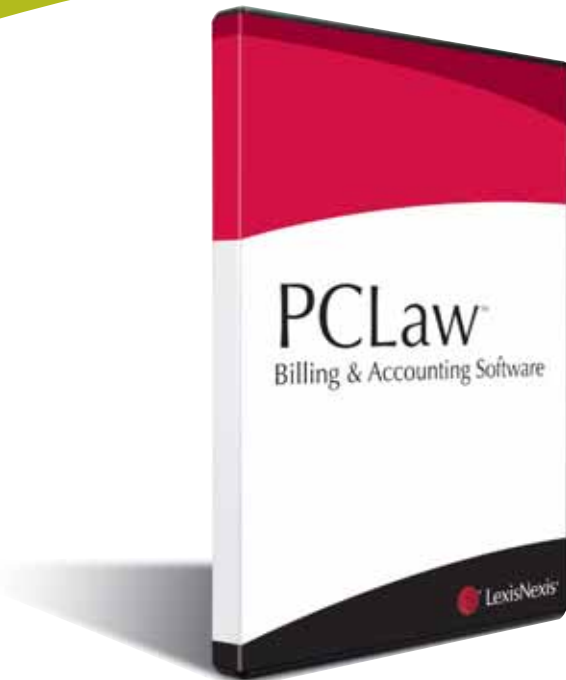
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Topics's 25 → from Page 1

articles, secured advertising, and even put the thing together with their own bare hands. *Literally!*

Bob Waterman, current Editorial Board Chair, asked former Chairs Donna Oseen, John Hawke and Stephanie Marsh to share their memories while at the helm of *Topics*.



Bob Waterman

DONNA OSEEN

Why did I become the editor? I learned that I got out of the organization [VALA, as the BCLMA was then known] what I put into it. I loved being associated with all those people who had the same love of their work as I did. And we did love our work.

You might not believe this but back in 1985 when we started “the newsletter” – it had no name – we cut and pasted it, with scissors and glue, to make it look like a newsletter. Liz Weber at Russell & DuMoulin (now Fasken Martineau DuMoulin) started putting it together on the Redactron. Even with that most modern “computer,” it wasn’t easy to make it look like a newsletter, you know, with two columns. Pretty complex stuff!

[Editor’s note: *The Redactron was state of the art for its day, and its story is closely tied to that of a woman named Evelyn Berezin. For a fascinating article about her influence on word processing, the Redactron and how far we’ve come since then, click here.*]

Equally complex (yeah, right!) was the frequency with which we published the newsletter. We didn’t have an editorial schedule. We published whenever we thought there was something to write about. That included association events,



Donna Oseen

ALA conferences and member profiles, and that old favourite: *What Keeps Managing Partners Awake at Night?*

By far, my most memorable experience was the first time we won a prize at

the ALA conference. By then, we actually put serious consideration into how the newsletter should look. It paid off. Our first award was such a wonderful and un-

Topics's 25 → to Page 8

MAKING THE MOVES...

WELCOME,

NEW & RETURNING AFFILIATES!

Tracey Byrne, Trainers, Fraser Milner Casgrain LLP... **Jennifer Robinson**, HR, Lang Michener LLP... **Rob Walls**, IT, Boughton Law Corporation... **Shawn Leblanc**, IT, Bull Houser & Tupper LLP... **Kris Shobridge**, Trainers, Boughton... **Nicola Bryan**, HR, Watson Goepel Maledy LLP.

WELCOME, NEW & RETURNING REPRESENTATIVES!

Anita Kelln, Hamilton Fabbro, Vancouver (a new firm)... **Sigrid Pertschi**, Kornfeld Mackoff Silber LLP, Vancouver (formerly of Boughton)... **Sunita March**, Camp Fiorante Matthews LLP, Vancouver... **Aaron Zuccolin**, Watson Goepel, Vancouver (new General Manager)... **Catherine Jacobs**, McQuarrie Hunter, New Westminster (formerly of Watson Goepel), replacing **Marie Finstad**, who has retired.

ON THE MOVE!

Wilma MacFarlane resigned from Farris LLP on June 30th after 22 happy years. Many of her students are now partners! Everyone felt sad to see her go, but sent her off in fine style – with champagne. Wilma was an enthusiastic member of the BCLMA’s Knowledge Management subsection, joining at its inception.

Wilma has since launched her own business. MAC-INFOSERVE is a consulting service, offering competitive intelligence and general business research to smaller law firms and boutiques – those that may not have librarians.

She plans to use her sleuthing abilities (aka research skills) before they have time to get rusty.

Wilma will continue on as an active member of VALL and a proud alumna of BCLMA, of course, as she plans to stay involved, mentoring new entrants to the profession.



Wilma MacFarlane

*In accordance with our bylaws, firms are the BCLMA’s **Members**. **Representatives** were formerly known as **Full Members**. **Affiliates** were formerly known as **Subsection Members**. The list of the **Affiliate Chairs** and **Co-Chairs** as of the date of publication is always on the last page of each **TOPICS**. You can also go to our website for the latest list; just click our name, below.*

YOU BE THE JUDGE

By Paula Butler, Lawyer

Below is the case we posed to you last issue, followed by a response from within the BCLMA. On the right is a new scenario for you to judge, followed by instructions on how to let us know what you would do in that situation, with answers next issue. Bonus! A respondent will be randomly chosen to receive a \$25 gift certificate to Chevron. Note that your response remains 100% anonymous unless you attach your E-Business Signature with your text. Even if you identify yourself to us to be entered into the draw, your participation will remain anonymous to our readers. We won't publish your name, neither as a respondent nor as a winner. Paula Butler is a sole practitioner who specializes in labour and employment law from her office in West Vancouver.



Paula Butler

The Pearlson Affair's cover-up

You are the Office Manager at Pearlson, Wright. Jenny Walker, a Legal Assistant, comes to you in tears.

After you get her calmed down, she tells you that she is upset because she has known for about six months that the lawyer she works with, Jim Pearlson, the Managing Partner, is having an affair with the paralegal with whom he works.

Jenny is upset because Jim has asked Jenny to cover for him when his wife phones and asks where he is.

Jenny says that she feels terrible lying to Jim's wife, and tells you that she won't continue to work with Jim unless this matter is resolved.

How do you deal with Jim? What would you do?

RESPONSE FROM BCLMA MEMBERS: *I wouldn't do anything. What happens in the bedroom has nothing to do with what happens at work. If Jenny is uncomfortable, she should*

simply tell Jim that she won't cover for him anymore.

Hi, this is Paula. What goes on in the social life of a member of the firm becomes the business of the firm when it is a conflict of interest. When the person with whom Jim is having the affair reports to him, when he has input into her performance appraisal, wage increases or the like, his personal relationship with her may influence how he assesses her, or, at least, might result in the perception that it has influenced his decisions. As a result,

The Pearlson Affair → to Page 6



STEVEN PEPPLE

PAUL PRESCOTT

OUR NEW SCENARIO – TELL US WHAT YOU'D DO IN:

THE CASE OF MILLMAN'S REVENGE

Susan Millman has worked as a Paralegal with your firm for 22 years.

During that time, she has frequently worked up to 50 hours a week in order to keep up with her workload.

In 2009, the lawyer she has worked with for 21 years retired, and she was reassigned to Melanie Stewart, another lawyer in the firm.

Melanie and Susan do not get along, and after working together for ten months, Susan quits in an angry fit one day.

She then files an *Employment Standards Act* complaint for overtime pay for the extra hours she has worked over the previous years.

You're the firm's Human Resources Director. *What do you do?*



SUSAN STEVENSON

HOW TO BE OUR JUDGE TO RESPOND: WWW.BCLMA.ORG

This feature of *Topics*, compiled by Vancouver lawyer Paula Butler, is designed to get you thinking and sharing your expertise about workplace scenarios that might happen – or have happened – to you.

Read the case above, aimed at challenging your management ability. Then, click on the BCLMA domain below to go directly to the 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 your anonymous responses – and provide a new scenario to intrigue and challenge you.



The Pearson Affair → from Page 5

if Jim and his paralegal are involved in an intimate relationship, she should not be reporting to him. It is a good idea to have a conflict-of-interest policy that deals with such matters. In addition to the conflict-of-interest issue, there is the broader topic of how Jim's behaviour as the managing partner impacts the firm.

The firm's reputation is often reflected in the behaviour of its representatives, particularly leaders such as its managing partner. This means that conduct can, to a certain extent, be scrutinized, even if it is off-duty.

For example, in 2005, Boeing fired its CEO after he had a personal relationship with a female executive which the Board said "reflected poorly" on the company.

These are clearly difficult issues on which to approach people, but it should be done in order to minimize the conflict-of-interest issues and the potential impact to the firm's reputation.

You may also want to consider a code-

of-conduct policy which is broader than a simple conflict-of-interest policy.

In this case, I would change the reporting relationship between Jim and his paralegal. Then I would talk to him about how what is going on reflects poorly on the firm. I would also advise him that asking Jenny to cover for him with his wife is inappropriate, and that it should be stopped. Finally, you may want to coach

Jenny so that if she is ever involved in a similar situation, she is better able to express her concerns in a polite but firm way. You can see that what happens in the bedroom, can have a lot to do with what happens at work!



Don't forget to have a look at our latest HR challenge, on page 5, "The Case of Millman's Revenge."



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Highlights



The Support Staff Compensation Survey covers compensation paid by BC law firms. The survey provides your firm with comprehensive, up-to-date compensation information on:

- Formal salary ranges **NEW**
- Base salaries
- Short-term incentive bonuses **NEW**
- Range, salary and bonus data categorized by firm size and geographic region
- Company and incumbent weighted statistics **NEW**
- Assessment of quality of match **NEW**
- Results released electronically to allow custom analysis **NEW**
- Non-cash compensation such as:
 - Group Insurance & Retirement Benefits **EXPANDED**
 - Overtime Policies & Paid Time Off **EXPANDED**
 - Career Development
 - Salary Administration

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Timeline

Questionnaire distribution August, 2010

Results published October, 2010

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expected surprise. As I recall, our first prize was for design, but I believe we also received more than one award for outstanding content. The challenge after the initial prize was to do it again the next year. I wonder where all those trophies are today?

There was always serious thought about content, but at the beginning as much thought and digging for gossip went into *Mr. Roger's Neighborhood* as the rest of the content. Everyone loves 'people news'. Hey – don't knock it; we won awards for content, remember!

We created and developed the newsletter with the same goal that persists today: keep members informed of what VALA was offering, and pass on information that would help everyone do their administrative jobs more effectively and efficiently.

Eventually, we also wanted information that would be valuable to managing partners. We sought out specialized subjects of interest for administrators to take back to their partners and management committees.

In the beginning, we sent *Topics* only to VALA members. Then, we added law firms with an administrator, and then all law firms. We aimed to reach a broader audience and increase membership.

I recall the biggest challenge was finding people to write articles. I found there were a lot of people like myself – we can talk up a storm, but don't ask us to put words to paper!

Initially, we looked to members. First you had to find the person who would write, but who also felt they were knowledgeable enough to write on any given topic. Having the subsections helped a lot in getting articles and issues because we could assign issues to subsections.

Eventually, we began to seek and accept content from industry experts and third-party specialists who were only too happy to have their name in front of all those administrators.

I retired from *Topics* in 2004 as I re-configured my own career at Russell & DuMoulin [*today's Fasken Martineau DuMoulin*], and developed my own family

business, DLO Move & Support Services. John Hawke succeeded me and took the newsletter to a new level.

As an Alumni member, I still enjoy receiving my quarterly newsletter, and fondly recall my days with *Topics*.

JOHN HAWKE

joined the Editorial Board in 2003 as *Topics* was undergoing major changes.

The committee was in the throes of creating a new identity for the newsletter. The 'paperless' office was gaining mainstream popularity – but really, a paperless law firm? give your heads a shake! – and be-



John Hawke

came a major focus for *Topics*.

The costs of printing and mailing hard copies could be eliminated, and the budget could be redirected at a more modern method of distribution – the Internet.

Many of the committee members who had been involved for several years and helped create an award-winning newsletter – Donna Oseen, Joan Kier, Marnie Seifert and Bob Waterman, for instance – were all chasing new avenues in their careers or personal lives. Donna needed more time to develop her business, Marnie decided it was time for retirement, Joan travelled more, and Bob accepted employment in Calgary. Even our longtime publisher, Russel Black, had decided to pursue new endeavours. *Topics* was undergoing a sea change.

Despite the departure of several stalwarts, I still found myself surrounded by a

Topics's 25 → to Page 10

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sturdy Board. Spencer Hartigan and Maureen O'Leary continued to provide historical background and continuity while new members such as Tim Wurtz and Stephanie Marsh provided fresh perspectives and new energy.



Tim Wurtz

Together, we set about taking *Topics* to the members' desktops and off the top of their desks. To achieve this, we knew we would have to work with a seasoned professional who had deep knowledge of e-publishing, e-distribution, the Internet, PDF file creation, and all the other goodies that go with electronic newsletters. We issued a Request for Proposal, so to speak, for a Design Editor who would embrace our vision and take *Topics* to the next level.

Our search brought us the former editor of *BC Business Magazine*, Peter Morgan of MORGAN:Newsletters. We met with him at our Editorial Committee meeting in May 2004. At that meeting, he outlined for us the beginning of a whole new way of producing and distributing the newsletter digitally.

By June, he was also helping us expand our editorial coverage, creating a new and newsy design to much more easily accommodate the advertising that offsets its cost. He also shared a lot of his knowledge to help us develop ad pricing and policies that would allow us to attract a wider range of advertisers; we still use this advertising package today.

The first issue using the new methods was published July 6, 2004 to excellent reviews. People liked the new design, the full-colour vibrancy, the click-through's to websites to augment the newsletter's editorial content and the ability to quickly connect readers to advertisers. Those click-through websites in *Topics* include BCLMA's, which had also been redesigned that same year.

During that time, we created a permanent role on the Board: Manager, Vendor Relations and Advertising. This new sales role tied in with the aims of the newsletter. Gordon Van Horn was the natural choice for this role. He and Colin

VALA TOPICS
VANCOUVER ASSOCIATION OF LEGAL ADMINISTRATORS

LAW SOCIETY OF B.C. RULE CHANGES WILL REDUCE ADMIN COSTS

E-strategy to cut needs for paper, space

BY BONNIE MARIE LAWSON LUNDRELL

Further along in Rule 3-59(1), accounting records were defined to mean trust, general and billing records as referred to in Rules 3-61 to 3-62. The Law Society confirms that the definition in Rule 3-59(1) also applies to Rules 3-92(2).

This change in the Law Society's attitude towards electronic storage could have a huge impact on a firm, depending on what type of financial system it has and how aggressively it wanted to make a change.

Historically, legacy systems didn't have the ability to produce support documentation across accounting periods. After closing a month-end, the system overwrote the data with the month's entries.

How much for how little? Cost recovery is a question for which there seems to be no standard response. There appear to be many factors involved in a law firm's cost-recovery practices including the size of the firm, its client base and the types of multi-function practices it uses as a law firm's computer network. These computers can be similarly tracked and recorded directly into firms' ledgers. The difference you see? Hanged, whether through the use of customized cost-recovery software or off-the-shelf application software such as Capital Expense Recovery.

ALSO IN THIS ISSUE: COPY OF THE NUMBER OF BILLING OF THE MONTH

The debate over what's overhead and what's a disbursement is (sigh!) once again rearing its ugly head

BY MAUREEN O'LEARY

Was there once a hot topic in the '80s and '90s—recurring basic costs such as photocopied faxes (incoming and outgoing) and long-distance charges—has now taken on a new dimension with the introduction of multi-functioning printing devices.

Like the technology merry-go-round that kept a faster pace than any of us, the debate as to what constitutes overhead versus disbursements just keeps on keeping on. With the ability to track copies from peripheral laser printers and scanners, the last bastions of cost recovery have been scaled. But at what cost (what intended) and to whom?

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LEGAL MANAGEMENT ASSOCIATION

PATRICIA EDMONDS'S VETERAN ADMINISTRATOR

Can he really do it?
This question has had it. Now she's out for revenge. How would she handle her challenges? See Page 5

25 YEARS OF TOPICS

Silver awarded to 'Topics' in 2010

Can he really do it?
Gary Carter, normally Captain Carter (and C.D., S.M.) has been named in the 25th anniversary issue of *Topics* in 2010. Gary was never an officer but a sergeant (you can be a sergeant without ever being a captain) in the 1st Canadian Airborne Battalion, where he served from 1974 to 1978. He served in the United States, Germany and the Netherlands. He was decorated with two Meritorious Service Medals and three Campaign Medals. He has been a member of the BCLMA since 2001. He is now serving in a leadership role in the BCLMA as the former editor of *Topics*. See Page 5.

Topics in Topics - Summer 2010

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2. E-strategy to cut needs for paper, space [See Page 8](#)
3. The debate over what's overhead and what's a disbursement is (sigh!) once again rearing its ugly head [See Page 10](#)
4. Birth of a Subsection: the New Office Services Subsection of VALA [See Page 12](#)
5. Profile: Michael Barkusky [See Page 14](#)
6. Finance Issue [See Page 16](#)

Will your RTOR/PO be rocked by the big one?
It's 3 a.m., do you know where your data is? By Frank Butler, President of Spinnonet

Design through the ages
These four versions of Topics show the changes in look and feel over the years. Upper left is the first issue in the new electronic format, in the summer of 2004 when the BCLMA was still called VALA. Our latest issue, the front page of the one you're reading, is on the right. All the issues since 2004 have been distributed by e-mail in PDF format that can be read both online and after you print it. Below: The first page of the November 1989 issue (left) and the first page of the last issue (November, 2001, right). Those were commercially printed and distributed by mail. Snail mail, that is.

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DESIGN THROUGH THE AGES: These four versions of Topics show the changes in look and feel over the years. Upper left is the first issue in the new electronic format, in the summer of 2004 when the BCLMA was still called VALA. Our latest issue, the front page of the one you're reading, is on the right. All the issues since 2004 have been distributed by e-mail in PDF format that can be read both online and after you print it. BELOW: The first page of the November 1989 issue (left) and the first page of the last issue (November, 2001, right). Those were commercially printed and distributed by mail. Snail mail, that is.

VALA TOPICS
VANCOUVER ASSOCIATION OF LEGAL ADMINISTRATORS

FINANCE ISSUE

Birth of a Subsection: the New Office Services Subsection of VALA

A tremendous amount of enthusiasm was generated at the recent meeting of a group of twelve law firm representatives to have the day to day responsibility of providing all kinds of central support services to all kinds of people. The group decided that they would like to see the VALA members as opposed to a separate issue. This means that there must be a lot of interest in this area but that it goes beyond the subscription settings need not necessarily be a matter of VALA.

The meeting will be held the first Friday of every month at the noon hour. The first meeting will be held on January 10. The major topic for the January 10th meeting is the day-to-day management and off-site support. The following will follow a recent CLE session.

In order to provide a "kick start" for the subsection, the group would like to know you do what in office services in your firm. Firm representatives will bring a brief outline of what is involved in office services in their firm along with all the details when appropriate. We are also going to provide each other with a list of names and telephone numbers of people with whom we deal along with reference for supplies. It was also suggested that we might do each other know if there was a particularly bad experience with someone who provides a service.

Other suggested topics for future meetings include:

- Fax machines — how many and when they are placed in the firm
- CRM/CPA connection — courier vs. faxing
- The post office and its various offerings (e.g. Priority Post)
- Fax services — Canada Post
- Couriers
- Central filing system
- Motivation of office services staff
- Dealing with sales people
- Dealing with complaints from support staff and lawyers

The new Office Services Subsection is tentatively expected about the networking possibilities, and to one person at the meeting committee: "It's about time!"

Office Services Supervisors are invited to contact Theresa O'Brien, Russell & Ekholm, to be placed on the contact list.

Profile: Michael Barkusky

Paul Hower & Tupper
Michael Barkusky, the financial controller at Paul Hower & Tupper, is now the subsection's responsibility since February 1999. The Finance Subsection, the first of its kind, was formed with a different champion for each meeting to meet on meeting, conduct, produce and coordinate material and acting as the chairman of the designated champion's business.

The Finance subsection was formed in 1984 and the initiative of Peter Grove, also of Paul Hower & Tupper. Peter and Mike met with other financial specialists in various law firms and soon the subsection had formed. Each year the

IN THIS ISSUE

- Office Services Subsection: Improving Your Law Firm's Profitability [Page 12](#)
- Law Recovery: Two Sides to Every Story [Page 13](#)
- Aggressive Cost Recovery: What do Administrators Want from Time and Billing Systems? [Page 14](#)
- A Message from the President [Page 14](#)
- Calendar of Events [Page 14](#)

Gordon Van Horn

VALA TOPICS
VANCOUVER ASSOCIATION OF LEGAL ADMINISTRATORS

1985-2001 The final edition

Newsletter of the Vancouver Association of Legal Administrators

www.vala.org

Cameron had been instrumental in pioneering a vendor-relations program for the Association. As that program evolved into our current Sponsorship Program, Gordon could maximize his rela-

tionships with vendors by securing advertising dollars. Using Peter's advertising package, Gordon could quickly email specifications and prices out to interested parties.

Kerri Antifaev succeeded Gordon in that role for a time, followed by Agustino doSouto. Lorraine Burchynsky eventually succeeded Agustino, carrying on the 'tradition' of having Facilities & Services Profes-

Topics's 25 → from Page 10

comionals in the sales position since they have so much exposure to vendors in the regular course of their functions at their respective law firms. I stepped down from the Board in 2006 when I left from Harper Grey and took a two-year hiatus to work in an engineering firm. I'm glad to be back in legal, and especially glad to read *Topics* every quarter and watch its steady progress as an outstanding newsletter. I feel very proud to have been part of a group that helped develop the newsletter into what it has become today.



Kerri Antifaev

STEPHANIE MARSH

I joined the *Topics* Editorial Board in August 2001. I hosted the first meeting I attended – at Stike-man Elliott.

Looking around the boardroom table, I instantly felt grateful to have the chance to work with so many intelligent and highly-respected individuals who had worked on the newsletter over several of the previous years.

Bob, Donna, Joan, Marnie, Maureen and Russel – quite the group!

The first meeting ended with an unusual, fun photo shoot in Stanley Park. Most of us piled into Joan Keir's car – she used to be a taxi driver! – and together we posed at the Hollow Tree for the back cover of the



Lorraine Burchynsky



Stephanie Marsh

last hard-copy edition, published later that year. I knew I would enjoy this committee and contributing to *Topics*.

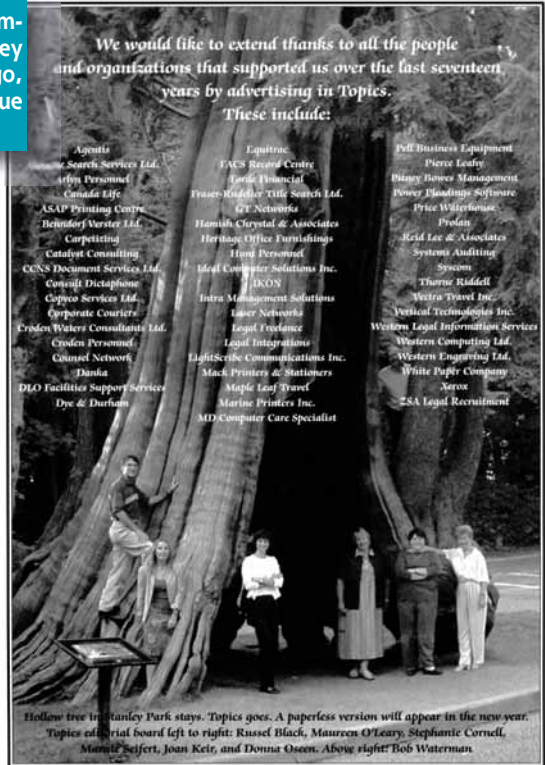
We spent the next year or so brainstorming and planning the e-version of *Topics*. Sadly, the longtime members de-

TRUNK LINE: The *Topics* editorial committee of the day poses at Stanley Park's Hollow Tree nine years ago, shortly before the final printed issue was put to bed.

parted one by one as they pursued new life chapters. Fortunately, equally dynamic members came on board. John Hawke joined as Chair, and really got things going. John had a proactive and no-nonsense style. John played a principal role in recruiting Peter Morgan. In my opinion, John and Peter were critical to the newsletter's current success. Together, they set a new standard. We've never looked back.

I succeeded John as Chair in October, 2005. I knew I had a real legacy to uphold. I never forgot who would read *Topics* going forward – my former Board pals Joan, Donna,

Topics's 25 → to Page 12



Editorial Committee members a dedicated bunch

by Bob Waterman, Editorial Committee Chair

This year marks the 25th anniversary of *Topics*. What an exciting achievement for our association! Over the last 25 years, there have been a number of very hardworking and dedicated volunteers that have made the publication possible. The newsletter started out as a few articles that were stapled together and mailed to legal managers. We have gone from photocopy to print, from black and white to colour and from paper to electronic. And, we won a few awards along the way, setting a precedent for ALA chapters in Canada and the US to follow.

Attached is a known list of those enthusiastic volunteers. We want to recognize them and thank them for creating and maintaining our award-winning newsletter. We continue to receive fantastic feedback on our newsletter, thanks to the eagerness of our volunteers. We also tip our hats to contributing writers for articles, and vendors who place advertising to reach their target audience. We couldn't do any of it without you!

We hope we haven't missed anyone on the list below, but if we have, we apologize and ask for your help to identify who may be missing. Please send any missing names on to Bob Waterman at bwaterman@rbs.ca so we have a complete listing.

Linda (Penner) Anderson
 Kerri (Pearce) Antifaev
 Isobel Bilyk
 Russel Black
 Mike Bowerbank
 Lorraine Burchynsky
 Paula Butler
 Glen Copeland
 Pauline DeCloeit
 Agustino doSouto
 Kathy Dunn
 Spencer Hartigan

John Hawke
 Gordon Holley
 Elaine Holmes
 Carmen Jones
 Joan Keir
 Joan Kenny
 Bonnie Kirk
 Stephanie Marsh
 Pamela Moodie
 Peter Morgan
 Donna O'Dare
 Maureen O'Leary

Donna Oseen
 Laura Reid
 Terry Rogers
 Lisa Scott
 Marnie Seifert
 Murielle Thompson
 Gordon Van Horn
 Bob Waterman
 Deborah (Taylor) Welch
 Ken Werker
 Tim Wurtz

Topics's 25 → from Page 11

Russel, Spencer et al – I wanted to sustain their passion for reaching an interested audience.

Upholding *Topics*' reputation was important to me. I also knew I wanted to be as effective as John. I had learned a lot from him from a group-management perspective, which, I realized later on, would help me even further in my eventual role as BCLMA President.

I enjoyed chairing those meetings and working with the team even more so. I consistently looked forward to getting together with the group over the lunch hour, and planning the next edition. We discussed hot topics; recent events within the industry, our firms, our cities and the media; new legislation (usually something to do with taxes!), emerging trends (e. g. work-life balance); and life, in general.


Though I took the role seriously, I always had fun. We had a creative and proficient energy at all of our meetings. And quite a robust board at its height! Along with Peter and I, we had Bonnie Kirk and Tim Wurtz writing articles every issue, I recruited Agustino doSouto over a Starbucks coffee for ad sales, Jane Kennedy introduced us to labour lawyer Paula Butler who continues to attend our meetings and write our regular *You Be The Judge* column [see page 5] to assist HR professionals with complicated workplace issues, and Mike Bowerbank, an avid writer for various local agencies, approached me – over a Starbucks coffee – to become a regular writer. When you hear that the BCLMA uses 'beverages' to secure volunteers, believe it!

I resigned as chair of the Editorial Committee in April 2008, when I became President of the BCLMA. I confidently handed the reigns over to *Topics* alumni, Bob Waterman – over lunch; I think a Diet Coke was involved. Bob had recently returned from Calgary, and taken on full-time employment in Vancouver and was looking to become involved in the Association.

He and I worked together to ensure his seamless transition into the lead role, while I managed to stay on in an editing and consulting role. After almost 10 years on the Board, I still enjoy every aspect of

contributing to publishing *Topics*.

I feel extremely fortunate to have worked with so many outstanding professionals over the past decade. *Topics* provided me with countless occasions to de-

velop and strengthen relationships with many wonderful people. Some became and remain personal friends. I truly value my experience on *Topics*. Here's to its continued success. 

BCLMA/VALA: Past Presidents' parade

by Bob Waterman, Editorial Committee Chair

BCLMA's predecessor, VALA, was formed by a brave group of law-firm managers and administrators in 1972 – almost 40 years ago!

Since then, our association has evolved tremendously, thanks in part to excellent leaders who have had the commitment and the passion to help create and develop the BCLMA into what it has become today. History is important but unfortunately we do not always relate that "today is tomorrow's history" so we do not keep records unless we have to. Now's the time to rectify that. VALA/BCLMA has had about 35 presidents over the course of its successful journey (some have been repeaters). To date, we have not been able to pinpoint the names of our former presidents from 1972 to 1980. This is where you come in. Please contact Bob Waterman at bwaterman@rbs.ca to fill in the blanks!

LIST OF PRESIDENTS... SO FAR...

May 2010 - 2011	John Hawke	1991 / 1992	Ken Werker
Feb - Apr 2010	Barb Marshall	1990 / 1991	Jay MacLean
Apr - Jan 2010	Stephanie Marsh	1989 / 1990	Terry Rogers
2008 / 2009	Stephanie Marsh	1988 / 1989	Glen Copeland
2007 / 2008	Doug Ausman	1987 / 1988	Joan Kier
2006 / 2007	Ernie Gauvreau	1986 / 1987	Peter Grove
2005 / 2006	Allison Milroy	1985 / 1986	Peter Asselstine
2004 / 2005	Annie Ronen	1984 / 1985	Bill Enefer
2003 / 2004	Wayne Scott	1983 / 1984	Linda (Penner) Anderson
2002 / 2003	Sophie Djordjevic	1982 / 1983	Roy Williams
2001 / 2002	Sandy Delayen	1981 / 1982	Phil Baudin
2000 / 2001	Ann Johnston	1980 / 1981	
1999 / 2000	John Hawke	1979 / 1980	
1998 / 1999	Doug Smith	1978 / 1979	
1997 / 1998	Dana Wright	1977 / 1978	
1996 / 1997	Don Barrie	1976 / 1977	
1995 / 1996	Colin Cameron	1975 / 1976	
1994 / 1995	John Lincoln	1974 / 1975	
1993 / 1994	Jay Cathcart	1973 / 1974	
1992 / 1993	Sarah Best	1972 / 1973	

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Data disaster → from Page 1

and intellectual data are in ruins. Your digs have been flattened – it could be days or weeks or who-knows-how-long before you even have a real office again.

Okay. You feel certain that you back up your data nightly (show of hands?) and check the backup logs religiously (uncomfortable clearing of throats), test your backups regularly (hmmm...) and export that data off-site via tape or off-site backup (Bueller? Bueller?).

You should be okay because at least you have insurance, except that not only do you not have servers to receive that stored data, you have nowhere to put the servers once the claim goes through. So now what? What was the point of all those backups if you haven't even got anything or anywhere to restore them?

Truth is, no one really expects a catastrophe. All men believe all men are mortal, except themselves – but bad things happen to good people every day all over the world. Simply stated, the difference between those that go under and those that live to fight another day is their level of preparedness. So how ready are you?

First off, it helps to know the true cost of downtime and unless you have done this exercise before, I will bet my lunch you will be astonished.

There are a ton of business downtime calculators you can get – Google them – but this should put things into perspective: One of our clients is a busy downtown law firm of about 100 seats, and their management estimates every hour of downtime costs them more than \$17,000. Another Gartner study indicates that a \$5-million-per-year business loses \$2,000 per hour and, at that rate, the hired help are lighting cigars with \$100 bills while Nero fiddles off stage left. Unless you have deep pockets, you won't be able to sustain that burn rate for long.

Now that you have swallowed that jagged little pill, you need to determine two major factors as cornerstones of your soon-to-be conceived Disaster Recovery Plan: Those are:

❶ Recovery Time Objective (RTO)

❷ Recovery Point Objective (RPO)

Memorize those, because every move you make from here on out should be based on and judged against those two critical factors when crafting your disaster recovery and/or business-continuity plans.

So what exactly are RTO and RPO?



Truth is, no one really expects a catastrophe. All men believe all men are mortal, except themselves

Recovery Time Objective is the *duration* of time within which a business process must be restored after a disaster (or disruption) in order to avoid unacceptable consequences associated with a break in business continuity.

Recovery Point Objective is the *point* in time to which you must recover data as defined in terms of what is an 'acceptable loss' in a disaster situation. Thank you, *Wikipedia*, I'm more confused now than when I started.

In common language, then: How long can you be down (RTO) and how much data can you stand to lose (RPO)?

Whenever I ask those two critical questions, I get answers that are all over the map but most of them eventually settle back to approximately one day of each. For example, "We can lose up to one day's worth of data and we can be down for up to one day but after that – bad things!"

That is pretty much the average across the board with small businesses. However, the reality is generally much different because most businesses are about as prepared for a disaster as most individuals. How many of us have an earthquake plan at home? Hands up all of you who

have a week's worth of food, water, batteries, portable radio, extra cell phone batteries, etc. in anticipation of earthquake version of 'the big one' that we are so overdue for, here on the Left Coast? And how many of us actually rotate those supplies out once they hit the 'best before' date? Thought so. In the words of Shakespeare: "The readiness is all."

For most small- and medium businesses, the plan for recovering from disaster is simply, "I don't have one." Businesses usually don't think past the primary goal of data protection (proper backups) and some aren't even very good at that.

So if your recovery plan includes conducting nightly backups and then porting that data off-site via tapes or online backups, and your RTO and RPO are in the neighbourhood of one day – thanks for playing, please pick up your lovely parting gifts on your way to obscurity, because you won't even come close to that goal.

Fortunately, Al Gore invented the Internet long before he invented Global Warming (if you don't believe that, just ask him). And with all the glorious technology that goes along with it, true business continuity is available and affordable even for tiny businesses. But the first steps you need to take is to determine your true cost of downtime, and then calculate your tolerance to downtime and data loss – RTO and RPO.

Once you have done this, you are ready to take the next step: defining the solutions required to mitigate your risks and achieve your goals. If nothing else, you will find it an interesting and revealing exercise – and you will have done more than most to safeguard your business against disaster.

Frank Butler is an information technology specialist and the president Synchronet, an outsourced information-technology support outfit based in Vancouver since 1992. He has been involved in the IT industry since the mid-1980s as a consultant and a field tech in the trenches, and has helped many businesses craft Business Continuity and Disaster Recovery Plans. He can be reached at 604.664.8901 or at more.info@synchronet.net.

Gary Carter's profile → from Page 2

tary. In 1979, the Navy granted Gary a one-year leave of absence.

He sailed his 30-foot sailboat around the Bahamas and the Florida Keys. To support himself, he repaired boats, marine engines and equipment; taught sailing; crewed tug boats; and, delivered boats. Eventually, he took a job as Master of a rundown freighter. He joined the freighter in Panama, took her to Quilaquil, Ecuador, then brought her back through the Panama Canal to Jacksonville, Florida.

In the spring of 1980, Gary pursued a career in the marine industry in the United States. While there, he commissioned, rebuilt and repaired both power and sailing yachts. He trained crews and owners to operate their vessels. He also bought and flew his own six-passenger Cessna 310 aircraft. Gary holds a multi-engine instrument rating pilot's license, (which is no longer current), along with an unlimited Canadian Master Mariner's Certificate.

Gary retired from the Navy and returned to Canada four years later, looking for a job in Vancouver, in the height of a recession.

He accepted work with the Correctional Services of Canada (CSC), and attended the Correctional Officers Training Course in Mission. The program offered full room and board plus salary - an excellent opportunity to get settled.

After graduation, Gary was posted to Kent Institution-a federal maximum security prison. He spent the first few months employed as a guard. Gary jokes that the job was "90% boredom interspersed with 10% terror."

Soon after, Gary was promoted to living-unit officer, and assigned a case load of inmates. It was through one of those prisoners that Gary learned about the legal-assistant program at Capilano College in North Vancouver.

After an exciting and continental career in the Army, Air Force and Navy, what in the world would motivate Gary

to pursue a career in law firms?

"I had always had an interest in law, which is reflected in my call to the military," he says, "As an officer, I was required to have a thorough understanding of the many rules and regulations governing the military, service men and women, and civilians employed by DND. The choice of a legal career seemed to be a natural progression for me."

So, in 1987, Gary left the CSC to attend the two-year, full-time program, financing it completely from his own means.

His undeniable work ethic led him to take a job working several nights a week as a class facilitator for the People's Law School. He also worked as a summer student in the Maritime Department at the law firm of Campney & Murphy.

After graduation, Gary got a job working as a legal assistant at Gardner, Ganapathi, Ashcroft, Crookshank and Levine - a family- and personal injury

Gary Carter's unusual profile → to Page 16



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Gary Carter's unusual profile → from Page 15

law firm. After just six months, Gary was asked to take over the day-to-day administration of the firm.

“My background led to this swift promotion,” he notes. “The Army, Air Force and Navy each demanded a different style of management, just as a law firm does. There is a delicate balance between managing the demands and needs of the firm, the partners and the staff. My military training proved to be very valuable in attempting to achieve this daily balancing act. Unlike my job at the CSC, boredom has never been an issue!”

Gary joined VALA, as the BCLMA was then known, in 1990, and in the following May, he joined Paine Edmonds as a personal injury legal assistant (a paralegal). About a year later, while still practicing as a legal assistant, Gary became the firm administrator. He took over responsibility for HR, the day-to-day operations of the firm and IT. He continues to perform these functions today.

Gary attributes two important aspects of his background that have helped him succeed in law firm management:

- (1) His Dad and
- (2) his military background.

“My Dad is tenacious by nature,” Gary says today. “He never gives up. His motto is that there is a solution to every problem, it sometimes just takes a bit of time to come up with the solution.”

Gary has adopted the same attitude towards problems both at his job as a law firm administrator – and in every job he tackles. “I generally feel confident that there is a solution to most problems. The key is patience. Eventually, the solution seems to bubble out of the gray matter. My *A-ha!* moments continue to baffle dinner guests!”

The military training gave him the necessary project-management abilities he needed to become successful. As those with the title will attest, there is no shortage of projects on an Administrator’s plate. It also gave him the requisite people skills to become a good leader.

“Successful military leaders are the ones who lead with a sense of honesty and fairness, and have earned the respect

of their troops. They lead by example. Their directions are followed, not because they are ‘the boss’, but because they are respected and admired by those whom they lead. They do not ask those they lead to perform a task they wouldn’t do.”

Another side of Gary’s character is his sense of humour. As he puts it, “When things are going to hell-in-a-handbasket, hang on to your sense of humour because it may be the only medicine you have to heal your wounds when the dust settles!” It is our ability to laugh at our mistakes and embarrassing moments which keeps us grounded, honest, and feeling at peace with our imperfections.”

Gary quips that if it weren’t for fixing his own mistakes, his job wouldn’t be nearly as interesting.

The one thing he enjoys most about the BCLMA is the ability to confer with

colleagues.

“Law firms are little islands with common goals. The same weather patterns affect all of us, perhaps in slightly different ways, but we all get affected by the same storms and high tides. The ability to call on your colleagues and ask, ‘What are you doing to prepare for the coming storm?’ is irreplaceable!”

As Conference Chair, Gary continues to help develop and encourage both the learning as well as the social opportunities the BCLMA offers its members throughout the year.

Here’s how Gary looks at the social component of the organization. “The BCLMA is not a social club *per se*, but the social aspect of it provides growth and knowledge. Managers, having met and spoken with other managers at a social event now feel comfortable picking up the phone to

Gary Carter’s unusual profile → to Page 17

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Gary Carter's unusual profile → from Page 16

call on their colleagues to ask questions. The person answering the phone also feels more comfortable, knowing who they are speaking with. It's win-win. Attending social events is a very important aspect of membership in the BCLMA."

The same holds true for the upcoming *We're on a Roll!* conference at the River Rock Casino in October.

"The conference provides learning and socializing during an action-packed two days," he says. "The relationships you develop through face-to-face time at the conference will pave the way for strong relationships in the industry for years to come."

Gary's primary hope for the conference is overwhelming attendance. "I'd love it if we filled every chair! I'm sure we will. We have an outstanding line-up of speakers-some local, some with international acclaim – which should draw the

crowds. And the fact that we have a local venue, there's just no excuse not to attend this year!"


As Gary looks ahead to new, though not yet defined, adventures, he attributes his successes in life and work to hard work and receiving a helping hand and encouragement from many people throughout his life and various careers.

"I've always been very fortunate to have someone – a teacher, an officer, a colleague or a friend – provide me with a key to a door of opportunity or the encouragement I needed to take those first steps in a new adventure," says Gary.

"Without the assistance, guidance and encouragement of a great many people over the years, I would not have been able to finish high school, attend university, become an officer or accomplish any of the other goals I have achieved in my various careers."

As one might expect, Gary is a strong

advocate for 'paying it back, and forward.'

The boy from East Farnham, Quebec, has never forgotten his roots. 

SAVE THIS DATE!

Mark your calendar:
Fri-Sat, Oct 29-30

BCLMA Educational Conference, River Rock Casino, Richmond; For sponsorship information visit BCLMA website (see folio line below).

All other inquiries contact: Jane Kennedy at Membership email address (see folio line below).



SMILE & LINK

SMILE!

One of the features of our redesigned website includes the ability to post individual profile photos next to each person's listing in the BCLMA Personnel Directory.

If you need to know what someone looks like before meeting or want to put a face to a name, the BCLMA website can be your resource.

Kindly email a professional, colour profile image of yourself (size 82px X 115px) to membership@bclma.org

Thank you for your co-operation!

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New record set for attendance at annual Summer Social

Photos by Dennison Lee,
Systems Administrator/
Photographer, Harper Grey LLP

The BCLMA hosted its Annual Summer Social June 10 at Monk McQueens on the shores of Vancouver's False Creek, not far from the new Olympic Village. A total of 95 people attended, beating last year's attendance of 78 people.

Fortunately, the rains held off so everyone could enjoy cocktails and hors d'oeuvres on the heated patio overlooking the waterway. A buffet dinner inside the restaurant followed the lively, outdoor cocktail hour.



JoAnne Todgham (left) and Elizabeth Borrill (right), both of ZSA, flank Sonia Kenward of Fasken Martineau,



Our emcee for the evening was BCLMA President John Hawke

ZSA Legal Recruitment attended as the generous sponsor for this event. This is the fourth BCLMA Summer Social ZSA has sponsored. ZSA is also a bronze sponsor for our 2010 *We're on a Roll!* conference at the River Rock Casino in October. We greatly appreciate their ongoing support.

Elizabeth Borrill and JoAnne Todgham of ZSA joined us at the social. They are legal-support consultants from Canada's largest national legal-recruitment firm. ZSA specializes in all aspects of legal recruitment, including that of Partner, Associate, and In-House Counsel. Elizabeth and JoAnne both specialize in recruiting the full spectrum of legal-support staff.

Their candidates range through law-firm receptionists and clerks to legal administrative assistants, paralegals and law-



Sunita March and Marina Pellerin of Camp Fiorante Matthews, Ann Main of DuMoulin Boskovich, Sharon Kwong Wah of Young Anderson and Natalie Fulton, also of Camp Fiorante Matthews

firm managers.

Draw prizes were awarded in a fun and unusual way this year. Instead of drawing names from a hat, attendees were asked to present various requested personal items.

The first to present their item to our emcee and President, John Hawke, won a

prize. Items included red lipstick, a photo of their dog and a coin older than 1980. One that was especially fun was somebody with a tattoo *and* willing to show it! Everyone had fun running to the stage to present their items.

We had a record of four Past Presi-
Summer social sets a record → to Page 19

Summer Social sets a record → from Page 18

dents win prizes this year. *Congratulations!*

Lisa Dawson of Oyen Wiggs and Jay Cathcart (Past President) of Farris each won prizes from ZSA. All other prizes were gift cards donated by the BCLMA, and won by:

- * LCBO – Ernie Gauvreau, Gowlings and Annie Ronen, Lawson Lundell (Past Presidents)
- * Home Depot – Janice McAuley of Lawson Lundell
- * HMV – Alison Robins, spouse of Eric Pedersen of Farris
- * Home Sense – Marina Pellerin of Camp Fiorante Matthews
- * Esso – Ruth Ann Spencer of Bull Houser Tupper
- * Starbucks – Natalie Fulton of Camp Fiorante Matthews



Pelar Davidson, Robbin Myers and Lisa Dawson, all of Oyen Wiggs



Andrea Pantages of Mandell Pinder, Dean Leung of Davis LLP and Shaun LeBlanc of Bull House & Tupper



Angela Bolzonello of Lang Michener, Kathy Hogarth of Lawson Lundell and Rob Walls of Boughton



Caren Cook of Klein Lyons, Kimberly MacMillan of Simpson Thomas & Associates, Jacquie Wintrup of Lawson Lundell

- * Starbucks – Stephanie Marsh (Alumni & Past President) of KPMG
- * Best Buy – Sh’eli Mullin of Camp Fiorante Matthews
- * Earl’s Restaurant – Andrea Pantages of Mandell Pinder
- * Cactus Club – Eric Pedersen of Farris,
- * Indigo – Sunita March of Camp Fiorante Matthews.



Special Guest Clive Bellerin of Dye & Durham, also a 2010 conference sponsor, attended the event and donated a wine box.

That box was won by Anne Nkomo of Gowlings.

Thank you to everyone for attending our annual summer social.

Your attendance makes our BCLMA events a true success! 🍷

CONFERENCE SET FOR OCTOBER 29-30 AT RIVER ROCK

Innovation that makes management of law firms better is the focus of this year's annual BCLMA Educational Conference in Richmond

by Gary Carter,
Conference Chair

The BCLMA Board of Directors and its Conference Committee are working on this year's BCLMA Educational Conference, set for October 29–30 at the River Rock Casino Resort in Richmond.

The theme of the conference is *Enhancing Law Firm Management with Innovation*.

The conference location was chosen specifically to provide our members with a local, affordable and easily-accessible venue.

As a result of all this hard work and well-considered planning, we anticipate a strong turn-out for this year's conference. The focus of this year's conference, and for all of our educational conferences, is to provide our Representatives and Affiliates alike with the opportunities to:

1 Hear world-class presenters speak on current topics related to the legal industry. Our two keynote speakers have shaped their presentations specifically for our conference theme:



Gary Carter,
Conference Chair



Blane Prescott
of Hildebrandt
Baker Robbins

✓ Blane Prescott of Hildebrandt Baker Robbins will first focus on *Current Trends in the Legal Profession*. He will discuss the impact of the economy on the legal profession and the changes it is producing. Then, Blane will talk about *Succession Planning for Management*, including leadership development, client transitioning, incentives for succession planning and retirement planning.



CONFERENCE MINGLE: A photo from one of our previous conferences shows how much people enjoy them. Here, they're taking a break from one of the several informative sessions.

✓ Doris Bentley's presentation on Saturday morning, *Right Person, Right Place, Right Time* will focus on what she says will be "talent-management planning for administrative staff." Doris asks her audience to consider the following: If your managing partner asked for a meeting tomorrow to talk about growth and expansion, would you be ready to discuss your firm's talent plan in concrete business terms? Doris will share strategies about how to plan for best and worst case scenarios and integrate the talent life-cycle into your business plans. In this interactive seminar, you'll gain insights to help you fast-track talent management planning to prepare your firm for uncertainties, and ensure you always have the

right person in the right place at the right time.

2 Workshops will concentrate on social media as it relates to law firm marketing, effective and confident communications in the law office and in-

sights on technology from legal technology insiders. Participate in knowledge and skills development in one of the following workshops led by experts in various areas of the legal industry:

✓ *Social Media Success: Practical Advice for Legal and Professional Conduct in the Online World*. Are you comfortable with social media? Do you have your own blog? Do you learn the latest gossip via *Face-*
Conference → to Page 21



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Fall Conference → from Page 20

book or find out that Skytrain is running late via *Twitter*? Or, are you someone who has no interest in live-tweeting during conferences, indicating your 'like' on a fan page or reading a blog post discussing the 'pluses and minuses' of the new Evergreen line?

Susan Van Dyke, Principal for Van Dyke Marketing and Communications, will discuss the powerful impact that social media can have in a client-driven business. She will also show you how perception, visibility and staying relevant are paramount to maintaining your competitive edge.



Susan Van Dyke,
of Van Dyke
Marketing &
Communications

✓ Now think about how we participate in 'safe' social media in the workplace. Nicole Byres, Partner at Clark Wilson LLP and Chair of the firm's Labour and Employment Law Group will discuss the risks and liabilities of employers and employees, review recent cases, and discuss how to establish privacy policies and procedures.



Nicole Byres,
Partner at
Clark Wilson LLP

✓ *Grace under Pressure: How to Communicate Effectively and Confidently in Law Offices.* Communication skills are a critical factor in your success at work and in your personal life. This workshop will give you the con-



Karen Bressler,
of R. JOHNSON
Legal
Recruitment



fidence and knowledge to speak comfortably and effectively with lawyers, management and your peers.

Karen Bressler of R. JOHNSON Legal Recruitment, certified coach and lawyer, has first-hand knowledge of the unique challenges of communication in a law office.

Karen will teach you how to capture a lawyer's attention, confidently express your ideas, and educate you on the different types of personalities and how to best communicate with each type.

✓ Has technology got your head spinning? What for heaven's sake is cloud computing? Are you using technology effectively with your limited resources? Where do all the new Microsoft offerings fit within your workplace environment? Sometimes, the answers seem as random as the spin of a roulette wheel. Listen to our industry panel do some spinning of their own as they discuss and debate these topics in an open and interactive environment.

- ③ Network with people in the legal industry, and specific areas of interest to you. The people you meet and interact with at these conferences frequently become valuable sources for information and support.
- ④ Meet the vendors and service providers who support and provide valuable services to our member firms. Get away from the boardroom and spend time with your current and potential new vendors in our relaxed setting of the trade show and special events.
- ⑤ Socialize, laugh, have fun and win fabulous prizes! No explanation required!

On behalf of the BCLMA Board of Directors and the Conference Committee, we look forward to seeing you at the conference. Due to venue restrictions, attendance is limited, so register early! Registration information is available on the BCLMA website. Early bird deadline for our members is August 27.

Administrators and General Managers are encouraged to invite their Managing Partners to accompany them to General Session 1, *Current Trends in the Legal Profession* with Blane Prescott and are included in the *Member Firm Representative* category of the *Registration Form*.

SPONSORS GALORE!

We have listed the vendors who have already pledged their sponsorship commitments. *Note: Opportunities remain available!*

Participating Conference Sponsors include: Dye & Durham, R. JOHNSON Legal Recruitment, RICOH Canada, LaserNetworks, ZSA, LexisNexis Canada, Mills Basics, ARLYN REID, SAI, Worldox, Van Houtte Coffee Services, arcprint & imaging, Synchronet, Anna Beaudry Photographic Design and Kranq Courier.

For conference marketing opportunities, download our sponsorship PDF: <<http://tinyurl.com/2a194u6>>. Or call Jane Kennedy at 604.988.1221, for more information.

BOSTON IS OUR KIND OF TOWN

Annual ALA conference exercises administrator skills inside and outside

By **Bob Waterman,**
Richards Buell Sutton

Fifteen BCLMA Representatives and Affiliates attended the ALA International Conference in Boston, Massachusetts from May 3-6.

The ALA hosted more than 100 educational sessions, idea exchanges and vendor-showcase sessions. There were also a few social events to keep things exciting.

More than 1,150 delegates attended the three-day conference, including administrators from every US state – including Alaska and Hawaii – and worldwide from New Zealand, Jamaica, United Kingdom, Nigeria, Taiwan, Thailand, Colombia, Australia, Peru, Bermuda and, of course, Canada.

Boston is a great host city and the weather was perfect. The American Revolution began in Boston so the city has no shortage of history. Boston commemo-

rates Paul Revere and Bunker Hill, and boasts world-class venues, events and institutions such as Fenway Park, Harvard University, Boston Marathon, Boston Tea Party and the most famous of all, the gravesite of Mother Goose.

Boston Tourism has a wonderful walking tour called the History Trail. The trail is clearly marked by red bricks embedded in the sidewalk. All you do is follow the red bricks and you will see all of Boston's historical sights. Sound simple? Well, it is until you happen upon a construction zone. You find that the red bricks have been dug up, but cannot find any signs showing where the trail continues. It made me think of a similar situation in the office where you follow a carefully designed strategy and it does not go as planned! But, being a good administrator, you find another way to accomplish the task. Eventually you find the trail again, and discover new elements of great interest.

The educational sessions were broken out into Communication & Organizational Management, Financial Management, Human Resources Management, Business Management and Operational Management. There were numerous sessions daily in each group. The problem was choosing only one for each time slot.

I asked those who attended about their favourite session. Front-runners included *Financial and Operational Dashboards & PivotTables and PivotCharts* by Thomas Stephens, *Mid-Size Firm Idea Exchange* moderated by Robert Beyer, *Writing to Influence Outcomes* by Edward Good, *A Can-did Hour with Managing Partners* by Jodi Petrucelli & David Rosenblatt, *Time Management in the Electronic Age* by Margaret Dixon, and *Legal Trends in a Changing Economy* by Blane Prescott.

We are so fortunate to have Blane as a keynote speaker at BCLMA's *We're on a Roll!* Conference in October this year.

At any conference, you find that you are not the only one with law-firm management problems. The good news is you have over 1,000 brains to pick that actually understand your problem. It is like having a craving for ice cream and finding yourself in Baskin Robbins with a ticket to eat all the ice cream you want.

Vancouver's own Barry Riback from SAI hosted a great reception. (*Thanks, Barry!*) We were in Boston at the time of the NHL Stanley Cup playoffs, and basketball playoffs were in full swing too. The Canucks were still in the fight so we watched the game every night. Some of us were treated to a Red Sox game at the oldest stadium in baseball, Fenway Park.

If you have not attended an ALA international conference, make sure you put that on your must-do list. The rewards and experience are second-to-none. You get to know your fellow administrators, you meet other administrators from all over the world, you get to learn more things than you can ever implement at your firms and you have a great time doing it.

The ALA will host its 2011 Conference and Exposition at the Orlando World Center Marriott Resort and Convention Center, Orlando, Florida.



Boston's skyline on a beautiful evening. This picture was taken by Kindra Clineff.

EVEN IF YOU'RE PARANOID, THEY'RE STILL OUT TO GET YOU

When is a conflict of interest not a conflict of interest? Well, it depends on perception

By Mike Bowerbank, Topics

What if your firm were to follow the letter of the law and *still* come under scrutiny for how something appeared to be?

No matter how hard some firms try, it is one thing to avoid conflict of interest, but it's quite another to avoid the perception of conflict.

A recent story in the local media approached its report from this very angle. Although no conflict laws were broken – or even bent – the mere perception of wrongdoing was enough to prompt the resignation of a top government consultant.

So even though a firm might follow the letter and spirit of the law, should a firm take into account the optics of the matter, or 'how it might look' to people? When making a judgment call about whether a conflict exists, do firms consider the opin-



Mike Bowerbank

ions of those who would take advantage of seemingly poor optics if it were discovered?

I spoke with the managing partner of a large downtown firm to discuss the matter. He said that his firm's, "Conflict of Interest (COI) policy has not changed or been reviewed since the [aforementioned] incident" – and the firm had no intention of doing so.

I asked as to where and how his firm's decision-makers draw the line in potential conflict situations.

"We start by checking for legal conflicts. If there are none, then we consider business conflicts, and there is no question that business conflicts play a role in


our deciding whether or not to act for certain potential clients. I expect that is the same for all firms."

He continued."For example in certain practices areas, such as labour law, lawyers typically act only for unions or employees, or for management, not both, even though there is no conflict which would prevent them from doing so. Similarly in certain industries, clients don't want their law firm to also act for a business competitor, again, even though there is no legal conflict."

This managing partner had no concerns about this type of hypothetical scenario occurring in his firm because they "... have a local conflict partner, and a national conflict group, that deals with any legal conflicts that arise in our firm."

What about other firms, perhaps yours? Does it have similar roles for the lawyers along with checks and balances?

When making a judgment call about conflicts, does your firm include the court of public opinion?

It might be worth reviewing your COI guidelines, at least, if you wish to avoid feeling conflicted. 

THE LOST ART OF CONVERSATION

Social butterfly emerges from email cocoon

By Kimberly MacMillan, Simpson Thomas & Associates

Remember the good old days when you used to talk to friends, family, neighbours and co-workers face to face?

In this era of technology, live dialogue has nearly become a lost art form. Although email, IM, tweets and texts are convenient, we must all remember that face-to-face conversations remain extremely important and necessary in order to form relationships and camaraderie, particularly in the workplace. And yet, it seems that most people prefer to send an email or a text instead of walking down the hallway to have a conversation with someone.

Even I was once guilty of it. Though most of my friends would describe me as a social butterfly, I hid behind email in the early days of my career. I didn't have the confidence for a tough conversation, and I was more comfortable writing an email to the employee. Then, about five years ago, I got a job managing a large real estate office. The owner insisted I speak to the realtors one to one, rather than through email. Initially, that experience took me out of my comfort zone but I learned a valuable lesson because of it: tough conversations yielded much better results when I conducted them face-to face. I became a convert in short order and have sung the praises of face-to face conversations ever since!

Don't get me wrong, email has its place. If you need to send detailed instructions to someone or need to communicate facts to a large group of people, email is an excellent medium. Your recipients have these instructions and facts in black and white to eliminate misunderstandings, and can print them off (when necessary) to refer to them later.

However, a negative or controversial conversation such as providing feedback on job performance or challenging someone's position is usually not received well by email. These types of confrontational emails even have a name – they're called flaming, or inflammatory, emails. We've all received one or more of these over the years. We may have even sent a few ourselves in the heat of the moment.

Email allows us to hide in cyberspace and yell at someone in ALL CAPS while we sit comfortably in our desk knowing that our co-worker won't read our email until the next morning (but at least we've gotten it off our chest!). These types of missives are written in the heat of anger, and tend to inflame a situation, rather than attempt to solve it. It's easy to see why they coined these types of correspondence 'flaming emails.'

There's a long-standing statement that says, "It's not what you say, but how you say it."

The email cocoon → to Page 24



Kimberly MacMillan

The email cocoon → from Page 23


In fact, a UCLA study found that up to 93% of communication effectiveness is non-verbal. Face-to face communications allow the participants to communicate with non-verbal cues, such as facial expression, body language and tone of voice. One-on-one dialogue is the richest form of communication, and the most personal. Live conversations also allow the participants to give immediate, two-way feedback.

For instance, I often have staff come to my office to vent or express frustration about a co-worker. The first question I always ask them is: "Have you talked to them about it?" The answer is usually "No."

While no one really likes confrontation, I always encourage staff to talk about what's bothering them with their co-worker and, instead of feeling nervous about a confrontation or bracing themselves for an argument, I encourage them to go into the conversation with good intentions that they can – and will – work through it.

The good intentions come through in your body language and tone and help to assure the other person that the interaction is a two-way conversation instead of a confrontation. I also remind them that a benefit of face-to face communications is two-way feedback. While they are the ones broaching the topic, it's also important to listen and really hear, understand and appreciate what the other person is saying. Without fail, staff comes back to me and thanks me for encouraging them to talk to the person. They found that, together, they could resolve the situation amicably.

It sometimes surprises me that I have to encourage people to talk to one another. Technology, as mentioned earlier, has almost taken over our lives and, in most ways, has made our lives easier, especially when face with the possibility of a difficult conversation. The necessary face-to face conversations that help us interact, bond and relate to our co-workers have declined rapidly, thanks in part to email, texting, tweeting and Facebook.

For remote workers, new technologies such as Skype are a better alternative than a phone call. But an in-person conversation is still the best option. 

Six tips for basic email etiquette

San Francisco career consultant, Carole Kanchier, wrote about email etiquette almost 10 years ago. Her basic guidelines still apply today. We've highlighted a few here:

- ✓ *Address the person to whom you're sending the message. Also thank them and type your name to communicate respect.*
- ✓ *Use a respectful tone. Lack of interactivity causes misinterpretation of messages. Because there is no body language, voice tone, volume or eye contact, messages may be interpreted differently from writers' intentions. Recipients may feel angry, powerless. Feelings may fester.*
- ✓ *Never type all caps. It's considered rude, offensive. Caps have the same effect as screaming in regular conversation. Use caps for emphasis.*

- ✓ *Know when not to email. Never criticize or send inflammatory or rude remarks. Avoid sending complaints even though they contain valid points that need to be addressed.*
- ✓ *Don't respond negatively to inflammatory email. If you're angry, calm down before posting. Question your assumptions for validity. Contact senders by phone or email to schedule one-to-one meetings in person or over the phone to discuss concerns.*
- ✓ *Talk to people privately if you want to discuss delicate issues such as advising people of mistakes and when tone is important. Never use email to advise others of sensitive matters such as poor performance, layoffs or firings.*

– From "Don't hit send if it might offend" by Carole Kanchier, Vancouver Sun.



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DO YOU REMEMBER WHEN. . . ?

The changes in business equipment over the last 25 years have been remarkable

By Paddy Carroll and Andrew Graham, IKON Office Solutions

To define technological change over the last 25 years, when *Topics* was first published, we must first understand the current state of technology advancement.

The Utopian vision of a paper-less office is still not a reality, but much – if not all – of your organization’s current information content is in electronic or digital format. The majority of all printed material originates electronically and will likely be accessed using an electronic document or records-management software.

Today, organizations leverage technology to enhance work flow and maximize productivity, whether it is using cloud computing to share information or networking multi-functional devices to scan legacy paper documents into electronic content.

Those multi-functional devices are also capable of routinely printing magazine-quality colour impressions with the finishing tools and capabilities that were only available to sophisticated printing establishments 25 years ago. Your business leverages its technology to enhance or accommodate your workflow, which demands low cost, high efficiency and minimal environmental impact.

There have been significant changes in business equipment over the last 25 years. The 1980s was the decade in



A Xerox photocopier



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which word processors replaced typewriters. Word processors provided business tremendous advancements for creating original documents and information.

Those who transitioned to word processors learned quickly that the age of the word processor provided productivity gains when information needed to be changed or corrected, and did not require retyping.

This also created a surge of original content that needed to be copied for distribution. Although carbon paper was still a common office supply in that decade, photocopiers were quickly becoming one of the most important pieces of business equipment.

The word processor created the originals and a photocopier was the means for mass-producing copies that were delivered by interoffice mail or the post office.

Technological capabilities of the business equipment in the ‘80s limited print information to be created which then needed to be copied for distribution. So, technology companies increasingly focused on designing and developing photocopiers to be bigger, faster and more reliable. Ink that was once used in the process of early photocopying was replaced with dry toner. The photocopiers used heat generated from a fuser unit inside the machine to melt the tiny particles of the toner onto the paper.

As paper emerged from the machine,

you had to be careful not to pick-up the paper too soon, as it likely was hot and probably curled. Throughout the ‘80s and ‘90s, analogue machines provided you with double-sided copying, zoom adjustments, options for various sizes of paper, as well as the capability for sorting and stapling.

These feature advancements, as well as increases in speed, maximized the limitations of the analogue technology. *Wow!* Was there anything that these new machines could not do?

One thing’s for sure: they didn’t fix

Bizarro



themselves! Many new companies and service bureaus emerged as this new state-of-the-art equipment required increased service expertise, or the cost of the superior machines demanded volumes that could only be produced by many small to medium-sized firms bringing their materials to one location.

Electronics manufacturers then leveraged an opportunity to expand their product offerings so that printing devices could be connected directly to word processors and early desktop computers.

Print technology was limited at first to impact machines, such as dot-matrix, to

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work with carbon paper or form paper;
however, first-generation laser printers



Above: Epson's MX-80 dot matrix, a popular model of the day.
Below: Well, it speaks for itself.

A SAMPLE OF DOT-MATRIX
OUTPUT USED FOR WORD
PROCESSORS PRODUCING
LETTERS AND WORKING
WITH CARBON-COPY
FORMS. **BOLD AND ITALIC**
WERE AVAILABLE.



were introduced to the marketplace in the mid-'80s.

Next in line, office-machine firms focused on the facsimile machine, which quickly gained the nickname of 'fax' machine. This little beauty, when introduced to the masses, was promoted as the demise of Canada Post.

Why would we ever need to lick envelopes and stamps anymore (yuck!) when all we had to do was stick a letter or such in to the new gizmo in the corner and it would appear



Eliot P. Ness
Gets the goodies

at its assigned destination, word for word. (And we thought only Elliott Ness would have one of them fancy things.)

Information was sent using a dial-up modem; the concept of being able to send an image of a document across town or across the country in a few minutes, using the telephone system quickly gained acceptance within businesses.

Thermal fax machines, as those that used heat-sensitive paper were called back then, were useful to a point. The paper didn't help when one couldn't write on it because of its coating, or use it



A Samsung fax machine, a model that uses ink-jet technology for output

to soak up a cup of spilled coffee.

(Yes, it's true – we tried it. And we would have loved to have been a fly on filing cabinet- the day that some unfortunate lawyer opened the drawer to a file full of black thermal fax pages! "Who can I sue?!")

In the 1990s, a kind of standardization of facsimile communication began to gain acceptance. It opened a new means of distributing company information to



A Samsung multi-function machine designed for 'SOHO' offices

employees, clients and prospective customers. It also created a new communication concept that influenced development of laser-printing technology. Laser printers replace thermal paper with cut-sheet paper. Overnight, the plain-paper fax, when finally introduced, was a hit. The technology also influenced the next generation of photocopiers: digital copiers.



Bill Gates
Gets the cash

In the 1990s, Microsoft's Bill Gates became a household name, and the explosion of computer software operating platforms influenced how business was to create and distribute information.

Much like the early photocopier machines of the 1980s, computer manufacturers developed faster, smaller and more reliable systems, and software became linked to workflow and business operations. Employers were able to increase the productivity of employees by providing an array of business equipment such as printers, photocopiers, fax machines and computer systems to run the entire operation. More technology was better, and processes were designed around each independent machine.

As the technologies advanced independently, the volume of information contained in electronic form increased significantly.

The emergence and growth of the Internet

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in the mid-90s, and development of business software solutions resulted in massive amounts of digital content that required storage and management as well as output to a networked printer.

As the new millennium approached, manufacturers introduced technology that integrated with the computer network and provided alternatives to the independent device. New digital copiers now had evolved away from service-intensive machines to those with replaceable laser engines that emulated the reliability and quality of the standard desktop computer.

In fact, the desktop printer was now the primary source for output and eclipsed the traditional photocopier as the paper-consumption king. Information had moved from central creation to electronic distribution to local printing. Offices started to consolidate devices as technology advancements allowed for integration and convergence of capabilities such as printing, scanning, faxing and copying.

Today, the technology focuses on integrating seamlessly within an office envi-

ronment and provide you or your staff with enough tools and resources for multitasking and multifunction. Much like the transition to the faster computer-processor, it did not mean our day ended

essentially true to the original design.

However, the next 25 years may move us closer to the goal of paperless office, as information and its production, management and storage technology,

becomes integrated seamlessly so that original hard copies are no longer required. Your average 25-year old has grown up in the digital age, has been raised in a home with a computer, and likely a desktop multifunctional home office device. They download music and video files and read the news on the web. They pay bills online, get loan applications without walking into a bank, and their job interview likely

meant a network evaluation.

For them, the concept of keeping paper in the drawers of a metal box is likely as unrealistic as those before them who thought that business could not be conducted without it.

The next 25 years in office technology will provide us and our workforce with more tools and more customization of workflow than ever before.

Just like the time you upgraded from a 386 to a 486 computer, or a 30-copy-per-minute copier to a 50-copy-per-minute digital device, or pushed a thermal fax aside to make room for a plain-paper fax, or bought a standalone fax, printer, scanner and copier as a single machine.

One thing is for sure: there will always be a better, faster, more sustainable, more efficient, less costly solution to upgrade and, like the 25 years before, there will always be Irishman like us willing to sell you this technology.

Perhaps, 25 years down the road, you might wonder where your old digital copier with all that information on its hard drive ended up?

Don't ask.

Will the office of the future still contain a filing cabinet?



SELLING PIX

A handful of memories of yesterday in the office

At an ad-hoc get-together in the Fall, individuals recalled their 'special' memories from their days as VALA/ BCLMA administrators. (Some of those memories even had to do with technology! Rumour has it that stories about office romances and bad behaviour were shared out in the parking lot!)

Roy Williams: "I remember the first electronic typewriter: IBM's System 34 computer. It had a two-line display."

Donna Oseen: "Who remembers the Redactron? – No, it's not a dinosaur! – And then Xerox began selling typewriters that remembered a few lines of text! I always pushed for the Canon."

Roy Williams: "I remember when Canada Post went on strike, all the mail from Russell & DuMoulin (and it was a lot!) got hand-delivered to downtown firms. Next thing you know, we had Legal Alternative."

BCLMA EXECUTIVE & SECTION LEADERS



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<http://www.bclma.org>

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WHO WE ARE

The BCLMA, founded in 1972, is a non-profit organization with 95 Representatives and more than 220 Affiliates across B.C. It is the BCLMA's goal to provide educational and networking opportunities, to enhance skills as legal administrators and managers, and to provide professional and personal benefits its registrants.

MEMBER SERVICES:

◆ Opportunities to network with other law firm administrators and managers are provided by events such as our annual Spring and Winter socials, or our monthly subsection meetings. We host an annual Managing Partners Dinner, and a large conference every other year.

◆ The Job Bank on our website outlines information on potential employment opportunities.

◆ The Discussion Board on our website enables Representatives and Affiliates to quickly get questions answered and obtain 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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