

A newsletter to help our Members, Representatives, Affiliates and partners stay current with the business of law ♦ Spring 2011

WORKING TOWARD DOCUMENT-PRODUCTION STANDARDS

Every aspect of a law firm benefits from supporting the Sedona Principles

By David K. Wotherspoon and Patricia N. Morrison, Fasken Martineau

Over the last quarter century, law firms and law courts have witnessed a growing shift from paper documents to electronically stored information, now often just known as ESI.

Responding to this dramatic shift, the dependence of law firms on technology swelled. So, too, has our reliance on people to help organize, manage, preserve and handle disclosure of electronic records.

In Canada, a group of leading legal experts collaborated on *The Sedona Principles*, a set of voluntary guidelines related to the management of electronic records for litigation matters. (*The 12 principles are on page 8*).

Here, we discuss how these guidelines affect law-firm managers in BC.

The BCLMA comprises eight sections: *Human Resources, Finance, Information Technology, Knowledge Management, Trainers, Small Firms, Facilities & Services and Marketing*. Each of these sections must be proactive and work together—both in our [The Sedona Principles](#) → to Page 8

SEARCH ME...

Android, a next 'big thing'? And could it change the smartphone industry... again?

By George Lo, IT Manager, Alexander Holburn Beaudin & Lang

The smartphone has become an indispensable part of everyday life for work and for play.

With the *Blackberry*, Research In Motion (RIM) of Waterloo, Ontario pioneered the concept of email anytime, anywhere to serve the needs of the business community. Apple then came along and designed a smartphone with the consumer in mind. The result was the *iPhone* — a smartphone that could do just about everything else.

Innovation occurs rapidly in technology, and competition is rarely merciful. Each successive release of the *iPhone* has attracted even more consumers, and corporate users are being lured away from their *Blackberry*.

Just last year, *iPhone* surpassed the *Blackberry* in overall market share on the

For Sale

This senior paralegal is up to something... but what? Then the young couple spills the beans. What would you do?

See Page 6



Topics in Topics – Spring 2011

- Every aspect of a law firm benefits from supporting the Sedona principles1
– What are the Sedona Principles?8
- Android, a next 'big thing'? And could it change the smartphone industry – again? ..1
- The Firm2
- You Be The Judge, by Paula Butler:
New scenario: 'The case of the moonlighting paralegal' and answers to: 'The case of the payroll leak'6
- Lawyer coaching – Help to figure out their own ROI10
- BCLMA's Volunteer Hero Awards – Janice McAuley, volunteering, learning, contributing for 20 years12
- Effective strategies offered to trainers14
- Job bank for lawyers launched on our website ..15
- BCLMA's Summer Social: The date's set ...15
- You and your friends on the web15
- Photo Feature: Vendor Reception – It was the festive times, it was the first of times ..16
- On the road: Working and partying with Canadian law-firm marketers20
- Gauvreau new president as BCLMA executive board chosen21
- Yes, Virginia, there is a Santa Claus in the mailroom, and he gives year 'round22
- How to deal with employees who don't always do what you want them to do23
- BCLMA's Member & Newsletter Services2
- Making the Moves15
- BCLMA's Executive & Section contact info ...24

strength of consumer demand. Inroads to the corporate environment are not far behind as business leaders demand greater choice and the industry works together to resolve any remaining concerns about compliance and security.

But as these changes open the door for Apple, the same opportunity becomes [Android, a game-changer?](#) → to Page 2



David Wotherspoon



Patricia Morrison



George Lo

Android, a game-changer? → from Page 1 available for the next upstart. History has proven time and again: “Build a better mousetrap, and the world will beat a path to your door.”

As quick as *iPhone* reached the top, Google ascended with greater speed and took away Apple’s operating-system crown with its *Android* smartphone platform.

Google makes phones? Well, not really.

You may know little about the origins of *Android* or the role Google has played in its development if you are not a self-professed geek or if you work outside of IT. Today, *Android* is the name of the operating system that runs on many smartphones that aren’t made by Apple. Back in 2005, it was also the namesake of the company that developed a new mobile operating system based on the *Linux* operating system.

Google purchased Android Inc. that same year, and worked with a consortium of major technology companies, the Open Handset Alliance, to develop open standards for mobile devices. The result is the *Android* operating system that exists today.

So, does Google make phones? No, although they do have a Google-branded model available this year. In fact, Google neither makes phones nor makes

any significant money from the

use of their *Android* software.

Ultimately, Google supports *Android* in order to promote its core business: advertising from searches. More and more consumers use mobile devices as their primary source for Internet browsing, and the increased traffic will only improve Google’s advertising statistics.

Applications that use *Android* phones will provide another avenue for advertising through the use of display ads, also known as “in-app advertising.” The sale of these apps will also be a relatively minor source of revenue as Google receives a share of all sales and related subscription services from their online marketplace.

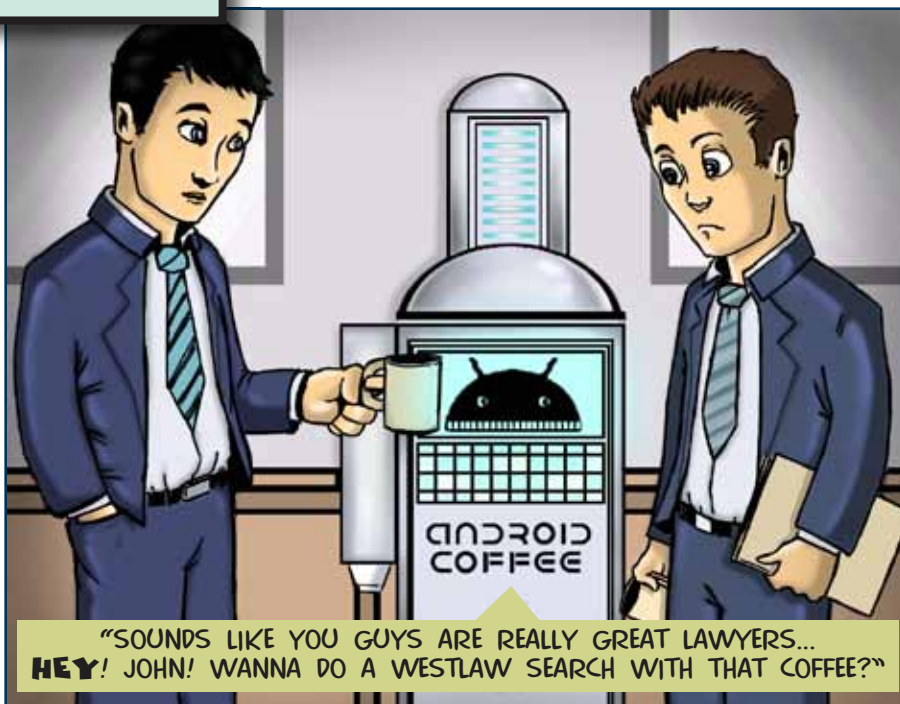
CAN I GET SECURITY?

The security of smartphones has always been paramount for business. As early adopters, most corporate networks deployed *Blackberry* devices and the accompanying *Blackberry Enterprise Server*. RIM developed *Blackberry* with the highest level of data protection and encryption in mind, and its solution continues to set the industry standard—as of today. As new smartphone platforms begin to creep into the enterprise, IT departments apply these standards to determine if any new devices pass the test.

So, does *Android* meet *all* these requirements today? The short answer is no, at

Android, a game-changer? → to Page 4

THE FIRM



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WHO WE ARE

The BCLMA, founded in 1972, is a non-profit organization with 108 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 to 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 Event, and a large conference every other year.
- ◆ The Job Bank on our website outlines information on potential employment opportunities for all types of legal-related and lawyer positions.
- ◆ 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.

NEWSLETTER SERVICES:

Topics is a public newsletter. We will be pleased to add you to our email list for it. Please contact the Editorial Committee Chair, or any member of the Editorial Committee listed on the back page, for comments on any of these articles or to offer suggestions for articles in future issues, or for adjustments to the circulation list. Comments are always welcome.

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Android, a game-changer? → from Page 2
 least not out of the box. Development of the core operating system takes time in order to support multiple hardware platforms, but — in time — these features will become available. For now, other developers in the marketplace have seized the opportunity by developing their own applications to overcome these limitations.

One example that demonstrates this development cycle is securing corporate email. Current versions of *Android* have native support for *Microsoft Exchange* to synchronize email, contacts and calendars, but the encryption of this data on the physical device is absent. Good Technology and its *NotifiLink* software offer alternative enterprise-based solutions to address data encryption, but also provide device-management services similar to the *Blackberry Enterprise Server*.

Touchdown, software from Nitrodesk, offers a device-based solution to provide individual configuration of email delivery and mailbox management, as well as local data encryption. But critical services such as en-

rypted communications, enhanced password enforcement, remote device wiping and media-card encryption are supported.

IS THERE AN ANDROID APP FOR THAT?

The success of Apple's App Store has demonstrated the importance of a strong, online marketplace to gain popularity among consumers. Google has begun to gain the same momentum as consumers discover a similar selection of apps in their Android Market. In fact, most of the popular social media apps and games found in the App Store are already available in the Android Market with a large number of free apps.

But while Google aggressively pushes forward, serious breaches have raised questions about their ability to protect the consumer. Security lapses, one as recent as March, allowed infected applications to steal SIM card numbers and voicemail passwords from thousands of consumers. What makes this situation more alarming is that these apps were downloaded directly from the official Android Market, a sign

that appropriate oversight of the marketplace is neglected. In comparison, Apple maintains a tightly controlled system starting from the approval process—which some say is overly strict—all the way to distribution through the App Store and *iTunes*.

Whether there will be an equivalent *Android* app for every *iPhone* app will depend on the collective push of the overall development community. Setting aside the security concerns raised earlier, the open environment of the Android platform will enable large-application vendors as well as agile organizations to develop their own mobile apps. Google has corrected the recent issues in the Android Market, but an improved distribution model is required to win back the confidence of the consumer. And this might happen since Google has just announced a partnership with Amazon to create Amazon's Android Appstore. Apple had better look out, and we should stay tuned.

WHAT'S NEXT?

For all the issues raised earlier, *Android*
Android, a game-changer? → to Page 5

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Android, a game changer? → from Page 4 has grown this past year to be the number-one smartphone platform throughout the world, and in second place, just behind Research in Motion, in North America.

Does this mean that personal privacy and the latest app are not important to the typical buyer? No. It just might mean that other factors are more important in their decision-making process. Consumer surveys have shown that the predominant factors affecting their choices are selection and price. Digging deeper into the statistics demonstrates how these two factors may lead to even a greater market share for Android.

Take a look at smartphone sales globally. The statistics show around 300 million units sold in 2010. However, if you take a step back and look at the total sales of all mobile devices, including smartphones, 1.38 billion units were sold. While the trend towards smartphones has increased by 75% year over year since 2009, over a billion mobile users have been relying on “feature phones,” the category of smart-

phones at a lower end of the price range. The move towards higher-end smartphones will continue, but any significant gains for premium brands such as iPhone and BlackBerry are unlikely in price-sensitive markets of developing countries.



The mobile-phone manufacturer that stands to lose the most in this transition is Nokia and the Symbian operating system. They had relied on producing cheaper “feature phones” to serve their primary customer base in developing parts of the world. The move towards more capable smartphones caught them off guard and their product line was no match for their competitors. But in particular, Android will gain most of Nokia’s market share as various members of the Open Handset Alliance step up to provide the right solution for the specific marketplace. The prospects for Nokia are

so desperate that they have announced a complete transition of their mobile platform from the Symbian operating system to Windows Phone in a major partnership with Microsoft.

Market-research companies have already projected Android to capture 48% of the global market by 2015. With an expected growth of smartphone sales to double to 600 million units annually in the same time frame, all major mobile platforms will benefit from this trend.

But what happens after this is hard to determine. The same market research shows a resurgence of the Nokia/Microsoft combination to reach second in total global market share by that time. It just may be the next opportunity to discuss the next “big thing” to change the smartphone industry... again.

George Lo is the IT manager at Alexander Holburn Beaudin & Lang. Don't ask him what kind of mobile device he uses. Contact him at glo@ahbl.ca

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

THE CASE OF THE MOONLIGHTING PARALEGAL

You work as a paralegal at Johnson, Mathers. Your cubicle is across from Joan Wills, a senior paralegal who mostly handles real estate conveyancing work.

Joan is often on the phone at work, talking in a low voice so no one can hear what she says, and you have often wondered what she’s saying, and to whom.

One night after going out for a drink with friends, you return to the office to pick up your fitness bag. Joan, her back to you, is sitting at her cubicle with a young couple. As you walk towards your desk, you hear the couple talking about how excited they are about buying their first home.

Joan finishes her explanation of what documents they will need to sign to complete their conveyance. As they get up to leave, Joan hands them a business card.

You pick up your fitness bag and follow them out, saying goodbye to Joan. As you walk down the hall to the elevator you notice the couple unknowingly drop the card to the floor. You pick it up to return it. It says *Joan Wills, Real Estate Conveyance Specialist* but you see that it does not have the Johnson, Mathers logo on it.

That’s when you then realize Joan is operating her own business, separate from her work, at the firm. You wonder if you should tell someone at the firm. Is it really anyone’s business what Joan does after hours?

What do you do?



ADAM GREGOR

YOU BE THE JUDGE

JUDGE! Read our new scenario, then tell us how you’d address it. Your response will be reviewed by labour lawyer Paula Butler. Contributions by you and Paula will help you and your colleagues in the BCLMA solve difficult issues they might encounter in their firms.



By Paula Butler, LL.B

ANONYMOUS! Your response is 100% anonymous, even to the Editors – unless you sign your name in the Response form. And why would you sign your name?

WIN! If you sign your name, you’ll become eligible to win a \$25 gift certificate to London Drugs. And you still remain anonymous to our readers! We never publish winners’ names.

HOW TO BE OUR JUDGE

When you’ve read the new scenario, click on this link to let us all know what you would do:

www.bclma.org/resources/newsletters/topics/response.cfm

Only your response, not your name, is revealed to our editors.

Next edition, we’ll print a selection of responses, combined with Paula’s commentary and perspective.

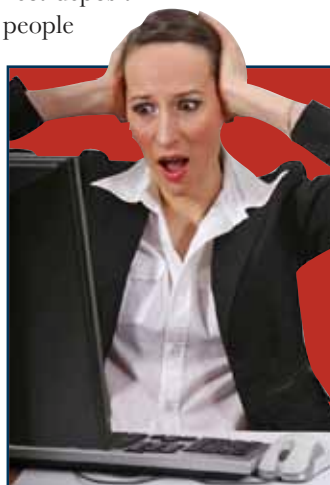
We’ll also provide you with a brand-new scenario to intrigue and challenge you.

LAST ISSUE: THE CASE OF THE PAYROLL LEAK

A spreadsheet that lists the direct-deposit payroll amounts of various people working in the firm of King, Curbner arrives anonymously in the email accounts of a dozen staff members one morning, and then begins quietly circulating throughout the remaining salaried staff of the firm.

Thankfully, the names of the individuals are not in the spreadsheet; just their positions are listed, but they’re sorted by gender.

You’re the Manager of Hu-



EMDA

man Resources, and as you look at the figures, you’re shocked to realize the amounts are accurate. You know there’s trouble a-foot.

And when sorted this way, it’s obvious to anybody who sees it that one gender is not being paid the same as the other, though they have similar job responsibilities.

What do you do?

YOUR RESPONSE: *I would do an internal review of all of the salaried staff and ensure that there is internal equity.*

Hi, this is Paula. This is a good suggestion. It is important to review all of the salaries at the firm to ensure internal equity when the salaries released disclose a potential gender bias.

If there is a difference in the salaries based on gender that is not the result of other factors, such as length of service or performance, that difference should be eradicated.

Another important step here [The payroll leak → to Page 7](#)

You be the judge → from Page 6

is timely communication to the staff. By sending out the salary listings to staff, the firm has exposed itself to a human-rights complaint for sex discrimination, as well as to gossip and negative comments internally, and outside the firm.

It is important that staff is made aware that the salaries have been reviewed, and changes are being made to ensure they are determined on the basis of factors relevant to the job.

EMPLOYERS IN BRITISH COLUMBIA ARE GOVERNED BY THE PERSONAL INFORMATION PROTECTION ACT (PIPA) FOR COLLECTION AND USE OF PERSONAL EMPLOYEE DATA

This circumstance also raises the issue of the privacy of personal information. Employers in British Columbia are governed by the *Personal Information Protection Act* (PIPA) for collection and use of personal employee data.

Under this legislation, an employer may collect personal information for the purpose of establishing, managing or terminating an employment relationship. If the employer is going to deliberately disclose employee personal information, the employer must either notify the employee before the disclosure, or obtain the employee's consent, depending on the circumstances.

In the present case, had the names been attached to the salaries, King, Curbner would likely have breached PIPA. As a result, it is important to ensure that your human-resources systems and practices comply with this legislation.

A reminder of our request for you to comment on our latest HR challenge, on page 6: "The Case of the moonlighting paralegal."

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The Sedona Principles → from Page 1

Association and in our respective law firms—to comply with the spirit of *The Sedona Principles*. Without this co-ordinated approach, the guidelines will fail to make our work effective and efficient.

HUMAN RESOURCES This component of a firm can contribute by recognizing the value of a litigation-support professional dedicated to managing the documents and supporting materials for clients and their cases. The individual representing HR works alongside the litigators from the initial client meetings throughout the proceedings to trial and beyond.

While relatively new to BC, this role has been in place for years in some other provinces. In fact, some busy firms have a full department that assumes these responsibilities. BC firms have begun to promote individuals from within their own support teams to take on this role. Others have started hiring litigation-support specialists from competitor firms, or even importing experienced talent from central and eastern Canada.

FINANCE Financially, litigation support saves money for the firm and its clients. Processes and protocols, when properly established and maintained, can reduce, if not entirely eliminate the need for external resources. Equally important, litigation support has the potential to generate additional revenue for the firm. The ability to docket time expended to any matter increases the firm's profit margin.

INFORMATION TECHNOLOGY Given the growing volume of electronic records, the IT department is an integral partner in developing and supporting the infrastructure needed. Working with IT, the litigation-support specialist must continue to research software solutions for efficient document management. Naturally, part of the justification for which programs recommended by the litigation-support specialist and IT includes careful consideration of budget implications for the firm and its clients.

KNOWLEDGE MANAGEMENT This can be defined as a range of strategies and practices used in an organization to identify, create, represent, distribute and enable adoption of insights and experiences.

Not only should the litigation lawyers

The Sedona Principles → to Page 9

What are the Sedona Canada Principles?

Principle 1: Electronically stored information is discoverable.

Principle 2: In any proceeding, the parties should ensure that steps taken in the discovery process are proportionate, taking into account (i) the nature and scope of the litigation, including the importance and complexity of the issues, interest and amounts at stake; (ii) the relevance of the available electronically stored information; (iii) its importance to the court's adjudication in a given case; and (iv) the costs, burden and delay that may be imposed on the parties to deal with electronically stored information.

Principle 3: As soon as litigation is reasonably anticipated, parties must consider their obligation to take reasonable and good faith steps to preserve potentially relevant electronically stored information.

Principle 4: Counsel and parties should meet and confer as soon as practicable, and on an ongoing basis, regarding the identification, preservation, collection, review and production of electronically stored information.

Principle 5: The parties should be prepared to produce relevant electronically stored information that is reasonably accessible in terms of cost and burden.

Principle 6: A party should not be required – absent agreement or a court order based on demonstrated need and relevance – to search for or collect deleted or residual electronically stored information.

Principle 7: A party may satisfy its obligation to preserve, collect, review and produce electronically stored information in good faith by using electronic tools and processes such as data sampling, searching or by using selection criteria to collect potentially relevant electronically stored information.

Principle 8: Parties should agree as early as possible in the litigation process on the format in which electronically stored information will be produced. Parties should also agree on the format, content and organization of information to be exchanged in any required list of documents as part of the discovery process.

Principle 9: During the discovery process, parties should agree to or, if necessary, seek judicial direction, on measures to protect privileges, privacy, trade secrets and other confidential information relating to the production of electronic documents and data.

Principle 10: During the discovery process, parties should anticipate and respect the rules of the forum in which the litigation takes place, while appreciating the impact any decisions may have in related actions in other forums.

Principle 11: Sanctions should be considered by the court where a party will be materially prejudiced by another party's failure to meet any obligation to preserve, collect, review or produce electronically stored information. The party in default may avoid sanctions if it demonstrates the failure was not intentional or reckless.

Principle 12: The reasonable costs of preserving, collecting and reviewing electronically stored information will generally be borne by the party producing it. In limited circumstances, it may be appropriate for the parties to arrive at a different allocation of costs on an interim basis, by either agreement or court order.

– This latest version courtesy Richard Braman, Board Chair, the Sedona Conference

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The Sedona Principles → from Page 8

be astutely aware of *The Sedona Principles*, but this knowledge base can be complemented by those using document management for litigation support, whether client collections or case-specific materials are internally generated.

TRAINER The litigation-support specialist often plays a dual role as a trainer. It is critical for this individual to have a superior awareness of products in order to suggest document-management options and best-practice solutions based on the project's requirements, to organize and oversee the deployment of the solutions, and ensure the accuracy and quality of output—all while adhering to deadlines.

SMALL FIRMS Litigation support is not only of extreme value to large firms. Small firms can absolutely benefit from an individual fulfilling the role of litigation-support specialist. Whether a case is small or large, this position can often be combined with paralegal duties. For small firms, without either of these roles currently, a

dual responsibility may well be the way to introduce the concept, and establish superior document-management protocols.

FACILITIES & SERVICES This department, responsible for the basic operation and continuous maintenance of physical facilities, uniquely responds to the specific needs of the litigation-support specialist by ensuring a suitable setting, which is needed to be productive in a busy, high-pressure environment.

MARKETING This role can help the litigation-support specialist succeed through both external and internal promotions.

Clients now spend tremendous time and effort performing due diligence when selecting a law firm. From a litigation perspective, clients tend to bypass firms that do not stay on top of technological advances and state-of-the-art document-management solutions. Instead, they are becoming increasingly attracted to firms demonstrating a keen awareness for strong management of a project and documents. Within firms, internal promotion

of the litigation-support function is also critical. The Marketing department can help the litigation support specialist to explain the unique duties, promote the benefits and develop a progressive strategic plan to raise the profile within the firm.

The Sedona Principles were designed to establish best practices for retention, management and production of electronic documents. To be effective, the litigation lawyers and all areas of management within a law firm can make a vital contribution when they work together.

Adding a litigation-support specialist to the firm is a practical and cost-effective strategy to reap the rewards of complying with the guidelines for document management.



David Wotherspoon is a Litigation Partner at Fasken Martineau, and co-author of a new guide for civil litigators, entitled Electronic Evidence and E-Discovery. Patricia N. Morrison is a Paralegal and the Co-ordinator of Litigation Support for the firm.



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AN INSIDE LOOK AT THIS RAPIDLY EVOLVING PROFESSION

Lawyer coaching – Help to figure out their own ROI

By Allison Wolf,
**Certified Executive Coach and
 President of Shift Works Strategic**

It's an early weekday afternoon and I just completed my fourth coaching meeting of the day. In the morning I worked with Jason, a senior associate for a law firm, on some complex practice management issues. Then I met with Martha on business development planning. Next, I coached Mark on client communication challenges, and finally I worked with my last client of the morning, Susan, on career decisions she is making. *(Client names and stories have been altered to protect client confidentiality.)*

The truth is that in a lawyer's busy day there is little or, perhaps, no time for any strategic thinking about their practice. Coaching works because it introduces something new — a space and place for lawyers to think about their practice, what they most want to achieve, and how they will get there.

Leadership theory of the past decade indicates that the best way to lead is to encourage people to reason for themselves. Coaching is the profession that is focused on supporting people in doing just that. In coaching, clients drive the agenda and the focus of the meetings. A coach will start by drawing out their client's best ideas, and support this by contributing their own advice and ideas when appropriate. Coaching is focused in the present and the future: understanding the client's current situation and what action they need to take in order to move forward. At each coaching session, the client commits to taking action, and is accountable for reporting on that action in the next meeting.

I worked with a lawyer named Valerie last year who had a goal to exceed her billable target. It was a challenge because she was already working long hours, and not seeing a result. Valerie knew she should be recording her time, but she just



Allison Wolfe

couldn't do it for any sustained period of time. Coaching helped her distinguish the voice of fear that drove her behaviour. She saw how her perfectionism was, in fact, causing more problems than it solved.

She learned to distinguish between fear-driven perfectionism and a healthy degree of care and attention. The latter could be billed; the former was an embarrassing secret that she didn't wish to share, and it was time to write that off.

She developed new approaches to her work that enabled her to get more done in less time. She implemented a variety of strategies to capture and record all of her time. As a result, her billable hours increased. Valerie now has more time available for non-billable activities, such as business development, while her overall time in the office remained constant.



THEN AND NOW – DEVELOPMENT COACHING IS FRONT AND CENTRE

Times have changed since 2004, when I obtained my coaching certification from Royal Roads University. Back then, coaching for lawyers was rarely discussed. Slowly, word trickled out of the corporate and accounting sectors. The first lawyers and law firms began to hire coaches about 2006. Since those first coaching engagements, demand has grown, and the reasons for hiring a coach — and the nature of the work — has changed dramatically.

Business-development coaching remains one of the most frequent reasons law firms hire a coach. After all, the training programs over the past 20 years had a low – or no – success rate, but coaching offers a new approach for introducing these crucial skills to associates and partners. The coaching process supports the lawyer in setting goals and plans. The lawyer commits to weekly and monthly action. New ideas and approaches get introduced and discussed. Coaching also provides a safe and confidential environment for the lawyer to ask questions, and to openly discuss issues and obstacles.

The pay-off for coaching programs that successfully develop business is increased profitability, creating a new generation of rainmakers for the firm. For this reason, business-development coaching is often the first reason law firms hire a coach.

WHAT COACHING ISN'T: REMEDIAL

Rarely am I hired for remedial reasons. Mostly I work with high-achievers: senior associates and partners who have advanced far in their practice, and use coaching to help them to progress further still.

For firms, the best coaching investment to make is in those lawyers who are the keepers — the ones you want to stay and grow with the firm. When it comes to the lawyers who hire me independently it almost goes without saying that they are the high-achievers. These are the people who are willing to make an investment out of their own pocket to get ahead.

LAWYERS HIRING COACHES

Many of my clients are lawyers who now retain me directly. They have identified a professional development need, and they seek assistance from a coach to support them in taking on the challenge. Their reasons are largely, but not com-

Lawyer coaching → to Page 11

STEPHEN VANHORN

Lawyer coaching → from Page 10

pletely different from the law-firm concept of developing people to develop business. The top reasons lawyers hire a coach include:

- 1 *Organizational challenges* These clients are senior and successful practitioners who feel overwhelmed by the volume of work—files, email, voicemail. They need to learn, then implement new strategies for handling the volume.
- 2 *Time management.* Closely related to organizational challenges, lawyers also retain a coach when they feel so swamped by the work that they no longer have time for anything else.
- 3 *Career transition.* Lawyers frequently retain a coach when they want to move to a new job, whether by choice or through external circumstances.
- 4 *Practice management.* Many clients need help to correct unproductive approaches to recording time, billing, client communications, scheduling, meeting deadlines, etc. They have tired of the endless stress and missed

deadlines, and want to work smarter - not harder.

5 *Marketing and Business Development.*

Lawyers also retain coaches for confidential coaching support for marketing and business development efforts.

What's the future of coaching in law firms? Leadership encouragement.

I predict that the next big wave of coaching in law firms will be a greater emphasis in leadership development. The crucial next step is supporting lawyers who want to learn how to give and receive feedback, how to create high-functioning and collaborative teams, and how to establish positive work environments that support the retention and development of legal talent.


This is one area where law firms lag well behind their accounting brethren and even their clients in the corporate sector. Companies invest significantly in building up the leadership talent of everyone in their employ — from junior managers up to CEOs. Corporations bring in coaches

to help align strategy with the action being taken on the ground. The results are proven increases in productivity and profitability.

ACTUALLY HIRING A COACH

Coaching has become an accredited profession like law and accounting.

If you are interested in hiring a coach whether for business development, leadership or practice management, I recommend you look for a professional who has experience working with lawyers, who is a member of the International Coaching Federation (ICF) and a graduate of an ICF-accredited coaching program.

ICF coaches follow a coaching code of ethics and conduct. 

Allison Wolf is a certified executive coach and President of Shift Works Strategic Inc., a company focused on using the practice of coaching to enhance the performance and success of lawyers in key business areas.

For more information visit the ICF website: <http://www.coachfederation.org>



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BCLMA'S VOLUNTEER HERO AWARDS

Janice McAuley, volunteering, learning, contributing for 20 years

The BCLMA, and VALA before it, has always had the good fortune of great volunteers coming forward to dedicate precious time and energy to the success of the Association.

This edition, we honour Janice

McAuley, longtime member of BCLMA. Janice has made several contributions to the Association. We asked her about the experiences she'd had with the group over the years.

Our *Volunteer Heroes* feature highlights

the hard work and dedication of our volunteers. If you've got the spirit, contact any member of the Board of Directors or your subsection co-Chairs to discover more about volunteer opportunities with the BCLMA. We'd love to work with you!

THE HONOUR ROLL OF THE VOLUNTEER HEROES OF THE BRITISH COLUMBIA LEGAL MANAGEMENT ASSOCIATION



Janice McAuley,
Office Services
Lawson Lundell LLP,
Vancouver

How long have you been a member of BCLMA?

When my predecessor, Laurie Martinez, started with Lawson Lundell in the early 90s, she introduced me to the Association, known then as VALA. She would bring me along when the meeting topics were applicable to my role [Office Services] in the firm. I began going more and more regularly, and by the time Laurie retired in 2001, I became a Subsection Member [of Office Services], now known as an Affiliate.

What did you learn from Laurie? How did she prepare you for the volunteer role?

Laurie was very involved with VALA. She introduced me to people that I still interact with today. She felt strongly about the networking aspect of the Association. She encouraged me to get involved in the meetings, and participate in the discussions rather than just sitting back and listening. I think she's probably the reason I first took on the role of Chair in 2003. As it turns out, the next few years were very pivotal for the Association and I was pleased to have a front-row seat.

How many times have you chaired/co-chaired the Facilities & Services subsection?

I chaired the Subsection on my own from Fall 2003 to Fall 2005. We had just changed the Subsection name from *Office Services* to *Facilities & Services Management*. I became Co-Chair in Fall 2008 and served alongside Lorraine Burchynsky until Fall 2010.

What other volunteer opportunities have you taken on, either in the BCLMA or otherwise?

I have volunteered as a Sun Run Leader for the last 12 years. I find it very rewarding to watch the change in people's abilities over a four-month period and to accompany them on their first 10K run at the end of the training.

What causes you to volunteer? Why do you feel it's important to give back?

Funny enough, I did not actually volunteer, but I was "nominated"—and I don't even think I was there at the time! I was happy to contribute, though, as I was really interested in the networking aspect of the Association.

Ten years ago, my firm gave me the opportunity to move into my current role as Facilities Manager, and I truly believe that VALA played a large part in making my transition a successful one. I made the most of the relationships I developed with colleagues from other firms to help guide my way.

I found all subsection members to be more than willing to share information as well as discuss problems that we all faced. Together, we developed solutions. As a result, over the years I've often been in a position where I could offer assistance or guidance to others in return. I value that two-way interaction.

What do you enjoy most about the BCLMA?

The Socials! I really enjoy spending time with my colleagues in a casual atmo-

sphere and getting to know them on another level.

The BCLMA has evolved. What changes have most attracted your attention? Do you like how the BCLMA has evolved?

In my first couple of years as a member, I had the opportunity to become involved in a Strategic Planning Retreat, at which the Executive Committee asked for direct feedback from the subsections on our views of VALA and areas for change. I found some of my memos from that time as well as a *Powerpoint* presentation a few of us did. Here are a few of the points I pulled from these documents that were concerns at the time. What really stands out for me is the number of things that did change:

- ✓ Some of our members felt the Executive was a bit of a mystery. We wanted more communication from them as well as more exposure to them. I believe Wayne Scott played a huge role in opening up the Executive to the membership. It's a completely different, more approachable Committee today.
- ✓ Membership was down and we were working on ways to attract new members and to implement a mentor program for them once they joined. Membership is always going to be a concern, but I think today the BCLMA is very proactive in seeking out new members and ensuring that the profile of BCLMA is recognized throughout



Executive members now commit to being fully accessible and approachable throughout the year. Look for them at each subsection meeting, educational session and social event. Outgoing president John Hawke often emceed BCLMA events during the past year. In this case, however, he spoke only briefly at the Vendor's Reception, to keep it deliberately informal.

the industry.

- ✓ We pushed for some sort of incentive for Chairs in order to encourage more people to try on the role.
- ✓ We wanted all subsections to follow

The achievements of the BCLMA demonstrate how the Board listens to its membership and acts on concerns, as well as how it continues to seek out opinions and

the same [operational] year – January to December.

- ✓ We wanted to encourage all-member educational meetings throughout the year to help create a feeling of unity between the different sections.

- ✓ We wanted the Socials to be more publicized and to encourage more members to attend.

suggestions about how to make this a beneficial Association for all of its Members.

The membership continues to grow. Attendance at Social Events breaks records. Why do you think that is?

I think it's because the BCLMA has changed with the times. They listen to what their members want and need, and do their best to accommodate. The Executive Committee is no longer "The Old Boys Club" that it was seen as in the early years. It has evolved and become exactly what we need to take our Association as far as we can.

Bringing Jane Kennedy on board was a real turning point for the Association. Her experience brought a new level of organization and professionalism to the group. You can see that [the concepts of] recruiting and keeping members is important to her.

For me, things have come full circle. I hope I give back just as much as I have received!



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INTERACTIVE: BCLMA & VALL CO-HOST WORKSHOP – REVIEW

Effective strategies offered to trainers

By **Kathy Barry and Sarah Sutherland**, Co-Chairs, **BCLMA’s Knowledge Management Subsection**

On March 16, 25 members of the Vancouver Association of Law Libraries and the BCLMA gathered to attend a workshop led by Reva Kalef of Kalef Consulting.

The participants, sitting down at SFU’s Wosk Centre for Dialogue, had a diverse range of training skills and experience. From library staff to seasoned trainers, everyone wanted to learn essential strategies to apply to our work training lawyers and staff in our law firms.

Reva, our captivating speaker, began by reviewing the list of workshop objectives:

- ✓ Considerations when working with adult learners;
- ✓ Recognizing characteristics of a motivating instructor; and
- ✓ Describing key ideas for effective session planning.

Highlights included:

- ✓ Establishing and reinforcing course objectives to show stakeholders specific goals and outcomes. This keeps the trainer accountable and the content relevant and applicable.

[Training workshop → to Page 15](#)



(L to R) Helen Mok from the BC Securities Commission; Meghan Maddigan from the BC Courthouse Library; plus Grady O’Brian and Jean Gardner, both from Slater Vecchio LLP



Sandra Varga of Davis LLP was among those who took part in the event.



(L to R) Liisa Tella of Harper Grey is a member of both the BCLMA’s KM subsection and a VALL member; Andy Froese, of Alexander Holburn, is also a VALL member; and Sandra Worden from Drysdale Bacon.



Reva Kalef (L) of Kalef Consulting was the event’s guest speaker, and Agathe Holowatinc, of Lawson Lundell, is one of our stalwart workshop volunteers



(L to R) Katherine Melville from Farris LLP and Wendy Holmes from Davis LLP.

Training workshop → from Page 14

- ✓ Adult learners have a lot on their mind, both personal and professional. As trainers, we need to help them break their pre-occupation with the outside world. Trainers also need to be practical and show respect for what the learner already knows.
- ✓ Expertise, empathy, enthusiasm, clarity and cultural responsiveness are the top five characteristics of a motivating trainer. It is important not to sabotage the motivation of the learner. Prepare many examples to satisfy everyone's needs and prevent boredom during the session.

Reva also taught us a variety of training techniques and how to determine what will best suit the learner.

For example: a lecture versus a group discussion, or providing handouts versus performing a demonstration. Her mantra: "It's all about the learner."

Reva kept us engaged as she executed all of her training techniques flawlessly to keep the ever-wandering mind of the adult learner on track. Her enthusiasm kept the workshop upbeat and fun, and her expertise was invaluable. Most importantly, Reva provided us with many practical training tips that can be applied in a law office right away.

To learn more about Reva Kalef's training workshops and consulting services, please visit her website at: www.kalefconsulting.com

MAKING THE MOVES...

WELCOME, NEW & RETURNING AFFILIATES!

Seven new firms joined the BCLMA so far in 2011! We welcome their Administrators: **Jeniffer Sandberg**, White Raven Law Corp, Surrey... **Barbara McNab**, Synergy Business Lawyers, Vancouver... **Natalie Foley**, Miller Titerle LLP, Vancouver... **Susan Irvine**, Affleck Hira Burgoyne LLP, Vancouver... **Estela Perez**, Quay Law Centre, New Westminster... **Lisa Romak**, MacAdams Law Firm, Abbotsford... **Cassandra Xuereb**, Coutts Pulver LLP, Vancouver... **Corinne Paulin**, Lunny MacInnes Dawson Shannon Law Corporation, Vancouver. **Deborah Lo** is the new Administrator at Lidstone & Company in Vancouver and **Andrea Dawson** has joined Heenan Blaikie LLP as their new Administrator. We welcome Heritage Law back to the BCLMA: **Heather Cathcart** is the new Administrator there.

ON THE MOVE!

FINANCE: **Dorothy Cheung**, McCullough O'Connor Irwin LLP... **Renata Drag**, Hamilton Duncan Armstrong & Stewart Law... **Emelina Fajardo**, Whitelaw Twining Law Corporation... **TECHNOLOGY:** **Perry Jarvis**, Richards Buell Sutton LLP... **Shawn Gregson**, Blakes LLP... **Peter Mills**, Fasken Martineau DuMoulin LLP... **HUMAN RESOURCES:** **Christina Haddrell**, Farris LLP (moved from Smart & Beggar / Fetherstonhaugh LLP)... **Janet Barretto**, McCarthy Tetrault LLP... **Nicole Dunn**, Whitelaw Twining Law Corporation... **TRAINERS:** **Margaret Cividino**, Miller Thomson LLP... **Margaret Koh**, Blakes LLP... **KNOWLEDGE MANAGEMENT:** **Euan Sinclair**, Lawson Lundell LLP... **MARKETING:** **Rebecca Cheung**, Singleton Urquhart LLP... **FACILITIES:** **Robyn LaPlante**, Heenan Blaikie LLP... and **Charlotte Logan** has joined Smart & Biggar plus a number of BCLMA subsections: Small Firms; Human Resources; Finance and Facilities.



Rebecca Cheung

*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 at the page bottom.*

JOB BANK FOR LAWYERS LAUNCHED ON BCLMA WEBSITE

The BCLMA has launched a new job bank, to be used just for lawyer positions, on its website

The lawyer job board is available to any law firm (BCLMA member or not) company or business that is looking to hire a lawyer. We will post available positions on our website for a fraction of the cost of other, larger job sites.

For \$350 plus tax, the job will appear on the website for 30 days. Revenue generated helps cover costs to maintain and update our website.

Posting all other legal-related positions other than lawyers on the BCLMA website remains a benefit of membership.

To post a lawyer position on the BCLMA website, email your job description in a plain-text document to Jane Kennedy, BCLMA Administrator, Membership Service. Her contact information is below and on the back page of *Topics*, or click here.

BCLMA SUMMER SOCIAL

Thursday, June 09, 2011, 5:30 pm
Bridges Restaurant, Granville Island, 1676 Duranleau Street
Watch for your e-invite in May.

YOU, YOUR FRIENDS ON THE WEB

We post pictures of our latest social events on our website. Check out all the great photos of the BCLMA 2011 Annual Winter Social on the social events page! Click on our web address below, click on Login, click on Social Events, enter your username and password.

How many fellow BCLMA members can you identify?

BCLMA'S VENDOR RECEPTION

It was the festive times, it was the first of times

The BCLMA hosted its first-ever Vendor Appreciation Reception on February 9th at the Fish House in Stanley Park. They were packed in like sardines.

The idea was conceived by the Board of Directors as a way of personally demonstrating to our generous and involved vendors how much we value their assistance with the BCLMA's annual agenda.

Certainly, we thank our vendors at every event they help host. This time, we

[Vendor Social](#) → to [Page 17](#)



Gary Saretsky of Ricoh surprises everybody with his exuberant celebration of winter



Gary Carter of Paine Edmonds



Paddy Carroll of Ricoh



Paula Kiess of McCullough O'Connor Irwin



Shawn Farion, Owner & CEO, Kranq Courier



Ernie Gauvreau of Gowlings



[More Vendor Social pix on Page 17](#)

Jen Billows of Digitech Renewable

ALL PHOTOS: BY NATHAN JONES

Vendor Social → from Page 16

hosted the event, specifically in their honour in an exclusive setting.

The Board of Directors was thrilled with the turnout of both representatives and vendors.

Approximately 30 BCLMA firm administrators and managers and 30 vendors representing companies who frequently support the BCLMA enjoyed cocktails and scrumptious hors d'oeuvres prepared by local chef Karen Barnaby. The room was abuzz with lively music by a jazz duo and the cocktail tables were beautifully adorned with flowers arranged by Garden Party Flowers.

On behalf of the Board of Directors and association members, BCLMA Presi-

Vendor Social → to Page 18



Sam Mann of Singleton Urquhart talks with Jim Foo of Stikeman Elliott



Jane Bracken of Hastings Labour Law Office



Connie Fenyo of Dye & Durham



Rob Antejos of Systems Auditing (SAI)



Leslie Morgan of Harper Grey



Jason Friesen of Xerox



More Vendor Social pix on Page 18

Pelar Davidson of Oyen Wiggs

Vendor Social → from Page 17

dent John Hawke thanked the vendors for their dedication to the BCLMA.

“We feel very appreciative of all our supporters whether they help us offer an educational event or help host a social occasion, contribute to or advertise in our newsletter, or sponsor and attend our bi-annual conference,” said Hawke. “We couldn’t offer our members this multitude of high-calibre events without their support and are truly grateful.”

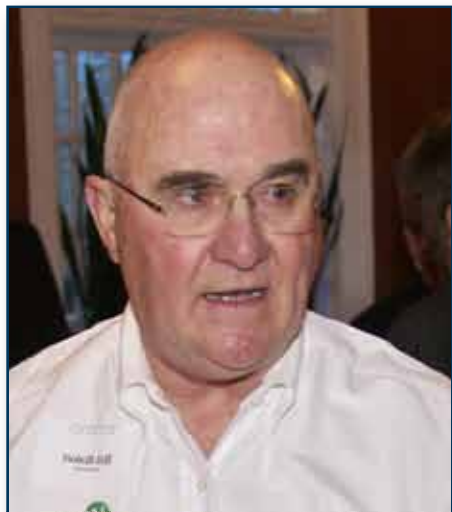
Hawke then randomly drew names for door prizes. These lucky winners each took home a wine package:

- ✓ Jane Banham & Sandra Davidge of Iron Mountain
- ✓ Gary Cross of Flash Couriers

Vendor Social → to Page 19



Megan McAllister (left) reacts to an anecdote from colleague Linda Lucas, both of Davis & Co.



Bill Baker of Worldox



Jay Cathcart of Farris Vaughan



Elizabeth Borrill, ZSA Legal Recruitment



Joyce Anoyo of Fasken Martineau



Chad Egeland of Mills Basics



More Vendor Social pix on Page 19

Lisa Dawson of Oyen Wiggs

Vendor Social → from Page 18

- ✓ Jen Billows of Digitech Renewable Cartridges; and,
 - ✓ Rick Sellers of Xerox
- The BCLMA Board of Directors thanks everyone who attended our special reception.



Gary Cross (L) of Flash Courier holds a wine pirze; Spencer Hartigan of Miller Thomson looks on



JoAnne Todgham of ZSA Legal Recruitment



Abbas Ashour of Grand and Toy



Anna Beaudry of her eponymous photo firm



Lorraine Burchynsky of Boughton Law



Sandra Davidge of Iron Mountain



John Hawke, MC, of McMillan, heading home...

LEGAL MARKETING ASSOCIATION'S ANNUAL CONFERENCE, ORLANDO, FLORIDA, APRIL 4-6

On the road: Working and partying with Canadian marketers

By Blair Lill, President,
LMA Vancouver Chapter

It was cold and dark when my alarm clock sounded at 5 a.m. on Monday, April 4.

Staying in bed nearly presented a better option, but I had a plane to catch and the weather report in Orlando looked warm and sunny. Half an hour later, I peered out my living room window to see my taxi arrive on time, made a mad dash through the rain and found myself on my way.

Check-in at YVR was seamless and easy, even with the complimentary full-body scan. My brand spanking new Canadian passport—I became Canadian citizen a few months ago—worked just fine, with the added benefit of getting through US customs sans fingerprinting and mug shot that I had become so used to providing.

I boarded the plane, which filled to capacity, and quickly settled in the window seat with my four-inch binder full of work. One thing about legal marketing is the work never stops, from launching new marketing initiatives, to juggling lawyer requests on a daily basis, all while navigating within the partnership model.

The time spent in the air was like gold to me—seven uninterrupted hours to focus on legal-marketing projects, do some strategic thinking, and plan my Orlando attack. I'm sure the gentleman seated next to me had hoped to get a little sleep... Next time, mate.

THE CONFERENCE

The Legal Marketing Association (LMA) is an international not-for-profit professional organization that's now 25 years old.

Established primarily to serve the men and women involved in marketing, business development, client service, and communications in the legal profession, the LMA also serves as a resource for lawyers, COO's and law firm Administrators.

A number of law firms in Vancouver have only dipped their toe into the waters of legal marketing, so the LMA, particu-



Blair Lill

larly the Vancouver Chapter, is a valuable go-to source for anything related to the topic.

I felt excited to attend the conference this year, eager to hear about what other firms do, and keen to learn about the latest developments. This year's conference held a lot of promise, with more than 1,200 attendees: a record turnout. The venue—the Disney Yacht and Beach Club Resort—may have had something to do with that.

DAY ONE

The first day is optional and consists of essentially three workshops: those new to legal marketing (QuickStart), those with at least 10 years of experience (Masterminds), and a session for lawyers (Just JDs).

After the first day, there's a series of receptions and networking. One of the networking events is unofficial. Called Canadian's Night, it was established in 2008 and has been hosted each of the last three years by local legal marketing stalwart, Susan Van Dyke.

This unique event connects Canadian legal marketers with each other, and helps expand their professional networks—in an intimate and casual setting. This year, I continued Susan's legacy and organized the event. Fasken Martineau and Lexpert sponsored the event again, both having done so since inception.

Vancouver firms were fairly well represented at the conference and included: Alexander Holburn Beaudin & Lang LLP, Blake Cassels & Graydon LLP, Borden Ladner Gervais LLP, Farris Vaughan Wills & Murphy LLP, Fasken Martineau DuMoulin LLP, Fraser Milner Casgrain LLP, Gowling Lafleur Henderson LLP, Lawson Lundell LLP and Reynolds Mirth Richards & Farmer LLP.

Susan, in the form of Van Dyke Marketing & Communications, also attended.

A total of 70 Canadians registered to

attend the LMA Conference, and more than 40 replied to the Canadian invitation. The agenda was pretty straightforward: go to the Ale & Compass Lounge, look for the Canadian flag, get your lapel pin, meet your fellow Canadians and leave the bar tab to the sponsors.

DAYS TWO AND THREE

This period is when things really crank. Four tracks of learning run simultaneously, with attendees selecting their topics of interest. During the breaks, everyone reconvenes for networking in the exhibit hall. There's a trade-show portion to the Conference that attracts vendors and suppliers from abroad.

There are also General Sessions, CMO Roundtables, and the *Your Honour Awards*, recognizing excellence in legal marketing. Canadian firms were well represented in these awards.

This year's General Session keynote presentation was superbly delivered by a representative from the Disney Institute who spoke to the subject of *Disney's Approach to Business Excellence*. He spoke for an hour, didn't use notes, had the audience laughing, but at the same time delivered several important messages. He really showed us how to deliver an effective and entertaining presentation.

Key themes included:

- ✓ Alternative fee arrangements
- ✓ Social media
- ✓ RFPs and pitches
- ✓ Client feedback programs
- ✓ Best practises for mid-sized law firms
- ✓ Law firm economics, models, and profitability
- ✓ Customer Relationship Management
- ✓ Rankings and directories, ROI
- ✓ The path to legal marketing excellence

Most of the sessions I attended were excellent. The one about social media had standing room only, and the session on RFPs and pitches was also good. When I was not in session or hanging out with my *BlackBerry*, I spent my time meeting and networking with legal marketers from around the world.

On the road with the LMA → to Page 21

At the end of Day Two, the Conference holds its main networking reception, so at 6:30 p.m. I wandered on down to Shipwreck Beach.

After leaving the rain and darkness behind me in Vancouver and after a full-on day, it was nice to now relax and mingle with everyone.

The next leg of the evening was the after party, and if there is anything I can report about this, it's fair to say that legal marketers not only work hard, they sure party hard.

HOME AGAIN, HOME AGAIN

After Day Three, I left the sunshine and tempting swimming pools at the resort and made my way to the airport.

I caught the 6:00 p.m. flight with several other Vancouver-based legal marketers. We arrived home on time at midnight (3:00 a.m. Eastern time) and made

our way to Customs. Even at that time, arriving at YVR is always pleasant and that feeling of 'it's nice to be home' still holds. The taxi driver was a friendly gentleman who was able to update me on the weather and the Canucks. Yes, I was back in Vancouver, that's for sure.

Back in the office and catching up, I did notice a sharp increase in the number of LinkedIn requests from people I met at the Conference.

There's a lot of value in these contacts as it has expanded my network to other legal marketers across Canada, the USA, and internationally.

The following week, the LMA Vancouver Chapter held its annual conference debrief breakfast at Fasken Martineau, sponsored by Lexpert. This event is for members and is free to attend.

On behalf of the Vancouver Chapter, I thanked David Bienstock, Lexpert's Di-

rector of Strategic Partnerships and Development) for the firm's continued support. David joined Kathy Hogarth (Lawson Lundell), Priscilla Wyrzykowski (Alexander Holburn) and myself (Fasken Martineau) as presenters at the debrief.

Personally, I thank the LMA Vancouver Chapter for sending me to this year's conference as its Chapter's local representative, and I encourage all legal marketers and firm management to consider attending next year's Annual Conference in Texas.

Blair Lill is the Director of Marketing & Business Development at Fasken Martineau DuMoulin LLP and the current President of the Vancouver Chapter of the LMA. He emigrated from New Zealand 13 years ago. Contact him at blill@fasken.com

For an overview of the 2011 Conference, visit: www.lmaconference.com

GAUVREAU NEW PRESIDENT AS BCLMA EXECUTIVE BOARD CHOSEN

By Jane Kennedy, BCLMA

The Annual General Meeting of the British Columbia Legal Management Association was held on March 29, 2011 at the Hyatt Hotel, and 22 Representatives attended.



Ernie Gauvreau

The Agenda included voting on revisions to our existing bylaws, electing the new 2011/12 Board and the presentation of the President's Report.

The revisions to the bylaws were unanimously passed by attending Representatives as a Special Resolution. The significant changes included member definition, Board eligibility and staggering the terms for Board member to provide mentoring for new Board members, and Board continuity. The updated version of bylaws will become available on the BCLMA website after they are filed with the BC Registrar of Companies.

John Hawke, outgoing President, gave a heartfelt speech thanking Directors Gary Carter, Cindy Hildebrandt, Paula Kiess, Barb Marshall, Paul Sandhu, Dean Leung, Ernie Gauvreau, treasurer Angela Zarowny and administrator Jane Kennedy for their support and the exemplary work attitude they continuously demonstrated. "It made the job so much easier."

Hawke also praised the Subsection Chairs, Topics Editorial Board, Survey Committee volunteers and our Conference volunteers for their support and hours of dedicated work. "We all owe them a debt of gratitude for another great year for BCLMA."

Lastly, John expressed his gratitude to all BCLMA Representatives and Affiliates for their ongoing support throughout the

past year. In turn, the BCLMA is grateful to John for stepping up to act as BCLMA President for a second time. John acted as President several years ago, serving the 1999/2000 term.

Cindy Hildebrandt presented the nominees for the new Board and votes cast:

- | | |
|---|-------------------------------------|
| The BCLMA Board of Directors for 2011/12: | |
| Ernie Gauvreau, President | Susan Spalding, Director |
| Cindy Hildebrandt, Secretary | Anita Parke, Director |
| Paula Kiess, Director | Lori-ann Birdsall, Director |
| Paul Sandhu, Director | (Contact info for all on last page) |



^ Angela Zarowny was presented with a gift thanking her for her service as volunteer treasurer for nearly two decades.

< Outgoing President John Hawke was always carrying on that a president should have a limousine. At the Board meeting, he finally got one—made of chocolate.

SAVING MONEY IN CENTRAL SERVICES

Yes, Virginia, there is a Santa Claus in the mailroom, and he gives year 'round

By **Clint Baker, Central Services Manager, Whitelaw Twining**

When you work in a mail-room environment, it can be difficult to set exciting goals for yourself and staff. But one goal worth pursuing is saving money in your Central Services department.

At first, I did not know where to start. Things never really change from year to year, including what we order for office supplies. When I sat down to look at our expenses, I found that our bond paper was the greatest expenditure.

We use bond paper to print our letterhead and send invoices to clients. We used a certain brand that turned out to be the “Mercedes Benz” of bond paper. It was high quality, brilliant white bond paper. When we looked at other options and compared brightness, quality and cost, we found a bond paper that was very close to what we had used over the years, but at a much lower cost.

I actually asked people to take a look at both brands and tell me if they could tell which was the old paper and which was the new. No one could tell! We then switched the bond paper and told no one. A few keen eyes eventually noticed the difference, but not until months later.

(Then, of course, when our photocopier started jamming, everyone blamed the new bond paper.)

We also began printing our letterhead on the new bond. When it comes to using bond paper, you just need to ask yourself if invoices and letterhead really need to be sent on the best brand-name bond paper. If they do, then continue using it. If not, consider switching. We did.

Total annual savings: \$5,643.

Next, we looked at the forms we used for photocopy requests. They were print-

ed on two-part carbon paper detailing all the information a person would need to submit a photocopy request to Central Services. We kept the white copy, and gave the secretary or lawyer the yellow copy. We asked ourselves: “Do we really need to keep a copy for ourselves?” Since we didn’t charge for binders, tabs, Cerlox



coils, etc., we found that there was really no need to keep an extra copy in Central Services. Even if we did, a ledger book could be drawn up. Or, if we needed to look at the history of the photocopy request, one form was enough. Besides, a history was recorded on the Accounting side of things if we needed to check.

Total annual savings: \$1,000.

Another area where we saved was in remanufactured toner. The savings were high, especially in the area of our

color printing. Some companies may tell you, “You can only use the brand-name toner.” They may be correct, but I would research it.

Some of the remanufactured toner had trouble registering with the printer so we went back to the factory original. The good news is that only the black didn’t work properly, which was the least expensive.

For photocopiers, of course, this can’t be done. Only printers can safely use a remanufactured toner. This also worked for our regular printers around the office and our fax machines.

Total annual savings: \$3,060.

We also decided to switch our shredding services to another company. When I told our current vendor that another company would do the same work for half the price, they immediately dropped their price in half!

Total annual savings: \$808

When you begin to tally up the savings, it can get pretty exciting. You just have to make a decision on what can be changed and what cannot.

Just because some things in the company have remain unchanged for a number of years does not necessarily mean they have to remain unchanged. Make sure that if you wish to make a change, first find out how it will affect another person or a particular department in your company. Do your homework.

Factor in third-party relationships, too. Some of our vendors have been faithful to us for many years and for that reason, a strong relationship exists.

If that’s the case, I wouldn’t switch vendors just to save a few hundred dollars per year. Most vendors will gladly lower their prices if they know you have the opportunity to get substantial savings elsewhere.

In the end, we saved money for the year. It may not be a monstrous amount, but hey, at least it’s something!

Total annual savings: \$10,511.

PHOTO KAI CHANG

PERFORMANCE IMPROVEMENT PLANNING: PART I OF 2

How to deal with employees who don't always do what you want them to do

By Lisa Dawson, Administrator,
Oyen Wiggs Green & Mutala LLP

Do you have the responsibility of supervising the work of others? If so, you know that employees don't always do what you want them to do.

You have selected your staff based on their glowing references, strong academic background, relative work experience and cultural fit.

On the one hand, they present themselves as competent professionals. On the other hand, they progress slower than expected, miss key points of the job, and sit back and wait for instructions.

They automatically blame others when their own work does not deliver. And worst of all, they become defensive when you try to coach them to successfully improve their performance through excellent, goal-accomplishing work.

So, what's a supervisor to do? Performance improvement is your answer. You begin by finding out exactly why the employee is not meeting your expectations.

- ✓ Perhaps the employee is unclear about what you want them to do.
- ✓ The employee may lack the time, tools, talent, training, or temperament required to effectively perform the job.
- ✓ The employee may disagree with your requirements or expectations.

No matter what, you won't have a performing, engaged employee until you identify what is behind the employee's functioning. In other words, what makes them tick?

DIAGNOSING OPPORTUNITIES

When an employee fails at work, ask yourself the question, "What is it about the work system that might cause the person to fail?"

Often, if the employee knows

what they are supposed to do, the answer is likely time, tools, training, temperament or talent.

The easiest to solve—and the ones most affecting employee retention—are tools, time and training. The employee needs all of these to do their job well, or they will move to an employer who does provide them.

PERFORMANCE IMPROVEMENT FAQ'S

Ask these critical questions, so that you and the employee can diagnose performance problems that result in the need for you to seek performance improvement. This checklist will help diagnose the performance issue:

- ☐ What is it about the work system that is causing the person to fail?
- ☐ Does the employee know exactly what you want them to do? Do they understand the goals and the expected outcomes? Do they share the your vision of the end result?
- ☐ Does the employee have confidence in their competence to perform the tasks associated with the goal? Procrastination is often the result of an individual lacking confidence in their ability to produce the required outcome.

Procrastination can result from the employee feeling overwhelmed by the magnitude of the task.

- ☐ Is the employee managing their work effectively? As an example, do they break large tasks into small chunks of doable actions? Do they have a method for tracking project progress and to-do lists?
- ☐ Have you established a critical path for the employee's work? This is the identification of the major milestones in a project at which you'd like feedback from the em-

ployee. Do you keep your commitment to attend the meetings or "check-in talks" at which this feedback is provided? Giving employees the opportunity to share goal-completion within the project gives the employee a sense of pride and accomplishment. They can also share challenges they've encountered; you empower them by listening and collaborating on solutions.



Lisa Dawson

- ☐ Does the employee have the appropriate and required people working with them on the team to accomplish the project? Are other members of the team keeping their commitments, and, if not, what can the employee do to help them, if anything?
- ☐ Does the employee understand how their work fits into the larger scheme of things in the company? Do they appreciate the value their work adds to the company's success?
- ☐ Is the employee clear about what constitutes success in your company? Perhaps they think that what they contribute is good work and that you are a picky, overly-managing supervisor.
- ☐ Does the employee feel valued and recognized for the work they contribute? Do they believe their compensation is commensurate with their contributions?

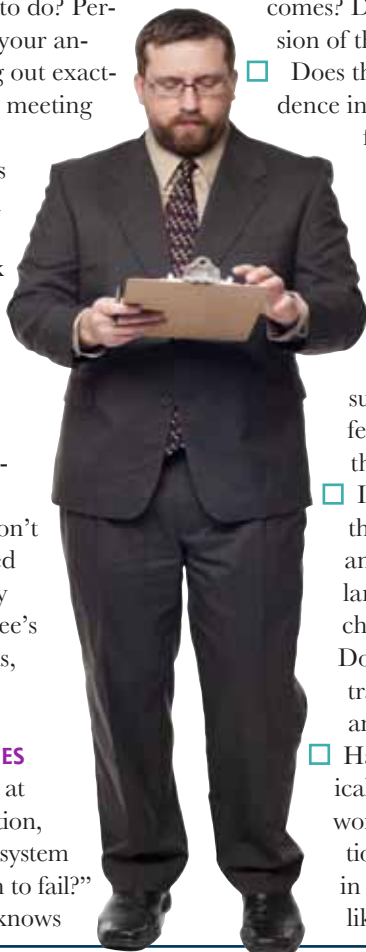
OKAY, WHAT'S NEXT?

This ends the first step in how to improve your staff's performance. Of course, your success as a Supervisor or hands-on Manager is directly reflected in the success of your staff:

"A supervisor / manager succeeds or fails not so much because of what he does, but because of what he is able to get someone else to do."

See Part II in the next edition of Topics. 

Lisa Dawson, Administrator at Oyen Wiggs Green & Mutala LLP, has more than 25 years of experience leading staff in various management roles. Contact her at ldawson@patentable.com



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