

A newsletter to help our Members, Representatives, Affiliates and partners stay current with the business of law ♦ Spring 2012

PSYCHOLOGICALLY HEALTHY WORKPLACES

Improve your bottom-line results by ensuring staffers are mentally healthy

By the Hon. Mary Collins and the Vancouver Board of Trade's Karen Robson

P psychologically healthy workplaces offer a way for law firms and other organizations to reduce the costs associated with healthcare and employee turnover.

They also increase revenue by enhancing employee commitment, motivation and productivity. And they demonstrate that firms which maintain such a workplace are sophisticated and responsible employers.

Psychologically healthy workplaces are all of the above – as well as a legal imperative, as we discovered in researching our major report for the Vancouver Board of Trade.

In today's competitive business landscape, taking practical steps to protect employee mental health in law firms provides a poten-

BCLMA's year strong on development, says Gauvreau to AGM

The BCLMA's Annual General Meeting was held on March 27 at the offices of Richards Buell Sutton LLP in Vancouver. About 20 people attended the event, including 10 Representatives, at which outgoing president Ernie Gauvreau gave his report.

I want to acknowledge the BCLMA's effort to be green – particularly its ability to recycle its President! I cannot believe how quickly the year has gone by.

I would like to take a minute to acknowledge the tremendous contributions of your BCLMA Board: Paula Kiess, Anita Parke, Cindy Hildebrandt, Susan Spald-

President's Report → to Page 3



Hon. Mary Collins

tial source of competitive advantage, and also obviates many legal ramifications associated with failure to protect the psychological well-being of one's employees.

Consider, for example, the following case of workplace trouble. An RCMP officer returned from maternity leave to find herself subjected to extreme harassment by several of her commanding officers.

After almost one year of this treatment, she found herself unable to sleep or eat, and terrified of coming to work. She was diagnosed with a major depressive disorder and was left with no option but to be medically discharged from the force.

Although her tenure with the RCMP came to an end, her depression did not: she found herself unable to work due to her mental health. In response, the RCMP officer filed a complaint.


In the end, the BC Supreme Court ruled that she was unable to work because the force had caused her serious psychological harm, and awarded her almost a million dollars in damages, lost wages and lost future earnings.

The moral of this story is clear: Employers are obligated to protect the psychological well-being of their employees, and if an employee suffers a mental injury due to workplace negligence, recklessness or intentional actions, the employer may be held liable.

The Vancouver Board of Trade firmly Employee health → to Page 2

What could go wrong?
Paralegals, mat-leave, contracts and the CRA... What could possibly go wrong for our intrepid HR chief? Well, nothing – as long as they are all kept separate. But, of course, life doesn't work like that, does it? And how would you answer Paula's query on Page 6?

TOPICS in TOPICS
Spring 2012

- Improve your bottom line by ensuring staffers are mentally healthy 1
- BCLMA's year strong on development, says Gauvreau to AGM 1
- Why avoiding bad behaviour in the office could create more trouble – and how to root it out ... 5
- Making the business case for using social media as part of your marketing strategy, and ideas for a firm-wide policy about it 9
- BCLMA quarterly newsletter popular, well-read and offers articles and art readers think range from excellent to valuable 14
- This year's BCLMA Conference to focus on how to prosper from the 'never-ending changes' of our daily worklife 17
- Volunteer Hero Awards: Two decades (and counting) for Ernie Gauvreau  20
- Litigation-support best practices save more than just time & money – they could save your firm's reputation 21

- BCLMA's Member & Newsletter Services 2
- The Firm 3
- You Be The Judge, by Paula Butler: Answers in the Case of the Boss' Son and the Promotion, plus the new Case of the Pregnant Paralegals ... 6
- Save This Date 11, 13, 17
- Making the Moves 19
- BCLMA's Executive & Subsection contact info ... 23

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WHO WE ARE

The BCLMA, founded in 1972, is a non-profit organization with 120 Representatives and 240 Affiliates across BC. 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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Employee health → from Page 1

believes that workplace mental health is a serious business issue, and has joined the growing movement toward improving the psychological well-being of British Columbia workplaces. Over the last few months, the Board of Trade's Health, Wellness and Well-Being Task Force engaged leaders in the field of mental health, and reviewed current literature. It also surveyed participants at the Board of Trade's November 2011 forum, *Let's Talk: Mental Health in the Workplace*.

The culmination of these efforts is a landmark Board report entitled, *Psychologically Healthy Workplaces: Improving Bottom Line Results and Employee Psychological Well-Being*.

This report provides an overview of why workplace mental health is an important issue for The Board's thousands of members, as well as some practical approaches and resources for addressing issues related to workplace mental health.

There is no question about it: the success and productivity of a workplace is directly affected by an organization's capacity and willingness to manage issues related to employee mental-health. The report reveals a number of key facts, one of which is that mental illness affects workplaces of all sizes and in all industries.

One in five Canadians will experience mental illness in their lifetime, and many of these individuals will face this challenge during their prime working years. Such significant incidence of mental illness in Canada's workforce means that employers, even small or medium enterprises, simply

cannot ignore the psychological health of their organizations.

The Mental Health Commission of Canada points out that during the last eight years, there has been a 700% increase in the number of court-awarded settlements due to mental injury in the workplace. This trend reveals that the courts are increasingly holding employers responsible for the physical and psychological health and safety of their employees.

In addition, the Commission is helping to develop a voluntary national standard in Canada for assessing psychological health and safety in the workplace.

This standard, to be released later this year, is a significant step towards reducing the economic burden associated with mental

illness by providing organizations with the tools and guidance needed to improve the psychological health and safety of their workplaces. An interactive *Action Guide for Employers* is here:

<http://tinyurl.com/7qkxltj> while other workplace resources are here:

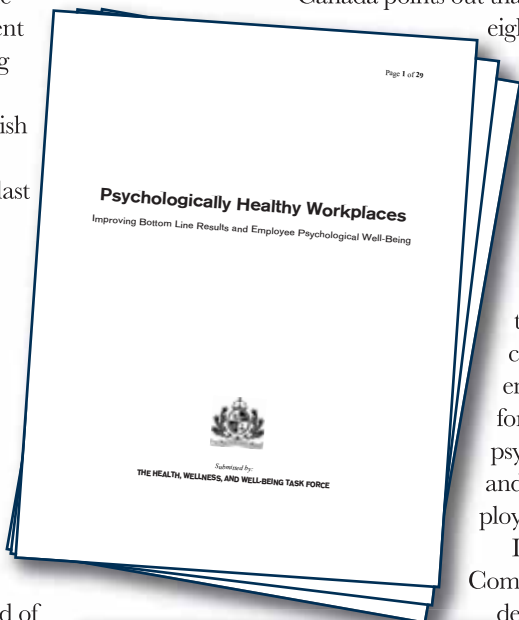
<http://tinyurl.com/bmenxmu>

New legislation in BC is also in the works to broaden the definition of mental stress as a ground for claims under Work-Safe BC, and this too will likely add to the requirements of employers to maintain psychologically healthy workplaces.

Ultimately, protecting employee psychological well-being – and supporting employees who suffer from mental illness – should be a must for all businesses and organizations.

Psychologically healthy workplaces benefit the bottom line from both ends, and

Employee health → to Page 3



During the last eight years, there has been a 700% increase in the number of court-awarded settlements due to mental injury in the workplace

Employee health → from Page 2

signal to potential and existing employees that an organization is responsible and val-

ues the psychological well-being of their workers.

However, even when the financial and

moral cases for psychologically healthy workplaces aren't enough to convince employers that mental health is an issue about which they should be concerned, the legal case is there to provide the final nudge. It's a situation where failure to take proactive steps now can cost a company a fortune in legal fees and damages later.

The Board of Trade report concludes with five recommendations on how, as a leader in the Lower Mainland's business community, the Board can facilitate progress towards improving the psychological well-being of British Columbia workplaces.

The report itself is available in PDF format on The Board of Trade website at <http://tinyurl.com/787d8vg>

The Honourable Mary Collins, PC, is a former federal cabinet minister who now serves as Director of the BC Healthy Living Alliance and Chair of The Vancouver Board of Trade's Health, Wellness, and Well-Being Task Force. Karen Robson is an MBA candidate at Simon Fraser University and a policy intern at The Vancouver Board of Trade.

THE FIRM



President's Report → from Page 1

ing, Lori-ann Birdsall and Paul Sandhu, and the continued support of Jane Kennedy and Angela Zarowny. It's their collective contribution that has made this past year such a successful one.

BCLMA continues to thrive and grow, and it's imperative that our association continues to respond to the ever-changing legal landscape. BCLMA provides a significant package of services to its members, which includes numerous subsection events, educational seminars, our bi-annual conference, networking opportunities, the *Topics* newsletter, website services, valuable surveys, great social events and a very supportive Business Partner Community (also known as Sponsors).

The following is a summary of the many accomplishments at the hands of so many volunteers:

- ✓ The previous year, then-president John Hawke created a task force to look into increasing BCLMA's involvement with lawyers who wanted to obtain access to BCLMA services. This task force continues to look at the feasibility of this additional service, and we have the support of the Law Society with this endeavour.
- ✓ In an effort to acknowledge our valued Business Supporters, we created a more responsive sponsorship and recognition program, appointing one of our Directors, Lori-ann Birdsall, to liaise with the business community. This has resulted in a very high rate of engagement with our supporters and more funding support for our various programs.
- ✓ For the last few years, our Marketing Subsection has been

relatively inactive, and our marketing professionals were well supported by the Legal Marketing Association. As a result, we have dissolved the Marketing Subsection and have started to collaborate even more closely with LMA on a variety of activities to support our legal marketers.

- ✓ BCLMA has recognized the changing legal landscape and the fact that litigation support is an emerging profession within the legal community. Effective last January 1, we created a Litigation Support Subsection which is already a very active group, and has resulted in a spike of enrolment within the BCLMA.
- ✓ We are continually modifying the website to respond to the ever-changing needs of the membership.
- ✓ We have introduced webinars to enable our outlying members to gain access to important educational offerings.
- ✓ We have continued to focus on offering more educational opportunities to support our members and their varied needs.
- ✓ Last, but certainly not least, plans are well under way for our bi-annual conference at Richmond's River Rock in late October. We have a very active committee involved in the planning that has already lined up great guest speakers. Several of our Business Supporters have agreed to sponsor the conference, as they have in the past.

Again, I want to acknowledge the tremendous contribution of your Board, Jane Kennedy, Angela Zarowny, Chairs and Co-chairs, and the dozens of volunteers who make BCLMA what it is today.

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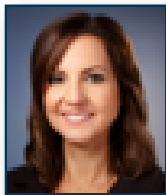
*CERTAIN CONDITIONS APPLY

YOU DESERVE TO KNOW IF YOU CAN FIX IT

Why avoiding bad behaviour in the office could create more trouble – and how to root it out

By **Diane A. Ross, LL.B., Consultant**

Do you have a situation on your hands that you keep avoiding, and just hope it will go away? It hasn't, and now you are losing sleep at night, stressing about it during the day, or complaining to anyone who will listen to your story



Diane A. Ross

about the difficult person you have to deal with. If you don't have the conversation with the difficult person, does it mean you have taken the high road? No. In fact, you are sending the message that you are

okay with what is going on! This doesn't solve the situation.

YOU DESERVE TO KNOW If you avoid a difficult situation for too long, feelings of frustration will build and may end up erupting. Then you will have a real mess to clean up.

Your ability to detach emotionally and look at your options calmly will give you the best chance of successfully dealing with bad behaviour – both at work and in your personal life. First, however, you may need to adopt my *Two-minute Whine Rule* before you can move on.

THE TWO-MINUTE WHINE RULE

Whine and complain for two minutes to a friend, and then answer one of two questions:

1. *What are you going to do about it?* Or,
2. *What are your next steps?*

You have had your whine and hopefully you feel better. Now it is time to find the person you whined about, and have that awkward conversation.

While this sounds great in theory, it can also be simple in reality if you implement a few of my key strategies.

Strategy 1: Prepare for your conversation

- ❖ What is the real issue? Identify the facts in three sentences or less. No assumptions or judgments allowed. Be careful that you don't label the person

as difficult. Focus instead on the specific behaviour that is causing the problem.

- ❖ What is your goal? What do you hope to achieve by having the conversation? Is your goal productive and within your control? Is it within your control to let people know how their be-

haviour is impacting you?

- ❖ Anticipate their reaction. If you prepare yourself for a strong reaction, it will decrease the chance of your becoming hooked, and retaliating or responding in kind.

In the heat of the moment, the best **Handling bad behaviour → to Page 11**



OUR NEW SCENARIO...

TELL US WHAT YOU'D DO IN THE CASE OF THE PREGNANT PARALEGALS

You are the Human Resources Manager at Smith, Johnson, Simmons LLP.

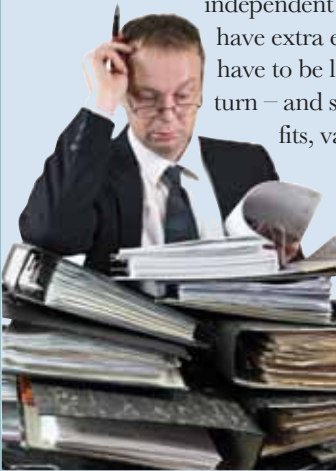
Three paralegals go on pregnancy leave, all about the same time. You are now desperate for paralegals, yet you don't want to hire anyone on a permanent basis since you strongly believe that all three original staff members will return to work after their year's maternity leave is up.

You decide to advertise for temporary paralegal positions as independent contractors so that you do not have extra employees on staff who will have to be laid off when the paralegals return – and so you do not have to pay benefits, vacation pay, etc.

You successfully hire the three replacements – on contract – for one year. When the maternity leaves end, only one paralegal mom returns to your firm; two of the contractors stay on at the firm. Busy, you forget about the contracts so they are never renewed, and the firm continues to pay the two paralegals as contractors. Both of them continue to use the firm's computers and printers as usual, and continue to work Monday to Friday, only at your firm.

Three years later, you receive a call out of the blue from an accountant from the Canada Revenue Agency: One of the contractors is being audited. Will you be able to successfully report that the two paralegals are independent contractors and not employees?

Please explain your answer.



ARTON09



PAULA BUTLER'S ADVICE ON LAST ISSUE'S SCENARIO: THE BOSS'S SON & THE PROMOTION

Bill Sutton is the Director of Administration at Burris and Company. His son Jason, who has just finished a business degree, is having trouble finding a job.

There is a vacant position, which is being advertised in the local papers, in the accounting department of the firm. Jason applies for the job.

While Bill is not involved in the recruitment process, he mentions to two of his subordinates, the Human Resources Manager and the Accounting Manager, that he thinks Jason would be a great fit in the department. Jason gets the job.

About six months later, Jason and his co-worker Sara apply for a promotion in the accounting department. Jason is almost immediately awarded the job. Sara then sends a com-

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.

plaint letter to the Human Resources Manager citing an unfair advantage for Jason as his Dad is the Director of Administration. Before responding to the letter, the Human Resources Manager goes on stress leave.

You are the temporary Human Resources Manager, recently hired on a six-month contract. *What do you do?*



You be the Judge → to Page 8



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You be the judge → from Page 6

READER RESPONSE

Bill's son Jason should not be reporting to Bill, even if the Accounting Manager is in the position between them. It looks bad and creates poor morale.

Hi this is Paula.

You are correct that Jason should not be reporting to his Dad, Bill, even if it is indirectly. You're correct that it looks bad to other employees and affects morale.

Some employers have policies that set out how jobs are posted and awarded. These address the issue of who will be involved in the selection process.

This can limit the involvement of current employees who have a relationship with one or more of the candidates for a job posting.

Many employers have policies that prevent family members from reporting to other family members, as this is a conflict of interest.

But, as an aside, be careful not to make the policy too broad. If it says, for example, that relatives of current employees cannot work at the firm, this could be subject to a human-rights challenge that the policy discriminates on the basis of family status.

Back to the case. Even if the boss (in this case, Bill), is able to be impartial in dealing with his son, Jason, others in the office will likely perceive bias in Bill's actions. So even if Jason is the most qualified for the job, Sara and others are unlikely to see it as a fair selection process.

In addition, some employers have policies that set out how jobs are posted and awarded. These types of policies can

also address the issue of who will and won't be involved in the selection process. This can help limit the involvement of current employees who have a relationship with one or more of the candidates for a job posting.

As the temporary Human Resources Manager, you could implement one or

both of these policies to ensure that this type of situation does not happen again in the future.

Don't forget to respond to Paula's latest HR challenge, because we'd like to know what you would do in her new scenario, The Case of the Pregnant Paralegals, on page 6!

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FACEBOOK, TWITTER, YOUTUBE, LINKEDIN, GOOGLE DOCS...

Making the business case for using social media as part of your marketing strategy, and ideas for a firm-wide policy about it

By Stephanie Marsh, Editor, Topics

Do you still hear people asking, “What exactly is social media anyway?” Do you still hear people answer the question with, “Uh, Facebook, right?”

If so, you might conclude that it’s not a tool your firm needs.

Wrong.

Social media uses web-based and mobile technologies that turn communication into interactive dialogue. Facebook is just one piece of the puzzle. Think about the words in the term itself:

“Social: tending to form co-operative and interdependent relationships with others; and

“Media: the means of communication, as radio and television, newspapers and magazines, that reach or influence people widely.

Combined, you have a concept that offers your firm a viable and important means to interact and communicate with your clients in real time.

There are six types of Social Media:

- 1 Collaborative Projects (Wikipedia)
- 2 Blogs and Microblogs (Twitter)
- 3 Content Communities (YouTube)
- 4 Social Networking Sites (Facebook, LinkedIn)
- 5 Virtual Game Worlds (Online role-playing video games)
- 6 Virtual Social Worlds (where users – aka residents – interact with each other through avatars)

Most companies now use social media, and do so mostly in the forms of blogs and microblogs, and social networking, to communicate with their customers.

You have probably heard the phrase, “Join the conversation.” Indeed, companies – and law firms – need to converse with their customers and clients, but it’s more than that.

Already, social media has evolved into an important business-development tool where you can raise brand awareness, build customer loyalty and increase sales, according to Brad Smith, founder of *Fix-Course*, an online marketing-consultant.



Stephanie Marsh

And why wouldn’t you want to use all the tools available to you to make your firm more prevalent in the marketplace, build stronger relationships with your clients and improve your firm’s bottom line?

Is it really that

easy? Yes and no. Setting up a Facebook page or creating Twitter and LinkedIn accounts for your firm is absolutely simple – *and they are all free*. What’s not so simple is figuring out who in your firm will provide content for these pages, tweets and blogs, what they will populate them with, and how to set parameters that protect employee and client privacy, as well as your brand.

The case for social media → to Page 10



The case for social media → from Page 9

You need loyal employees who understand your firm, its brand and its objectives to manage these accounts appropriately and effectively. You might even consider hiring a proficient writer, freelancer or content producer who understands online marketing.

Large firms have decided they can allow their own people to take part in the

conversation, but provide policies – and in some cases actual training – before allowing them to do so. Either way, you need a robust social-media policy that empowers the contributors while ensuring they engage in the right way.

Vancity's social-media policy was created, according to the policy itself, "to guide Vancity employees in their use of social media for work purposes." The

policy has 12 guidelines, a short list of what to watch out for, suggestions for what to post, and "a word about photos."

The social-media policy of the Coca-Cola Company (TCCC) explains that, "There is a big difference between speaking "on behalf of the Company" and speaking "about the Company." Accordingly, their policy identifies five common-sense principles, and goes on to define each one in plain language to guide their employees when participating online:

- 1 Adhere to the *Code of Business Conduct* and other applicable policies.
- 2 You are responsible for your actions.
- 3 Be a scout for compliments and criticism.
- 4 Let the subject-matter experts respond to negative posts.
- 5 Be conscious when mixing your business and personal lives.

TCCC's policy also includes five core values of the company in the online social-media community, as well as 10 principles that outline their expectations for online spokespeople. Most policies require employees to identify themselves as such.

When creating a social-media policy for your firm, there's no need to leave any grey areas, but you also don't need to go overboard with rules and restrictions. TCCC's policy is just three pages long. Dell's *Global Social Media Policy* is less than 1,000 words; Vancity's is less than 650.

Visit SocialMediaGovernance.com and click on *Policies* to read from among 190 social-media policies from leading global companies and agencies, to find lots of ideas for developing your own: Apple, Kodak, BBC, Reuters, Cisco, Dell, HP, IBM, Microsoft, Yahoo!, Daimler AG, Ford...

Some organizations post their policies on their website.

Visit <http://tinyurl.com/3jybtw> to read Vancity's straightforward and common-sense policy, which includes Guideline #3: "I will always be respectful and will never say something online that I wouldn't say in front of my grandma."

Stephanie Marsh has worked in marketing & business development for 10 years, and is editor of Topics. Contact her at ContactStefMarsh@GMail.com

THE CMO'S GUIDE TO: THE SOCIAL LANDSCAPE

	GOOD!	OK.	BAD!
WEBSITE			
CUSTOMER COMMUNICATION			
BRAND EXPOSURE			
TRAFFIC TO YOUR SITE			
SEO			
Twitter	Use keyword search monitoring through a program such as Hootsuite, Tweetie or Tweetie to track what people are saying about you and your competitors.	Offers unique opportunities for Web site interactive and to engage with customers in a viral way, helping your company stand out from the masses.	Potential can be large, but promotion is an art form—promote your brand too heavily and turn off followers, yet don't promote enough and receive little attention.
facebook	Great for engaging people who like your brand, want to share their opinion, and participate in giveaways and contests.	Facebook brand pages are great for brand exposure, jumpstart your brand exposure through the ad platform, or hire a Facebook consultant to help you grow your brand presence.	Traffic is decent and on the rise thanks to share buttons and counters, but don't expect massive numbers of unique visitors to go to your site.
flickr	Unnecessary to spend too much time on this, though properly tagged photos of company events can help customers put a face on the team behind your brand.	Participation in industry related groups might get your photos, and thus your brand, viewed by people with similar interests, but numbers will be small.	Even if you get tons of thousands of visits to a photo hyperlinked with your URL, click-through rates are among the lowest around.
LinkedIn	Not the primary focus, but customer engagement opportunities are possible by answering industry-related questions, establishing yourself as an expert in the field.	Effective for personal branding and demonstrating your organization's professional prowess. Encouraging employees to maintain complete profiles to strengthen your brand's reputation is advisable.	Unlikely to drive any significant traffic to your site, though you never know who those few visits might be from—perhaps a potential client or customer.
YouTube	Whether you seek to entertain, inform, or both, video is a powerful channel for quickly engaging your customers, responding to complaints, and demonstrating your social media savvy.	One of the most powerful branding tools on the Web when you build your channel, promote via high-traffic sites, and brand your videos.	Traffic goes to the videos, if the goal is to get traffic back to your site, then add a hyperlink in the video description, but don't expect traffic to correlate closely with video views.
diigo	Not the site's primary strength, though occasionally an objective third-party writer, as a PR effort, perhaps to counteract bad press or customer sentiment, can be promoted.	Opportunities are huge, especially for promoting objective press/industry coverage of your brand. Make sure content doesn't read like an ad, or your site might be banned for being overly commercial.	The granularities of traffic spikes, or become active in the community or find someone who is. If your site is corporate, then consider launching an industry blog as a commercial Web domain to establish yourself as a thought leader.
stumbleUpon	Paid StumbleUpon traffic can be a very targeted method of communicating, but whether you're reaching your existing customers is purely random and costly to determine.	A paid campaign can be good for brand awareness, especially following efforts to get free, organic traffic to your home page. Targeting is very accurate, but keep in mind you're paying 5 cents per visit (50¢ CPM).	Enables a diverse range of people to discover your content and share links via the super-link shortener on Twitter. Tagging helps, but you don't want the same people repeatedly giving you a thumbs-up.
Y!b	Editor-driven and moderated, so this shouldn't be your primary focus.	Noncommercial sites are heavily favored by moderators, so business sites should not waste time in this uphill battle.	Get in the moderator's good graces, and you have a chance to hit absolutely massive numbers—but it's a long shot.
reddit	The community is fickle, and anything perceived as spam will be destroyed. However, look deep into the categorized "subreddits" to unearth small niche communities, and you could get valuable feedback.	Unless you're a bacon company, don't try to build your brand here. You'll end up banned from the site without even realizing what happened.	If Reddit loves you, then traffic is often right up there with Digg and StumbleUpon. Be careful. Push too hard for votes from your friends and risk being banned, but don't push at all and you'll wind up with nothing.
del.icio.us	Site is intended for people to bookmark content. You can use what people tag with your brand name, but communication with them is nonexistent.	Not enough ongoing brand recognition to make it worth your while unless you want to be known for providing reference content for later retrieval.	Not as big as it used to be, but informative, massive reference prices bookmarked for later use can net you a few thousand recurring monthly visitors.

Handling bad behaviour → from Page 5

thing you can say is nothing.

- ❖ Have a back-up plan if the conversation goes sideways or if the other person does not co-operate. Your back-up plan may need to be to just let it go. At least you will have spoken your mind.

The key to your back-up plan: Make sure it does not rely on the other person's co-operation, and it is something you can live with.

Be honest here!

Adopting a calming phrase or mantra in a difficult situation will help you stay calm, cool and confident, even if the other



statements such as “I think”, “I am” or “I need”. Share the impact of their actions in a respectful and non-judgmental way. Watch for hot language.

- ❖ **Brief:** Decide what is important and leave it at that. Aim for 30 seconds. If it takes more than two minutes, you have not thought about it enough.
- ❖ **Clear:** Get straight to the issue. Do not cushion the blow or use the feedback sandwich.

Instead of this...

“If you would just get over yourself and take the time to say thank you once in a while, it would go a long way to your ability to hold on to an assistant for longer than a week!”

... try this:

“I feel concerned about the number of assistants who have left the firm after working with you. We have hired some excellent people, and I believe that letting them know you appreciate their

er person is yelling, criticizing or acting defensively:

- ❖ That’s interesting
- ❖ Wow
- ❖ I am in control
- ❖ I am up to the plate
- ❖ Breathe

Strategy 2: Prepare, deliver “ABC” Message:

- ❖ **Accurate:** Stick to the facts. Use “I”

Handling bad behaviour → to Page 12

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Handling bad behaviour → from Page 11
hard work and dedication would go a long way towards them feeling valued and staying in their role.”

Strategy 3: Stop Talking and Start Listening

Once you have delivered your message, it is time to stop talking. Resist the urge to ramble.

The other person needs to have their moment, but you can diffuse their strong, emotional reaction by paying attention, listening intently and acknowledging them.

Fortunately, this doesn't mean you have to agree. It simply means you acknowledge their perspective and you show respect because of the kind of person you are.

YOU DESERVE TO KNOW Listening and staying cool are not about accepting the other person's behaviour or rolling over because you fear their reaction. It's about being clear about your goal for the conversation, and keeping things on track.

Diane's Seven Top Communication Tips

- Be Prepared
- Be Aware
- Be Straightforward
- Be Neutral
- Be Brief
- Be Proud
- Be Patient

Strategy 4: Respond, not defend

In the interests of having a successful conversation, you need to resist the urge to respond defensively.

This can be challenging, particularly when you are dealing with a bulldozer personality who may try to cast the blame squarely on to you.

Try this:

“It sounds like you do not think there is a problem. I see things differently. I am concerned about the impact your behaviour is having on the team. When you told John his work was not up to standard in front of everyone in the meeting, not only did he look upset, but I noticed others stopped participating in the discussion. I believe this will impact the quality of decisions made by the team, and could impact morale.”

You have given the other person the opportunity to think about their actions and how they impact others. How they respond is their choice.

While the results may not be immediate, these types of conversations can change attitudes and behaviour for the future. It is not a guarantee, yet often a good conversation can be a catalyst for change. After all, they deserve to know.

Diane A. Ross is a professional speaker, author and coach: 250.716.6099; Diane@DianeARoss.com ; Twitter: @DianeARoss For more information, videos and her blog, visit her website, www.DianeARoss.com

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SURVEYS SHOW 'TOPICS' POPULAR 'ACROSS THE BOARD, FROM ISSUE TO ISSUE'

BCLMA quarterly newsletter popular, well-read and offers articles and art that readers think range from excellent to valuable

By Peter Morgan, Managing Editor of Topics, President of Morgan:News

The Editorial Committee's surveys of readers throughout 2011 shows that the readership of Topics is strong across the board, and from issue to issue.

This corresponds well with other indications of the newsletter's significant popularity: advertising interest and isolated questions about some of the concepts during other, wider-ranging, BCLMA surveys.

The newsletter is more than just well read. The readership is actively engaged with the articles. Readers pay attention to them, and readily remember them with prompts of just their headlines.

The survey results also demonstrate interest both in the publication and in the survey process itself, thanks to an extensive range of potential articles suggested by those readers each time they are asked. By the end of the year's surveys, we had four pages of one-liner ideas for future articles, many of which we've also passed along to subsection chairs as discussion starters during meetings with their groups this year. And that, in turn, we expect, will stimulate future articles for the readers of Topics.

The series of surveys was the Editorial Committee's first in-depth look at how you think we're doing. Topics is distributed quarterly in full colour PDF format, by email. The online survey involved a random sample of Representatives, Affiliates or Alumni who received an invitation two weeks after each issue of Topics was emailed to them. Each survey remained available for responses for two weeks following the invitation, and a reminder note was sent to each recipient two days prior to the end date. By the end of 2011, all of our readers had received invitations.

Response: Readers' response to each survey turned out to be two things: excellent - averaging 30.3% overall and consistent. That number varied a little from survey to survey, but remained generally consistent.

On average, most readers (86%) opened the PDF file of each issue and be-

bcLMA Topics Winter 2011-10 cover. Main article: 'McCullough O'Connor Irwin provides progress report on taking a law firm paperless'. Other articles include 'Payroll Nightmares' and 'Two Years of Benefits and Challenges'.

bcLMA Topics Spring 2011 cover. Main article: 'Every aspect of a law firm benefits from supporting the Sedona Principles'. Other articles include 'Working Toward Document-Production Standards' and 'For Sale'.

bcLMA Topics Summer 2011 cover. Main article: 'D&D's strategy plan tested, tried and true'. Other articles include 'Evolution Put Strategy in Motion' and 'How to plan for change in energy planning'.

bcLMA Topics Fall 2011 cover. Main article: 'Know the client but, first, lawyer, know thyself'. Other articles include 'Feedback Help Client Service - No Matter Who's the Client' and 'A challenge test of 4 on 7'.

QUARTO The readers of these four issues of Topics, all published last year, were randomly surveyed two weeks after they received an issue about how much they read of the edition, how they felt about each of the specific articles and columns, as well as how valuable they felt the information in each report was to them. And you should have seen the lo-o-ong list of suggestions they had for future articles, some of which are in the issue you're reading right now. Top row, left to right, Winter, Spring. Second row, l-r, Summer and Fall. The Editorial Committee, which reports directly to the BCLMA Board of Directors, is chaired by Bob Waterman, Administration Director of Richards Buell Sutton, Vancouver.

gan reading it within two weeks of receiving it. Most (72%) had read at least half of the publication by the time they responded to the survey for that issue, while nearly a third (31%) of those who opened it agreed with the optional response 'pretty much all of it'. The main reason for the few who

had not opened it: they fully intended to do so, but just hadn't done so yet.

Demographics: The readership is strongly female (84%) according to the respondents when answering questions about themselves. Even more intriguing is that it

Editorial surveys -> to Page 15

Editorial Surveys → from Page 14

seems female readership rose sharply during the summer and fall. More data in surveys over more years will be helpful to confirm if that's normally true during the summer, or simply an anomaly for 2011 (there was also a sizeable dip in male readership for the winter issue, too, though not as strong). Most of the readers are in their 30s and 40s; the largest cohort (46.7%) was born in the 1960s.

Firm figures: The newsletter's appeal is strong amongst all sizes of firms, with the largest response (50.3%) out of five categories in the firm-size grouping that said they were in smaller firms of 15 partners or less. The group of medium-large firms,

The newsletter's appeal is strong amongst all sizes of firms, with the largest response (50.3%) from smaller firms of 15 partners or less.

those with 40 to 60 partners, is the nearest runner-up (18.7%), but there are also sections of the readers who work in firms with 26 to 40 partners (13.7%) or with more than 61 partners (18.7%) which also had strong showings. The readership seems to be under-represented, for a reason we have yet to fathom, in firms with 16 to 25 partners (5.7%). The puzzle and potential remedies of this latter statistic, we're thinking, may need to be discussed by other sections of the BCLMA.

Geography: The largest percentage of responding readers by far, 74.2%, work for firms in the city of Vancouver, while the next largest group, about 7.6%, are in North Vancouver, with a smattering of firms in Burnaby, Richmond, Surrey, Port Moody, Chilliwack and Abbotsford.

Up country, Kelowna appeared just once. The voids in the provincial representation are easily seen; we received no responses from firms in Kamloops or Prince George, nor from anywhere on Vancouver Island, including Greater Victoria. In other words, more than 80% responded from firms in the Metro Vancouver area. This, too, may be something that needs to be addressed in a larger

BCLMA setting.

Top 3 topics of Topics: The interest of the readership is general, strong and abiding within all facets of the legal industry, as well.

However, the most interest of readers in our wide range of articles that deal often with the BCLMA's eight subsection topics is focused on technology (63%), while 62% are interested in human-resources reports. The third largest interest group involves those who want to know about marketing – 54% (multiple answers were allowed, and many respondents

chose several areas of the BCLMA's subsections that interested them).

Reaction to articles: And what about the articles themselves? They are, almost universally, popular and valuable – in the opinion of the responding readers.

We published 41 news or feature articles plus 13 regular columns on legal topics in the four issues of 2011.

Of that menu of news and features, two tied for first place in what we nicknamed the Glow Ratings: *Dude! Who stole my website – and its server?!?*, an article in last Fall's

Editorial Surveys → to Page 16

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Editorial Surveys → from Page 15

issue by John Pater, Director of Technology at Davis LLP, was rated as excellent by 23.8% of the responding readers, and another 57.1% thought it was interesting, for a glow rating of 80.9%, while 81% thought it was valuable.

Runner-up was the first part of a two-part article in the Spring issue by Lisa Dawson, the administrator at Oyen Wiggs, entitled *How to deal with employees when they don't do what you want them to do*: 21% thought it was excellent, while another 60% thought it was interesting, also a Glow Rating of 81%, while 84% thought it was valuable.

The third most respected was George Lo's article *Android, the next big thing – could it change the smartphone industry ...again?*, also in the Spring 2011 issue: 11% thought it

was excellent, while 58% thought it was interesting, for a two-thumbs up number of 69%.

The photo spreads of the socials periodically held by the BCLMA are highly appealing; about 60% of the readership devours them; 70% thought they were valuable

was excellent, while 58% thought it was interesting, for a two-thumbs up number of 69%.

Topics solicits article from BCLMA members, external experts and freelancers, so what's most intriguing about last year was that the top three most popular and valuable articles were written by BCLMA members.

Socials network The photo spreads of the socials periodically held by the BCLMA are also highly appealing in their respective issues; about 60% of the readership devours them.

And, separately, 70% of the readers thought they were valuable to them, which goes a long way to explaining the social strength of the events themselves, and our reports about them.

Responses to features: As for the regular features, they are also of considerable interest to a wide swath of readers. *Making the Moves*, the newsy, just-the-facts, col-

umn about people changing positions within the BC legal industry, is well regarded by about 70% of the readers, and 71% find it valuable.

Paula Butler's *You be the Judge* column, in which the employment lawyer provides scenarios of working life in fictional law firms, based on actual situations, and who typically ends each scenario with the question, "What would you do?"

She collects and comments on reader responses to the question, which we then publish in the following edition of the newsletter (where she has a brand new

scenario). Her column remains consistently well-read, with 73% of the readers finding it interesting and valuable, while *The Firm*, our own home-grown cartoon series, is considered funny by 70% of responding readers.

Peter Morgan is managing editor of Topics, and is president of Morgan:News, which provides support and content for corporate news services, such as newsletters, social media and public relations. He can be reached at 604.683.3241; PMorgan@Morgan-News.com; www.Morgan-News.com

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This year's BCLMA Conference to focus on how to prosper from the 'never-ending changes' of our daily worklife

By Bonnie Kirk, BCLMA Conference Committee, Lawson Lundell LLP

As co-chair of the biennial BCLMA Conference, I am delighted to announce that this year's event will be bigger and better than the 2010 conference.

But I'm reluctant to admit that I, like many others last year, procrastinated in making my decision to go, only to find that I was too late: it sold out.

So, my first order of business as co-chair is to give you a bit of friendly advice: Mark your calendars: October 26 and 27, 2012, and *register early!*

The success of a conference takes dedication and commitment by many people. This year, the Association was overwhelmed with the number of people who volunteered to take on the task.

The 2012 Conference Committee is represented by firms of all sizes. From the small firm where one wears many hats to the large firm where one has responsibility for a specific area of support. Having such a diverse group has brought a wealth of ideas to the table!

In formulating the theme for this year's Conference, one area of concern stood out across all firms – how to deal with the never-ending changes that have become a function of our daily workplace.

We are all aware of change, but the question remains: How do we prosper from it?

Realizing that this was an area of concern that impacted every area of firm management, the Committee made it their mandate to find experts that could answer not only that question, but many of the questions that follow.

CHANGE: EMBRACE, INTEGRATE, MANAGE

When we think of change, it's often associated with the electronic highway, but that is only one form of change. Change can also involve people, processes and policy, and is usually driven by the need to increase efficiency and productivity. Change can be slight in nature and quick to implement, or it can be extensive and span several months, requiring the use of



Bonnie Kirk

many resources, – human and otherwise. It is the latter circumstance that causes people to shy away from making the decision to change.

The conference this year promises to be extremely informative, focusing on all aspects of change.

There will be two general sessions and four workshops featuring an impressive array of guest speakers, all of which have offered to share their expertise in dealing with change as a going concern.

The first general session, presented by Susan Hackett, CEO and CLO of Legal Executive Leadership, LLC, will enlighten us on *Leveraging Change in 'The New Normal.'*

As past Senior Vice-President and

General Counsel for the Association of Corporate Counsel, Susan is diverse in her legal knowledge, particularly in the area of alternative and value-based legal-business models, such as fees, staffing, knowledge management and project- or process management, and the like.

For the second general session, we are pleased to announce that Michael Short, a frequent speaker and writer on the subject of law-firm leadership and management, will join us from Washington, D.C.

For several years, Michael wrote a monthly column for *Lexpert Magazine* entitled *Strategy Forum*. His conference presentation, *How to Tackle and Embrace Change* will focus on managing change from an operational perspective, using a structured approach.

In addition to the general sessions, there will be four area-specific work-

October Conference → to Page 18

BCLMA BI-ANNUAL EDUCATIONAL CONFERENCE

October 26 – 27, 2012,
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Richmond, BC

For Sponsorship and Trade Show Info, contact Lori-ann Birdsall, Business Partner Liaison at LBirdsall@LKLAW.ca

For General Inquiries, contact Membership@ BCLMA.org



CHANGE
embrace integrate manage



The third iteration of Apple's spiffy iPad, which contains WiFi and 4G communication abilities, is the prize up for grabs for those Conference attendees who register before the early-bird deadline. It's one of the packages designed to promote the Conference.

October Conference → from Page 17

shops, which will provide delegates with the tools to embrace change, to integrate it into their daily routines and last, but not least, to manage change.

All of the presenters – who are highly respected in our legal community – will share their knowledge and experiences with change, keeping in mind that the audience will be unfamiliar with their area of expertise.

Having had many discussions on change, the Conference Committee has also made efforts to change by eliminating some of the traditional formats of conference structure.

We have decided to produce less paper by distributing all communications, registrations and materials via email.

We feel that these few changes will help keep the conference fees to a reasonable level.

Soon, you will receive the 2012 BCLMA Conference material outlining the various registration options that are available. In reviewing the choices, please pay special attention to the early-bird offer.

This year, anyone who becomes a paid-up registrant by the early-bird deadline, will have their name entered to win the latest and greatest *iPad*, with WiFi +

4G. Registering early could make you the proud owner of the famous *iPad*, and will

enable us to better prepare for the big event by knowing the number of delegates.


Lastly, I would like to leave you with a short story about change.

During a recent conversation with my mother, who is approaching her 90th birthday, the subject of gifts arose.

She politely told me that she would really like the *iPad* 3; the reason being to replace her *Android*-based tablet and keep up with her friends.

Once I recovered from my surprise, I gave thought to that conversation and realized that one is never too old to accept the ever-changing world.

It also made me realize that if my mother's circle of friends are still willing to stay in the loop, than I, being much, *much* younger, should have the where-withal to do the same. You can too.

On behalf of the 2012 Conference Committee and the BCLMA Board of Directors, I look forward to seeing you at the Conference – and the dates again, October 26 and 27. 

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MAKING THE MOVES...

WELCOME, LITIGATION SUPPORT SUBSECTION!

The BCLMA welcomes the following individuals to the newly formed Litigation Support Subsection: Subsection chair **Ann Halkett** of Alexander Holburn Beaudin Lang LLP, and co-chair **Lisa Rennie** of Gowling Lafleur Henderson LLP



Ann Halkett (left) and Lisa Rennie,
Litigation Support Subsection
Co-chairs

- ✓ **Francisco Quimpo**, Davis LLP
- ✓ **Laurie DePellegrin**, DuMoulin Boskovich LLP
- ✓ **Natalia Semenova** and **Hoa Ung**, Blakes LLP
- ✓ **Monique Sever** and **Lisa Evenson**, Harper Grey LLP
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WELCOME, NEW & RETURNING AFFILIATES!

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- ✓ **Lorna McAdam**, Thorsteinssons LLP
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- ✓ **Sandy Claggett**, Farris Vaughan, Wills & Murphy LLP (Kelowna)
- ✓ **Kirsten Tait**, McCarthy Tetrault LLP
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- ✓ **Balaza Egerszegi**, Ratcliff & Company LLP
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TRAINERS:

- ✓ **Lily Ling**, Stikeman Elliott LLP
- ✓ **Karen Chiasson**, Thorsteinssons LLP

TECHNOLOGY:

- ✓ **Fiona Law**, Watson Goepel Maledy LLP
- ✓ **Neil Haddad**, Ratcliff & Company LLP

WELCOME, NEW FIRMS AND THEIR REPRESENTATIVES

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- ✓ **Chanel Donovan**, Accountant and Office Manager, Macdonald Tuskey
- ✓ **Hannele Chila**, Office Manager, Affinity Law Group
- ✓ **Barbara Dietterle**, Office Manager, is the new Representative for existing Member, Kuhn & Company.

WELCOME, NEW ALUMNI

We welcome John Coyle as a BCLMA Alumnus. John joined Boughton Peterson Yang Anderson (now Boughton Law Corporation) in 1983. After a little more than 10 years, John took a break before becoming an independent management-consulting professional.

BCLMA'S VOLUNTEER HERO AWARDS

Two decades (and counting) for Ernie Gauvreau building BCLMA

The BCLMA has the good fortune of attracting excellent volunteers who step up to dedicate their precious time, knowledge and energy to the success of the Association. This edition, we honour 20-year veteran Ernie Gauvreau,

whose fateful run on the Stanley Park Seawall in the early 90s triggered a complete change in his lifestyle to our benefit.

Our Volunteer Heroes segment highlights the hard work and dedication of our volunteers and also shares their fu-

ture plans. If you've got the spirit, contact any Board Member – including Ernie – or subsection leader (contact info on page 23) to learn more about volunteer opportunities.

We'd love to work with you!



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

	 <p>Ernie Gauvreau, Administrator, Gowling Lafleur Henderson LLP, Vancouver</p>
<p>BCLMA/VALA MEMBERSHIP...</p>	<p>I have been involved with the BCLMA (and its predecessor, VALA) for the past 20 years. Prior to moving to Vancouver, I became an active member of the Alberta Community League in both Edmonton and Calgary. This included one term as President of the Edmonton Chapter. While working in Alberta, I made regular business trips to Vancouver. One fateful trip in mid-January 1990, one of my meetings was cancelled, so I decided to go for a run on the Stanley Park Seawall. It was sunny, 12 degrees and I could see green everywhere! I thought about the minus-20 degree weather and what felt like 400 feet of snow I had left behind in Edmonton! I immediately felt determined to move to BC. An opportunity finally presented itself two years later. I jumped at the chance to move here in 1992, and I joined VALA soon after.</p>
<p>CONTRIBUTIONS INCLUDE...</p>	<p>Since 1992, I have devoted several years to the BCLMA as a Board Member, including two terms as President. It was during my first term that I played an important role in creating what would become one of the BCLMA's proudest accomplishments: bringing Jane Kennedy, an independent consultant, into the BCLMA family in an executive-administrative role to support the Board and the Association. I also feel proud of the Board's dedication to mentor new Board members. I find that the members commit to finding the right people and supporting them, so they will realize success in their contributions to the Association as well as in their roles in their firms.</p>
<p>WHY CONTRIBUTE?</p>	<p>Because the BCLMA and its members always treated me well, I wanted to give back. I also felt that through my many years of experience, I could make a worthwhile contribution. The Association supports its members fully, most importantly by ensuring that individuals don't have to invent or reinvent the wheel to solve their issues. For most situations, you will find at least one other law-firm manager who has already confronted, tackled and solved that similar problem. Sharing those best practices helps us all learn and develop. That said, members trust each other to maintain confidentiality. I find that the people in our organization have a lot of common sense that way, particularly when it comes to addressing an especially sensitive issue. The Association also brings balance, and makes me think before reacting. I want to share that balance.</p>
<p>OVER THE YEARS, I HAVE ENJOYED...</p>	<p>I had a lot of help from the Board of Directors, which enabled all of us to make meaningful contributions. I especially had a lot of assistance from Jane Kennedy. She keeps everyone on top of what we need to do – and when! The inherent teamwork attitude helped us all manage our time effectively. I enjoyed collaborating with the Board, and making decisions together to advance the Association and its enjoyment by members. Keep in mind that you get out of it what you put into it, so I always felt best when I participated.</p>
<p>WHAT DO YOU ENJOY MOST ABOUT THE BCLMA?</p>	<p>Through my active participation over the years, I have come to know many, many law-firm professionals, vendors and consultants. Networking is a critical aspect of the BCLMA; luckily, I enjoy interacting with members in social settings! Most of all, I'd say I've enjoyed developing strategies that will help forge the future of the Association.</p>
<p>LOOKING AHEAD...</p>	<p>I always have numerous personal and business projects and challenges waiting for me. I remain active in the Vancouver running community, and continue to coach the Capilano Eagles Running Club on the North Shore. And I will always make myself available to the Board. I feel fortunate to have the chance to remain on the BCLMA Board as a director for the 2012/13 term.</p>

Litigation-support best practices saves more than just time & money – they could save your firm’s reputation

By Ann Halkett, of Alexander Holburn Beaudin & Lang LLP, Chair of the new Litigation Support Subsection of the BCLMA

The fundamental challenge most law firms currently face is that expenses grow faster than revenues.

Technology has proven itself both a blessing and a challenge for the legal profession. These days, clients keep the majority of their documents – 95% or more, in fact – in electronic format, and they rarely print them as they find it more efficient and cost-effective to work with electronic documents over hardcopies.

This can pose challenges as electronic documents are often voluminous, can contain duplicates, can be easily modified, and come in many different formats or file types. Further, clients have come to expect that the law firms who represent them have the capability to handle and work with electronic documents in an effective and cost-efficient manner.

As a result, firms have had to acknowledge that they require software and skilled personnel to address the intrinsic challenges electronic evidence presents.

Personnel must know how to handle this type of evidence, have familiarity with the rules of evidence and the rules of court, and know how to use and apply software to the legal process in an effort to keep costs in check and avoid negligence claims. A Litigation Support Co-ordinator/Manager (LSC/M) provides this specific skill set.

WHAT IS AN LSC/M?

An LSC/M is typically a paralegal or Information Technology Professional with specialized training or experience dealing with electronic evidence and litigation-support software programs. These workers consult on a variety of systems and technologies, including evidence management and trial presentations. They also create and maintain standards, or use best practices, in litigation-support solutions and processes.

LSC/M duties combine aspects of the paralegal and Information Technology (IT)



Ann Halkett

professions: IT technical skills such as database development and scanning, and paralegal skills such as electronic-discovery support and document production.

The primary focus is to apply litigation-support technology to the legal requirement of organizing, reviewing and producing documents (both paper and electronic) in an efficient and cost-effective manner.

They also provide user support and training on litigation-support programs, and co-ordinate technology applications.

Software and skilled personnel are needed for the intrinsic challenges of electronic evidence

The LSC/M must ensure that electronic evidence is collected, handled and produced in a defensibly sound manner by following and implementing chain-of-custody procedures, and they must provide guidance to clients about how to treat and preserve their electronic evidence.

EFFICIENT & COST-EFFECTIVE

The voluminous nature of electronic documents can result in hundreds of work hours spent reviewing thousands of pages by lawyers and paralegals, which will drive up file costs. For instance, one gigabyte of electronic data can amount to 75,000 pages or 30 boxes of paper! A person typically reviews 30 documents per hour. Therefore, 75,000 pages could result in roughly 833 hours of review time!

Litigation-support software programs provide the ability to cull irrelevant documents, as well as locate germane documents quickly. LSC/M professionals can advise lawyers, staff and clients about how to use

these programs to locate pertinent documents without following the traditional linear-review format.

They establish and follow defensible practices for document review to show the court that counsel conducted a thorough and reasonable data review to locate relevant documents in a timely and economical manner. In our scenario, the 833 hours can be reduced to about 20 to 30 hours. This provides a significant cost-savings to the client. A law firm that can demonstrate savings to clients in today’s tough economic times will have a significant edge over its competitors.

INHERENT RISKS

When it comes to collecting and producing a client’s electronic documents, there is a risk of negligence at the start of a file if a law firm fails to exert the type of supervision that seems routine in other areas of practice. For example, should a firm allow its client to self-collect electronic evidence, the firm may already face a negligence issue if it fails to provide guidance.

When dealing with hardcopy evidence, firms provide guidance about the types of documents they want a client to provide and for what period. They also advise clients about the need to preserve their evidence, and how to preserve it. Failure to provide same with respect to electronic documents could lead to a claim against the firm for not providing sufficient advice to the client that led to spoliation (e.g. destruction of electronic evidence). Seemingly harmless and reasonable actions can incur disastrous effects:


- ✘ Did you know that when your litigation team receives a PC or laptop from their client, they should *not* turn it on to review the contents? Turning on the computer leaves a footprint, which becomes part of the overall evidence.
- ✘ Did you know that loading emails provided by a client into an Outlook folder is *not* a good idea? For instance, emails created in a different time zone are automatically converted to the time

Litigation support → to Page 22

Litigation support → from Page 21

zone in which you are currently working when loaded into the Outlook folder. The entire timeline will become skewed, which could have devastating consequences for the case.

These are just some of the countless risks involved when working with electronic evidence. The litigation-support programs designed to deal with these types of documents – *Summation*, *CaseLogistix* and *Clearwell*, to name a few – are complex and require specialized training.

You want to make certain that your litigation-support professionals have full familiarity of these highly developed tools to avoid any major errors or oversights that could harm, or even ruin, your legal team's chances to pursue – and win – your client's case. 

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