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## Technology and Marketing: The Perfect Marriage

by Laurie Hause, McKenzie Lake Lawyers

When I tell someone I am the director of technology and marketing at a law firm, the initial reaction is surprise. After learning such departments even exist in the legal profession, the next comment is along the lines of, “That’s interesting. Isn’t one role focused on compliance and the other on creativity?”

The answer is yes and no. Thirteen years ago, when I was promoted to this unique dual role, some might have thought it a strange combination. But for small to medium-size firms, the convergence of both disciplines provides a creative solution for the holistic understanding and blending of technology elements with promotional tools. The question of whether this trend will find a foothold in larger firms is still to be seen.

### THE WAY WE WERE

Memories of 1960s-style vision boards, 1970s print advertisements and static HTML websites of the ‘90s are fading, as they are

no longer the key elements in promoting and supporting a firm’s services. In the 1990s, law firms began to look at websites as core communication and marketing vehicles. As an IT manager during that time, I found myself responsible for updating the functionality and design of our website.

To do so, I needed to gain a more in-depth understanding of the firm’s business goals and objectives. Fortunately, I had been taking night school courses in marketing at the University of Western Ontario and had an ongoing drive to broaden my business skills. The timing of the firm’s immediate needs and my expanding skills sparked the genesis of

my transition to the dual role of director of IT and marketing. While the evolution of this role came about over a few years and with much education and training, it resulted in me being an active, decision-making participant on the firm’s marketing committee.

In managing both the marketing and technology needs, it became apparent there was an imbalance between the two areas. The IT team continued to expand, but I remained the sole marketer until the summer of 2010.

This staffing model is commonplace in many small to midsize firms; in fact, many have no full-time marketing professionals. Without full-time marketing staff driving strategy and daily operations while implementing and maintaining the technology necessary to enable it, competing firms who have such staff have a big advantage.

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Combining the roles of technology and marketing for smaller firms has become an essential strategy. Laurie Hause of McKenzie Lake Lawyers helps us understand how these different disciplines united.

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Take a deep breath! This is not going to be as hard as it seems – Word is not the enemy. Reen Rose, Microsoft Office Specialist Master and Microsoft Certified Trainer has provided some simple solutions to help you through the transition.

## PPRP's: Game changer or more alphabet soup? ..... P8

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As of November 1, 2013, all organizations in British Columbia are required by WorkSafeBC to have in place a written policy with respect to workplace bullying and harassment. Don't have one? Preston Parsons, Associate Lawyer at Overholt Law has provided some pointers to help get started.

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## Who We Are

The BCLMA, founded in 1972, is a non-profit organization with 135 Representatives and 270 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.

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To supplement a dearth of internal marketing talent, some firms retain outside agencies that work with a marketing partner or marketing committee comprising lawyers from various practice areas who try to guide the firm's efforts. According to Justin Ogglesby, Associate Director of Social Media with Hall Marketing Communications, this is not always the best formula for success:

"While many legal marketing committees or individuals have received training or education in emerging technologies, participation from the majority of the firm is required to have significant impact. Education transfer from agency to committee and committee to individual lawyers is often a sore spot among small to medium-sized law firms. Social networking and content distribution among individual lawyer networks is a difficult process to implement. Oftentimes, senior partners fail to adopt these practices, creating an unfortunate ripple effect throughout the law firm. Ultimately, this results in the initiative failing not due to strategy but lack of participation."

#### THE GREAT DIVIDE

Larger firms usually have the luxury of fully staffed marketing and IT departments.

However, we often hear about the disconnect between these two groups. As teams, they speak completely different languages. For example, when marketing says e-marketing, IT hears blacklists; when marketing says Facebook campaign, IT hears bandwidth bottleneck; and, when marketing says new logo, IT hears template changes and signature blocks. No wonder there's a communication challenge.

With increased dependencies on technology, firms with separate IT and marketing departments often are urged to blend or better align to maximize efforts and deliver better value. While a combined strategy such as this can work in principle, the reality is when there are a large number of technology projects driven by other departments with higher priorities, marketing becomes the lowest priority for receiving technology resources.

The advantage of a single person being fluent in both disciplines is this individual speaks both languages and understands the resource demands on both teams and the expectations driven by the competitive marketplace.

#### BEST OF BOTH WORLDS

Over the last five years, responsibilities in legal marketing have grown considerably and now

include understanding, overseeing and implementing Web analytics, content management, CRMs, search engine marketing and optimization, social media and their monitoring, and mobile apps — to name only a selection of an extensive list. While marketing continues to balance traditional and digital strategies, today's communication is largely technology-driven and often is fueling the fastest growing portion of technology budgets and investments.

While a combined leadership role is uncommon, the overlap between the two disciplines is growing. We are seeing more of the growing emergence of "marketing technology." It's becoming common for job boards to list postings such as vice president of marketing technology, director of marketing technology or marketing technologist.

These key positions in larger firms report to the chief marketing officer and leverage technology to support business development goals and help the firm compete more effectively. Using a broad range of technologies and platforms, these roles liaise between technology and marketing teams.

I recently spoke with fellow ILTA member Cyndy McCollough, Director of Marketing  
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Technology with Dickstein Shapiro LLP, a large firm with over 320 lawyers. Cyndy shared this about her background and role:

“My degree is in marketing, but all my jobs have been technology-focused. From selling computers in the ‘90s to roles as a product-marketing manager for ERP and CRM software apps, I got my geek chops on the job. I found I loved working with developers and identifying user requirements to define what a product or software should do. ‘Straddling the fence’ between technology and marketing led me to my current role at Dickstein Shapiro. Our firm leadership believes strongly in the value of marketing and business development. And because so much attention is given to providing value to the firm through the smart use of technology, they decided a technologist familiar with core marketing principles would be the ideal mix to bring into the firm. This would ensure the tools and technologies selected would integrate well with other departmental systems. I love what I do.”

At the other end of the firm-size scale, there is increasing opportunity for small to midsize firms to hire or grow the hybrid technology-marketing strategist. I recommend hiring an individual that, first and foremost, has good business and

communication skills. Perhaps this could be a marketer who aspires to enhance his or her tech skills and can build technology know-how. On the other hand, it might be someone with technology talent who is incredibly client-focused, highly collaborative and enjoys data analytics. In either case, in a small firm, the ability to work with outside partners and cross-functional teams within the organization is critical.

In addition to driving marketing efforts, the technology-marketing person can further demonstrate value by assisting the IT team with increasing awareness and understanding related to technology initiatives taking place within a firm. They can help communicate the importance of marketing-technology projects internally by engaging staff and lawyers, and by making them part of the process. Doing so invariably reduces the fear of change.

#### THE WAY WE ARE

You only have to look at the growing number of conferences that support the convergence of technology and marketing to know the field is evolving. Among them are the Legal Marketing Association’s Tech Conference, Forrester’s CIO-CMO Summit, the CAT (Creativity and Technology) Conference, Ad-Tech and a

rapidly increasing number of sessions at ILTA focused on marketing technology.

This evolution might be symptomatic of the fact relationships with clients have changed. The way they search for and engage with a firm’s services is very different from the past when they would have engaged a firm due to a recognized brand name or hunted for legal talent in the phone book. The pace at which this change has happened has been driven largely by the speed at which our clients are consuming technology, a trend that shows no sign of slowing.

Marketing technologies have leveled the playing field for many firms regardless of size or geography. Now, instead of pushing information out to prospective clients, it’s about understanding how to pull them in. The good news with this “pull” strategy is the platforms, services and resources to do so are available to everyone. Of course, firms with large budgets do have an advantage; however, it’s the smaller firms with nimble budgetary and decision-making processes that can take advantage of rapidly changing technology and respective opportunities, maximizing results.

It is essential to stay aware of how the industry is changing, to learn what the competition is

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 doing and to be ready to act, since catching up after lagging behind is difficult and costly.

After more than 13 years juggling both marketing and technology in one role, I can tell you it's a fantastic yet demanding job. Its duality has afforded me the opportunity to expand my knowledge and skills, meet and work with incredibly talented people, and speak at several conferences to share my experience. As testimony to the importance of this dual role and my part in its evolution, last summer I was honored with ILTA's Distinguished Peer Award for Professional Services Champion for my work in legal social media.

While peer recognition is greatly appreciated, the best part of my job is the day-to-day discovery of the junction where technology, marketing and creativity meet, and seeing the fruits of that labor with measurable results and value for the firm.



Laurie Hause is the CIO & Director of Marketing at McKenzie Lake where she leads the planning and execution of the firm's strategic technology and marketing plans. She can be reached at [hause@mckenzielake.com](mailto:hause@mckenzielake.com). This

article was first published in ILTA's June 2013 issue of Peer to Peer titled Emerging Careers and is reprinted here with permission.




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## Moving from WordPerfect to Word: Easing the Pain

by Reen Rose, Microsoft Office Specialist Master and Microsoft Certified Trainer

Although WordPerfect is still loved and utilized by many law professionals, Microsoft Word is the standard used by most other businesses. As a result more law companies are biting the bullet and transitioning to Word, only to find themselves struggling to get it to behave like WordPerfect. It is a little like trying to turn your cat into a dog. No matter how much you encourage her, Fluffy is never going to bark.

WordPerfect sees a document as a stream of text that can easily be formatted to look a certain way. The 'Reveal Codes' feature allows the user to see what formatting has been added and to make edits if necessary. Word considers a document to be a container that holds objects like graphics, text or other containers. If you want to change the way your document looks, you change the formatting for the container.

Both these programs are word processing pros that can achieve great things. Because WordPerfect is linear in design you feel like you have more control over your document. You can format your text as you type and the

static menu bar means the same commands are always available to you. Word is global in design and includes a host of automated features to help speed up your word processing. To work efficiently you should type all your text before you format and then apply styles to the various containers. Automated features like contextual ribbons, automatic numbering and capitalization may make you feel like you have less control until you get used to them, or discover how to turn them off.

In order to have a good working relationship with Word, try to remember that it is a different program to WordPerfect and requires a different attitude.

### HERE ARE SOME SUGGESTIONS TO HELP YOU TRANSITION TO WORD:

- Forget about 'Reveal Codes.' I know it won't be easy. This tends to be the hardest feature to let go of, but the 'Reveal Codes' feature is not useful in Word. If you are using Styles (and you definitely should be) to format your text, it is easy to identify formatting and make adjustments when needed.
- What you see in Word is what you get. If the formatting doesn't look right on the screen it isn't going to look right when the document is printed.
- Use the 'Quick Access Toolbar,' 'Customize Ribbon' and 'Word Options' to tweak the program to suit you. The default look is only a starting point.
- Avoid using direct formatting (commands on the ribbon or Right Click Menu) unless it is a one-off situation. Word is designed to utilize styles. This

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is one of the most underused aspects of this program. Styles allow you to keep the formatting within a document consistent and easy to alter.

- Learn to create templates for different types of documents. Specify margins, fonts, styles etc. that you want to be available depending on whether it is a contract, agreement, letter etc. If you create everything in your Normal template, you may become overwhelmed by the number of different styles you have and you will have to adjust page formats every time you want a different layout.
- Fight the urge to change the Word options to make the program work more like WordPerfect. It may seem like a good idea, but Word won't cooperate gracefully. You may find the frustration to be more than you bargained for.
- Many of the Macros created by WordPerfect users are blocks of text that are waiting to be inserted into documents. This is equivalent to using AutoText or Quick Parts in Word.

Resign yourself to the fact that Word is not WordPerfect in different packaging, nor is it inferior. It is just different. If you want to avoid premature aging, you need to learn a new way of thinking about word processing. It may take 6 months of consistent usage and some training to help you understand the world of Word, but it is just possible you'll find you actually enjoy using it and only think about 'Reveal Codes' on the occasional trip down memory lane.



*Reen Rose is a Microsoft Office Specialist Master and Microsoft Certified Trainer. She has helped law firms of all sizes save time and money through on-site, relevant computer training. Please contact her at [reen@reenrose.com](mailto:reen@reenrose.com), or 250.448.0684 to find out how you can increase efficiency in your office.*

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## PRPPs: Game changer or more alphabet soup?

by Tom Chipman, Financial Advisor with Granville West Group

Ask almost any HR professional and they'll tell you that, for the most part, employees will do what's easiest. If you need them to complete a form to join any aspect of the company's benefits plan, you'll end up chasing them to do it. But, if you have the ability to sign them up automatically and give them an option to opt out, most employees will take the path of least resistance and remain, by default, in the plan.

Acknowledging this behavioural reality may point to an obvious solution for Canada's retirement savings concerns: encourage all employers to offer some kind of group retirement plan and, most importantly, allow employees to opt out instead of requiring them to opt in.

In the years following the financial market meltdown of 2008, several solutions designed to improve the retirement savings habits of Canadians have been proposed by many a politician, but only one has gained momentum and political favour: the PRPP.

The Pooled Registered Retirement Plan, or PRPP, has gradually been rolling out across the country since mid-2012. By no coincidence, the key differences between the PRPP and other

group retirement options already available are automation and, hopefully, economies of scale.

The concept: allow providers, such as insurance companies or banks, to pool assets accumulated in PRPPs offered by a large number of employers. In theory, this 'pooling' of assets will allow providers to pass along a discount in the management fees to the employers and, in turn, their employees. Moreover, the 'approved provider' takes on certain governance responsibilities which would have previously fallen to the employer.

Quebec was first to the party, drafting and passing legislation for their version of the PRPP known as the Voluntary Retirement Savings Plan (VRSP). Quebec will require any

employer with more than 20 employees to offer the VRSP, or some other kind of group retirement plan, by the end of 2016, a feature unique to their solution. In subsequent years, employers with as few as five employees will be required to offer the VRSP.

It remains to be seen how the exact rules will look in British Columbia (and in other provinces), but what we know right now is this: while an employee's participation is ultimately voluntary, PRPP legislation will allow the employer to automatically enroll their employees and automatically begin deducting contributions from their regular pay cheque.

These 'auto' features, which are found in almost every province's PRPP legislation (draft or in force), create tremendous potential for individual savings growth. Employees could still opt out and the employer is not required to make matching contributions, but employers could now make inertia work in their favour.

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So, while PRPPs may soon require all firms to have a second look at how they encourage their employees to save, the most important questions is: why not do something today?

A misperception in the group savings world is that only firms with over 100 employees have the scale required to offer a group retirement plan. In fact, this simply isn't true.

Insurance companies, which own the majority of the group retirement market share, have all developed products specifically for employers with less than 30 employees. With the help of a qualified advisor, these plans can be easily offered to your employees at no cost to the firm.

In an ideal world, the auto features to be introduced with BC's PRPP regulations will trickle down to other group retirement solutions like defined contribution pension plans and group RRSPs. Until then, proactive communication, one-on-one support and a comprehensive education plan remain the best tools to combat the paper chase.



Tom Chipman is a Certified Financial Planner (CFP®) with Granville West Group. He works with plan sponsors and their members on all aspects of their group retirement plans.

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## LSBC's Cloud Computing Checklist Four Key Considerations

by Brian Mauch, President of BMC Networks

The promise of cloud computing is now a reality. The ability to access your data anywhere on any device, and at a reduced capital cost, has many BC law firms considering the cloud.

In January 2013, the Law Society of BC (LSBC) published a due diligence checklist, intended for lawyers who are considering using cloud computing services. This checklist is available on the LSBC website at [www.lawsociety.bc.ca/docs/practice/resources/checklist-cloud.pdf](http://www.lawsociety.bc.ca/docs/practice/resources/checklist-cloud.pdf). The checklist is 13 pages long, and contains over 150 considerations when evaluating a specific cloud service. The substantial length of the checklist was intentional – it was drafted to be inclusive of as many of the potential issues as possible.

Many lawyers and administrators have asked for an executive summary of the checklist. They are grappling with several issues, including questions such as: Is it OK to use the cloud? Which cloud services are OK? And how will they help our firm be more profitable, or provide better service to our clients?

Contrary to some people's misperceptions, the LSBC is not against the use of cloud computing. In fact, BC is one of the

most cloud-friendly jurisdictions in North America, according to David Bilinsky (one of LSBC's practice advisors, and author of the checklist). "We have certainly done far more than most in terms of trying to deal with the issues of moving to the cloud," said Bilinsky.

While it is important for lawyers and administrators to review the entire checklist, there are four key considerations that should be taken into account when contemplating using cloud services in a BC law practice:

1. Utilize services that keep lawyers' data (and backups of their data) in Canada, and ideally within BC. This measure alone will satisfy many of the compliance questions in the checklist, and will remove any concerns

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 about the USA Patriot Act or jurisdictional authority. Lawyers also need to be aware of circumstances where there is a statutory requirement to keep data within Canada. An example of this is ICBC's requirements for personal injury defence firms, which stipulate that client data cannot be stored in international services such as Gmail and Hotmail.

**2.** Ensure that the ownership and intellectual property rights of the data do not pass to the cloud provider, and that the confidentiality and privilege of clients' data is protected. To do this, lawyers must review the cloud provider's SLA (Service Level Agreement) and Privacy and Confidentiality Agreement. If the necessary provisions are not in place, the lawyer must negotiate the necessary changes to the agreements before proceeding.

**3.** Use services that are focused on the legal profession, and have therefore been designed with lawyers' requirements in mind. For example, Dropbox is a convenient file transfer utility designed for a broad audience including consumers and home users. However, Dropbox is not a good choice for BC lawyers, because it stores data in Amazon's Simple Storage Service (S3) which is located in multiple data centres across the USA, and it lacks some security features which are critical to the exchange of confidential data. Instead, the due diligence questions raised in the checklist should lead a lawyer to use a Canadian-based virtual data room service that is designed for law firms.

**4.** Refer to the due diligence checklist, and document the answers for each cloud service that is used. Lawyers and administrators should occasionally go back to review the checklist, in case the cloud provider has changed an aspect of their service, or the law firm has changed how they are utilizing the cloud service. If something goes wrong in the future, it will be important to prove that the proper due diligence was done.

As with all aspects of information technology, cloud computing is a rapidly-developing area, and the key issues of today may not be same in a few years' time. Law firms, the LSBC, and cloud computing providers will all need to keep abreast of changes in both technology and the law, and work together to continue to meet the needs of lawyers and their clients.



Brian Mauch, LL.B., is the President of BMC Networks, an outsourced IT provider of cloud and on-premises solutions for law firms. He can be reached at [bmauch@bmcnetworks.ca](mailto:bmauch@bmcnetworks.ca)



## Thanking Our Volunteers

The BCLMA 2014 biennial conference took place on March 6–7, at the River Rock Casino Resort in Richmond. Ninety delegates attended the one and a half day conference, learning, networking, meeting, consulting, socializing and having fun.

We're thanking everyone who attended, and those who volunteered many hours of their time in planning the conference agenda, securing qualified speakers, coordinating the market place and arranging the festive dinner event.

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- **Sara Fry**, Special Events, Stikeman Elliott LLP
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 March 17, 2014

# LAW FIRM LEADERSHIP



**Photos by Anna Beaudry.** L-R

A. Out of Town Delegates: Representing Calgary, Kelowna, Kamloops and Vernon.

B. Overview of the bustling Market Place held in the River Rock Casino Resort Theatre.

C. Drew Small & George Lo demonstrate the soon-to-be launched new BCLMA website.

D. Delegates handing in their vendor-stamped passports in the hopes of winning one of the many fantastic prizes.

E. Conference Committee & Volunteers are easy for the delegates and vendors to spot in their green sweaters. Sara Fry, Susan Spalding, Lorraine Burchynsky, Sheh Shojaee, Margaret Cividino, Bonnie Kirk and Jane Kennedy.

F. Beaming Anne Nkomo of Gowlings won the conference draw prize, a Microsoft Surface 2.

G. Meg Soper had the crowd in stitches as she discussed finding balance with a career in the legal profession and in everyday life.

# LAW FIRM LEADERSHIP



H



I



J

Photos by Anna Beaudry. L-R

H. Judy Hissong opened the conference with an energetic, highly informative session titled *Leading with Strengths* which set the upbeat tone for the remaining time.

I. Peter J. Smyth presents *Leadership & Consciousness, Curiosity & Communications*.

J. Ruth-Ann Spencer and Lorraine Burchynsky assist delegates during registration by providing conference information and handing out the fabulous canvass delegate bags filled with goodies donated by our conference vendor sponsors and market place participants.



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# TLOMA

The Law Office Management Association

March 19, 2014

BCLMA  
PO Box 75562 RPO Edgemont Village  
North Vancouver, BC V7R 4X1

Attention: Anita Parke and Jane Kennedy

Dear Anita and Jane:

**Re: BCLMA Conference Law Firm Leadership: All Hands on Deck**

On behalf of TLOMA, Paul Page and I would like to thank you, the Board, and the Conference Committee for extending to us the opportunity to attend this year's conference.

The conference was both an excellent educational and networking event. The collaboration of the speakers providing the leadership series was particularly beneficial as the participants were able to build on the learning through the conference. Working together in different groups also provided for a good opportunity to share experience and practical ideas. The hotel was a great venue for the event including delicious food and very good service. Kudos to all the members of the Conference Committee on delivering a high calibre event to its membership and guests. We appreciate the details of planning this conference are limitless and it certainly appeared to unfold without a hitch.

It was a pleasure visiting with and meeting many members of BCLMA. Our attendance also provided a great opportunity for the members of the Executive Committees of ALA, BCLMA and TLOMA to reconnect following our tri-association Executive Summit held last year in your beautiful city.

Many thanks to both of you, Susan Spalding, Leslie Morgan, and Bonnie Kirk for making us feel so very welcome and included. We hope to extend the same warm welcome to you at our annual conference being held September 17-20, 2014, at White Oaks Conference & Resort in Niagara-on-the-Lake.

Yours truly,

TLOMA



Karen Schrempf  
2014 TLOMA President



Paul Page  
2014 TLOMA Vice President

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## Access to Justice and Public Protection The Role of Paralegals

Contributed by the Law Society of BC

Ensuring that the public has better access to legal services is a top strategic objective for the Law Society of BC.

To help meet this goal, two years ago the Law Society's Benchers gave the green light on rule changes that allow paralegals in this province to undertake additional duties.

Now, under a lawyer's supervision designated paralegals can give legal advice to clients, who previously may have felt that legal services were out of reach. A designated paralegal working under the general supervision of a lawyer may now, for example, give advice to a client during a meeting, or prepare a document such as a contract or will and provide it directly to the client.

Further, under a pilot project, designated paralegals are allowed to make appearances in court to speak to certain family law matters.

The Law Society believes that paralegals can play a big part in the access-to-justice solution by increasing the affordability of legal services. This maintains strong public confidence in the legal system. Furthermore, recognizing that some areas of legal needs are underserved by lawyers and that there may be other groups able to provide such

services, the Law Society wanted to identify ways to improve access. However, tantamount to breaking down financial barriers is the assurance that legal service providers are being held accountable.

Enter: expanded legal regulation.

Last December, the Law Society's Benchers unanimously approved the recommendations made by the Legal Service Providers Task Force (LSPTF), which was formed in the fall of 2012 to examine whether the Law Society should regulate just lawyers, or whether it should regulate all legal service providers, including paralegals. The Benchers' approval marks a major shift in the future of legal regulation in British Columbia. The goal is to have lawyers, notaries public and paralegals providing legal services under consistent regulatory and ethical standards, with the hope that the public will have greater confidence in the legal system and better access to justice.

Additionally, the LSPTF concluded that the certification of paralegals would help

define their function when working under the supervision of a lawyer, and allow the public to know that the people handling their legal affairs have achieved a specified standard of education and experience.

The concept of certifying paralegals is nothing new, and has been discussed for decades.

However, the real push for expanded legal regulation in British Columbia began to pick up steam around 2006, soon after the Law Society's Paralegal Task Force made several recommendations for change. The recommendations included adopting a system for paralegal certification, exploring the introduction of a regulatory regime, and expanding the services that properly trained paralegals working under the supervision of a lawyer could perform.

In 2007, changes in the regulation of legal professionals in Ontario altered the conversation. That year, the Law Society of Upper Canada (LSUC) began regulating Ontario's paralegals as well as lawyers. At the time, there were increasing concerns about access to legal services. Some legal services in Ontario were being provided by

*...continued on page 17*



*Role of Paralegals... continued from page 16*  
 unsupervised, untrained and unregulated paralegals. The Ontario government asked the LSUC to develop a regulatory regime by which that law society could credential and regulate these non-lawyer service providers.

“So now, we had examples from another jurisdiction,” Michael Lucas said. Lucas is the Law Society’s manager of policy and legal services. “Once Ontario started to regulate paralegals, people here and in other parts of Canada took notice.”

It seemed the time was right to consider further the expansion of regulation of legal professionals in BC, especially if lawyers were not providing, or were not being sought out to provide, legal services in some areas of law that could potentially be performed by other groups for less money.

The LSPTF conducted extensive research and analysis, examining processes in other jurisdictions in North America and Europe.

Based on their research, analysis and public input, the task force concluded that all persons providing stand-alone legal services should be regulated, and that the preferred regulatory model was that of a single regulator for all providers. It also concluded that, on balance, the Law Society was the logical regulatory body.

The task force also concluded that paralegals who could meet certain prescribed education and training requirements should be certified and be given a new title: certified paralegal.

“As a result of this proposal, even if you are getting legal advice from a paralegal at a law firm acting under lawyer supervision, you might now be better assured that that person has had some legal training if they’ve been certified by the Law Society,” Lucas said.

To protect the public, the hope is that all legal service providers will be subject to consistent ethical standards, regulation, insurance and complaint processes, and that they will have met a standard of education and competence appropriate for the service provided. With that, areas of legal need that may be currently underserved by lawyers might then be served by other legal service providers, giving the public better access to justice at a lower cost.



*This article was contributed by the Law Society of British Columbia, which regulates the legal profession in BC, protecting the public interest in the administration of justice by setting and enforcing standards of*

*professional conduct for lawyers. For any questions, please email [communications@lsbc.org](mailto:communications@lsbc.org).*

# SAVE THE DATE

## **BCLMA Educational Event with guest speaker, Mark Bowden**

*Influential & Persuasive Presentation & Communication Skills for Leadership*  
 Wednesday, May 7, 2014 from 11:45 am – 2:00 pm  
 Four Seasons Hotel

## **BCLMA Annual Summer Social**

Thursday, June 5, 2014 from 5:15 pm – 7:30 pm  
 Bridges Restaurant, Granville Island

**For more information visit [www.bclma.org](http://www.bclma.org)**

## BCLMA 2014

# Schedule of Annual Surveys

We need your input. Surveys provide valuable data to law firm managers.  
 The more firms that respond, the more accurate the results.

The BCLMA surveys are distributed throughout the year at a time that should work for the majority of participants. Your comments are welcome on any of the surveys, so please contact Bob Waterman, chair of the BCLMA Survey Committee, via email at [bwaterman@rbs.ca](mailto:bwaterman@rbs.ca).

SURVEY	Distribution Date	Reply Deadline	Estimated Publication Date	Survey Coordinator
Associate Salaries	March 3	March 14	April 1	Bob Waterman
Law Firm Economics	April 1	May 1	June 16-20	Sandy Delayen
Staff Ratios	May 1	May 16	May 30	Wayne Scott
Support Staff Salaries and Billing Rates	September 2	October 2	November 3	Raf Sansalone
Management Staff Salaries	October 1	October 15	November 3	Leslie Morgan

- The Law Firm Economic Survey will be compiled by Wolrige Mahon LLP, which has conducted the survey for BCLMA for a number of years.
- The Support Staff Salary Survey will be compiled by Western Compensation & Benefits Consultants and distributed by the CBA with significant input from BCLMA.
- Benefits and Charge-out Rates are part of the Support Staff Salary Survey.

We publish the names of the law firms who participate in the surveys, however, no direct links or references to any of the results are made public, nor are they available for confidential viewing.

- BCLMA Survey Committee



## Does your law firm have a bullying and harassment policy?

by Preston Parsons, Associate Lawyer at Overholt Law

As of November 1, 2013, all organizations in British Columbia are required by WorkSafeBC to have in place a written policy with respect to workplace bullying & harassment (B&H). This development finds its roots in the 2012 amendments to the Workers' Compensation Act, RSBC 1996, c 492 (the Act) where "bullying and harassment" were added as potential grounds for a compensable mental disorder claim under the Act.

Worksafe BC Policy D3-115-2 defines B&H as including "...any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause that worker to be humiliated or intimidated but excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers of the place of employment."

Note that "person" in the definition above is defined broadly and includes, for instance, clients of the firm.

If your firm has not yet drafted a B&H Policy, here are a few points to remember and consider:

- **Start with what you have:** does your firm already have a formal complaint mechanism in place for matters such as anti-harassment and

anti-discrimination? If so, now is a great time to review it, make sure it is up-to-date, and consider combining it with your new B&H Policy. Your goal is to streamline the office policies to make sure that there is one complaint process, and that it is easy to follow for everyone.

- **Take a principled, even-handed stance:** it is important to make it clear that B&H are unacceptable and that the B&H policy will be enforced across the firm in an even manner. This requires the support of firm management and senior partners in order to succeed. Remember that the policy is unlikely to receive support from staff who feel that the policy is only aimed at them, and excludes the

*...continued on page 19*

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Bullying... continued from page 18

maniacal hot shot lawyer who brings his assistant to tears!

- **This is an opportunity to improve your bottom line:** The legal profession is demanding and law firms can be stressful at times. Recognizing B&H as an occupational health and safety issue for your firm presents an opportunity to promote and increase the health of your firm's employees while decreasing the chances of lost productivity, absenteeism, and mental disorder claims due to B&H being filed. All of this looks great for the firm's balance sheet and is a true win-win!

These tips are provided for general informational purposes only and do not constitute legal advice.



Preston Parsons is an associate lawyer at Overholt Law, practicing in the areas of employment and labour relations, human rights and privacy law. Overholt Law is a boutique employment and labour relations firm

located in downtown Vancouver, British Columbia. For more information regarding Overholt Law, please visit [overholtlawyers.com](http://overholtlawyers.com).

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### New Partner Announcement

Kimberly brings more than a decade of experience in human resources management and has a deep expertise in the legal industry.

At R.JOHNSON, Kimberly is primarily responsible for leading the full-cycle recruitment process and managing day-to-day operations at the office. Serving as the main point of contact for clients, Kimberly and her team enjoy facilitating successful placements for every recruit. Kimberly's qualifications include a bachelor of arts degree, paralegal diploma, human resources management certificate, and the CHRP designation.

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