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# OUTGOING PRESIDENT'S REMARKS AND THANK YOU'S

By: Karen Schrempf

Where did 2014 go! It has been a very busy and exhilarating year both professionally and personally. December 31st marks the end of my year as President of TLOMA, the second of this three year term. I want to thank you, our members, for your kindness, support, encouragement, and confidence in me.

My heartfelt thanks to the members of the 2014 Board with whom I am honoured and proud to have served these past two years as VP and President who have demonstrated time and again their expertise, vision, contribution, devotion, sense of humour, and enthusiasm in their leadership of our Association. There is considerable responsibility and time involved in all of the Board positions and it requires a cohesive, energetic and supportive group of people to work together as a team to deliver to the membership a meaningful and valuable experience in TLOMA. I have immensely enjoyed working with you and appreciate all of your support and friendship.

My sincere thanks to:

- Our outgoing Board members Janice
  Rooney, Past President; Edward Asmar,
  IT SIG Leader; and Nancy Shaw, HR SIG
  Leader. Thank you for your commitment
  to our colleagues on the Board and
  to the Association. It has been an absolute
  pleasure working with you.
- Our continuing Board members –
   Paul Page, Vice President; Cathy Byrnes,
   Treasurer; Janet Baker, Secretary;
   Alison Janzen, Marketing SIG/BD Leader;
   and Patrick McFetridge,
   Facilities SIG Leader; and of course
   our Admin team, Liz Barrington and
   Karen Gerhardt. I look forward to
   an exciting year ahead working together

and to the continued development of our Association.

 Our Conference, Compensation and Website Committee Chairs and their members for their hard work and expertise in their various roles as leaders of TLOMA.

To Karen Gerhardt, thank you for your friendship, support and guidance not just as our Administrative Assistant, but as a former President of TLOMA.

To Liz Barrington, I couldn't do this without you! Thank you for your unwavering loyalty to the Board, our Committees, and the entire membership. My deepest appreciation for your support, guidance, and advice which have been immensely helpful to me in the past two years of this journey. You are the glue of our Association!

To Janice Rooney, our outgoing Past President. Thank you for your leadership, sense of humour, and your infectious passion during your three year term as VP, President, and Past President. I personally appreciate so very much your mentoring, support, and positive reinforcement as I assumed the post of President and stepped into the big shoes you vacated a year ago. Working with you has been a rewarding and growing experience for which I am immensely grateful.

To my colleague Paul Page, our incoming President, thank you for your contribution this past year and for your enthusiasm and support. I wish you an amazing and successful year ahead as President. The Board and membership are lucky to have you at the helm

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My thanks also to Linda Ryan - member, former President, and friend - for your editorial flair in the review of some of my speeches and President Messages. Much appreciated.

I look forward to my continued participation on the 2015 Board in the role of Past President working alongside our continuing and incoming Board members, a dynamic group of individuals who will continue to build TLOMA to ensure its vitality, relevance and longevity.

Volunteerism is about what you can do, not what you can't. Many thanks to <u>Louise McNeely</u> for her continued efforts as our Volunteer Coordinator and increasing our contingent of volunteers. Members are welcome to reach out to Louise directly to consider where you can make a difference!



# **OUTGOING PRESIDENT'S REMARKS AND THANK YOU'S Continued...**

# **TLOMA Business Update:**

As outlined in the Membership Renewal, your 2014 Board has forged ahead with many initiatives this year including excellent education and networking opportunities at our annual conference, SIG and PD meetings, our mentoring program, the marketing project initiated in 2013, and the continued development of the compensation survey, our website and newsletter. We look forward to advancement and completion of ongoing projects and to ensuring added value to our members.

Stay informed of upcoming events by checking <a href="www.tloma.com">www.tloma.com</a>. The current and incoming SIG leaders, our conference education liaison, and VPs are in the throes of planning informative educational sessions for 2015!

TLOMA's Mission Statement - To provide professional development and best practices opportunities to enhance the competence and professionalism of legal management professionals through learning, sharing and networking. TLOMA is here to provide you with amazing professional development opportunities. Make a commitment to yourself and your professional development. Take advantage of the investment you and your firm are making in your membership! If you are a newer member and would like some assistance in becoming an active member, you will want to participate in our Mentor/Mentee program which was launched this fall with thanks to Simone MacIsaac and Janice Rooney. Members interested in participating in either role are welcome to contact Simone directly.

As I close my final Message, I want to thank you for the privilege and honour of serving as your President. It is not a role I assumed lightly nor which I have taken for granted. This rewarding experience has provided much professional development in terms of leading a Board and being involved in a not-for-profit association. I have learned from my colleagues and have developed many new friendships which I will cherish.

On behalf of the 2014 Board, I want to wish you a wonderful and safe holiday season. Enjoy making new treasured memories with your family and friends. I look forward to seeing you next year and extend my best wishes to you for a healthy, happy, exciting and prosperous 2015!

# My parting "food for thought":

The best way to find yourself is to lose yourself in the service of others.

Mahatma Gandhi



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# WHAT'S MY FAVOURITE CUP OF COFFEE?

By: Evan Glazer

The world of coffee has changed. And yet, it's stayed exactly the same. Over the years we've seen new brewing systems that have made our lives easier, more convenient, provided more variety or magically made wonderful concoctions such as mochas, cappuccinos, lattes or whatever creation you can come up with. We've seen brewers of all colours, shapes and sizes. Some that promised to deliver the best coffee experience ever. Some were just terrible and created more problems than they solved. Some coffee systems created a bad cup of coffee. Some created an amazing drink. Some just didn't work. There's always been some trade off with regards to price vs. benefits vs. features. This is not an editorial on what "system" I recommend, but rather an explanation on what my favourite cup of coffee is. After all, regardless of what type of brewer you use, the basics are the same...take coffee add hot water, and voila...you have a cup of coffee. (Yes I'm over simplifying). The search for the Holy Grail of coffee is endless.

I taste a lot of coffees. My job requires that I know an awful lot about coffee. I need to be able to work with our customers to find a coffee or a selection of coffees that suits their needs and wants. I need to be able to hear what our customers are saying and provide sound advice. Every customer is different. Every taste is different. But everyone has a "favourite"...

So, what is my favourite cup of coffee? The one I enjoy the most? For me, it is not about the coffee. It's about the experience. Here's just one Coffee Experience that I can share with you.

The year was 1995 (or so). My friends and I decided to take white water canoeing lessons on the Ottawa River with a company called Owl. My buddies had been there several times, but this was my first. We arrived late on a

Friday night in early May (and it was cold) and set up our campsite. It was too late to cook, but we did manage to roast some hotdogs on a small fire that was lit and make some KD. Once I was settled in nice and snug in my sleeping bag I immediately went to sleep.

In the very early morning, I got up and was pretty excited to start my adventure. But boy was it cold. There was frost everywhere and the sun wasn't up yet. I decided that I would light a fire and just read until everyone else got up for breakfast. Once the fire was lit, I grabbed a fleece and a book and decided to make coffee. I had a camping type coffee pot that basically made the equivalent of espresso. This was before I was in the coffee business and I had no idea what I was doing. I took a few spoonfuls of the coffee I had brought with (I still don't remember what it was) and added water and put the brewer on the grill in the fire pit. After it was ready,

I bundled up again, settled into my camping chair and then noticed my surroundings. The sun was just rising. There was a mist coming off of the ground and I was surrounded on 3 sides by forest and on one side by water. It was spectacularly beautiful.

I was sitting in the wilderness, with a campfire at my side, a stainless steel coffee mug steaming in hand and total silence except for the water flow in the river. Life was perfect. I'm not even sure if the coffee was good or not. But, the experience...Wow!

Coffee should be enjoyed. It should be appreciated. It should be an experience. Choose your own favourite cup.

If you want to share your coffee story, please feel free to drop me a line at evan@imperialcoffee.com.

Evan Glazer is Sales Manager for Imperial Coffee. He has received substantial coffee and tea training and has his Quality Coffee Certification, Certified Water Specialist training and has recently attended Tea School at George Brown College. www.imperialcoffee.com





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# A MESSAGE FROM YOUR MARKETING COMMITTEE...

By: Alison Janzen

In 2014, we introduced a revitalized brand for TLOMA. This new look and messaging represents our growth, vibrancy and the forward thinking nature of our membership. We started this project with a member and business partner survey and the feedback from this survey formed the basis of our new brand platform. The revitalized TLOMA brand can be experienced through signage at our events, nametags, conference, e-communications, TLOMA Today and our website.

As we look forward to 2015, we have plans to expand our membership and enhance our services to ensure that TLOMA continues to deliver the value expected by our members and business partners.

# 2014 Marketing Committee

Co-Chairs: Cathy Byrnes, Alison Janzen Committee Members: Liz Barrington, Karen Gerhardt, Paul Page, Janice Rooney, Karen Schrempf





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By: Michael Tweyman and Arin Klug

# CHANGES TO RULES OF CIVIL PROCEDURE TO MODERNIZE THE PRACTICE OF LAW

The rigid rules of procedure in litigation have historically been an impediment to, rather than driver of, efficient law practice management. As of January 1, 2015, an amendment to Ontario's Rules of Civil Procedure will reverse this trend.

Instead of serving court documents through traditional methods such as fax, mail, personal delivery and courier, lawyers will soon be able to serve documents instantaneously and securely over the Internet using an electronic document exchange. An electronic document exchange is a web based portal through which a network of lawyers can easily serve and organize their court documents in a secure environment. This new method of service will increase the reliability, convenience, and cost effectiveness of sending and receiving documents in the civil litigation context.

The most important aspect of any method of service is its reliability. The ability to ensure that the documents reach their intended recipients. One of the major benefits of an electronic document exchange is the assurance that court documents will be delivered instantaneously to opposing counsel. Since an electronic document exchange is a controlled environment specifically designed for service of court documents, there is no equivalent to a spam filter, a junkmail folder, or file size restrictions that would prevent a lawyer from receiving his or her documents.

Unlike traditional methods of document delivery that are susceptible to issues such as incorrect addresses and fax numbers, transmission errors, and the unavailability of the recipient to receive the document, electronic document exchanges can virtually guarantee successful delivery. Moreover, the electronic document exchange itself will act as a neutral third-party that is able to independently verify exactly when and on whom a document has been served. As a result of these features, the affidavit of service that must be prepared and sworn to prove service by courier, personal service, mail or fax has been dispensed with for service by electronic document exchange. Instead, the electronic document exchange will automatically generate a "record of service", which contains all of the details of service and constitutes valid proof of service under the Rules.

Electronic document exchanges will also introduce a measure of convenience to what is currently a paper intensive process. Since documents that are sent or received through an electronic document exchange can be made available in the cloud, they will be accessible from anywhere at any time. Lawyers will no longer have to transport large volumes of paper when they wish to review documents outside of the office or at court. Having documents available in electronic format will also allow lawyers, clerks, and assistants to be able to save large court documents into existing computer and document management systems, without someone having to unbind and scan hundreds of pages. Smaller firms that do not currently utilize a commercial document management system will also benefit from the fact that

incoming and outgoing documents will be automatically organized by case.

Adoption of the electronic document exchange as the means of serving and receiving court documents will also result in time savings and lower costs for law firms. For example, since there will be no need to produce multiple hard copies of the same document for service, firms will save tremendously on costs associated with copying and binding, thus reducing the charges that firms are currently passing on to their clients or absorbing themselves. In addition to savings related to time and overhead, serving documents through an electronic document exchange will generally be less expensive than some of the more commonly used methods of service, such as personal delivery and courier. Finally, since all documents that are sent through an electronic document exchange may be grouped together by case, cost recovery can be made very simple, as a "disbursement report" detailing all of the document service charges for a particular case can be generated very quickly and easily.

With the introduction of the rule permitting document service through an electronic document exchange, Ontario has taken a positive step towards bridging the technology gap between litigation service rules and modern document management practices. By leveraging this technology, firms will be able to replace inefficient, paper based methods of service with a form of service that is better suited to today's practice of law.

Lawyers Michael Tweyman and Arin Klug developed the electronic document exchange concept and submitted the initial proposal to the Civil Rules Committee to permit service by electronic document exchange. Michael and Arin are also the cofounders of CourtSide EDX. (www.edxontario.com), the first electronic document exchange designed specifically to comply with the new rule. Law firms can register for CourtSide EDX at no charge by calling 1800EDX5732.



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By: Deborah Davids

# CONFERENCE IGNITE THE ENERGY WITHIN - THE FLAME CONTINUES TO BURN BRIGHTLY

The TLOMA 26th Annual Conference was held September 17th-19th at Niagara on the Lake, Ontario.

The feedback received from our attending delegates and Business Partners affirmed our goal and objective – to provide a conference with high energy, motivational and educational speakers, a first-class trade show, and an abundance of opportunities to network with our peers and business partners.

Attendees were greeted by our 2014 Committee members with promises of what lay ahead at the Conference and a cool gift befitting our theme. The networking event was charged with positive energy and fun. Delegates interacted with each other and participating Business Partners and left exhilarated not wanting the evening to end.

The opening keynote presentation was delivered by General Rick Hillier. An icon in his field, the General regaled the audience with stories of his military career and brought us all to tears and laughter. He motivated the attendees to look deep into their lives and realize how very fortunate we all are.

Leah Simon took to the stage and helped us

navigate through the muddy waters of a topic that is top and centre in everyone's mind: Accessibility for Ontarians with Disabilities Act - Where Have We Been and Where Are We Going? Mark Tewkesbury and Debbie Muir shared tips on promoting a culture of diversity, with heart and humor.

Our heads were overflowing with ideas on "Personal Productivity", Business Continuity and we were empowered to become branding champions.

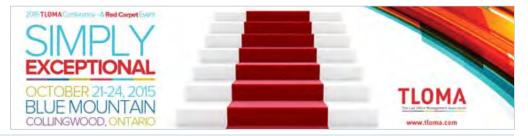
Tim Cork, a networking guru addressed the group in a closing address. He shared secrets on how to get straight A's and being the best that each of us can be. The speakers, all leaders in their respective fields added a touch of professionalism, knowledge and expertise to the Conference. The trade show offered delegates and Business Partners to make new and renew old connections.

Evenings were filled with networking opportunities and fun filled themed events; such as a fabulous dinner with the Business Partners, a trip to the casino and an "Evening in Paris".

Delegates left the conference revitalized and anxious to put all they had learned into practice. Our thanks to all those who attended and helped to make this another memorable event. To all our volunteers, we truly appreciate your assistance.

We look forward to seeing you all again at next year's Conference at Blue Mountain, October 22nd - 24th.

Deborah Davids, 2014 Conference Chair and the 2014 Conference Committee: Nancy Lio, Mary Lavis-Todd, Joanne Pinnellis, Roger Rosemin, Bernard Quilty, Helen Lee, Edmund Reid, Lucas Szotek, Liz Barrington







By: Claudio Nespeca

# SEVEN REASONS WHY MORE COMPANIES ARE OUTSOURCING TELECOM

Going from a Silicon Valley buzzword to a household term in just a few years, it's no surprise that "the cloud" has had deep and widespread influence on the business world. Its reach has moved beyond remote backup, data storage and file sharing and into business-critical technologies like telecommunications. Today, organizations are partnering with cloud telecom providers to outsource all of their communication needs, from network architecture and configuration through to ongoing maintenance and management.

Today, organizations are partnering with cloud telecom providers to outsource all of their communication needs, from network architecture and configuration through to ongoing maintenance and management for seven main reasons:

### 1. Reduced Capital Expenditure

Subscribing to a service rather than purchasing a full system significantly reduces upfront costs. Traditional business phone networks, like PBX and Key systems, cost thousands of dollars in equipment—not including time and effort to install, configure and maintain. Outsourcing allows you to treat telecom as a service, billed for monthly instead of outright.

### 2. Improved Disaster Recovery

On-site networks tend to be more susceptible to disasters than cloud networks because they're centralized. Cloud service providers use failover locations to backup their network hubs so that intense weather, blackouts and





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# SEVEN REASONS WHY MORE COMPANIES ARE OUTSOURCING TELECOM Continued..

other disasters don't affect their clients. This allows businesses to access the network from another location in situations where the office is experiencing problems and protects your voice network data and configuration.

#### 3. Automatic Maintenance & Updates

Outsourcing allows internal IT teams to focus on more pressing matters while the Hosted VOIP provider manages the phone network. This has a triple-benefit: company networks encounter less issues since they're managed by a dedicated team of experts; the network is continually updated; and internal IT resources can be used more efficiently. Rather than having an expert on-site or on call to service the network, businesses can move their network to specialized facilities.

#### 4. On-Demand Customizations

Businesses with internal networks have to plan entire projects to deploy a new application, feature or add new seats. Businesses that have outsourced their telecom have to place a call to their provider who can "turn on" features or add new lines within a matter of hours. Features and functions that exist in the cloud can be provided to as few or as many end-users as required.

# 5. Anywhere, Anytime Access

Outsourced networks "live" in the cloud. They can be accessed from anywhere with an internet connection and an IP phone or mobile device. Mobile teams and remote workers stay connected to the network from anywhere without additional applications or separate business networks.

# 6. Overall Flexibility

Outsourcing often means a more dynamic and flexible network. Hosted VoIP networks are highly customizable, easily scaled and accessible from anywhere with an internet connection. This enhances the experience on

all levels, from business operations down to employee experience. Traditionally, business would have to invest more into their core network for each new function or application.

#### 7. Engaging a Single Vendor

Turnkey solutions save businesses the time that would be spent planning and budgeting for telecom requirements. Multiple vendors can often spell disaster when recommendations conflict and responsibility is blurred across multiple service or equipment providers. Companies can instead begin to look at their telecom provider as a long-term technology partner since they manage their entire network.

Claudio Nespeca is Vice President Operations and Marketing at Epik Networks, a leading VOIP and Internet service company headquartered in Toronto.



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2014
WEBSITE
COMMITTEE
MESSAGE

By: Karen Hervais

In 2014 we realized we needed a clear and unified vision. We knew we could no longer operate in a silo, so in 2014 we became a sub-committee of the Marketing Committee. The marketing committee will now help steer and direct future initiatives. This move will carry our committee into 2015 as we focus on streamlining the site. If 2014 was all about brainstorming and finding our way, 2015 will use collaboration, teamwork and synergy to create a product we can all be proud of.

2014 Website Committee Members: Karen Hervais, Chair, Mary DaRosa, Past Chair, Edward Asmar, Janet Baker, Jane Southren, Toula Bekiaris The Compensation Committee was very pleased with the results received in 2013 and we are delighted to report that 2014 was another successful year in terms of participation and member training. Participation increased by 4 firms (1 from under 20 lawyers, 1 from 20 to 49 lawyers and 2 from 50 to 99 lawyers). In 2013, the committee focused on training members on the new survey methodology. Based on the success of this training, we were able to expand upon the information provided in 2014 to include practical tools for matching jobs and applying the compensation data found in the survey for benchmarking purposes and building salary structures.

As the benefits survey is administered every 3 years, 2015 will be a benefits year. Many improvements will be made to the benefits survey to include feedback received from a focus group held in 2014. Not only is there a need to review and expand on the benefits questions asked, we have identified the need for a separate detailed associate benefits survey. The suggestions received during the focus group held will be taken into consideration when updating the 2015 benefit survey questions.

I would like to extend my sincerest thanks to the 2014 Compensation Committee members - Cheryl Brass (Past Chair), Susanne Craig, Debbie Cymbron (Vice Chair), Maryann Joseph, Lynn Rollo, Barbara Russell, Kaitlin Sandor-Kerr, Josephine Schembri, Christine Tapper and Joanne Trudel - your efforts and valuable contributions are very much appreciated. In 2015, Debbie Cymbron and Barbara Russell will be taking on the roles of Chair and Vice Chair, respectively. We look forward to another successful year in 2015!



By: Stephanie Alarie

# TLOMA COMPENSATION SURVEY - OUR TRUSTED ADVISOR ON LEGAL MARKET DATA

As you are all aware, in 2013 the Compensation Committee embarked on a journey with its members to introduce a new survey methodology using career paths and job families to provide members with the ability to match jobs that were previously unavailable and to implement best practices in compensation survey administration.





# THE LEAN LAW RECKONING

By: Heather Suttie

If you thought the legal industry was competitive before, brace yourself for what happens next

Unless you've had your head stuck in the sand, it would be hard to ignore that this has been a year of change. And even though 2014 has yet to end, change won't. If hindsight is a teacher, the lesson is that law is getting lean.

Canada's Big Law market shrunk dramatically with the demise of Heenan Blaikie LLP in February. Other firms have been shedding personnel and are likely to continue doing so. For example, McCarthy Tétrault LLP, which housed nearly 800 lawyers in 2005 and used to market itself on a "size matters" platform, has shrunk to around 590 lawyers in 2014. It's not alone. According to a July report in Legal Week, the UK's top 20 law firms by revenue saw 533 partners head for the exits in the first four months of this year.

#### THE LEAN LAW RECKONING Continued...

De-equitization – when a firm buys back a partner's ownership stake – is another factor. This is especially prevalent among firms unwilling to compromise on a profits-perpartner (PPP) payout — probably the least business-related measurement of a firm's success ever invented

The push for firms to get lean is coming from outside forces and factors. These include inhouse counsel who are demanding efficiency and transparency from those to whom they send work. Much of the efficiency pertains to the person handling the work, and at what pay level. Discounting – sometimes to the effect of suicide pricing – has resulted in work bypassing mid-level partners and associates in favour of paralegals. The good news for the client is that they pay a lower rate; the bad news for firms is that lawyers are challenged to make their billable hours.

Another factor are firms themselves. Smaller firms are popping up — having splintered off from larger firms for a variety of reasons, including a desire among some lawyers not to die at their desks while doing work they want. Even Torys LLP has gotten into the small-isbeautiful act by opening an office in Halifax as an on-shore resource to handle work for the firm's clients on a fixed-fee basis.

Furthermore, non-traditional firms are having a huge impact. For years, will kits have been available at stationery stores. Now you can get in-person legal advice through Axess Law, which has a presence in a handful of Walmart stores in Toronto. Cognition increased its stable of on-call lawyers by expanding into Calgary and Atlantic Canada. Not to be outdone, Conduit Law now includes a "client value adjustment" line that enables clients to change their invoice to reflect their opinion on value for services rendered.

Instigating change is a universal challenge. An Australasian Legal Practice Management Association (ALPMA) survey in June found that resistance, no sense of urgency and a lack of partner buy-in were key barriers to change. According to the 2014 ALPMA/LexisNexis

Impact of the Changing Legal Landscape on Australasian Law Firms, 80 per cent of respondents from 122 firms across Australia and New Zealand said that clients' demanding better value was driving change, but only 18 per cent said they were changing their pricing strategy.

Earlier in the year, Altman Weil's *Law Firms in Transition* survey showed that only 10 per cent of leaders at 803 US firms that responded believe that change will come from within. Instead, 34 percent believe change will be spurred by corporate law departments; 32 percent chose technology innovation; and, 15 percent think change will be triggered by non-law-firm legal services providers.

This lack of rigour supports trends in a number of countries toward non-lawyer-owned and non-lawyer-managed firms. This concept is gathering momentum in Canada, too, as witnessed by the Canadian Bar Association's report released in August, *Futures: Transforming the Delivery of Legal Services in Canada*.

All the surveys in the legal world aren't tell us anything we don't already know, which is that, while major matters will be the domain of Big Law and practice-specific boutique firms will thrive, a new and lean practice of law is evolving.

Lean law will have a non-lawyer management and governance, and possibly non-lawyer ownership. It will feature fewer if any equity partners and, instead, offer lawyers on demand and on contract. Work will be scoped into projects and priced in advance. Deep legal expertise combined with specific industry experience will trump seniority. Loyalty will mean nothing, while brand traits, market differentiation and reputation management will mean everything.

This will be a whole new breed of lawyering — and it will be about time.

Heather Suttie is a legal marketing and business development consultant. She works with a range of firms: global, national, mid-size and boutique. Reach her at (416) 964-9607, heather@heathersuttie.ca or www.heathersuttie.ca.This article first appeared inLexpert, November 2014.

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