

Upcoming Events

Click on each event for more details

- Technology SIG Friday, April 24, 2009
- Finance SIG Tuesday, April 28, 2009
- General Meeting Wednesday, May 13, 2009

Annual TLOMA Education Conference October 21st to 24th, 2009



MAKE IT MATTER THE ART OF ENGAGEMENT

White Oaks Conference Resort & Spa Niagara-on-the-Lake, Ontario

2008 Conference Platinum Sponsors: TLOMA thanks the generosity of our Platinum Sponsors for their continued support

click on the logos below for more information











-//Purolator

Editor: Advertising: Nancy Lio Liz Barrington

TLOMA Today

A publication of The Law Office Management Association

Inside this Issue

President's Message

Remember last month's President's message? I was speaking of change and how we must take advantage of embracing opportunities to make a good ... *Read More*

TLOMA 2008 - A Year in Review

Backed by a strong financial position and a healthy surplus, the Board decided to take on an aggressive agenda in 2008. The budget allowed ... *Read More*

Dye & Durham - Platinum Sponsor Company Profile

Dye & Durham was established in Toronto, Ontario in 1874 and originated as The Dominion Blank Form Company. The name Dye & Durham was ... *Read More*

Talent Management in a Post Meltdown Economy

What a difference a year makes. The message we were left with from the Human Resources Professional Association conference Innovate '08 ... *Read More*

Business Development in the Recovery Economy

Some experienced attorneys are hot commodities right now – those practicing in the areas of litigation, bankruptcy, foreclosures, corporate ... *Read More*

Recession Lessons

Managing employees is never easy, but it poses a particular challenge when teams are lean and the economy is uncertain. While some of the obstacles ... *Read More*

Beware Client Risk Especially With Tough Times Ahead

The end of 2008 is in sight and it has been another busy year; for some it has been outrageously busy. But the extreme shift in the ... *Read More*

Paralegal Regulation in Ontario

In the spring of 2008 the Province of Ontario became the first jurisdiction in North America to issue licenses to independent paralegals. Regulated by ... *Read More*

"FRESH THINKING" about Commercial Real Estate

Vacancy continues to rise in the Downtown core, but we are starting from a much better vantage point than in the 1990's. During this decade, ... *Read More*

Ten Things You Should Know about Every Client

You must invest time to fully understand the culture, goals, opportunities and needs of a client. You should develop the equivalent of a dossier ... *Read More*

Balance at Any Age

I am reading a book called Advanced Law Firm Mismanagement by Arnold Kanter, 1993, Catbird Press, North Haven, CT. The senior partner in the ... *Read More*

Green for Life – Tip # 2

How many times do you shut down your computer when you head off on your lunch break? I once hosted a show about saving ... *Read More*

Green Initiatives

Law firms have historically been some of the worst offenders when it comes to the environment. But as firms continue to compete for business and cut ... *Read More*

THE FACTS YOU WANT FOR THE LEGAL MINDS YOU NEED.



Call 416.365.3153 today for your FREE 2009 Salary Guide. roberthalflegal.com 181 Bay St., Ste. 820

Toronto, ON M5J 2T3

Robert Half[®] Legal

PLATINUM SPONSOR

Canon

Business Solutions Division

Canon Canada's Business Solutions Division supports the legal industry by providing the latest Canon technology with legal specific software applications. Our consultative approach through print assessments and workflow analysis creates solutions that enable law firms of any size to increase productivity and save money. We look forward to discussing solutions that will work for you!



416-491-0305 ext 6129 www.canon.ca/businesssolutions

President's Message



Remember last month's President's message? I was speaking of change and how we must take advantage of embracing opportunities to make a good change. And, if you recall, after renovations to another room in my home "look out kitchen, you're next" was the task at hand. I'm happy to report that I stuck to my plan and tackled this change which has resulted in a newly renovated kitchen (of which I am very proud). Just when we think we are finished with change and

can somewhat coast with the *status quo*, an opportunity presents itself to do more. Needless to say, in the business world these days, change is happening daily for most corporations. It would seem that the role of "change agent" has become another task of Administrators and we need to ensure that our change recommendations are value-added and benefit both short and long term business plans/goals.

If you attended our 2008 Conference, you might have had the opportunity to meet Stephanie Marsh. Stephanie has been re-elected for a second term as president of BCLMA and we wish her much success. Congratulations also to Jan Whyte, President Elect.

TLOMA, BCLMA & ALA continue to actively share ideas and best practices to keep our organizations efficient and thriving in today's business world. TLOMA will continue to embrace collaborative opportunities with these and other organizations that share our vision for advancement and development in the legal profession.

We, Christl, Liz and I, recently met with representatives from the BCLMA and ALA in Vancouver on April 3rd and 4th. This annual meeting provided all three Associations with the opportunity to share ideas and to discuss each Association's unique challenges (especially given our current economy). We also shared individual Associations' plans and objectives for the upcoming year.

In addition, we reviewed the PLMW (Professional Legal Management Week) magazine outcomes for 2008 as well as plans and timeframes for the 2009 magazine. This magazine is an excellent collaboration and communication tool for law firms and its administrators and provides value and significance to our role. TLOMA will be planning additional opportunities and activities to help you gain recognition as a professional administrator within your firm. ALA has confirmed that the 2008 PLMW magazine had a circulation of 48,000 - that's a lot of brand exposure for TLOMA.

There was continued interest and discussion on developing a Canadian version of the CLM (Certified Legal Manager) program. More details on this project and request for Committee volunteers will be circulated in the coming months.

If there is anything that I can assist you with, please e-mail me at ereid@aylaw.com or call 416-777-2407.

Edmund Reid Manager of Information Systems Aylesworth LLP



PLATINUM SPONSOR











Onsite! Overnight!

For all your wood refinishing needs...

Board Tables, Furniture, Millwork

Wood Maintenance Packages

Toronto Refurbishing For more information or a FREE quote Call 905.265.7705





TLOMA 2008 - A Year in Review

Backed by a strong financial position and a healthy surplus, the Board decided to take on an aggressive agenda in 2008. The budget allowed for the use of a portion of the surplus resulting in expenses exceeding revenue in 2008. As at December 31, 2008, the Association is in a very solid financial position. To see the complete 2008 audited financial statements, members should login to the TLOMA website at www.tloma.on.ca and select "Financial Statements" on the menu.

In 2008, the Board decided to increase services to members by providing more general meetings throughout the year. The general meetings were very well attended and featured guality motivational speakers such as Chervl Pounder of Olympic hockey fame and Paula Todd. a well-known journalist.

TLOMA turned 40 years old in 2008 and the founding members could not have dreamed that the membership would grow to over 420 strong and be such a valuable resource for so many people in the legal profession. In changing with the times, the Association made a subtle but significant change to its name. By removing "Toronto" from the name, and replacing it with "The", the Association expanded its reach beyond Toronto while still keeping its well-liked acronym, TLOMA.

Along with the name change came a new colourful logo. The Board consulted with Q30 Design and after considering many alternatives, decided on our new TLOMA logo with its bold red letterina.

In 2008, the Board decided to improve the functionality of the TLOMA website. The result was the implementation of software that allows members to register online for Special Interest Group (SIG) sessions and for the annual conference. In addition, the Association implemented new database software which has helped in the administration of services to members.

In the fall of 2008, the Board consulted with Phoenix Legal Inc. and held in depth strategy sessions to develop short and long-term strategic plans for the Association. The sessions are continuing in 2009 and the results will be presented to the members later in the year.

The SIG meetings have always been a valuable resource for TLOMA members. In 2008, the Association provided important information sessions such as the new Client Identification rules that came into effect for Ontario law firms in late 2008. The cost of providing suitable venues capable of holding such well-attended events increased in 2008. However, due to TLOMA's strong surplus position, the cost to our members of such sessions continue to be included in our annual membership fee.

In September of 2008, TLOMA held its annual conference at the beautiful Blue Mountain resort in Collingwood. Those who attended the conference were treated to a fabulous fireworks display at the top of Blue Mountain to celebrate the 20th anniversary of the conference. The conference continues to be well supported by our vendors and the surplus generated annually from the conference allows TLOMA to fund other areas of the Association activities. This year the conference returns to the White Oaks Resort in Niagara-on-the-Lake and you won't want to miss it.

2009 is proving to be a challenging time for all of us due to the global decline in the economy. However, TLOMA is well-positioned to keep providing top notch services to members. In difficult times, we may find that we need the support of our fellow members more than ever. Remember to take full advantage of your TLOMA membership and participate in your own way whether it is attending a meeting, answering an email question from a fellow member, volunteering at an event or serving on a committee.

I have enjoyed being the Association Treasurer for the past two years and know that the Association will be well served by our new Treasurer, Paul Page. I look forward to seeing you at many TLOMA events in 2009.

Gerry Tipold, Firm Administrator, Lenczner Slaght, TLOMA Treasurer, 2007-2008

Platinum Sponsor – Company Profile A Division of The Cartwright Group Ltd

Dye & Durham was established in Toronto, Ontario in 1874 and originated as The Dominion Blank Form Company. The name Dye & Durham was adopted in 1911 as a result of the company's ownership by business partners Mr. Shirley Dye and Mr. Sydney Durham. Dye & Durham started by selling legal forms primarily to the Ontario market, and soon progressed to a complete line of office products.

korbitecinc.com



Automates the entire process of creating court documents.

- · Reduces Errors
- · Up-to-date Forms
- Standardize Workflow and Documents

MAXIMIZE PRODUCTIVITY

REDUCE COSTS



Now includes Construction Lien and Federal Forms





The purchase of their first printing press in 1962 marked the diversification into the printing business and their expansion of capabilities into printing services. During the course of two decades between 1976 and 1996, Dye & Durham enjoyed steady growth and established local distribution centres throughout Ontario and even into Winnipeg, Manitoba. In that period, Dye & Durham had also established and opened its Corporate Search office in downtown Toronto to further compliment their product and service offering to the legal industry.

1991 marked a significant year for Dye & Durham as the Cartwright Omni Corporation acquired Dye & Durham and operated the business under the new name of Dye & Durham Co. Inc. In 1992, rapid expansion led to the purchase of Newsome and Gilbert Inc., a reputable fine printing and stationery business. In the late 1990's, Dye & Durham acquired the Search Services and Corporate Supplies division of CCNS Corporate Services Ltd in Ontario and CCNS Information Services Inc. in Western Canada.

On January 1st, 2006, Dye & Durham officially changed its name to Dye & Durham, A Division of The Cartwright Group Ltd., belonging to an umbrella of companies which include, Emond Montgomery Publications Limited, Canadian Lawyer, Law Times, CLB Media and Canada Law Book.

In the fall of 2008, Dye & Durham announced the sale of its Ontario Search & Registration and Corporate Supplies business units to Teranet Enterprises. In late 2008, Dye & Durham's British Columbia and Alberta operations were acquired by the former Vice President, B.C. operations. This sale consisted of the Search & Registration Services and Corporate Supplies business components for British Columbia and Alberta.

Today, as part of Dye & Durham's National strategy to provide nation-wide distribution through local strategic partnerships, the British Columbia Office Products, Furniture, Promotional Products and Graphics were sold to Mills Basics in Vancouver. This sale represented Dye & Durham's fundamental desire to maintain national coverage while keeping a cost effective solution for customers.

Dye & Durham (BASICS) is an active member BASICS national network of dealers, the largest Canadian Office Products buying organization offering coast-to-coast distribution through the BASICS National Account Program. This program allows for BASICS National dealer members to seamlessly provide day-to-day office product needs to National organizations by strategically utilizing the local distribution capabilities of the other participating dealer members across Canada. The National Account Program offers consistent pricing, consistent product offering, quality Basics branded product, local distribution, and next day delivery to all major city centres. Dye & Durham and the National Basics Account Dealer members take pride in their collective effort as being "Coast to Coast and Just around the Corner" to National businesses.

Learn more about the National Account Program Dye & Durham's advertisement for the National Account Program

A core value of Dye & Durham is the commitment to sustainability throughout their business practices. The company endeavors to offer an extended range of environmentally friendly products & services by embracing the challenge of sourcing, promoting and encouraging the use of more environmentally responsible business products and practices without compromising quality, performance and value for customers. In the fall of 2004, Dye & Durham, along with the BASICS group launched the EPP (Environmentally Preferred Products) program that identifies and encourages the use of products providing an environmental benefit. The range of products offered has aggressively grown over the last four years and it now is approaching close to a thousand items. One of the main selection criteria in the 2009 catalogue was a product's environmental benefit. Dye & Durham has also been certified by the Forest Stewardship Council (FSC), making the commitment to responsible forestry.

Dye & Durham is one of the best-known and longest-standing suppliers to the Canadian legal market and is proud to be the preferred supplier of quality legal products as recognized by the Canadian Bar Association (CBA). Since its inception, Dye & Durham's strategy has been consumer-centric, offering personalized service by nurturing long-lasting relationships with its customers. The company strives to take proactive approaches in all its business areas including, but not limited to, corporate citizenship, product development, sourcing methods and efficient operations. Today, Dye & Durham employs over 80 full-time employees in its head office location and serves businesses throughout Canada. In early May 2009, Dye & Durham will be moving into a 45,000 square foot facility located in the heart of Richmond Hill, Ontario. Dye & Durham will continue serving their customers with a strong regional presence offering Legal Specialty Products, Office Products, Furniture, Corporate Promotional Items and Printing Services. Moving forward, Dye & Durham is excited as it continues to expand within the commercial market and while offering national coverage with the Basics national network of dealers.



MAKE IT MATTER

Annual TLOMA Educational Conference October 21st to 24th, 2009 White Oaks Conference Resort & Spa, Niagara-on-the-Lake, Ontario

Professional Development is a need that always exists - especially during challenging economic times. Now more than ever, Firms need employees to be engaged. That means YOU and YOUR TEAM. Join us for the 2009 TLOMA Conference to master some of the essential skills for leading an engaged workforce. Dr. Elaine Dembe and Dr. Brad McRae are just a sample of the informative speakers who will leave you enlightened and recharged. *Guaranteed to give you a huge return on your investment!*



Dr. Elaine Dembe

De-Stress! Resilience for a Workplace on Adrenalin

Stress is detrimental for business. Overwhelmed employees are not nearly as productive as those who manage workplace stresses. Dr. Elaine Dembe will rejuvenate your workplace with a riveting workshop on stress resiliency.

A compelling speaker, Elaine brings clarity to confusing times. Dr. Elaine Dembe is one of Canada's outstanding authorities on stress resiliency, longevity and motivation. She has an extraordinary ability to focus on the current issues blocking the path of the way we live and work and to inspire and re-energize her audience to live and work with purpose, passion, productivity and contentment. Elaine's speaking engagements motivate individuals and employees to strengthen their mental and physical resiliency against multiple stresses and unpredictable times and to find joy in everyday living and working. To read Elaine's more extensive bio, please click here.

Strategies of Successful Negotiators

Studies show that today's professionals spend up to twenty-five percent of their time negotiating and resolving conflicts. Therefore, the success of these professionals rests heavily on developing effective negotiating skills. In this interactive workshop, participants will explore what are the skills and strategies necessary to become a master negotiator. In this presentation, you will learn how to come to the table incredibly well prepared in order to negotiate more effectively with the people you work with both inside and outside your organization. Stories from interviews with the best negotiators interspersed with negotiation theories that bring these stories to life. Video demonstrations and interactive exercises are provided so the participants can see negotiation best practices in action. More specifically, you will learn how to:

- 1. Come to the table incredibly well prepared in order to negotiate more effectively with the both inside and outside your organization.
- 2. Develop more creative solutions and resolve conflicts more creatively.
- 3. Make sure that the message you want to get across is the one received.
- 4. Identify your preferred negotiating style and have more confidence in when to use it and when not to.
- 5. Turn lose-lose situations into win-win relationships.

Brad is the Director of the Atlantic Leadership Development Institute in Halifax, Nova Scotia and Kingston Jamaica. Brad has a doctoral degree in Counselling Psychology from the University of British Columbia and a baccalaureate and master's degree from California State University. He is a registered psychologist, consultant, and best-selling author. He was trained in negotiating skills at the Project on Negotiation at Harvard University and was trained in career development skills by Richard Bolles. To read Brad's more extensive bio, please click here.



Dr. Brad McRae







Talent Management in a Post Meltdown Economy



What a difference a year makes. The message we were left with from the Human Resources Professional Association conference Innovate '08 was that talent management would become increasingly more challenging as the "grey wave" of baby boomers exited the workforce. As of the midpoint in 2008, over 60% of HR professionals felt that attracting and retaining talent was a key business driver.

Bob Woodcock

Who knew that the impending economic meltdown would change the landscape of talent management entirely? The downturn we experienced in

the last two quarters of 2008 has shifted the balance for available talent to a buyer's market. The challenge we are now faced with is retaining the key talent that was being groomed for succession and making sure that as an organization we make the right moves if we're forced to reduce headcount.

With the reduction in the value of pension funds available many boomers have been forced to make the decision to stay in their current roles much longer than they may have anticipated. That means that development opportunities for many have either dried up or timelines have been shifted beyond what may be deemed to be acceptable to some of the great "younger" talent you've got on your team.

Although the retention of these performers may not be a short term threat, it is certainly a condition that needs to be factored into any strategic planning for your organization. Most projections are that under the current economic conditions it is more likely for people to maintain the status quo and not risk the market conditions. However, some pundits are suggesting that we could be experiencing a recovery in as little as 5 months. The longer timeline is still just a year away. The bottom line is that we are still going to be faced with a talent shortage at some point. If all your great young talent leaves you for greener pastures you will find yourself even further behind.

The question for the entire leadership team is how to keep this group of talented individuals engaged and committed to your team. The top drivers of engagement in an organization are;

- · Confidence in the future of the organization
- A promising future for the associate
- Company supports work/life balance
- They are excited about their work
- They have confidence in the organizations senior leaders

If the timeline for a recovery is just 5 months it is critical that your leadership team maintain a solid communication plan so that collectively you minimize the potential impact that the loss of key/critical performers will create. We believe that with the timing involved your strategic planning process should align with the following;

- This is the time to evaluate and identify the core business issues for your organization
- This is the best time to invest in training
- This is the best time to coach your people

Leadership practices drive engagement and results. Almost 75% of the reasons why people leave organizations is under the control of the organization. It's the age old "chicken or the egg" syndrome. Organizations with an engaged group of associates outperform the bottom 25% by a margin of 2 to 1. Are the people with the company because it's a winner, or is it a winner because of the engaged and committed staff?

Your people need to hear from the leadership team more now than ever. Solid communications shouldn't just happen during periods of crisis. Understanding the behavioural drivers for your team is more critical now than it ever was. In this market getting a leg up on the competition could be the difference between survival and extinction.

As the recession deepens more and more organizations are being faced with the spectre of controlling costs and human capital management typically accounts for one of the largest corporate spends. The question on everyone's mind should be centered around making sure we keep the right people so that we are positioned to hit the ground running as we start to climb back out of the current conditions.

For some organizations it will be a simple matter of last, first out and although this may be the easiest route to take it likely won't be the most effective. The perception of risk is much lower when an employee has a track record with your organization. You've got the perfect opportunity





Construction Managers & General Contractors

www.marant.ca

Contact: Jennifer Vopni, LEED AP 416,425,6650 jennifer@marant.ca

TORONITO / MONITREAL



to fully assess not only the talent that you currently have on your team but also what the specific role requirements are. If you're going to be forced to do more with less for a while it is imperative that you make sure that you've got the right players on the bench to be able to execute this strategy. The real risk is that you send real talent packing simply based on tenure.

Using a behavioural assessment tool such as the Predictive Index allows you to take an informed look under the hood to get a better sense of alignment between your people and the strategic vision of your organization. Are your people a fit for the role they're in and more importantly are they a fit for your culture? Do you have some people on your team that are naturally, behaviourally inclined to be in the group of top performers when we come out of this?

McKinsey identified an uplift in workplace performance between 40 and 67% when we've got motivated and engaged people in the right roles. Clearly knowing how to better understand, motivate and develop your people allows you to provide a performance management system that goes far beyond process and allows you to connect the day to day tactical with the corporate strategic vision. My clients tell me that their review process moves to a totally different and elevated level when they are able to understand and connect in a meaningful way with the talent on their team.

Positioning for the recovery includes making sure that the cuts you may be forced to make don't eliminate muscle. In a do more with less framework you're going to need all the muscle you can lay your hands on to be able to power through. A great assessment tool will not only help you to identify a persons' natural behavioural inclinations it will show you the following key items;

- The ability to cope with change (who on your team needs more frequent communication?)
- Tenacity (is your business development team able to deliver even in challenging times?)
- The ability to deal with stress and still perform
 - · The level of engagement or motivation
 - · How they make decisions under pressure

Last in, first out may be the easiest decision for you to make but it doesn't set you up for your suture success. Take the time to take a long hard look at the talent on your team. If you currently use an assessment tool for recruitment find new and innovative ways to apply the data that you've already captured. The Chinese characters for the word crisis are actually danger and opportunity...you've got both staring you in the face when you have to pull the trigger on who stays and who goes.

We know that behavior is responsible for as much as 25% of workplace performance. Does your leadership team have a solid grasp as to the behavioural makeup of the people that drive the organization? There are several great assessment tools at your disposal that will help your organization to better understand, motivate and develop the talent that you've got on board. The use of these tools has increased dramatically in the past three years. Is it time for you to get a better read on the talent you've got to work with?

As Managing Principal with Predictive Success Corporation Bob Woodcock helps organizations manage their talent and improve business results by better understanding, developing and motivating their people using the Predictive Index[™]. Bob can be reached at bobw@predictivesuccess.com

Business Development in the Recovery Economy



Some experienced attorneys are hot commodities right now – those practicing in the areas of litigation, bankruptcy, foreclosures, corporate securities or patent proceedings.

Other attorneys, not so much.

As the economy contracts, law firm clients have laid off more than 600,000 employees – in January alone. Law firms are feeling the ripple effect. In just two days in February – Black Thursday and Friday the 13th – 1,100 legal professionals lost their jobs or received buyout offers. According to industry experts, this is just the start.

As books of business continue to shrink, what is a fearful lawyer to do?

"All too often, a fearful lawyer hibernates in his or her office -- completely avoiding networking and business development," said Cindy Rold. "Instead, lawyers must consciously release their fear and maintain a positive attitude. Embrace change and make it work for you. Take



Dye & Durham is a Canadian owned and operated company. We are part of the BASICS national network of dealers, serving Canadian businesses from coast to coast. To read more on our National Account Program click the leaf or contact john_trevisan@dyedurham.ca



THINKING OF DIGITAL DICTATION OR SPEECH RECOGNITION?





advantage of this 'gift' of free time to do some focused business development – positioning yourself to attract new business now, and post-recovery."

Rold made this presentation on "business development in a down economy" before members and guests of the Rocky Mountain Chapter of the Legal Marketing Association (www. legalmarketing.org/rockymountain).

Rold is a relationship development coach with Maraia & Associates in Littleton, CO. She is a Platinum Partner coach with the Anthony Robbins Company (one of only 12 to hold this designation) and co-author of 99 Networking Nuggets. She is a lawyer, a former senior law school administrator and a former president of NALP (the Association for Legal Career Professionals).

"High-level networking is the key to building and maintaining good relationships that lead to new business – in good economic times and in bad," said Rold.

"At the basic level of networking," said Rold, "a lawyer networks with others in order to get something: 'Will you give me some work?'

- At the intermediate level, a lawyer gives something in order to get something in return: 'Here's some good advice or a good contact. Now, will you give me some work?'
- At the most-effective level, a lawyer contributes something without expecting something in return: 'Here's some good advice or a good contact. I hope this information helps you solve your problem.'"

Use your "down time" to strengthen relationships by networking:

- 1. Every day, make a small contribution. "By a contribution, I mean selflessly sharing something that makes another person's personal or professional life a little bit better," said Rold. "Call a client to ask how they are being affected by the down economy. Send a news clip or an online link about a subject the person is interested in. Write a note to thank the person for something or maybe just a 'thinking of you' note to someone who has been laid off."
- 2. Get closer to clients. Use your available time to meet with your clients and learn more about their businesses and how they are doing in the current economy -- face-to-face and off-the-clock. Ask how you are doing as a service provider and how you can improve. Create and present free in-house education programs for the legal, risk management and human resources departments of your clients.
- 3. Delegate work to associates. "Often, when there is less work in the pipeline, partners will retain that work rather than passing it along to associates," said Rold. "If it is associate-level work, let associates do it. At the senior level, you need to be out making it rain for yourself and your firm especially during hard times."
- 4. Refine your personal marketing plan. Use your available time to carefully consider your personal marketing plan. Going forward, who is your specific ideal client? To which industry groups does this client belong? To which publications or Web sites does this client subscribe? What are the emerging legal issues affecting this client? If necessary, make some calls or visits to answer these questions. In addition, come up with a short "elevator statement" that succinctly states how you help clients solve their problems so you can let people know what you do.
- 5. Attend gatherings. "In the current economy, you finally have the time to attend many of those events you had to pass on before because you were 'too busy,'" said Rold. "These include business and professional networking events, social gatherings and even kids' activities. At these events, consciously but tactfully ask 'high energy' questions to turn conversations towards business activities and needs. Don't 'sell,' just discuss and look for ways to 'make a contribution' and be helpful. Everyone can be a member of your network."
- 6. Get involved. Use your newly available time to join and actively participate in the industry or professional groups frequented by your ideal clients with the goal of making a contribution by participating at the committee or (eventual) board level.
- 7. Speak and write. "Once you know what groups your ideal clients belong to, make an effort to speak at their local, regional and national events and write for their print and electronic publications," said Rold. "Before you speak or write, interview your clients or potential clients for their input; they will be flattered. Invite them to the speech. After you speak or write, send a synopsis or a copy of the article to your contact list with a personal note. You could also use available time to create a newsletter."
- 8. Get to know your colleagues. With a little extra time on your hands, get out of your office and systematically get to know your colleagues at your law firm especially those on other floors or in other cities. Stop into their office or ask them to join you for coffee or a meal. Ask

CAN'T FIND THAT CASE FILE?



Find and deliver any legal file fast

GET THE LEGAL FILES THEY WANT, QUICKLY AND EFFORTLESSLY

You'll have every document at your fingertips when you outsource your records storage to Iron Mountain. Sophisticated indexing at the box, file, or document level make finding files a breeze. With fast 24/7 access via fax, phone or the Iron Mountain Connect[™] portal, you can quickly locate records by case name, client, matter or even billing code. For over 50 years Iron Mountain has been helping law firms of all sizes store and find their files. Shouldn't your firm be one of them? For local service call Tracy Tabor, Manager, Legal Services, 905-792-7099 Ext. 2318.



©2006 Iron Mountain Incorporated. All rights reserved. Iron Mountain and the design of the mountain are registered trademarks of Iron Mountain Incorporated.



them about their practices, their needs and their interests – so you can provide them with information and possible contacts going forward.

9. Implement your marketing plan. "Even in a down economy, no lawyer has the time to accomplish each and every one of these networking suggestions," said Rold. "Select a few that best fit your practice and personality. If you need some help devising or implementing a personal plan, a coach can help. Make a chart to help you track your progress and success – like 'call two contacts a week,' 'join and participate in one organization this year' or 'write one short legal Q&A for the industry newsletter every three months."

Most lawyers are being affected in some way by this "dry" economy. Do not give in to the paralyzing effect of fear. Adjust your attitude and use this time to build and maintain outstanding relationships with your clients, potential clients and colleagues – relationships that will lead to quality business once the rain once again begins to fall.

Janet Ellen Raasch is a writer, ghostwriter and blogger (www.constantcontentblog.com) who works closely with professional services providers – especially lawyers, law firms, legal consultants and legal organizations – to help them achieve name recognition and new business through publication of keyword-rich content for the Internet as well as articles and books for print. She can be reached at (303) 399-5041 or jeraasch@msn.com.

RECESSION LESSONS Career Expert Identifies Most Common Management Mistakes Made in Difficult Economy

Managing employees is never easy, but it poses a particular challenge when teams are lean and the economy is uncertain. While some of the obstacles businesses are grappling with may be new, the strategies they can use to foster teamwork in a troubled economy are not, according to specialized staffing service Robert Half International. The firm's just-released guide, *The 30 Most Common Mistakes Managers Make in an Uncertain Economy*, outlines prevalent pitfalls and how to avoid them.

"With increased business pressures in an uncertain economy, supervisors are often required to accomplish more with fewer resources," said Mike Gooley, branch manager of Robert Half International's Toronto operations. "By learning from the strategies managers have employed in past downturns -- both those that worked well and those that did not -- companies will be better prepared for when the economy eventually rebounds."

Following are seven of the most prevalent mistakes managers make in a downturn and how to avoid them, according to Robert Half:

- 1. Thinking your staff can't handle the truth. If you haven't before, now is the time to treat employees like business partners. Talking openly about the effect of the downturn on your firm can help staff members feel they have some measure of control. Discuss issues that arose during the last business slowdown. How did things turn around? What was learned from that experience?
- 2. Blaming those at the top. If you're a middle manager who has to deliver bad news, you may be inclined to tell employees that you would have done things differently, but the choice wasn't yours. While this may temporarily take the heat off of you, it sends the message that you are out of sync with the company's leaders, which may be disconcerting to staff. Instead, present changes and the reasons behind them, including how your firm will persevere.
- 3. Feeling people are lucky just to have a job. It may be true that many employees feel fortunate to have a stable position, but this doesn't mean managers can ignore staff members' desire for positive recognition and career support. Top performers, in particular, require extra attention; not only are their contributions especially critical now, but they are always attractive targets for competitors.
- 4. Not asking for employees' help in expanding client relationships. Ask staff members to think about things they can do to help achieve business goals without sacrificing productivity. You may be pleased to discover how resourceful they are. When appropriate, involve your team in efforts to generate new business. This can mean expanding relationships with existing clients as well as identifying and pursuing new prospects.
- 5. Making work "mission impossible." Hiring freezes and tighter budgets may mean that one person is doing the work of two or more people. If this is the case, help your employees identify which projects are mission-critical. Delegate remaining tasks, bringing in temporary professionals if necessary, or put these items on hold. This will help you avoid overwhelming your staff.

JOIN THE CLASS ACTION

behalf of all law firm websites currently suffering from RWN

TO LEARN YOUR RIGHTS SIGN UP AT

or call 905 635 8067



SILVER SPONSOR





- Shifting the focus from the front lines. Client service matters even more when times are tough. Are you doing everything possible to make sure your front-line professionals have the right attitude and send the right messages? If these employees come across as indifferent or inexperienced, you could lose both prospective and existing customers.
- 7. Waiting to try new things. Even in uncertain times, playing it safe can backfire. If you have a promising new service offering or client niche you want to pursue, don't wait for a turnaround to act. By taking well-calculated risks, you can get a jump on competitors and possibly carve out an additional revenue stream.

Robert Half International, www.rhi.com, has more than 360 staffing locations worldwide. Readers can learn more about The 30 Most Common Mistakes Managers Make in an Uncertain Economy and request a free copy of the guide at www.rhi.com/30Mistakes.

Beware Client Risk Especially With Tough Times Ahead



This article originally appeared in The Lawyers Weekly published by LexisNexis Canada Inc. on January 30th, 2008 and is reproduced with permission.

The end of 2008 is in sight and it has been another busy year; for some it has been outrageously busy. But the extreme shift in the health of our economy means that an already competitive legal environment will only become more so. So what does 2009 have in store for your practice?

Karen Bell

There are many variables but a significant influence will be your resilience to client risk. What is client risk? It is a term I use to describe a variety of failures

in the lawyer/client relationship. The genesis can be acts or omissions of the lawyer or of the client. Either way they can lead to costly consequences - client dissatisfaction and defection, loss of talent, liability for the dishonesty of others, loss of profitability, and ultimately, a tarnished or tattered reputation - of a lawyer or of an entire firm.

What specific conduct creates such exposures?

Under-serving the client

It can be as simple as thinking that you are doing enough by providing expert legal advice on a specific matter as requested or instructed. Yet the client may have some particular constraints or other needs, and the risk is that she wonders why you do not make an effort to respect or identify them. Or it may be the case that one lawyer in the firm is trying to do all of the work sent by a client and that lawyer just cannot cover all of the ground. Regardless of whether the lawyer is doing a good job, the client may have the perception that there is no one else in the firm able or available to serve either as backup or for succession or to provide other areas of expertise or experience. Those of you who have been good at deepening your client relationships in good times will be more likely to keep those clients in the coming leaner times.

Insufficient bench strength

Another type of client risk concerns insufficient bench strength. The depressed economy will change what clients are looking for from their lawyers in terms of service offerings, service delivery and value. But even without today's dire financial circumstances, clients' needs inevitably change over time, often becoming more varied and complex. Do you have the breadth and depth of expertise to either serve these growing needs, or to strike relationships with others so that you maintain the client relationship in some manner? Unlike the risk of under-serving where you have bench strength but are not using it, in this case you have not developed or obtained the necessary bench strength. As such, you are not positioned to serve in the manner the client requires and so you risk losing the client.

Trivializing perceived or actual conflicts

It is a given that lawyers act for many clients at one time. We are permitted by our Rules of Professional Conduct and the common law to act for multiple clients in the same line of business, provided we manage any conflict of interest. But clients may have a different idea of what constitutes acceptable and appropriate 'managing'. What is needed is some discussion and sharing of views. Yet, clients tell us more often than not that this dialogue rarely happens, even in the most obvious of cases. What better way to cause a client to lose their confidence than not being proactive in discussions with her to define the boundaries related to other representations?

Depending too much on a single client

Next, consider the significant risk attached to being dependent on a single client for a significant amount of the firm's work. What happens if that client no longer sends the work? The client may



What Our Clients Sav

"Triella responded as promised and delivered a report that helped us make some critical decisions for improving the security and efficiency of our systems. Essentially all of Triella's recommendations were pragmatic and reasonable and will be acted on within our current budgets. We were able to take the report to our regular IT service provider for implementation. On a personal note, I was quite pleased that the report gave our systems a rating of 8 out of 10 for overall management."

> —Keith Bowman **Chief Executive Officer** The Public Accountants Council for the Province of Ontario

www.triella.com



CONSULTING Helping you make the right technology decisions.



SSESSMENTS Validating your investment in technology & people.



SERVICES Keeping your technology performing.



OLUTIONS Managing your intellectual capital.

Gold Sponsors of the 2008 **Educational Conference**

647.426.1004

www.triella.com info@triella.com 209-344 Bloor Street West Toronto, Ontario M5S 3A7



have to change their business strategy (and we are already seeing some of this), or may be bought by another business, or may be lured by the promises of another advisor, or may fail. Such dependency poses a huge risk that needs to be controlled through deep and attentive awareness of the client's business situation, and an understanding of how it may affect their demand for your services.

Becoming a pawn

And finally, we are seeing more lawyers in all size of firms falling prey to their clients' wishes, self-interested actions, and in some cases, dishonest conduct. The call to 'cut corners' in these leaner and more competitive times is a slippery slope to avoid, regardless of how pressing the voice of the client. Whether it is out of a 'desire to please' or simply becoming swept up in the client's hyper-determination 'to get the deal done at whatever cost or using whatever tactics', the inherent risk is that you become the pawn of the client. The consequence of including yourself in his questionable activities is that you risk sharing in the liabilities that attach to that conduct.

Building resilience

Building resilience to risk of any sort starts with awareness about it. Taking action comes next. Ensuring that your client relationships are strong and healthy is a crucial step to keeping client risk at bay. That means focusing on your clients and learning more about them so that you understand their needs and put their demands in context. It also means listening and responding to those needs proactively. Lawyers who invest the time and effort to manage client risk will enjoy satisfied clients in lasting client relationships. Doing so in tough times will make you especially resilient to client risk.

Karen Bell LLB manages business in the practice of law. As a senior external counsel, she advises law firms and legal departments on risk management, practice efficiency, knowledge sharing, client service and business development. For more information, go to www.karenbell.ca

Paralegal Regulation in Ontario



In the spring of 2008 the Province of Ontario became the first jurisdiction in North America to issue licenses to independent paralegals¹. Regulated by the Law Society of Upper Canada ("LSUC"), Licensed Paralegals² are nonlawyers who provide advocacy services directly to the public. Recognition of the Licensed Paralegal profession is an acknowledgment of the integral role played by Licensed Paralegals in the delivery of affordable legal services³.

Laura S. Uvenaka

Permitted activities include representation in court on Small Claims Court matters, on Provincial Offences Act matters, on summary conviction matters involving sentences of 6 months or less and appearances before administrative tribunals

such as the Workers Safety and Insurance Board and the Financial Services Commission of Ontario4 ("FSCO"). Before licensing, the LSUC consulted with interested groups, among them the Ontario Bar Association, the Advocates' Society, the Metropolitan Toronto Lawyers' Association, the Ontario Trial Lawyers' Association and the County and District Law Presidents' Association to obtain feedback on regulation.

Title searchers and process servers retained by lawyers, collections agents who do not use Small Claims Court, in-house employees working for a single employer and members of the Human Resources Professions of Ontario or similar voluntary standard-setting associations are among those exempt from licensing. The LSUC does not project expansion of permitted practice areas beyond advocacy and continues to prosecute non-lawyers working in other areas for unauthorized practice of law. The names of Licensed Paralegals can be consulted on the LSUC's licensee database at www.lsuc.on.ca.

Licensed Paralegals may carry on business through professional corporations, limited liability partnerships or as sole proprietors and are distinct from law clerks⁵ who work under the supervision of lawyers. While the regulatory scheme contemplates self-employment for Licensed Paralegals, the costs associated with setting up an independent practice (license fees, annual fees, rent, business development costs, etc.), point to the likelihood of some Licensed Paralegals seeking employment in law firms or law offices. As the current demand for litigation law clerks exceeds the available supply, law firms may benefit initially from engaging Licensed Paralegals on a contract or project basis until desired staffing levels are attained.

In fact some paralegal education coordinators have already begun to contact law firms about the feasibility of engaging field placement students for articling positions as well as field placements. Consider that Licensed Paralegals must complete inter alia up to 4 years of LSUCapproved practice-specific law studies⁶, a course in ethics, a field placement of 120 hours and attest to being of "good character" before the LSUC will license them. Candidates for junior litigation law clerk positions, even if they are Institute of Law Clerks of Ontario members, are



not required to comply with provincial standards in education or ethics outside of standards imposed by employers.

While the LSUC prohibits lawyers who cannot practice law from applying for licensing, the LSUC does not restrict law clerks, whether in qualifying employment or not, from becoming Licensed Paralegals. In fact, litigation law clerks whose responsibilities extend beyond scheduling or routine administrative matters in court have been required since 2006 to complete licensing requirements if appearing in court unaccompanied by a lawyer.

Even if law clerks fulfill licensing requirements, the LSUC cannot regulate law clerks unless the definition of a licensee (within the meaning of the *Law Society Act*) is extended by by-law to incorporate law clerks. From the LSUC's viewpoint, whether law clerks can or should work concurrently as Licensed Paralegals is ultimately left to each employer's discretion.

As the remaining steps to complete the regulatory framework will be in place by 2010, this is an ideal time for law firms to start to review the subject of utilization of Licensed Paralegals. The indispensable role of law clerks in the delivery of legal services within the law firm environment is widely acknowledged. Given the potential career opportunities that licensing might afford litigation law clerks and the potential benefits to firms of utilizing Licensed Paralegals to manage staffing shortages, absences or vacations, overflow and clients' costs on a temporary or long-term basis, the introduction and integration of Licensed Paralegals into litigation departments and collections departments might constitute the next step in the evolution of law firms.

- ³ This view is evident in the first decision on privilege as it pertains to paralegal-client communications. See Chancey v. Dharmadi, 2007 CanLII 28332 (ON S.C.). Master Dash noted in his Reasons for Decision that "there is no principled reason why communications between a paralegal and his client should not be subject to the same class privilege as exists between a solicitor and his client" and further that a client should not have to engage a lawyer at a higher fee just to maintain privilege over confidential communications. This decision was rendered after regulation became law, but prior to issuance of the first paralegal license.
- ⁴ Paralegals who worked on Statutory Accidents Benefits Schedule claims, formerly known as SABS paralegals, have been regulated solely by the LSUC only since May 1, 2008. Although the LSUC was granted regulatory authority over Licensed Paralegals prior to that date, SABS paralegals had to report information to both the FSCO and to the LSUC until an amendment was made to the Insurance Act (Ontario) effective May 1, 2008 to remove the requirement to report information to the FSCO.
- ⁵ "Law Clerk" means a person qualified through education, training or work experience, who is employed or retained by a lawyer, law office, governmental agency or other entity in a capacity or function which involves the performance, under the ultimate direction and guidance of a lawyer, of duties of an administrative or managerial nature, and/or of specificallydelegated substantive legal work which requires a sufficient knowledge of legal concepts that in the absence of a law clerk the lawyer would perform.
- ⁶ As of March 15, 2009 the LSUC had accredited the following paralegal programs of study: Algonquin College, Durham College, Humber Institute of Technology and Advanced Learning, Seneca College of Applied Arts and Technology and Westervelt College. The deadline for applications by educational institutions is June 30, 2010.

Laura S. Uyenaka is a law clerk manager and senior law clerk with 25 years of experience in the areas of business law and transactions, in major firms and in-house legal departments in Toronto and Vancouver. She is a member of and has served on boards and committees of the Canadian Association of Paralegals (CAP), the Institute of Law Clerks of Ontario and the International Paralegal Management Association (IPMA). In 2004 she organized and moderated a public forum on regulation at Osgoode Hall. Comments and inquiries on this article may be sent to LUYENAC602@rogers.com.

Members' Corner

Dennis Nault placed 3rd in the Ontario Master's Squash Tournament



"FRESH THINKING" about commercial real estate



Market Conditions: Vacancy & Gross Rents

Vacancy continues to rise in the Downtown core, but we are starting from a much better vantage point than in the 1990's. During this decade, vacancy reached a staggering 18.3%. Q4 2008 statistics showed the financial core with a vacancy rate of 9%, an increase of 1.2% from Q3 2008, and although we expect the vacancy to continue to rise over the next several quarters, we don't expect it to reach the highs of the 1990's. Firstly, the current market does not have a lot of development underway that is not already pre-leased, and the inventory is

also owned by more financially savvy, pension fund companies who work on cash flow rather than debt.

¹ The Access to Justice Act which became law on October 19, 2006, followed by amendments to the Law Society Act, empowered the LSUC with authority to regulate Licensed Paralegals; however, the LSUC's regulatory role only commenced in May, 2008 when the first licenses were issued. From May 1, 2008 to December 31, 2008, more than 2,000 licenses were granted.

² Since licensing was implemented, the designation "Licensed Paralegal" has been reserved for use by licensees only.

TLOMA thanks Dye & Durham for the production of this newsletter



REACHING NEW HEIGHTS

The business of printing solutions We've advanced to new levels in printing technology to offer our customers the highest quality and most diversified services.

Dye & Durham is an FSC certified company making a commitment to responsible Forest Management

dyedurham.ca 1-888-393-3874

*Dye & Durham is A Division of The Cartwright Group Ltd





Internal research by Lennard indicates that over the next year or so, we will see up to 70 full floors of space coming on to the marketplace in both new and existing towers located in the financial core.

Lowered net asking rates usually follow large upswings in vacancy, as landlords are more willing to negotiate to bring and keep good tenancies. We expect the gross rates to taper off and lower across the downtown core, which translates into possible savings for tenants.

We also expect the rise in vacancy rates in Class A and B buildings to be short lived, and when the market starts to bounce back it will bounce back fast. In addition, we expect to see lowered net rates more in Class A buildings than in tighter Class B markets.

There is activity in the marketplace, and we are now seeing some larger deals being done. Tenant incentives are common, and landlords who were rather bullish 6 months ago, have made it clear that they are far more flexible today. This is great news for tenants of all sizes.

In short, now may be the perfect time to act - as vacancy starts to increase, you may be able to negotiate leases with very good rates and inducements.

Gross Rate and Vacancy History: Q1 2000 to Q4 2008



Recent Deals

According to Altus InSite, Q1/2-09, new leasing activity included:

- Ace INA Insurance leased 55,000 sf at 25 York Street
- Kinross Gold leased 55,000 sf at 25 York Street
- PHD (Omnicom) leased 25,000 sf at 96 Spadina Avenue
- IBM sublet 22,979 sf at 200 Wellington Street W.
- PRR Trust leased 22,101 sf at 1 Adelaide Street E.
- Sun Products Canada leased 18,717 sf at 3250 Bloor Street W.
- ASAP Reporting Services leased 10,000 sf at 333 Bay Street
- Canada Mortgage & Housing leased 9,827 sf at 130 Adelaide W.

For more information about recent transactions of all sizes or a complimentary copy of LENNARD's "The Q Market Commentary", <u>please contact me</u>.

Carolyn Laidley Arn specializes in office leasing at Lennard Commercial Realty and has over 20 years of experience in design & construction. The article above contains excerpts from an e-newsletter called "FRESH THINKING" about commercial real estate, and The Q Market Commentary, a quarterly publication by Lennard (www.lennard.com). To subscribe or obtain further information, please contact Carolyn directly at claidleyarn@lennard.com, tel: 416-366-3183 x246 or direct: 416-450-6588.

SILVER SPONSOR







Ten Things You Should Know about Every Client



You must invest time to fully understand the culture, goals, opportunities and needs of a client. You should develop the equivalent of a dossier on anyone with whom you work. There is no such thing as too much information.

When you are trying to find a way to truly help someone – not to sell them something – remember that "to guess is cheap, to guess wrong is expensive." Although information gathering is critical, it is of little value if you do not apply strategic, creative thinking to what you learn, and use the information to propose new ideas and solutions.

James A. Durham

Here is what you need to know; the best way to get most of this information is to sit down with someone and ask questions.

- In what marketplace is the company principally competing for business, and what is happening in that market? (For example: Who are its competitors and customers? Are there significant industry trends, such as consolidation, price pressure, class action threats, technology advances, etc.? What strategic business opportunities does the client have? What resources or contacts do they need to succeed?)
- 2. What is the company's financial status? (Determine its strategies for short-term business and financial goals. Have there been any recent changes, deals, threats or litigation? What is the company's corporate structure? Its geographic locations?)
- 3. What is the company's long-term strategy and vision where does it want to end up? (For example: Does it want to grow through a series of mergers and acquisitions, to go public or get acquired, to diversify product lines, to become more global, to dominate a market, etc.)
- 4. What are the primary **personal** goals and concerns of the individuals who hire the lawyers? (How are the people who work with the lawyers, and the people who hire the lawyers, judged and rewarded? What makes **them** successful?)
- 5. What is most important to the **people** at the client organization who actually work with and interact with the lawyers? (These are not necessarily the same people who hire the outside lawyers.)
- 6. What are the personality and communication styles of the decision-makers? (Are they intuitors or sensors? Introverts or extroverts? Visual, auditory of kinesthetic? Big picture or detail oriented?)
- 7. What is the firm's total legal budget, and with which law firms and lawyers does the company currently work? (Is the company anticipating any meaningful changes in its budget? Does it have a history of changing counsel?)
- 8. What types of legal needs does the company have? (In other words: What expertise do they need? How is the work currently divided between inside and outside counsel?)
- 9. What, if any, special billing or partnering arrangements does the prospect have with other law firms or professional service providers? (If none, have they discussed or tried any ideas?)
- 10. How satisfied are they with the service and quality of the lawyers at your firm with whom they work, and what does the client know about the rest of the firm?

Some of this information can be obtained from publicly-available sources; some through networking with accountants, underwriters, bankers, etc.; some can come from people at your firm who know people in the client's organization; etc. The best way to get this information, however, is by meeting with key people to learn their needs, goals and styles.

Whatever you learn must become the foundation of your strategy – remember, developing business comes from developing relationships. Relationships are built on

trust and by adding value to people's personal and professional lives. This requires information – information about "them," not about you!

Jim Durham (jdurham@lfdg.com)has worked with hundreds of law firms to develop marketing, management, communication and client service strategies. Jim practiced business law for over 15 years. He was the General Counsel and Vice President of Marketing for Senior Tour Players from 1988 to 1990, and he was Senior Vice President of Sponsorship for MLB.com, which operates 31 web sites for Major League Baseball. Jim has led audiences throughout the world with strategic planning, training seminars, conferences, and retreats. Jim has conducted hundreds of client interviews. He is also a regular speaker on issues relating to personal performance and professional excellence. Jim has authored The Essential Little Book of Great Lawyering, available at www.greatlawyeringbook.com or www.lawmarketing.com. PLATINUM SPONSOR



the Games.



Investigative and Security Solutions for the Legal Profession		
Website: www.gtgassociates.ca Email:	Anton Piller Orders Investigations / Surveillance WSIB / Disability Fraud IP Infringements	
Telephone: (416) 918-9500	Witness / Party Locates Witness Interviews Security Services Labour Dispute Injunctions	
(410) 313-3500		

Serving the GTA and Southern Ontario

Balance at Any Age

I am reading a book called *Advanced Law Firm Mismanagement* by Arnold Kanter, 1993, Catbird Press, North Haven, CT. The senior partner in the fictitious law firm of Fairweather, Winters & Sommers is one Stanley J. Fairweather. He is in his 80's and has practiced law his whole life. He has been asked by those junior to him to write down his thoughts, reminiscences and advice.

Stanley writes about his brief marriage at page 69:

"After I graduated, we decided to have a child. Harriet decided really. I did not oppose it, though I had no idea in the world what having a child meant.

We had the child, Juliete. Juliete was Harriet's child. I had the law which consumed almost all of my waking hours; Harriet had Juliete. We had a deal: Harriet didn't write my briefs, and I didn't change Juliete's. Oh, on a sunny weekend afternoon we would walk Juliete through the park in her pram, together. And I smiled and shared willingly in the compliments that admiring passersby offered. (She did look a lot like me, but fortunately outgrew it in time.) But I did not participate. I had the law; Harriet had Juliete. As we did at our first square dance, Harriet and I do-si-doed through these first years together, our backs to one another."

I do not know any 80+ year old Stanleys who practice law in the province of Ontario. I know people who are generally balanced and happy with life. The extremity of the portrayal, however, acts as a warning that, without some balance personally and professionally, Stanley may lurk to some extent in your future.

I have three tips to consider to avoid the Stanley Syndrome.

1. Figure out what your priorities are. I speak to many people who tell me that their families are the most important thing in their lives. But when we look at the appointment book black and blue with meetings, telephone numbers and scribbles, a bigger picture emerges. Add volunteer work a few nights a week, obligations for care of elderly parents, invitations to client's events, continuing education commitments and there is not much left for the most important thing in your life.

It is easy to say but fitting work around your family instead of your family around work can be done. Oh, there must be rooms for things that come up but, generally, prioritizing can make this happen.

It has been said that, on our deathbeds, we will regret the things we did not do like spend time with family than remember the things we did like work many hours. My wife assures me that she knows every event of my childrens that I missed like soccer games, plays and speeches but she cannot remember one client I had that took that time away.

2. Live in the moment and be in touch with your feelings. Feelings are tough for lawyers to recognize and enjoy or be uncomfortable with. In his book, *The Soul of the Law* by Benjamin Sells, 1994, Element Books, London, there is an examination of the socialization of law students that carry though to practice and personal lives.

For example, in first criminal year law, the crime of rape or assault may be discussed. The discussion will go through what the state is, what the rights of private individuals are, what rights of the state are for the general good, what is a crime, elements of the offence and defences. What is never discussed? The victim. The people in the crime are depersonalized This becomes an academic exercise rather than human drama.

Intellectualizing criminal, corporate, matrimonial and any other kind of behavior that a lawyer will deal with distances the lawyer from his/her feelings. This is a defence mechanism from the pressures of representing a client, not being the judge of the facts and coping with some horrid and emotionally-charged situations.

My tips are pretty simple really. Slow down. Let the sunshine wash your face. Enjoy your victories. Mourn your losses. Hug those you love often. Love yourself. Don't take it personally.

In such a high-pressured profession as law, there is lots of room for humanity.

3. Take a vacation – Many of us are overworked and overtired. The piles of files get larger every day. The phone calls pile up. The emails scream for attention. And that darn FAX machine gives your clients and other lawyers another way to get in touch with you.

How can you afford to take time off? How can you not?

Working tired under pressure increases your chances of slipping up. Not on purpose but just because there is too much to think about to prioritize time and work.

Here is a suggestion. Blitz to get things under control by dictation, delegation or referral of work to someone else. Get someone to cover in case of an emergency. Then, go away for



For over 20 years LaserNetworks has provided support and management services for distributed printing and imaging networks

Call Today

1.800.461.4879 www.lasernetworks.com

ADVERTISING RATES

 Colour 1/3 banner ad 2.25" wide x 3.0" long \$250

 Colour 1/2 banner ad 2.25" wide x 4.5" long \$375

 Colour 2/3 banner ad 2.25" wide x 6.0" long \$500

 Full banner ad 2.25" wide x 9.0" long \$650

All ads include links to vendor website or specific promotional page

10% discount* on 5 or more consecutive issues 15% discount* on 10 or more consecutive issues

Placement of ad at the discretion of TLOMA * Cannot be combined with any other discounts

Advertising/Article Submission Dates

Issue		Due Date
April 2009	-	April 7, 2009
May 2009	-	May 6, 2009
June 2009	-	June 3, 2009
September 2009	-	September 2, 2009
October 2009	-	October 6, 2009
November 2009	-	November 3, 2009
December 2009	-	December 3, 2009



two weeks without a briefcase, cell phone, forwarding number or any way to be reached. Expect that the first three or four days will be unwinding days as your body and mind adjust to the shock of living without a constant flow of adrenaline. Do something that you have always wanted to do – golf every day, biking with your spouse, junk reading – whatever will out you back in touch with you. And your family.

Think about life. It's okay. It doesn't have to be a deep or a cathartic experience. Just think of who you are and whether you like you. If not, what do you need to do to recapture yourself without throwing out the baby with the bathwater? Watch a sunset and think of how lucky you are to be alive and not in the office reading tomorrow's motion record. Breathe deeply and enjoy being alive.

Life is not supposed to be hard. Slowing down to decide whether you are walking, running or dancing will be time well spent.

Balance is achievable. It is not the elusive brass ring. It is well within your grasp!

The Ontario Lawyers Assistance Program is a 24 hour, confidential peer support and counseling program that helps lawyers, law students and their immediate families with issues of stress, burnout, addictions and mental wellness issues. You can reach the Program Manager, Leota Embleton, MSW, and the Case Managers, Doron Gold, LLB, and Terri Wilkinson, LLB, RN, at 1-877-576-6227. John Starzynski, the Volunteer Executive Director, can be reached at 1-877-584-6227. The website is www.olap.ca.

Green for Life



The following is an excerpt from Gillian Deacon's best-selling book, "Green for Life" (Penguin, 2008)

Power down lights and computers

How many times do you shut down your computer when you head off on your lunch break? I once hosted a show about saving energy around the home and interviewed a family who had never turned off their computer! Sounds extreme, but it's not that unusual in our culture – we tend to leave office appliances on so they are ready for us on command. The U.S. Department of Energy recommends turning off your computer monitor if you'll be gone for more than 20 minutes, and shutting down the whole computer if you will be away from your desk for any more than two hours. Remember that a screen saver does not save energy – it may actually use more!

What kind of computer are you labouring at? Laptop computers use 50 percent less energy than desktops; whatever model you have, make sure you set the sleep mode to kick in after five minutes of inactivity.

If you're working on a desktop computer with an old cathode ray tube (CRT) monitor, see if you can get it replaced wit ha liquid crystal display (LCD) screen. Not only does it look sleeker and take up less space, but it uses up to 75 percent less energy than a CRT monitor of equal size.

And as with all appliances, at home or at the office, look for the Energy Star logo when you buy a new one, to ensure you'll be using the least amount of energy.

Even after they are switched off, electronic appliances are often drawing "phantom power" in standby mode, ready to be fired up on a moment's notice. So even when they're off, there're not off, if you follow me. Connect all your machinery to a power bar with the switch in easy reach, then flick *that* off. (Remember this at home too for appliances that are costing you in electricity when they're not fully off.)

After you've turned off your monitor, be sure to turn off the lights as well. Make it the new office habit to turn off lights when you leave the boardroom or the bathroom, or look into occupancy sensors, which take on that responsibility for you. If that's not an option, a simple reminder note on the light switch is remarkably effective. Roughly 25% of a building's energy costs are for lighting – so leaving them on overnight makes absolutely no financial sense. And if your office is in a glass office tower, lights left on at night could actually be killing birds. The Fatal Light Awareness Program (FLAP) estimates that 100 million birds die in North American every year in collisions with buildings, drawn to the artificial light source from office lights left on overnight.

Your probably already have a few compact fluorescent (CFL) light bulbs at home, but they make even more sense in offices, where lights are left on for so long. Because CFLs use a

2009 TLOMA Board of Directors

President	Edmund Reid
Past President	Mary Lavis-Todd
Vice President	Christl Mittendorfer
Secretary	Nancy Lio
Treasurer/Finance SIG	Paul Page
Conference Chair	Sandra Hatcher-Maher
Facilities SIG	Mike Couto
Human Resources SIG	Janice Rooney
Technology SIG	Millie Waicus
Marketing SIG	Diane Carty

Administration

Director of Administration Liz Barrington

2009 Newsletter Committee

Editor	Nancy Lio
Advertising	Liz Barrington

2009 Compensati	on Committee
Chair – 100+	Janice Rooney
Less than 20	Don Allan
21 to 49	Marva Bethune
100+	Cheryl Brass
Less than 20	Rose Devoe
100+	Katie Duncan
21 to 49	Mary Lavis-Todd
100+	Karen Lowe
50 to 99	Jennifer Norman
Less than 20	Josephine Schembri

2009 Conference Committee		
Chair	Sandy Hatcher-Maher	
Past Chair	Barbara Russell	
Hotel	Philip Pixley	
Marketing	Lorie Blundon	
Social	Helen Lee	
Speakers	Debbie Tibbo	
Vendors	Paul Dinino	

Access previous issues of TLOMA Today by clicking on the following link:

ARCHIVES



fraction of the energy of incandescent bulbs and they last five to eight times longer, they pay for themselves in no time.

Remember that even if your office is taking extra steps to offset its energy consumption with either green electricity through companies such as Bullfrog Power (www.bullfrogpower.com) or carbon offsets, reducing your consumption will always be the first and most significant step you should take.

Stay tuned for next month's "Green for Life" tip – Use less paper.

Gill Deacon has been a passionate environmentalist for many years. A well-known TV broadcaster, she is the author of Penguin's 2008 best-selling book Green for Life, a howto guide for people wanting to lighten their footprint on the earth. Gill writes a Green for Life column for Chatelaine magazine and is currently working on a new book for Penguin about greening personal care and beauty products, due out in February 2010. Keep up with Gill's latest Green for Life pursuits at gilldeacon.ca

Green Initiatives

Law firms have historically been some of the worst offenders when it comes to the environment. But as firms continue to compete for business and cut the bottom line, this trend is starting to change. Law firms have the potential to make a huge difference by prioritizing "green" initiatives. A number of Canadian firms have already begun green programs. Alexander Holburn Beaudin & Lang LLP, a Vancouver law firm, has created a sustainability mandate and now uses 75% less energy. Toronto's McMillan LLP has been using clean, renewable energy since 2007. Blake, Cassels & Graydon LLP recently launched an initiative that will result in a policy for environmental sustainability, and is participating in a seminar this month on green technology and energy conservation. Stikeman Elliott LLP just announced that it is the first national Canadian law firm to become 100% carbon neutral.

Recent studies have found that it might not make fiscal sense to put your green efforts on hold while we ride out the economic storm. In fact, companies that focus on environmental (and social) sustainability will experience stronger performance during and after periods of economic slowdown. One such study, "Green Winners: The Performance of Sustainability-Focused Companies in the Financial Crisis", looked at green-focused companies across a number of different industries, and their performance on the markets compared to other companies. The study found that companies who make a commitment to sustainability initiatives are more protected against value erosion, and that longer-term and more meaningful efforts lead to stronger business performance and a more favourable public perception.

In a market where firms are aggressively competing for business, and the public places increasing importance on environmental issues, clients and customers want to do business with firms that are taking steps to be more environmentally and socially responsible, and employees want to work for these firms. In addition, going green may actually reduce costs and increase profits. So how do you start the process of going green?

The first step is to recognize that it is, in fact, an ongoing process. It will take time and energy. But also acknowledge that any actions you take, even seemingly small ones, will have a positive impact on your organization and the planet. A green movement needs support; the success of your program depends on how supportive your staff will be to change. Gauge the attitudes of your staff to see who will be on board, and identify those who will be able to play a key role, ideally a person or a group of people who is well respected and feels strongly about environmental issues. Conduct an assessment of the areas that could be improved; the usual suspects are paper usage, transportation, energy usage, waste management, and office equipment. Be creative in thinking of ways to reduce your firm's environmental impact. Consider incorporating some of your ideas into office policy (such as powering down work stations at the end of each day, or setting guidelines for paper usage). It is important to be realistic about goals, be inclusive of employee input, and celebrate progress.

Claudia Gale, ZSA Legal Recruitment. ZSA is Canada's leading and only national legal recruitment firm, specializing in the recruitment and placement of lawyers, law clerks, legal support staff and law firm management professionals. With offices in Vancouver, Calgary, Toronto and Montreal, ZSA is uniquely positioned to serve the legal recruitment needs of both law firms and corporations across Canada. For more information, please visit our website www.zsa.ca.