

A clean slate



Perhaps it's the crisp quality of the air at this time of year, the early evenings or the fact that vacation time is generally behind us.

Or perhaps it's a hold-over from the excitement we felt as we embarked on a new school year or a new course of study – or watch our offspring embark on new academic adventures of their own.

Whatever the cause, for many of us fall is associated with a clean slate. It's a time to start over, to re-energize the good intentions with which we started the year and often to change direction.

It's in this vein that we present this issue of *LAWPRO Magazine*.

Over the summer months, we spent some time re-imagining the look and feel of the publication: You'll notice the new design and new way it is organized as soon as you turn the page.

And for the inaugural issue of our revamped publication, we also took a new approach to an old issue – the preponderance of communication-related claims reported to LAWPRO.

We asked our claims counsel to share practical advice and insights into how to avoid communication claims, in each area of practice. You'll find that advice starting on page 17 (“Is anyone listening?”).

We examined research on the subject of lawyers and communication – and discovered that this is an issue that transcends professions and jurisdictions.

We looked at the whole issue of communication in a different way – as an integral part of the client service experience. How many times have you been less than happy with the way you were treated as a customer? Now project that experience into your practice: Are you providing your clients with the best customer experience possible? Our “Let's talk talking” article canvasses practising lawyers and a client service expert at the Rotman School of Business for their views on communication and client service, starting on page 23 of this issue.

Communication-related issues account for 45 per cent of the claims reported to LAWPRO annually. Yet, as is clear from the articles in this magazine, these are also often preventable claims. Take the time to absorb the ideas and insights we share on this important subject. Look at your practice habits, your procedures and the overall client experience you are providing. Is there a lesson or two in the following pages for you to apply to your practice? Can you make this fall the start of a new way of doing things?

Two regular columns – the E&O column that examines insurance program-related issues, and the Insurance Biz column that provides

insights into how we manage ourselves as an insurance company and why we make the decisions we make – also get a facelift in this issue. The former is an in-depth examination of the subject of mandatory insurance worldwide, initially prepared as a research paper for a presentation by a member of our claims team. It has been 17 years since this subject was explored in depth (during the insurance crisis of the mid-1990s): Given the number of new lawyers who have come into practice since then and may have little, if any, understanding of this subject, we thought it appropriate to share this excellent research effort with you. You'll find this discussion starting on page 10.

Complementing this article is a thorough explanation of how LAWPRO – as a mandatory insurer – determines new insurance program coverages each year. We hope you find this discussion of our mandate and how we exercise it useful as we head into the annual insurance renewal season, which is expected to start in early October after our presentation to Convocation of the Law Society in September – and represents yet another beginning.

A handwritten signature in blue ink that reads "Kwaters".

Kathleen A. Waters
President & CEO