

Leadership and service values at work

Service at LAWPRO means more than assisting lawyers on the phone or providing guidance to those with a concern or potential claim. For LAWPRO employees, service also means sharing our knowledge, expertise and experience – to help identify, prevent and solve problems. Closely related is the emphasis we put on leadership: We are responsible corporate citizens who strive to make the world a better place, and to that end, lend our energy and expertise to many communities.

How do we put these values to work? Through a many-faceted outreach initiative that, in 2010, included a strong presence at legal seminars, workshops and conferences; participation on task forces and other legal-related consultations; a ramped up government relations effort to ensure lawyers' voices are heard in regulatory circles; and continued support for a healthy and diverse bar and community.



Working WITH lawyers

To get risk management information to lawyers and keep a pulse on the issues facing the profession, LAWPRO employees chaired or spoke at dozens of events, panels and seminars in 2010. Our staff also are involved with more than 50 legal-related organizations, committees and task forces – an indication of the importance that we place on outreach to the legal community.

“Being involved outside the company is a great way to reach out to lawyers,” says Lori Swartz, TitlePLUS legal consultant. “We can keep current on the issues lawyers face and get risk management information to them.” Swartz, who co-chaired the Ontario Bar Association (OBA) Annual Institute program on real estate in 2010 added, “Many lawyers wouldn’t have any interaction with us otherwise.”

Other events in which LAWPRO participated in 2010 were the Canadian Bar Association (CBA) annual conference, the conference of the International Bar Association, the Law Society’s “Six-Minute” lawyer series, and various CBA and Ontario Bar Association seminars and conferences.

As a result of our work with these organizations, LAWPRO employees are viewed as a resource and often are invited to consult on projects designed to help the profession. This participation, in turn, ensures a strong

risk and practice management component is included in these resources. For example, Dan Pinnington, director of practicePRO, was asked to participate on the CBA’s Conflicts of Interest Task Force. Pinnington helped create the “Avoiding Tactical Conflicts” guide and “First Contact Screening Form,” both of which are included in the [CBA’s Conflicts Toolkit](#).

Through Pinnington, LAWPRO also played a major role in the development of a model file retention policy for large law firms, contributed to the Law Society’s [Guide to Retention and Destruction of Closed Client Files](#) and prepared a submission to the Law Society on the challenges of unbundled legal services.

Working FOR lawyers

LAWPRO continues to raise fraud awareness, and collaborate with others to find solutions to the issues raised by fraud. To that end, we have increased the anti-fraud campaign on our [Avoid A Claim](#) blog, in the [LAWPRO Magazine](#) and through social media. For more on this subject see *Frauds targeting lawyers in 2010: An update and a warning* on page 9.

As well, LAWPRO and the Law Society are working with representatives of a number of financial institutions and the Canadian Payments Association (CPA) on the issue of timely and safe money transfers. While the CPA’s large value transfer system (LVTS)

offers real-value and near real-time transfers, there are issues to be considered, such as:

- unavailability of LVTS for certain transactions,
- lack of consistent level of service across banks and branches,
- possible time lags between sending and receipt of funds, and
- associated bank fees.

For the past several years, we have been stepping up efforts to represent lawyers' interests in key government and regulatory circles.

Although our efforts in 2009 to obtain indirect tax relief for premium-paying lawyers on the implementation of a harmonized sales tax did not achieve the desired result, we did become recognized as a go-to source of information on matters affecting the bar – a profile that we continued to build in 2010.

LAWPRO executive met with various members of the Ontario legislature and attended a select number of functions to strengthen our visibility. In 2011, we will continue these efforts to educate and inform government officials addressing, among other topics, the importance of real estate lawyers in small rural communities.

Our goal is to foster understanding of the pivotal role of the general legal practitioner in smaller communities – and of the critical role that real estate transactions play in making a general practice in these communities viable.

“It boils down to an access to justice issue,” says Kathleen Waters, president and CEO of LAWPRO. “If real estate is taken out of the equation, many lawyers won't necessarily be able to afford to keep their lights on, which could leave some communities without a lawyer at all.”

TitlePLUS consumer education campaign

This message was not strictly directed towards government officials. Through our TitlePLUS program, we continued to raise awareness among homebuyers about the importance of using a lawyer when buying or selling property.

In 2011, LAWPRO continued its two-pronged media campaigns to help educate consumers about the importance of working with a lawyer.

First, LAWPRO produced a series of articles distributed via a news wire and picked up by dozens of community newspapers, real estate sites and general news websites; topics covered included: issues to consider when buying recreational (cottage) property; how lawyers can help when a client is refinancing; drawing up a power of attorney; buying from an estate; and real estate fraud.

Through this campaign, we reached more than six million French and English speaking Canadians, and the underlying message

was always clear: Working with a lawyer is the best way to protect your interests.

Complementing these articles were multiple media releases that featured Ray Leclair, vice-president of TitlePLUS, speaking on real estate fraud or the importance of building permits.

Media also regularly requested comment on a wider range of real property-related topics (e.g., home inspections, rental properties, land permits) – an indication of the credibility LAWPRO and the TitlePLUS program now have with key media contacts nationally.

The campaigns generated coverage in major national newspapers and on the Web, and reached an estimated four million Canadians. See “How your lawyer can help: TitlePLUS public awareness campaign” on the next page for more details.

Working for the community

Anecdotally, lawyers in distress (e.g., from substance abuse, mental health issues, or other illnesses) are more likely to have a malpractice claim. With this in mind, LAWPRO continues to fund the [Ontario Lawyers Assistance Program](#) (OLAP) which offers confidential, one-on-one peer support for the legal profession. As well as providing 50 per cent of OLAP's funding, LAWPRO helps OLAP by providing two members of our executive team to sit on the OLAP board. Our OLAP contribution is the single largest charitable donation LAWPRO makes each year.

Further, in honour of our late colleague, former Vice President of Claims, Caron Wishart, LAWPRO sponsored the creation of an endowment fund with the University of Toronto, to offer a scholarship to a law student entering his or her second year. Through donations from the profession and the Ontario matching grants program, this endowment now tops \$100,000 and will provide one student each year a scholarship of about \$4,000.

LAWPRO and/or its employees were also pleased to offer support to some other charities with legal-related mandates or organized by the Bar, such as the Legal Education and Action Fund, the Ontario Legislature Internship Programme, the Lawyers Feed the Hungry program at Osgoode Hall, the International Justice Mission and the Lawyers' International Food Enterprise.

But our community endeavours also reach beyond the legal community. We support – morally and financially – employee interest in fundraising for a few charities chosen each year by our staff. In 2010, this effort generated just over \$27,000 for organizations such as Canadian Feed the Children, Princess Margaret Hospital and Fanconi Canada.

Energy and expertise – truly the hallmarks of LAWPRO's contributions to the many communities that our employees are proud to serve.

How your lawyer can help: a consumer education campaign

The following is a list of articles and media releases issued as part of the TitlePLUS consumer education campaign in 2010. For more details, see page 27.

Article title	No. of publications/ websites	Overview
Can you access your cottage dreams (Spring 2010)	14	Highlights access issues involved in cottage ownership and the importance of consulting a real estate lawyer to help navigate this tricky area of law.
Understand “reverse mortgage” issues (Spring 2010)	8	Provides information on the legal issues associated with reverse mortgages and the need to consult a lawyer at the beginning of a transaction.
If refinancing, get professional advice (Spring 2010)	10	Stresses the importance of using a real estate lawyer when refinancing a mortgage, to ensure that borrowers understand all the aspects of the transaction.
Powers of attorney deliver peace-of-mind when things go wrong (Spring 2010)	18	Explains what a power of attorney is, why and when to create one, and why to consult a lawyer.
The Caveat Conundrum (Spring 2010)	3	Discusses conditions in agreements of purchase and sale, and highlights the need to consult with real estate lawyers.
Understanding real estate fraud – Legal experts share tips for homeowners (Spring 2010)	22	Outlines the main types of real estate frauds, while providing tips to homeowners on how to protect themselves from real estate fraud, including not signing documents without first consulting a real estate lawyer.
Ask key questions before buying a home from an estate (Summer 2010)	11	Explains that although estate sales can seem like a good deal, they come with their own special considerations and can be complex, which is why they warrant involving a real estate lawyer.
Protect yourself from real estate fraud (Summer 2010)	11	Suggests simple steps to help homeowners protect themselves from real estate fraud.
Quebec moving season (Summer 2010)	10	Highlights the Quebec “Moving Day,” and the legal aspects of a condo deal.
The reality of home renovations: the importance of building permits (Fall 2010)	14	Provides information on building permit requirements in relation to home renovations and the importance of consulting a real estate lawyer.
Splitting your lot (Fall 2010)	16	Highlights the complex nature of severing a double lot.