
LAWPRO awarded “A” rating by leading rating agency for fourth consecutive year

For the fourth consecutive year, A.M. Best Co., a leading rating agency, has awarded LAWPRO an “A” (Excellent) financial strength rating.

A.M. Best Co. cited the company’s strong operating performance, excellent capitalization and its historically favorable loss reserve development as key indicators that earned LAWPRO the “A” rating.

“In addition to its favorable underwriting results, the company maintains a conservative investment portfolio, which provides a consistent source of investment income,” A.M. Best Co. commented in its release. “This combination of underwriting results and investment income has greatly supported the growth in capitalization over the years.”

Michelle Strom, LAWPRO president and CEO, said she was delighted with the A rating. “It’s particularly rewarding – on the eve of our tenth year of active operation – to have an external agency such as A.M. Best Co. confirm the strength of our financial position, as well as the soundness of operations and of our claims management approaches. This rating again corroborates that we are on the right track in providing value and support to the profession.”

A.M. Best Co., established in 1899, is the world’s oldest and most authoritative insurance rating and information source.

LAWPRO to host North American insurance conference

LAWPRO will host the annual conference of NABRICO – the National Association of Bar-Related Insurance Companies – from September 29 to October 1, 2004.

NABRICO is a North America-wide association of independent companies and organizations whose members provide professional liability insurance to lawyers across the United States and Canada. The conference features plenary sessions on major economic, insurance and demographic trends shaping the future of the legal profession and the professional liability insurance industry. Break-out sessions will focus on issues specific to underwriting, risk and claims management and other insurance functions. At its 2003 conference, NABRICO also appointed LAWPRO President Michelle Strom as the association’s president for 2004.

2004 breaks e-filing record

A record 16,200 lawyers – 82 per cent of the practising bar – e-filed their 2004 LAWPRO insurance applications this fall. Last year, 78 per cent of lawyers filed their insurance applications via the LAWPRO Web site.

The number and percentage of lawyers who choose to file electronically using LAWPRO’s interactive, Web-based application form has increased steadily since

we introduced e-filing in 1998. Lawyers who opted to e-file received a \$50 discount on their 2004 insurance premiums: By e-filing, the profession saved itself \$810,000 in insurance premiums.

This year, for the first time, LAWPRO also provided the option of receiving the insurance invoice electronically, via the LAWPRO Web site. Electronic invoices can be accessed only by authorized persons using a security password. Close to 3,000 lawyers and 120 firms accessed their own, unique electronic invoice and insurance policy documents online, via a secure portion of the LAWPRO Web site.

TitlePLUS goes national

TitlePLUS has recently launched operations in British Columbia. The B.C. launch this fall means that TitlePLUS is now available in all provinces of Canada except Quebec.

To obtain TitlePLUS coverage for their purchase or when they secure a mortgage, B.C. consumers will work with the lawyer handling the transaction to apply for TitlePLUS coverage.

TitlePLUS was developed by LAWPRO, and offers some of the most comprehensive title-related protection available on the market today. Its policy automatically insures both buyers and lenders for title-related problems that could affect the ownership or marketability of the property in the future, as well as for the legal services provided by the lawyer closing the transaction.

LawPRO sponsors successful LegalTech 2003

The Technology for Lawyers 2003 Conference and Vendor Expo, sponsored in part by LawPRO, was an outstanding success. More than 250 lawyers attended the joint event by the Ontario Bar Association and Law Society of Upper Canada, held at the OBA Conference Centre November 27-28, 2003.

In addition to the 60 Technology Tips in 60 Minutes plenary session, there were 27 break-out CLE sessions. The Vendor Expo featured 27 exhibitors.

The hot topics in the Litigation Track were electronic access to court records, and the recently released report of the Task Force on the Discovery Process in Ontario. Using technology to work more efficiently, avoid malpractice claims and be more profitable were recurring themes in several sessions. Moving to a "paperless office" and security/privacy issues were also hot topics.

The hands-on teaching sessions in the Tech University Track proved to be very popular with conference attendees. The conference was a resounding success with registrants, sponsors and exhibitors alike, and work has already started for next year's show.

For those who were not able to attend the conference, BAR-eX Communications taped several sessions. Online versions of these sessions, including video replays of the presentations and access to written materials in electronic (PDF) format, will be available shortly on www.bar-ex.com. Copies of the 60 Tips plenary session PowerPoint presentation are available at www.practicepro.ca/TFL60tips. practicePRO has limited quantities of the exhibitor promotional materials package that was given out to all attendees. If you are interested in receiving this package,

please contact practicePRO coordinator Susan Carter at 416-596-4623 or susan.carter@lawpro.ca.

Privacy legislation reminder

The new federal privacy legislation, the Personal Information Protection and Electronic Documents Act (PIPEDA) has been in effect since January 1, 2004. This statute requires all Canadian businesses to have implemented policies and procedures to protect the privacy of personal information. By this point, all law firms should have examined how they collect, use and disclose client and employee information. PIPEDA also requires organizations to formalize their privacy practices and procedures.

For a detailed discussion of the obligations imposed on lawyers under the new privacy legislation, and for a model privacy policy to assist you in drafting your firm's policy, visit: www.practicepro.ca/privacypolicy.

For more information on PIPEDA, visit: www.privcom.gc.ca

Deadline reminders

Please note the following deadlines:

- Real estate and civil litigation transaction levy surcharge payments for the quarter ending March 31, 2004, are due on April 30, 2004.
- Real estate and civil litigation transaction levy surcharge payments for the quarter ending June 30, 2004, are due on July 31, 2004.

2004 INSURANCE PREMIUM PAYMENT DEADLINES:

- The first two quarterly instalments by pre-authorized bank account withdrawal or credit card are processed on January 15, 2004, and April 15, 2004.

- Lump sum payment discount: Payments dated and received by March 1, 2004, are eligible for a \$150 per lawyer discount.

Update on formation of LLPs: Some restrictions may apply

LawPRO magazine Volume 2, issue 2: Summer 2003, featured an article entitled "Managing risk through firm structure."

Under the sub-heading "Combined firm structures and management companies" (page 6), there is a discussion regarding firms who choose to become limited liability partnerships (LLP) with one or more firm lawyers forming personal professional law corporations which act as partner.

While the view of the Law Society of Upper Canada is that this firm structure is permissible under its By-laws, lawyers should be mindful that **there may be restrictions in how this type of law firm structure is formed**. Specifically, it may be that the LLP must be formed first with the individual lawyers as partners, with the partnership interests of these individuals being rolled into a personal professional law corporation afterwards. Under s. 61.1 of *The Law Society Act*, only two or more "members" may "form an LLP or continue a partnership as an LLP."

Since the definition of "members" under the Act does not include professional corporations, it may be that no professional law corporation can become a partner in the LLP at the formation stage.

Of course, lawyers are encouraged to obtain the appropriate professional advice in considering changes in firm structure, and are referred to the specific governing legislation and by-laws.

To access the online version of the article, go to: www.lawpro.ca/LawPRO/firm_structure.pdf

Events calendar

2004



The following is a listing of events at which LAWPRO representatives, including staff from TitlePLUS and practicePRO, will be presenting and/or participating in the coming months.

March 5

practicePRO Technology Breakfast

*Online Legal Research using
WestlaweCARSWELL*

Learn how to maximize the efficiency and effectiveness of your legal research using WestlaweCARSWELL

Fred Gladly, Carswell

LAWPRO, Toronto

March 18

Queen's University Law School

TitlePLUS lecturing

Kingston

March 23

TitlePLUS at CMHC Housing Outlook

St. John's, Newfoundland

March 24

Nova Scotia Barristers Society Real Property Conference

TitlePLUS exhibiting

Lord Nelson Hotel, Halifax

March 25

ABA TechShow 2004

60 Technology Tips in 90 Minutes

Practice Management Face Off:

Time Matters vs. Amicus Attorney

Dan Pinnington, practicePRO

Chicago, IL

April 13

TREB General Meeting and Trade Show

TitlePLUS exhibiting

Toronto Congress Centre, Toronto

April 19

Real Estate for Law Clerks

TitlePLUS attending

LSUC

April 30

practicePRO Technology Breakfast

*Introduction to DIVORCEmate
Software's Advanced Features*

Come to this session and learn how to take your DIVORCEmate Software to the next level. Several advanced features of the Tools + Forms + Precedents + products will be covered.

Mark Harris, DIVORCEmate

LAWPRO, Toronto

May 6

TitlePLUS Seminar

Metro Toronto Convention Centre, South Building, Rooms 716 A & B, and 717

Toronto

May 7-8

TitlePLUS at the Ottawa-Carleton Law Association

Chateau Montebello, Quebec

May 12-15

ILCO Conference

TitlePLUS sponsoring

Sheraton Parkway, Richmond Hill

May 14

practicePRO Technology Breakfast

LexisNexis – Due diligence made easy

Look to LexisNexis for national and international legal, news and business information. The session will highlight research tools that can be used for marketing and due diligence applications.

May 19

TitlePLUS Seminar

London Convention Centre, Salon A&B

London

June 2

TitlePLUS Seminar

Ramada Inn, Palladium Ballroom

Sudbury

June 4

practicePRO Technology Breakfast

Quicklaw – Not just for caselaw anymore!

This session will focus on how to get the most out of your Quicklaw service, including using current awareness sources, drill down indexes, textbooks and point-in-time statutes.

Christine Burchert, LexisNexis Canada Inc.

June 9-12

American Prepaid Legal Service Institute (API)

2004 Annual Conference

60 Tips in 60 Minutes

Dan Pinnington, practicePRO

Sheraton Centre Hotel, Toronto

June 17

TitlePLUS Seminar

Ottawa Congress Centre, Capital Hall 3B/4B/5B

Ottawa

For more information on practicePRO events, contact Susan Carter at 416-596-4623 or 1 800 410-1013, or by e-mail at susan.carter@lawpro.ca.

For more information on TitlePLUS events, contact Marcia Brokenshire at 416-598-5882 or e-mail marcia.brokenshire@lawpro.ca.