

practicePRO's risk management program:

A multi-faceted range of channels and resources

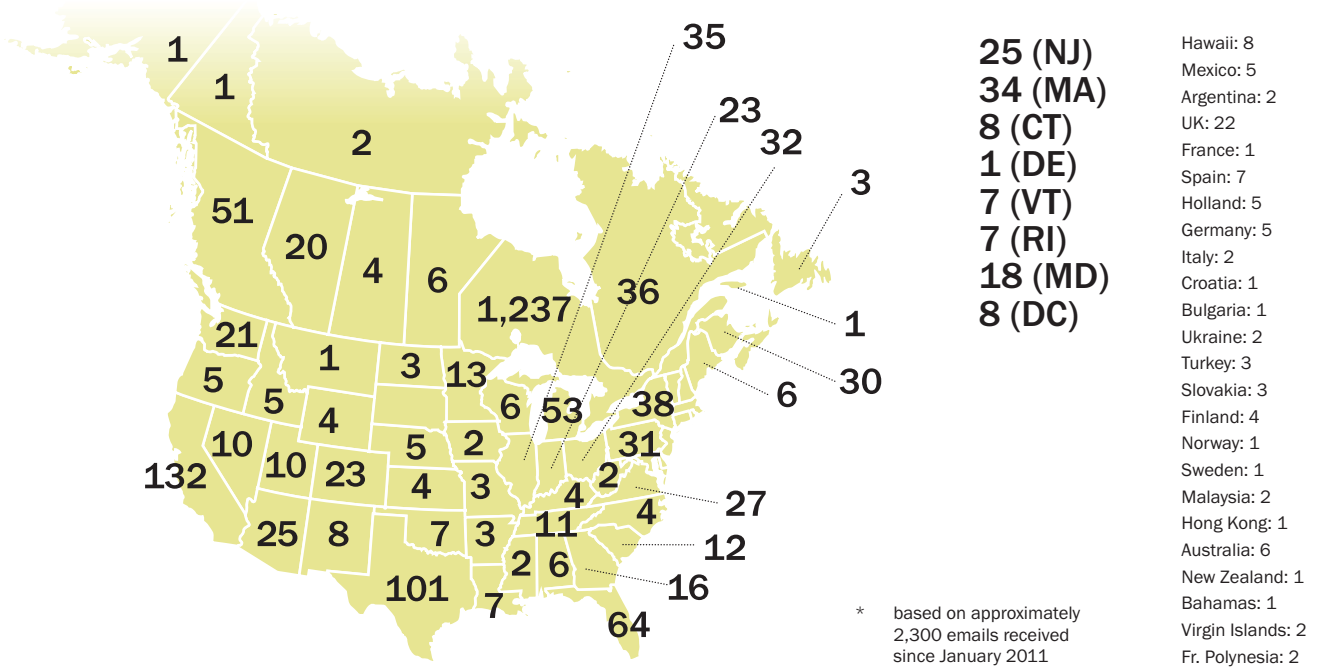
AvoidAClaim blog: The "go-to" source for information on frauds against lawyers

In 2010 the recurring theme for LAWPRO's practicePRO program was fraud... and in 2011 it's been the same story. Although the AvoidAClaim blog – a major information channel for the practicePRO program – has not officially morphed into the "AvoidAFraud" blog, in practice it's not that far off.



Since inviting lawyers to forward suspicious emails to fraudinfo@lawpro.ca, we have received a flood of replies from more than 2,300 lawyers in Ontario and around the world. Based on this feedback, we posted more than 100 fraud warnings in 2011 alone on AvoidAClaim blog. We provided fraudster names, copies of correspondence sent by these fraudsters to lawyers, copies of "certified" cheques used to try and perpetrate the frauds, and even copies of fake identifications – some of which are so real that they do not immediately cause second thoughts.

By tracking the location of the lawyers who've sent these emails, practicePRO was able to generate a map (below) that gives a sense of just how widespread the problem of lawyer-targeted fraud is:



* based on approximately 2,300 emails received since January 2011

INNOVATION VALUE

Print, electronic, and social media channels

The AvoidAClaim blog is but one of many channels used, and fraud but one of dozens of topics addressed by the practicePRO team in its efforts to get lawyers to heed LAWPRO's risk management message.

LAWPRO Magazine continues to be our flagship publication, with an emphasis in 2011 on lawyer-client communication, a growing source of claims against lawyers. Magazine content is archived on the practicePRO website and easy to find at practicepro.ca/LAWPROMagazine.

The LAWPRO Webzine – our electronic, online magazine – focused on specific areas of practice, such as family law, wills and estates law and litigation claims trends. We also were active in the social media sphere, using Twitter and LinkedIn and as well as submitting content to other blogs (notably SLAW, an online Canadian magazine for the legal community that draws readers and contributors from around the world) to raise the risk management profile.

The following is a summary of the principal activities undertaken by the practicePRO and communications departments in 2011 to raise the profile of risk management among Ontario.

practicePRO website

Top 10 Downloads in 2011

Sample Budget Spreadsheet	10,194
Business Plan Outline	5,763
E-Discovery Reading List	5,295
<i>The Dangers of Metadata</i> article	4,866
General Retainer Letter Precedent	4,431
LAWPRO Fraud Fact Sheet	3,584
Capacity Assessment article by Judith Wahl	3,486
Overview of <i>Limitations Act, 2002</i>	3,465
<i>Limitations Act</i> comparison chart	3,126
Managing the Finances of Your Practice booklet	3,096



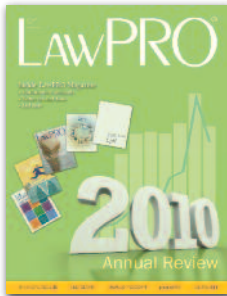
Visits: **290,000**

Visitors: **99,000**

Resources downloaded: **329,000 downloads**
(up 15% from 2010)

LAWPRO Magazine

Annual Review



Practice Tip Administrative Dismissals, Part 2: A follow up to Domenic Bellacicco's popular 2009 article on how to avoid having your action dismissed for delay, and how LAWPRO can help you if you find yourself in that situation.

Communications Breakdown

Is anyone listening? Poor communication is the #1 cause of claims at LAWPRO. This article looked at how communications claims can be prevented in various areas of practice.

Lawyer incivility: The consequences: A look at how lawyer incivility can result in claims.

Casebook: LAWPRO research director Deborah Rolph examined how a client's obligation to communicate with the lawyer has affected certain LAWPRO claims cases.

Practice Tip: A warning for plaintiff's counsel to be alert to Rule 48, which could see an action dismissed if certain steps have not been taken in time.

Tech Tip: A look at how lawyers can use technology to improve their communication with clients.



LAWPRO Webzines

LawPRO Webzine – Focus on litigation (March 2011)

- **Trends:** Why civil litigation accounts for the most malpractice claims in all of Ontario – greater than any other area of law – and the steps lawyers can take to reduce the likelihood of a claim.
- **Dealing with difficult judges:** Justice Carole Curtis shared practical advice for litigators who find themselves dealing with difficult judges.



LawPRO Webzine – Focus on family law (April 2011)

- **Family law: Still a risky business:** A discussion of best practices for family law lawyers to avoid future problems in an evolving legal landscape.

LawPRO Webzine – Focus on wills & estates law (August 2011)

- **Landmines for lawyers when drafting wills:** Making will-drafting errors – either because of poor communication, inadequate discovery or errors in law – is the single most common issue in claims reported in this area of law.
- **Casebook: Dementia and the conveyance of property:** LawPRO research director Deborah Rolph looked at a case that deals with the question of whether a person with dementia may still be competent to convey his or her property.

INNOVATION
VALUE

Social media channels



@LawPRO
@practicePRO

Followers: 1,000

Tweets: approx. 900 in 2011 on variety of topics ranging from upcoming deadlines, links to new articles & resources, company news, tech tips and practice tips, trends to watch, and more



AvoidAClaim Blog

Posts: 162 (100 on fraud-related news)

Visits: average of 8,500/month (300/day)

RSS feed subscribers: 470

Busiest day: 3,478 visits – Wednesday, July 27, 2011 (date on which LawPRO Alert on fraud sent to all Ontario lawyers warning of fraud activity before long weekend in August)

Presentations/LawPRO CPD credit

Total presentations: 90

practicePRO

Key topics:

- Claims prevention
- Avoiding fraud
- Conflicts
- Legal technology
- Professionalism
- Social media tips and dangers

Other LawPRO staff

Key topics:

- Real estate trends, claims, best practices
- Family law issues
- Succession planning
- Civility
- Commercial litigation

Total audience: 9,000+

LAWPRO CPD credit program



Through this initiative, lawyers who participate in LawPRO-approved CPD programs can apply for a premium credit of up to \$100 off their next year's insurance premium.

Number of programs eligible for CPD credit: 208

Number of lawyers attending CPD-credit programs: 30,000

SERVICE
VALUE

practicePRO Lending Library

Number of books loaned: 100

Top 5 titles:

Flying Solo: A Survival Guide for Solo & Small Firm Lawyers

The Lawyer's Guide to Buying, Selling, Merging and Closing a Law Practice

The Lawyer's Guide to Marketing on the Internet

Law Office Procedures Manual for Solos and Small Firms

Google for Lawyers: Essential Search Tips and Productivity Tools



Need a speaker/presenter?

LawPRO's speakers' bureau has speakers available to talk to your conference, CPD program, CLE event or law firm on a wide variety of topics related to both practice/risk management and technology uses by law firms and lawyers.

To book a presentation for your firm or CPD program session, email dan.pinnington@lawpro.ca.



Reaching out in the wake of the Goderich tornado

On August 21, 2011, with very little warning, a powerful tornado hit the downtown core of Goderich, Ontario. The tornado, rated as "F3" on the Fujita Scale, was the most powerful tornado to hit Ontario in 15 years. One person was killed, 37 were injured, and the town sustained at least \$75 million in damage to property – including several downtown buildings housing law firms.

On the Monday after the Sunday tornado, LawPRO launched an immediate emergency communications effort aimed at providing support to lawyers affected by the crisis. Any time a law office is damaged, significant issues arise, including: How will damage to paper files and electronic equipment affect lawyers' ability to serve clients? How can lawyers best safeguard client confidentiality after damage to a law office? How will the closure of key facilities (the Huron County Courthouse in Goderich did not resume full normal operations until February 27, 2012) affect the progress of clients' matters? Could the interruption of lawyers' practices prejudice clients in any way?

LawPRO used many communication tools to get practical advice into lawyers' hands quickly. Our TitlePLUS Goderich Tornado Hotsheet helped real estate lawyers who were trying to close deals in the face of the unusual circumstances. We used our electronic newsletter resource (LawPRO Alert), our AvoidAClaim blog, Twitter, and word-of-mouth (with the support of lawyers local to the disaster, including Law Society bencher Heather Ross) to direct lawyers to resources such as practicePRO's "Managing Practice Interruptions" booklet, the American Bar Association's "After Disaster Strikes" checklist, and contact information for the Ontario Lawyers' Assistance Program (OLAP) and emergency recovery service companies.

Lawyers in the affected area said that the checklists reminded them of things that might have slipped through the cracks, that the timeliness of our resources helped them move forward and that they were grateful that information had been provided so quickly.

VALUE
SERVICE