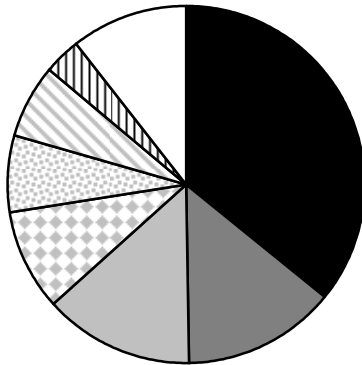


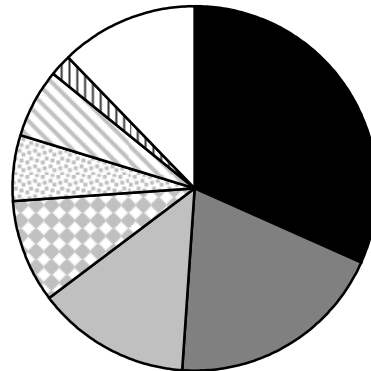
Malpractice Errors by Firm Size

All claims handled by LAWPRO between 2000 and 2005

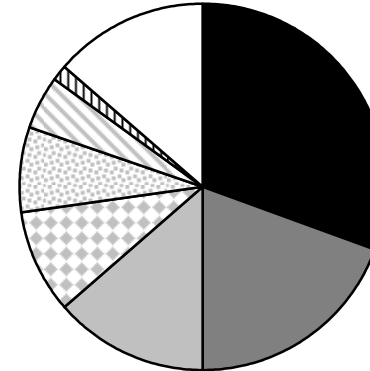
Sole Firms



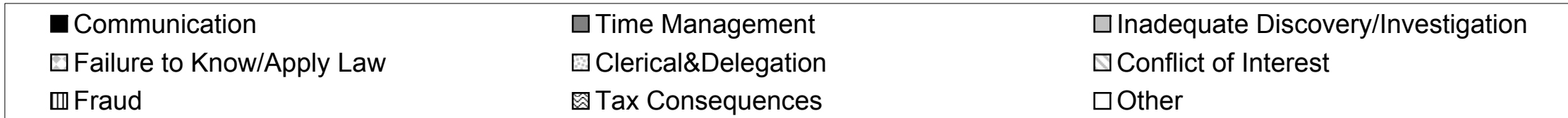
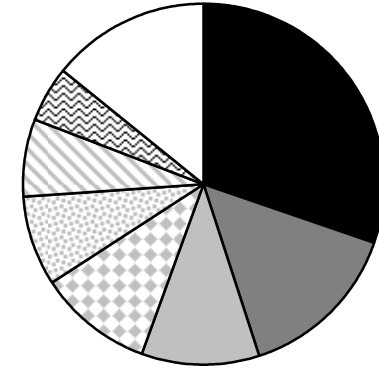
Firms 2 to 10



Firms 11 to 75



Firms over 75



Communication: 35.9%
 Time Management: 13.8%
 Inadequate Discovery/Investigation: 13.5%
 Failure to Know/Apply the Law: 9.3%
 Clerical & Delegation: 6.9%
 Conflict of Interest: 6.8%
 Fraud: 3.7%
 Other: 10.2%

Communication: 31.8%
 Time Management: 19.4%
 Inadequate Discovery/Investigation: 13.5%
 Failure to Know/Apply the Law: 9.3%
 Clerical & Delegation: 5.8%
 Conflict of Interest: 6.1%
 Fraud: 1.9%
 Other: 12.1%

Communication: 30.8%
 Time Management: 19.8%
 Inadequate Discovery/Investigation: 13.8%
 Failure to Know/Apply the Law: 9.5%
 Clerical & Delegation: 7.4%
 Conflict of Interest: 4.9%
 Fraud: 1.3%
 Other: 12.4%

Communication: 30.2%
 Time Management: 14.7%
 Inadequate Discovery/Investigation: 10.6%
 Failure to Know/Apply the Law: 10.4%
 Clerical & Delegation: 8.1%
 Conflict of Interest: 6.9%
 Tax Consequences: 4.9%
 Other: 13.9%

This data illustrates the types of legal malpractice errors by firm size for all the claims LAWPRO handled between 2000 and 2005, and supplements the *Solo, Small and Large Firms Make the Same Errors* article that appeared in the Summer 2006 Issue of LAWPRO Magazine (www.lawpro.ca/magazinearchives).

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Detailed Listing of Errors by Firm Size

Sole Firms

Communication: 35.9%

- failure to obtain client consent: 14.8%
- failure to follow client instructions: 13.7%
- poor communication with client: 7.4%

Time Management: :13.8%

- failure to know/ascertain deadline: 5.3%
- procrastination: 3.7%
- failure to calender properly: 3.2%
- failure to react to calender: 1.6%

Inadequate Discovery/Investigation:13.5%

Failure to Know/Apply the Law: 9.3%

Clerical & Delegation: 6.9%

- error in public record search: 2.6%
- failure to file documents where no deadline: 1.0%
- work delegated to employee not checked: 0.7%
- work delegated to outsider not checked: 0.4%
- clerical error: 2.0%
- error in mathematical calculation: 0.2%

Conflict of Interest: 6.8%

- acting for more than one party: 5.7%
- self interest of Lawyer: 1.1%

Fraud: 3.7%

Other: 10.2%

- planning error in choice of procedure: 2.1%
- libel or slander: 1.2%
- malicious prosecution/abuse of process: 1.1%
- lost file, document or evidence: 0.9%
- personal undertakings: 0.7%
- tax consequences: 0.7%
- improper withdrawal from representation: 0.6%
- violation of civil rights: 0.3%
- not yet assigned a loss code: 3.2%

Firms 2 to 10

Communication: 31.8%

- failure to follow client instructions: 12.5%
- failure to obtain client consent: 12.0%
- poor communication with client: 7.3%

Time Management: :19.4%

- failure to know/ascertain deadline: 7.9%
- failure to calender properly: 5.0%
- procrastination: 3.8%
- failure to react to calender: 2.7%

Inadequate Discovery/Investigation:13.5%

Failure to Know/Apply the Law: 9.3%

Clerical & Delegation: 5.8%

- clerical error: 2.0%
- error in public record search: 1.3%
- work delegated to employee not checked: 1.1%
- failure to file documents where no deadline: 0.8%
- error in mathematical calculation: 0.3%
- work delegated to outsider not checked: 0.3%

Conflict of Interest: 6.1%

- acting for more than one party: 5.0%
- self interest of Lawyer: 1.1%

Fraud: 1.9%

Other: 12.1%

- planning error in choice of procedure: 2.1%
- libel or slander: 1.8%
- malicious prosecution/abuse of process:1.3%
- tax consequences: 1.1%
- personal undertakings: 0.6%
- lost file, document or evidence: 0.6%
- improper withdrawal from representation: 0.6%
- violation of civil rights: 0.4%
- not yet assigned a loss code: 3.6%

Firms 11 to 75

Communication: 30.8%

- failure to follow client instructions: 13.0%
- failure to obtain client consent: 9.3%
- poor communication with client: 8.5%

Time Management: :19.8%

- failure to know/ascertain deadline: 7.7%
- procrastination: 4.4%
- failure to calender properly: 5.0%
- failure to react to calender: 2.7%

Inadequate Discovery/Investigation:13.8%

Failure to Know/Apply the Law: 9.5%

Clerical & Delegation: 7.4%

- clerical error: 3.3%
- work delegated to employee not checked: 1.4%
- error in public record search: 1.4%
- work delegated to outsider not checked: 1.0%
- failure to file documents where no deadline: 0.3%

Conflict of Interest: 4.9%

- acting for more than one party: 3.6%
- self interest of Lawyer: 1.3%

Fraud: 1.3%

Other: 12.4%

- malicious prosecution/abuse of process:1.9%
- libel or slander: 1.7%
- planning error in choice of procedure: 1.7%
- tax consequences: 1.0%
- lost file, document or evidence: 0.6%
- improper withdrawal from representation: 0.5%
- violation of civil rights: 0.5%
- personal undertakings: 0.3%
- not yet assigned a loss code: 4.2%

Firms over 75

Communication: 30.2%

- failure to follow client instructions: 14.1%
- poor communication with client: 9.4%
- failure to obtain client consent: 6.7%

Time Management: :14.7%

- failure to know/ascertain deadline: 4.7%
- procrastination: 4.6%
- failure to calender properly: 4.0%
- failure to react to calender: 1.4%

Inadequate Discovery/Investigation: 10.6%

Failure to Know/Apply the Law: 10.4%

Clerical & Delegation: 8.1%

- clerical error: 4.0%
- work delegated to employee not checked: 1.6%
- error in public record search: 0.9%
- failure to file documents where no deadline: 0.9%
- work delegated to outsider not checked: 0.6%
- error in mathematical calculation: 0.2%

Conflict of Interest: 6.9%

- acting for more than one party: 5.8%
- self interest of Lawyer: 1.1%

Tax Consequences: 4.9%

Other: 13.9%

- libel or slander: 2.8%
- malicious prosecution/abuse of process:2.5%
- planning error in choice of procedure: 2.0%
- fraud: 1.2%
- lost file, document or evidence: 0.9%
- improper withdrawal from representation: 0.5%
- violation of civil rights: 0.4%
- personal undertakings: 0.3%
- not yet assigned a loss code: 3.3%