

Risk management that's relevant



Top website downloads for 2010

Article or Item	Downloads
Sample Budget Spreadsheet	8,184
Business Plan Outline (from <i>Managing the Finances of Your Practice</i> booklet)	5,994
E-Discovery Reading List	4,647
General Retainer Letter Precedent	4,200
Limitations Act Comparison Chart	3,085
Managing the Finances of Your Practice Booklet	2,811
Employee Departure Checklist	2,587
Capacity Assessment Article by Judith Wahl	2,503
Essential Smartphone Apps for Lawyers	2,143
LAWPRO Fraud Fact Sheet	2,098

If there was one recurring theme for the practicePRO group in 2010 it was fraud – specifically helping keep lawyers abreast of the latest fraud scam.

Within minutes of updating practicePRO's AvoidAClaim blog with information on the latest fraud artist and his or her *modus operandi*, Director Dan Pinnington would field dozens of calls and emails from lawyers seeking guidance on whether or not they too were being targeted.

"It's becoming increasingly difficult to just stay on top of the many variations of the bad cheque collection fraud schemes now out there. And as they seem to be getting more sophisticated with better language and more realistic information, we're having to spend a lot more time helping insureds decide if these are indeed frauds or in fact potential legitimate clients," explains Pinnington. (For more information on fraud see "[Frauds in 2010: An update and a warning](#)" on page 9.)

But fraud is only one topic that practicePRO addressed in 2010 as part of its ongoing drive to keep lawyers abreast of the latest news and trends in risk management, practice management and legal technology news. And the blog is but one tool in the practicePRO roster of risk and practice management resources.

Presentations

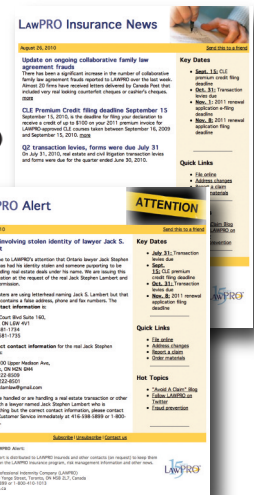
practicePRO also delivered 35 presentations on risk management topics to law associations, law firms and continuing professional development programs in Ontario, other provinces, and the United States. A popular initiative are firm-specific presentations on claims avoidance using the firm's own unique claims statistics. As well as sparking discussion on how to avoid claims, these sessions are an opportunity for partners, associates and firm staff to get a better understanding of LAWPRO's

claims handling process. (To book a presentation for your firm, email dan.pinnington@lawpro.ca)

In his role as co-chair of the 2010 Canadian Bar Association annual conference and co-chair of the Law Society of Upper Canada/Ontario Bar Association's annual Solo and Small Firm Conference, Pinnington also ensured that the practicePRO risk management message was on the agenda. LAWPRO also lent its expertise on claims and risk management to the CBA Conflicts of Interest Task Force and played a leading role in the development of a model file retention policy for large law firms. As well, its submission to the Law Society on the challenges of unbundled legal services addressed the potential liability issues that this new approach raises.

Publications

Complementing these activities are [LAWPRO Magazine](#) – our flagship risk management publication which provides regular analysis of claims trends, claims risks in various practice areas and coverage for various practice trends (e.g., outsourcing, practice of foreign law); the [AvoidAClaim blog](#) which in 2010 featured more than 50 posts (15 of them on fraud); our electronic publications ([LAWPRO Webzine](#), [Insurance News](#) and [Alert](#)) which keep lawyers up to date with all matter of insurance, practice and risk management information; and our increased use of social media channels such as [Twitter](#) and [LinkedIn](#).



CPD

During 2010 practicePRO accredited 184 programs for the CPD Premium Credit (formerly CLE Premium Credit) through which lawyers taking LawPRO-approved

CPD programs receive a \$50 per course credit on their following year's insurance premium (to a maximum of \$100 per lawyer). The programs were attended more than 24,000 times by lawyers.

Website

In 2010 the practicePRO website recorded just over 90,000 unique visitors. Lawyers downloaded more than 280,000 copies of our articles and resources, a 47 per cent increase compared to the previous year.

Tim Lemieux is practicePRO coordinator at LawPRO.

LAWPRO Magazine: Highlights of 2010

The following are summaries of the practical, topical risk and practice management information that LAWPRO shared with lawyers through its flagship publication, *LAWPRO Magazine*, in 2010. You can access these issues at www.practicepro.ca/magazinearchives.

May/June 2010 – Year in Review

Practice Tip

How to avoid confusion (and claims) when making charitable bequest and common real estate pitfalls to avoid.

Casebook: Absolute privilege

Debra Rolph, LAWPRO director of research, examined the defence of absolute privilege in advance of litigation.

September 2010 – Risky Business: Pitfalls in practice today

Practice pitfalls

LAWPRO's claims team shared insights into malpractice hazards in the different areas of practice.

A systemic approach to law firm risk management

A description of how a structured approach can help firms mitigate risk stemming from its two principal assets – clients and its own lawyers.

Danger signs: Five activities generally not covered by your LAWPRO policy

A look at the evolving activities that lawyers tend to engage in which do not fall within LAWPRO policy coverage.

Practice Tip

We looked at franchise law tenet (disclosure, disclosure, disclosure!) and the risks of title insurance sublimits.

Casebook: Limitations

Debra Rolph examined the *Limitations Act, 2002*, as a “catch-all” statute.

December 2010 – File retention

File retention: What and for how long?

Dan Pinnington provided direction on how long to keep files, and discussed why a file retention policy is a must for law firms.

Foreign law or lawyers: what is and is not covered?

A mobile, global society means lawyers are more likely to come up against situations involving dealings with foreign lawyers and foreign law. We examined the coverage implications and provided guidance on how to proceed.

Cross-border selection of lawyers

What happens when the lawyer you hire outside the country makes an error? Senior Claims Counsel Jennifer Ip examined the concept of negligent referral – and how to avoid being caught in the crossfire.

Title insurance: More than meets the eye

LAWPRO president and CEO Kathleen Waters outlined the challenges that title insurance presents.

Real estate claims and trends

We offered an in-depth analysis of the common errors that cause real estate claims and a look at why they exist in a title-insured world.

Separating fact from fiction on title insurance

LAWPRO claims counsel dispelled myths about title insurance.

Not the panacea lawyers had hoped for

Debra Rolph examined cases involving LAWPRO and title insurers and the agreement between title insurers and the Law Society to indemnify and save harmless.

Casebook: Fiduciary duty

We examined if lawyers owe a fiduciary duty to their office managers.

