

LAWPRO

magazine

2015 | Student Issue 3

special
student edition

START

Student to lawyer 20 tips

for a successful
transition

Job interview
questions

Is this the job
you want?

"What I wish
I knew"

NEXT >

What is LAWPRO®

And why should I care

LAWPRO, the Lawyers' Professional Indemnity Company, is the Ontario insurance company chosen by the Law Society of Upper Canada to provide the professional indemnity insurance that the Law Society has deemed mandatory for Ontario lawyers in private practice.

The insurance coverage provided by LAWPRO helps to protect lawyers from the potentially catastrophic financial consequences of professional malpractice claims. It also indirectly supports the interests of consumers of legal services who may have a legitimate malpractice claim against a lawyer and are hoping there will be funds available to provide a settlement or to satisfy a judgment.

In the pages of this magazine, you will learn more not only about professional indemnity insurance and about LAWPRO, but also about our practicePRO program, LAWPRO's claims prevention initiative. The practicePRO program creates and maintains a wide range of practice management resources for lawyers at all stages of practice: for details, see page 11 inside.

Besides professional indemnity insurance, LAWPRO also offers title insurance via its TitlePLUS® program. Title insurance is a product designed to protect property purchasers, owners, and mortgage lenders against losses associated with title problems.

Connect with LAWPRO:   

Isn't LAWPRO just a branch of the Law Society?

While LAWPRO is owned by the Law Society of Upper Canada, it is an independently operated company governed by the same industry regulation that applies to other insurance companies. To meet its claims obligations, LAWPRO funds itself by matching premiums to risks and by making investments. While the insurance program renewal is considered each year by the Law Society, the company is governed by its own board of directors and executive, and is required to operate according to established insurance principles.

Will I need to pay for professional indemnity insurance if I work in government, or as in-house counsel?

Certain categories of lawyers are exempt from the requirement to carry mandatory insurance coverage. In general, government lawyers, in-house lawyers, legal academics who don't practise law and lawyers who have retired or withdrawn from practice (or who never practised) are exempt, unless they provide professional legal services to parties other than their employers. In addition, there is an exemption available for lawyers who do qualifying *pro bono* work. Once you have been called to the bar, you will receive more information about these exemptions.

How can I have a say about the mandatory insurance program?

The LAWPRO mandatory insurance program for each coming year is reviewed at the fall convocation of the Law Society. Benchers are given an opportunity to learn about the program, and ultimately to accept the offer for the following year. LAWPRO's Report to Convocation is posted at lsuc.on.ca at that time. Of course, we at LAWPRO would also love to receive your comments, questions and concerns directly, at any time of the year.

What can I do, once I'm in practice, to avoid malpractice claims?

LAWPRO has more than 20 years' experience receiving and defending claims. Our claims counsel and analysts have developed a detailed understanding of the factors and circumstances that tend to result in claims. For example, did you know that new lawyers generally have a LOWER rate of claims than do lawyers with eight or ten years' service? Or that problems with lawyer-client communications are the single largest source of claims? For information on the most common pitfalls in each practice area, and for tips about how to prevent claims in your practice, we invite you to come and browse the resources available at lawpro.ca and practicepro.ca.

LAWPRO® (Lawyers' Professional Indemnity Company)

Trademarks

* LAWPRO, TitlePLUS and practicePRO are registered trademarks of Lawyers' Professional Indemnity Company; other marks are registered trademarks of the respective owner.

Copyright

© 2015 Lawyers' Professional Indemnity Company, except certain portions which are copyright in favour of external authors.

START

Student to lawyer

20 tips

for a successful transition

features

- 2 Student to lawyer
20 tips for a successful transition**
Does the gulf between being a student and being a practising lawyer seem incredibly wide? These twenty practical tips can help you make the decisions that will pave the way to a rewarding legal career.
- 12 Is this the job you want?**
Doing well in the interview is all about preparation: Wendy Werner shares her coaching tips on when and how to ask the right questions and provide the right answers.
- 14 What new lawyers need to know about LAWPRO's mandatory professional liability insurance**
An overview of the mandatory insurance requirement.
- 22 What I wish I knew in law school...**
LAWPRO's articling students and new hires look back at law school with the benefit of 20/20 hindsight.
- 23 Impressions of a Law Practice Program student**
Jonathan Smith describes his experience and how it has prepared him for the workplace.

departments

- 11 practicePRO**
practicePRO resources help you succeed in practice.
- 16 TitlePLUS**
Planning to do real estate work?
A primer on title insurance and the TitlePLUS program.
- 24 In the news**
Fraud resources; LAWPRO rated A (Excellent) by A. M. Best Co.

in practice

- 18 Tech tip**
Essential LinkedIn® dos and don'ts for law students
- 21 Wellness & balance**
Feeling the pressure?



LAWPRO
magazine

President & CEO: Kathleen A. Waters
Editor-in-chief: Dan Pinnington dan.pinnington@lawpro.ca
Editors: Naomi Dummett naomi.dummett@lawpro.ca
Nora Rock nora.rock@lawpro.ca
Design & Production: Freeman Communications studio@freemancomm.com

LAWPRO Magazine and LAWPRO Magazine's Student Edition is published by Lawyers' Professional Indemnity Company (LAWPRO) to update practitioners about LAWPRO's activities and insurance programs, and to provide practical advice on ways lawyers can minimize their exposure to malpractice claims. The material presented does not establish, report, or create the standard of care for lawyers. The material is not a complete analysis of any of the topics covered, and readers should conduct their own appropriate legal research.

The comments in this publication are intended as a general description of the insurance and services available to qualified customers through LAWPRO. Your policy is the contract that specifically and fully describes your coverage and nothing stated here revises or amends the policy.

lawpro.ca
Tel: 416-598-5800 or 1-800-410-1013 Fax: 416-599-8341 or 1-800-286-7639

START

Student to lawyer

20 tips for a successful transition

There isn't a simple magic formula for mapping out a career in law. You will make some decisions on where you would like to go, but there are many things outside your control which will impact on where you will end up. Factors such as economic conditions, personal circumstances, where you articulated and even a bit of luck will affect the career path you will follow.

Some law students will have a very strong idea about the area of law they ultimately see themselves practising in. Other students may have no idea, or perhaps an idea of a few areas of law they would prefer to avoid. Your thoughts may change as you go through law school. If you are a third year student, you may already have an articling position or still be searching for one. In all cases, it is worthwhile to spend some time organizing your thoughts about the direction you would like your professional life to take. This can help you make better choices. This article outlines some tips and self-assessment questions that will help you find your way to a satisfying and successful legal career. [BEGIN HERE](#) ►



CHOOSE YOUR ROLE

1

HONESTLY ASSESS WHAT MAKES SENSE FOR YOU

Regardless of what stage you are at in law school, you may have an idea of where it is you would like to end up. That could be in Toronto at a large Bay Street firm, a sole practitioner in a small community, or somewhere in between. When it comes to areas of law, work hours, working environments, types of work, remuneration and many other factors, Bay Street lawyers, smaller firm and solo practitioners live in very different worlds. Ask yourself what makes sense for you. This is a very personal question. Be honest – very honest. You will be happier and more successful if you can find the place where you best fit in. Do your best to figure out where that is.



In Ontario there are nearly 25,000 lawyers in private practice (i.e. lawyers who work at a firm serving clients). The largest firms have several hundred lawyers. The smallest have a single lawyer. A job at a large firm may mean a bigger salary, but also in some cases a bigger time commitment. Some lawyers enjoy and thrive in the big firm environment, others do not. One-third of the lawyers in private practice work in firms with just 2-10 lawyers. There are a few thousand Ontario lawyers that have a corporate or “in-house” position. And while it is probably not something that many students contemplate as they are in the midst of working hard to get through law school, ultimately the realities of practice or other personal circumstances cause some to leave private practice and even the legal profession.

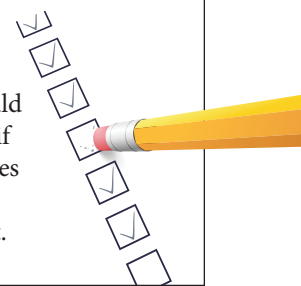
2

A QUICK REVIEW OF THE OPTIONS

3

CREATE A LIST OF OPTIONS

Where do you want to go? Consider your preferences and what you think makes sense for you. Write out a list of your options. Your list should include the most desirable options as well as others you might consider if your preferred choices do not work out. Think broadly and keep alternatives open. You may have specific firms in mind, but you should keep an open mind and include groups or categories of firms that would be of interest.



4

WHAT MAKES YOU UNIQUE?

Every law student is unique, and the key to selling yourself is to tap into your own uniqueness. To do this consider the work and personal experiences you have had, the education and training you have completed, and any other skills that you have learned before entering law school. Identify what makes you stand out from the crowd. This will let you sell yourself with more confidence and will also help you make choices about job opportunities that are the best suited to your abilities and preferences.



CONTINUE TO
NEXT PAGE...

Are you ready for sole practice?

The chart helps identify your strengths and weaknesses and gives you a better idea of whether you're cut out for solo or small firm practice.

Ask yourself whether you possess some or all of the skills listed below. Rate your skills by circling the appropriate number, using a scale of 1-5, with **1 as low**, 2 as between low and medium, 3 as medium, 4 as between medium and high, and **5 as high**.

Skills	Rating
Getting clients <ul style="list-style-type: none"> projecting confidence in your skills networking client service follow-up asking for referrals identifying client needs tracking competitors 	<div style="display: flex; align-items: center;"> <div style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;"></div> <div style="display: flex; flex-direction: column; align-items: center;"> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> </div> <div style="margin-left: 10px;"> <div style="display: flex; justify-content: space-between; width: 100px;"> 12345 </div> <div style="display: flex; justify-content: space-between; width: 100px; font-size: 0.8em;"> LOWMEDIUMHIGH </div> </div> </div>
Marketing <ul style="list-style-type: none"> advertising/promotion/public relations annual marketing plans marketing strategies advertising copy writing pricing 	<div style="display: flex; align-items: center;"> <div style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;"></div> <div style="display: flex; flex-direction: column; align-items: center;"> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> </div> <div style="margin-left: 10px;"> <div style="display: flex; justify-content: space-between; width: 100px;"> 12345 </div> </div> </div>
Financial planning <ul style="list-style-type: none"> cash flow planning bank relationships management of credit lines monthly financial statements 	<div style="display: flex; align-items: center;"> <div style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;"></div> <div style="display: flex; flex-direction: column; align-items: center;"> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> </div> <div style="margin-left: 10px;"> <div style="display: flex; justify-content: space-between; width: 100px;"> 12345 </div> </div> </div>
Accounting <ul style="list-style-type: none"> bookkeeping monthly profit and loss statements/balance sheets quarterly/annual tax preparation billing, payables, receivables 	<div style="display: flex; align-items: center;"> <div style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;"></div> <div style="display: flex; flex-direction: column; align-items: center;"> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> </div> <div style="margin-left: 10px;"> <div style="display: flex; justify-content: space-between; width: 100px;"> 12345 </div> </div> </div>
Administrative <ul style="list-style-type: none"> scheduling payroll handling benefits administration 	<div style="display: flex; align-items: center;"> <div style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;"></div> <div style="display: flex; flex-direction: column; align-items: center;"> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> </div> <div style="margin-left: 10px;"> <div style="display: flex; justify-content: space-between; width: 100px;"> 12345 </div> </div> </div>
Personnel management <ul style="list-style-type: none"> hiring employees motivating employees general management skills firing employees 	<div style="display: flex; align-items: center;"> <div style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;"></div> <div style="display: flex; flex-direction: column; align-items: center;"> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> </div> <div style="margin-left: 10px;"> <div style="display: flex; justify-content: space-between; width: 100px;"> 12345 </div> </div> </div>
Personal business skills <ul style="list-style-type: none"> oral presentation skills computer skills fax, email experience written communication skills word processing skills organizational skills 	<div style="display: flex; align-items: center;"> <div style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;"></div> <div style="display: flex; flex-direction: column; align-items: center;"> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> </div> <div style="margin-left: 10px;"> <div style="display: flex; justify-content: space-between; width: 100px;"> 12345 </div> </div> </div>
Intangibles <ul style="list-style-type: none"> ability to work long and hard family support ability to work alone ability to manage risk and stress ability to deal with failure ability to work with and manage others 	<div style="display: flex; align-items: center;"> <div style="width: 20px; height: 20px; border: 1px solid black; margin-right: 5px;"></div> <div style="display: flex; flex-direction: column; align-items: center;"> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> <div style="width: 10px; height: 10px; border: 1px solid black; margin-bottom: 2px;"></div> </div> <div style="margin-left: 10px;"> <div style="display: flex; justify-content: space-between; width: 100px;"> 12345 </div> </div> </div>
TOTAL	

5

DO YOU HAVE
WHAT IT TAKES
TO BE A SOLE
PRACTITIONER?

One-third of the nearly 25,000 lawyers in private practice in Ontario are sole practitioners. As a solo, it's great to have the freedom that comes with being your own boss, but you also have full responsibility for all aspects of the operation of your law practice. Do you have what it takes to be a sole practitioner? See the self-assessment quiz (opposite) to answer that question.



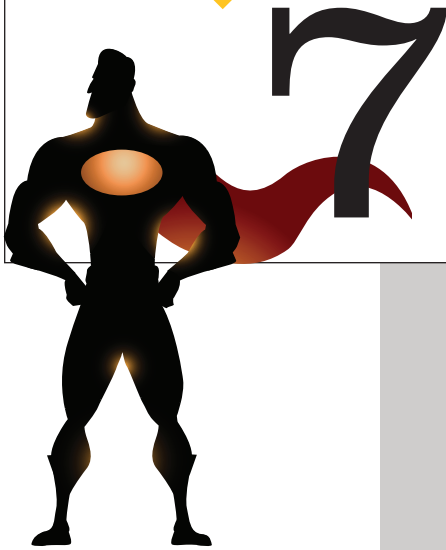
How did you do?

- If your total is less than 20 points, you should reconsider whether owning a business is the right step for you
- If your total is between 20 and 25, you're on the verge of being ready, but you may be wise to spend some time strengthening some of your weaker areas
- If your total is above 25, you're ready to start a sole practice now

6

A DOSE OF REALITY – THE JOB MARKET

After you have determined what you think your preferred career path will be, you will need to consider the job market. Finding an articling position or post-articling job may be difficult right now, although the introduction of the Law Practice Program in 2014 expanded the options for students. Unfortunately, you may end up taking a position that will not be your ideal in terms of size of firm, area of law or geographic location. These factors are beyond your control. You will need to work with them and make the best choices you can in the circumstances in which you find yourself.



BE PREPARED TO DEAL WITH UNCERTAINTY

Making decisions about your career path when you are a student is not easy. There is a great deal of uncertainty as there are many choices and limited information on which to base decisions. This uncertainty is compounded as there are many factors and unknowns beyond your control which can also have an impact on your career path. You will not be able to eliminate uncertainty. Accept that there is an element of risk and chance. Work to gather all available information and make the best decision you can in the circumstances.

8

BE READY TO ADAPT

After you have assessed your preferences and mapped out your options, you should have an idea of where you want to go and what you need to do to get there. However, your personal circumstances and external factors can change. Make sure you consider new or changing circumstances and be alert for new opportunities. Your preferred path may change based on your articling or LPP placement experience or the work you end up doing in the early years of practice.

9

PREPARE YOUR RESUME AND SUPPORTING INFORMATION

Prepare the bundle of information you will use to sell yourself in interviews. This includes a resume that highlights your background and why you are unique – remember, you want to stand out from the crowd. If you have them, collect writing samples to show your work. Identify your references and contact them for permission.



CONTINUE TO
NEXT PAGE..

10

CONTACTING POTENTIAL EMPLOYERS:

Contacting potential employers takes some legwork. Start with your most preferred options and work down your list. Go online and review firm websites; talk to friends and colleagues to get information about the firms you are considering. An inside introduction can help, so look to see if you or someone you know knows someone at any of the firms that interest you.



Throughout your legal career you will be networking. For lawyers in private practice networking is usually done for marketing purposes. Many other lawyers will network to expand their professional contacts. For lawyers, articling students – and even law students – the process of networking is aimed at increasing your contacts with individuals who may be clients, know about career opportunities, help open doors, or provide support.

Networking involves developing new contacts, as well as tapping old ones. Informal channels can also help with networking, and even with finding a job. Many law students initially think they do not have “contacts” in the legal profession. Don’t sell yourself short. If you are active in social media you already have a network that probably includes people from the legal world or people that are connected to people in the legal world.

If you aren’t on social media, you can create a network with minimal effort. For example, see page 18 for an article about how to get started on LinkedIn.



11

GET NETWORKING

MAKING A GOOD IMPRESSION AT A JOB INTERVIEW

When it comes to getting a position, making a good impression is critical, both in your articling job interviews and in any future interviews you might do if you are looking to get hired by or go to a new firm. You can make a positive impression with good answers to the many difficult and awkward questions that will be asked of you. These questions are often fairly standard and you can and should prepare answers for them. See page 7 for a list of some of the questions you can expect in an interview for a position at a law firm.

12

TIP #13 IS ON
PAGE 8 ...

“ How would you answer these job interview questions?¹ ”

Job interviews can be very stressful. It’s not easy to answer questions about yourself, especially when they are open-ended questions that address your personality, work habits, ability to teamwork and so on. Good answers are the key to a successful interview, and hopefully a job offer. The questions asked at job interviews are fairly standard. You greatly increase the chance you will give a good interview by preparing answers ahead of time. See the facing page for the questions you can expect in an interview for a position at a law firm.

¹ Many of the questions in this article come from a Sample List of Interview Questions prepared by Karen MacKay of Phoenix Legal Inc.

Sample interview questions

Background questions:

- Tell me a little about yourself. What made you decide on law school?
- What do you hope to get out of a legal career?
- What do you know about [our firm]?
- How do you think [our firm] can help you achieve your career goals?
- If you took out a full-page ad in the newspaper and had to describe yourself in only three words, what would those words be?

Independence/sense of self/judgment:

- Describe what success means to you.
- Do you think of yourself as a risk-taker, or someone who plays it safe?
- How would you describe your standards of performance?
- Describe a (recent) situation in which you had to quickly establish your credibility and gain the confidence of others. What did you do?
- What do you think has contributed most to your success so far?
- What are some of the things (weaknesses) you are still working on in yourself?
- Describe a time when you had to take on something very new or different and you had little or no guidance and support in doing so. How did you handle it?
- A senior partner left an assignment for you before leaving on vacation. Now, you can't reach him/her and don't understand the assignment. What do you do?

Conscientiousness/work ethic:

- Describe a situation in which you had to work under pressure. How did you handle it?
- Do you anticipate problems effectively or just react to them?
- Tell me about a time when you went beyond the call of duty or delivered results beyond what was expected. Why did you do that?
- How would you clarify an unclear assignment?
- What kind of work environment are you most comfortable in (structured/unstructured)?
- Tell me about a time when you were assigned an unwelcome task. What did you do?
- Have you ever made an error in judgment that you had to address with your employer? How did you handle it?
- What part of your current workload do you find most challenging?
- What distinguishes you as a candidate?

Motivation/initiative:

- Would you describe yourself as a self-starter? If so, why?
- Would people describe you as a competitive person?
- Describe two things that motivate you at work.
- Give me an example of something you've done that demonstrates initiative and willingness to work.
- What kinds of responsibilities are important to you in your work?

Achievement/accomplishments:

- What work or personal accomplishments are you most proud of?
- What accomplishments gave you the most satisfaction?
- Have you ever accomplished something you did not think you could? How did you do it?
- Give me an example of how you have shown initiative.
- What is the most challenging thing you have ever done?
- What would you consider to be a stimulating work environment?
- Describe a significant risk you took to accomplish a task.

Interpersonal skills/communication:

- Describe a (recent) experience when you worked in a team environment. What was your role?
- Describe a situation where you had to give constructive criticism to another person. How did you go about this?
- Can you describe a situation where you worked for a difficult boss? What happened and how did you handle it?
- Have you ever had to resolve a conflict with a co-worker? How did you resolve it?

Organization:

- Describe your study habits.
- How do you manage your time/organize your workload?
- Describe a situation in which you've faced competing priorities. How did you handle it?
- How do you plan to achieve your career goals?
- Tell me about a time when you organized a project/completed a job where the directions were vague.
- When you are under a lot of stress, what is your typical reaction?

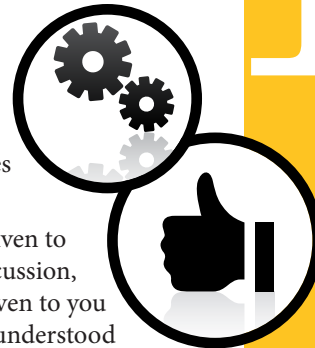
DELEGATED TASKS

Delegation involves getting the job done through others. As an articling student and new lawyer you can count on having many tasks delegated to you. Here are some tips to help you maximize the learning opportunities that delegated tasks present and to make sure the tasks delegated to you are successfully completed:

- Get clear instructions and all required information: Make sure you understand the specific issues of concern, but also look to appreciate the bigger picture so that you understand the reasons behind the work that you are doing.
- Get direction on any special parameters: Ask the person giving you the task if there are any parameters that will limit or direct what you are to do to complete the task. Are there resources to use or to avoid? How much time is to be spent on the task? Are there any cost sensitivities on the part of the client with respect to the amount that will be billed for the work?
- Get a realistic deadline: Most tasks will come with a deadline attached to them. Make sure you are aware of the deadline and that you can

realistically meet it given the other tasks for which you are responsible. Talk about alternatives if the deadline is unrealistic given other deadlines you are facing.

- Understand the reporting mechanism: Are you expected to simply return the completed work, or are you to check in with updates as the work progresses?
- Confirm the instructions given to you: At the end of your discussion, reiterate the instructions given to you to make sure you properly understood them. Ask about anything you don't understand or are confused about.
- Ask for feedback when the work is done: Getting feedback is key to learning, especially if there were mistakes or complaints about the work. Hopefully any criticism given to you will be constructive criticism.



13

GETTING
DELEGATED
TASKS
DONE RIGHT



14

GOOD CLIENT
COMMUNICATION
IS ESSENTIAL

Start off on the right foot in your dealings with clients. LAWPRO statistics indicate that four in five lawyers will have at least one malpractice claim during the course of their career. The most common malpractice claims don't involve a failure to know or apply the law – errors of law lead to only about 10 per cent of the claims LAWPRO sees. Lawyer/client communication issues are the most common cause of claims, accounting for more than one-third of the claims LAWPRO handles. These errors arise due to poor communication, miscommunication, or no communication whatsoever. Take the time to develop good interpersonal skills and to implement sound client communication practices. See the Fall 2011 Communication Breakdown issue of *LAWPRO Magazine* (practicepro.ca/CommunicationBreakdown) for more information on how lawyer/client communication problems can arise and how they can be avoided.

GET A MENTOR
TO IMPROVE
YOUR SKILLS

15

Mentoring is one of the most effective ways to gain skills, knowledge and wisdom about many topics that are not taught in law school. Having a mentor can jump-start your practice and contribute enormously to a successful and satisfying career in law. As an articling student and new lawyer, some of your learning will occur by trial and error. Having a mentor lets you tap into the learning that has gone before you. If you are at a firm you may have the opportunity to participate in a mentoring program. But even if the firm doesn't have a mentoring program, you can still seek out a mentor. Remember to use LAWPRO's *Managing a Mentoring Relationship* booklet (practicepro.ca/mentoringbooklet). It gives practical advice and insights on how to make the most of a mentoring relationship. It has advice for both mentors and mentees, including a broad framework for a mentoring relationship and some general guidelines.

CONTINUE TO
NEXT PAGE...

Marketing basics

It's never too early to begin marketing services to existing and potential clients. As you work on a basic marketing plan, consider including the following activities and implementation schedule:

Each week:

- Call a client and just say hi (don't bill them for the call!).
- Take at least one current client, potential client, or potential source of referrals out to lunch (or just for a coffee).
- Call clients on their birthdays.
- Send a handwritten thank-you note any time you: close a client file; receive an introduction or a referral; or receive any kind of advice, assistance or support that goes beyond the call of duty.
- Send clients, potential clients or other contacts copies of newspaper or magazine articles that they might find useful (you can do this in a manner of seconds and at no cost using email).

Each month:

- Attend at least one civic, service or community meeting.
- Try to meet at least five new people.
- Make a telephone call to an old friend you haven't talked to in a while and just chat.

- Spend some time touring a client's place of business at no charge to the client.
- Send someone you know who received some good press a copy of the newspaper article and a congratulatory note.
- Attend an education program and sit with lawyers you don't already know.



During the next four months:

- Set up a public speaking engagement, or volunteer to help with one on behalf of your firm. Tell your clients about it.
- Read a book about marketing or law practice management.
- Host a social event or arrange a get-together.
- Do some volunteer work for the Law Society, the Canadian Bar Association, the Ontario Bar Association, or another law association.
- Schedule a time to review the last four months of your marketing efforts.

When choosing marketing activities, play to your strengths. If you're very social, find opportunities for face-to-face meetings. If you're a written communicator, keep those thank-you notes flowing. Remember that a diverse approach will often yield the best results. Make an effort to try some of those marketing activities that lie outside your comfort zone. With practice, you'll find that your efforts come more naturally. You'll also begin to see results.

Some lawyers find rain-making very natural and easy, others struggle with it, and some are oblivious to the need to market their services. In today's competitive environment, marketing and client development are essential. Marketing legal services does not lead to instant results. Not everyone needs legal services at the moment. Good marketing does pay off, but generally only slowly and with a steady effort over the long haul. Therefore it is critical that you market yourself on an ongoing basis, even when business is good. Most law firms of any size will have some kind of formal marketing and business development plan. As an articling student there are some marketing-type activities that you can undertake to foster positive relationships with the clients you are dealing with. You will have to work within the parameters of any existing plan.

16

MAKE TIME
FOR MARKETING

17

BE NICE!

You will find that the legal world is a very small one. You will meet hundreds of people through the course of your articling year. This will include lawyers and staff at your firm and at other firms, clients, court office staff and others. You can count on meeting many of these people again through the course of your career, so be professional and courteous with everyone you deal with each and every day. Word gets around, and you never know how the people you interact with today will be in a position to help or harm you in the future. Always remember, what goes around, comes around. Be nice!



18

HAVE A LIFE

Many legal positions will put great demands on your time, sometimes far beyond the regular 9 to 5 workday. There is nothing wrong with working hard and being proud of the work you do as a lawyer. But don't neglect the people in your life, and make sure you spend time outside the law office setting! Your partner, kids, extended family, friends and community are important. Make time for them. A strong social network outside the office will make it easier to deal with the stress at the office and can help keep your job in perspective. Sports or other hobbies will let you blow off steam, keep in shape or be engaged with non-legal tasks and people.

19



TAKE CARE OF YOURSELF

At times you will find the demands of working stressful, as well as physically and emotionally exhausting. You can count on being exposed to high levels of stress on a daily basis. Unfortunately, lawyers exposed to high levels of stress over the long term may misuse or become addicted to drugs or alcohol, and can have challenges to physical or mental wellness. These problems can be contributing factors for LAWPRO claims and Law Society complaints. So try to eat right, and get exercise. And if you feel stressed and burnt out, remember there are resources to help you. See the self-assessment tools and resources on the practicePRO wellness page (practicePRO.ca/wellness).

Throughout your career as a lawyer, there will be highs and lows, good times and bad. Follow your heart and your instincts. Be ready for the unexpected. Many of you will end up in a career that is very different from anything you are expecting or planning for today. It may even be outside the law. Good luck on your articling or LPP experience and with the other decisions you face over the coming months.

TRUST
YOUR
INSTINCTS/
THINK LONG
TERM

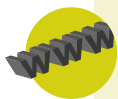
20

practicePRO resources help you succeed in practice

LAWPRO's practicePRO initiative provides you with resources, precedents and checklists that will help you avoid the chances of a legal malpractice claim and take proactive steps to grow a successful and thriving law practice.



Risk management
practicepro.ca



practicepro.ca website

All of the information that LAWPRO creates under the practicePRO banner is available on the practicePRO website.

- Information on the biggest claims risks
- Practice aids, precedents and checklists
- Most popular downloads
- New lawyer resources

practicepro.ca



AvoidAClaim.com blog

Managing risk and preventing claims

- The latest claims prevention information
- Fraud warnings and alerts
- Names of confirmed fraudsters
- Subscribe to get updates by email or RSS feed

avoidaclaim.com



LAWPRO Magazine archives and topical listing

Articles and supplemental resources from all past issues of *LAWPRO Magazine* are available online (listed chronologically and by topic/issue).

practicepro.ca/magazinearchives

practicepro.ca/topicallisting



Practice aids

Under the practicePRO banner there are numerous practice aids available that will provide you with practical information and advice for dealing with a wide variety of practice management-related issues.

Better client service

- Stronger lawyer/client relationships
- Dealing with difficult clients
- Avoiding conflicts of interest

Technology

- Essential law office technology
- Improving electronic data security
- Handling electronic discovery

Precedents and checklists

- Retainer precedents
- ILA checklist, commercial transactions checklist, domestic contract matter toolkit
- Limitation period summary charts

Firm management

- Improving practice finances
- Building mentoring relationships
- Preparing for practice interruption

practicepro.ca/practice

Is this the job you want?



How to find the right fit – and then sell yourself in the interview



On the face of it, interviewing should not be all that difficult – particularly for lawyers. As members of a profession who primarily make their living either writing or speaking, the idea that having a conversation about your interests and abilities in your own profession sounds both logical and easy.

But throw the words “job interview” into the mix and a whole new paradigm emerges. With seemingly so much at stake, job interviews take on a new meaning for people who ordinarily would not shy away from talking about the field they have chosen and the background that they bring.

At the same time, it also seems that candidates often appear at interviews unprepared for a conversation in which they have voluntarily decided to participate.

Here are some thoughts about making the most of a difficult process, and in the end making good decisions about where you want to work.

Preparation is key

Although you are, hopefully, going to be doing most of the talking in the interview, it pays to know as much as you can about the firm with whom you are interviewing, and the people who will be interviewing you. When you schedule the interview make sure to ask lots of questions. Whom will you be meeting with, how long will the interview last, and will the interview be a series of one-on-one conversations or a group meeting? There is a huge difference between those two kinds of interviews, and you want to be prepared for the one that you are going to have.

While most law firm interviews feature relatively standard questions, corporations now often employ what are called “behavioural” or “situational” interviews. These rely on the premise that past behaviour

predicts future performance. To that end, candidates are queried at length in a series of statements that start with, “tell me about a time when,” followed by a series of situations that range from your best moments to your worst.

You may not believe that this is the best way to learn how you will perform in the new position – but not being prepared to deal with this format can be fatal. And coming up with your best answers to these situational questions on the way home in the car is not going to do you any good.

The best way to prepare is to know the content of your resume completely, and to be able to talk, in specifics, about how you have approached work situations in the past. Whether or not you find yourself in an interview of this type, it helps significantly to prepare the stories that you want to talk about in advance. Your interviewers are likely to forget about your past titles and dates: But you do not want them to forget your stories. Whatever you do, resist the temptation to “wing it” when it comes to preparing your answers to questions about your past experience.

The SAO formula

There is an easy formula to employ when talking about what you have done – SAO – or Situation, Action, Outcome.

You want to describe succinctly the situation in which you found yourself, remembering that the listener may not know anything about the topic you are describing; include the actions that you took, and what happened as a result of your action.

Remember that in addition to winning circumstances, you are likely to be asked about times when you did not finish a project, meet expectations, or win a case. You may also be asked about difficult relationships with co-workers or supervisors. Having something prepared in advance is likely to prevent you from leading with an

inappropriate story, or one that leaves the listener with a less than positive impression. While it is fine that you made mistakes in the past, you want the interviewer to know that whatever lesson was to be learned, you have done so and you will never make the same mistakes again.

Knowing who you are going to be meeting with gives you the opportunity to be well versed in their background prior to the interview. In addition to any posted firm or company biography, make sure that you look at their LinkedIn profile, any appropriate lawyer directories, court filings, and of course, the grapevine. The more you know about the temperaments and background of those interviewing you, the greater the likelihood that you will hit the right tone during the interview process.

Questions to ask and when

There are two sides to the interview process, and it is an important distinction to keep in focus. If during the interview you believe that the hiring entity has all of the power in the process, you may subtly signal a lack of confidence in your own value. However, you must understand that the early stages of the interview process are all about what you are bringing to the table. It is not until the other side begins to signal an interest in your candidacy that you can begin to ask questions about the ways in which this employer might be a good place for you to apply your skills.

Most interviewers will ask if you have any questions – which of course you do. But there are some questions that should be asked no sooner than when a job offer has been tendered. It is then and only then that you have leverage in the interview process.

Questions you ask during the interview process should relate specifically to the job: The kinds of things that you would be doing, the experience the interviewer is looking for, and what would make someone successful in the job. If you can get a description of a successful candidate, you can go on to reiterate to the interviewer why you would be just such a candidate.

Questions about the culture of the firm, the reasons the position is available, working hours and conditions, and possible advancement should be left until after a job offer. So should any discussion of salary and benefits. Many potential employers will ask you for salary requirements; but answering those questions short of a job offer is likely to short circuit your ability to negotiate on your own behalf when an offer is made. When asked – and you will be – politely tell the interviewer that you will be more than happy to discuss salary at the time of a job offer. If you get pushback, and it is possible that you will, reiterate your willingness to talk about the issue after an offer, and that you are at present primarily interested in learning more about the job and how you would be an asset to the organization.

If you are asked to complete a written application that includes salary history, write something narrative like: “within range for experience,” or “market rate.” If you have to include numbers, try to fill in the blank with zeros.

Benefits & working conditions

When an offer has been made, refrain from discussing salary until you have received full disclosure of the benefits package. Without that information you will not be able to know what you want to negotiate in the employment package.

If at all possible, have the salary conversation in person. If a number is delivered to you over the phone, set up a meeting to talk about the offer in person. Understand that you must be clear about the salary you are willing to accept. Remember as well that this is a negotiation on behalf of your first client – yourself. As an attorney, negotiation is likely to be part of your job requirements, so you should demonstrate that ability now.

There are a number of other things that you may want to discuss prior to talking about remuneration. Now is the time to talk about working conditions, billable hour numbers and rates if they are applicable, opportunities for advancement, partner track, marketing support, fee-splits, and firm culture, just to name a few.

This would also be a time when you want to meet more of your potential future colleagues, and see the physical office space you would occupy if you haven't already. While taking any job has its risks, you are at this point trying to eliminate as many future surprises as possible.

So borrow a page out of the prospective employer's interview guide. The firm doing the hiring will probably want references from you to ensure that you are who you say you are. Now's the time for you to gather some of the same kind of information from the firm by meeting and talking with more people. Just as you have been asked about your weaknesses or shortcomings, now you may also want to ask the firm about issues they are working on to improve.

Remember as well that no job (and no candidate) looks better than the day before you start. If you see red flags now, you may want to consider whether or not this is the best fit. Just because you have successfully made a case for yourself in the interview doesn't necessarily mean this is the job you want to own.

Due diligence on both parts of the interview is likely to create a better chance of a good fit – for you and the hiring firm. ■

Wendy L. Werner is the Owner and Principal of Werner Associates, LLC, a career coaching and law practice management consulting firm. She can be reached at wendywerner.com/associates.

What new lawyers? need to know about LAWPRO's mandatory professional liability insurance



The FAQs below answer some of the more common questions we hear from newly-called lawyers. The answers will help you determine if you need insurance coverage (or whether you're exempt) and which steps you need to take to get your LAWPRO insurance coverage in place. Read on.

WHAT IS PROFESSIONAL LIABILITY INSURANCE?

Professional liability insurance is designed to indemnify lawyers against the consequences of a lawyer's liability for a client's loss. For this reason, only lawyers in *private practice* are subject to the mandatory insurance requirement.



WHAT IS PRIVATE PRACTICE?

Private practice, for the purpose of LAWPRO's insurance program, is the delivery of professional services (including advice) to anybody who is not the lawyer's employer. In general, lawyers in private practice perform professional services for clients for pay. Note as well, providing legal advice or help to family or friends, or providing free legal advice to *pro bono* clients also falls within the definition of private practice.

DO ALL MEMBERS OF THE ONTARIO BAR HAVE TO PURCHASE PROFESSIONAL LIABILITY INSURANCE?

If you are engaged in private practice in Ontario, you will need to purchase coverage through LAWPRO. [See the left-hand text on the next page for more details on getting insurance from LAWPRO.](#)

If you are not in private practice and meet certain criteria, you are likely exempt from the mandatory insurance requirement. [See the exempt lawyer FAQs on the right-hand side of the next page.](#)





GOING INTO PRIVATE PRACTICE

HOW DO I APPLY?

If you will be working as a sole practitioner, you will need to complete an application online. (You'll receive a mailing from us with instructions.) New lawyers can register at any time after receiving a Law Society number from the Law Society of Upper Canada (be sure to have insurance in place before you begin practising!). After the first year, you will be asked, each October, to renew your insurance for the following year.

If you'll be joining a firm, you may want to speak with the firm administrator or office manager before you apply directly, as there may be specific practice or payment options that need to be reflected on your application form.

HOW MUCH WILL IT COST?

Not every lawyer in private practice pays the same premium. LAWPRO offers discounts to certain categories of lawyers (including part-time practitioners, and lawyers who practise criminal and/or immigration law exclusively). The base premium for the year 2015 is \$3,350 plus PST.



Newly called lawyers receive a discount: Lawyers newly called to the bar in the current year receive a 50 per cent discount from the standard base rate in their first full year of practice. Additional discounts are available in the second, third, and fourth years (40, 30 and 20 per cent, respectively). These discounts reflect the risk profile of new lawyers. Because the maximum premium discount for any lawyer is 50 per cent, these discounts cannot be combined with other discounts.

Some lawyers pay MORE than the base premium. For example, there is additional premium required for the practice of real estate law (a higher-risk practice area, from a claims perspective). Also, lawyers for whom LAWPRO has paid claims within the previous five years may pay more for their insurance because of claims surcharges.



HOW DO I FIND OUT MORE?

Visit lawpro.ca/newcalls for more information. You can also send an email to LAWPRO Customer Service at: service@lawpro.ca, or you can call us at: 416-598-5899 or 1-800-410-1013.

NOT GOING INTO PRIVATE PRACTICE

WHAT KINDS OF LAWYERS ARE EXEMPT FROM THE MANDATORY INSURANCE REQUIREMENT?

In general, lawyers working as in-house counsel, who are employed by the government, who work in education, or who work for a clinic funded by Legal Aid Ontario are exempt from the requirement to pay insurance premiums. Lawyers who do *pro bono* work that meets certain criteria, or who are on temporary leave, may also be exempt.



IF I'M NOT GOING INTO PRIVATE PRACTICE, CAN I JUST FORGET ABOUT INSURANCE?



No. The Law Society of Upper Canada requires that ALL members of the bar (not just those in private practice) confirm their practice status every year. This means that you must either pay for insurance, or file an application for exemption from the insurance requirement.

LAWPRO's insurance application, exemption application, and other relevant forms can be found (and filed!) online. See lawpro.ca/newcalls for more details.

WHAT HAPPENS IF...

I meet the general criteria for exemption, but later find myself providing legal advice to someone other than my employer, or handling a legal matter for a family member or friend?

Anytime you provide professional services, you expose yourself to a potential claim. Even if you are not in full-time private practice, if you contemplate providing even occasional legal advice or services, you will need to purchase insurance coverage (there are a few narrow exceptions, including one for certain kinds of *pro bono* work). LAWPRO has created a series of *Insurance Matters* booklets to help individuals who feel they are exempt consider potential areas of exposure. Check out these resources online at lawpro.ca, or get in touch with us to request copies.



Planning to do real estate work?

A primer on title insurance and the TitlePLUS program

If you're planning to do any real estate work when you go into practice, you'll soon hear about a resource used by many real estate practitioners – title insurance. It's a type of insurance coverage that lawyers across Canada are telling their clients about to help protect them against some typical problems that might crop up after closing – problems that in the past might have led to the client filing a malpractice claim against the lawyer.

Several companies offer title insurance – including LAWPRO, through its TitlePLUS title insurance program. This article provides a very basic overview of the what and why of title insurance, how our TitlePLUS program is different, and where you can find more information.

What is title insurance?

As its name suggests, title insurance is an insurance policy for purchasers, mortgage lenders and existing owners of real property that provides compensation for losses suffered because of problems with title, survey, zoning and other issues with the property – even if they are not discovered until years after the purchase is completed.

Some of these issues are unpredictable or undetectable – such as forgery, fraud, missing heirs, and unregistered easements. Other problems that can affect a property covered under a title insurance policy include issues resulting from renovations done without building permits, construction liens, access rights and conflicting interests in a property.

When the lawyer in the transaction has secured a title insurance policy for the owner or mortgage lender, it is the title insurer – and not the lawyer or client – who assumes the risk for matters covered under the policy¹ and, if there are losses, pays compensation.

It is important to understand that title insurance replaces the title opinion and not the lawyer in the transaction. The role of the real estate lawyer remains just as important to ensure the client's interests are properly addressed and protected. In fact, depending on the issue, a client may prefer that the lawyer do a search to determine the status of a matter rather than depend on title insurance and the right to be able to make a claim to an insurer at a later date.

What's different about the TitlePLUS title insurance program?



LAWPRO's TitlePLUS program is different in several ways:

1. Title + legal service coverage: With TitlePLUS coverage, the legal services that you – as the lawyer in the transaction – provide are also covered by the policy². So if as part of your services you make an error or overlook something (e.g., fail to register a document or remove an encumbrance, incorrectly adjust items

on closing), the TitlePLUS policyholder – your client – can seek compensation directly from us. In other words, the error will not result in a claim under your LAWPRO errors and omission policy if you obtained a TitlePLUS policy for your client.

2. Online software that makes closings easy:

We make it easy for you to undertake real estate transactions by providing you with access to an online system that walks you through a closing.

3. It's all-Canadian: In fact, TitlePLUS title insurance is the only all-Canadian title insurance product on the market today.

4. We advocate for the real estate bar:

Each year, under the TitlePLUS banner, LAWPRO undertakes an extensive consumer public awareness/education campaign on how a lawyer protects their interests in various scenarios – from buying a home or cottage to drawing up a power of attorney to the perils of running a home-based business. In 2014, for example, this effort to emphasize the valuable role of lawyers reached nearly 13 million consumers across Canada.

How can you find out more?

For information on the TitlePLUS program go to titleplus.ca.

For more information on some of the tools and resources for consumers available through the TitlePLUS program, see titleplus.ca/rsreg. ■

¹ Title insurance policies may vary. Refer to the policy for full details, including actual terms and conditions.

² TitlePLUS policies issued with respect to properties in Québec and OwnerEXPRESS® (existing owner) policies do not include legal services coverage.



Let's face it

Real estate isn't

simple

TitlePLUS[®]
TITLE INSURANCE

TitlePLUS[®] title insurance provides legal service coverage* at no extra cost and less hassle.

Now that's simple.
titleplus.ca/legalservicecoverage

Call us at 1-800-410-1013 to find out about title insurance and the TitlePLUS program.

* Excluding OwnerEXPRESS[®] policies and Quebec policies. Underwritten by Lawyers' Professional Indemnity Company (LawPRO[®]). Please refer to the policy for full details, including actual terms and conditions.

® Reg. TM – Lawyers' Professional Indemnity Company



\$26,000

IN DONATIONS THROUGH THE COMPANY'S
ANNUAL CHARITABLE GIVING PROGRAM

LAWPRO employees make an impact

In 2014 LAWPRO and its employees raised more than \$26,000 in donations in the company's annual charitable giving program. These funds were divided equally among five charities chosen by the employees: Toronto Children's Breakfast Club, Anaphylaxis Canada, Fanconi Canada, Good Shepherd Ministries, and Toronto Humane Society.

LAWPRO staff also helped raise funds through a range of other programs, including Daffodil Day, the Good Shepherd Refuge and Project Rain-shine. In addition, the company and individual staff made donations in honour of the memory of former employees: Carla Falkeisen (Jackson's Point camp for children) and Caron Wishart (Caron Wishart Scholarship for a student at the Faculty of Law, University of Toronto).

Through its Charity Day program, LAWPRO also encourages employees to dedicate a paid day every year to undertake volunteer work for the charity of their choice.

Essential LinkedIn

✓ Dos and ✗ Don'ts for Law Students

With over 120 million users in more than 200 countries (including at least a million lawyers) and web traffic that ranks it as the 13th most visited site on the planet, LinkedIn is the social networking tool of choice for professionals.

LinkedIn can also be useful to law students in a number of ways. First, it can help with your job search. A LinkedIn network can be helpful for finding people you (or your contacts) know at law firms you are interested in. Second, it gives you some online profile. Potential employers are likely to “Google” you and look at what you have posted in social media circles. They will also look to see your online connections and friends.

If you aren't on LinkedIn, you should take the plunge. It is very easy to create and

maintain a presence on LinkedIn. And, when one considers ethical obligations and other practical dangers, LinkedIn is the safest social media tool for lawyers to use.

In this article I share my thoughts on the basic do's and don'ts of how a law student can create and build a presence on LinkedIn (LI).

Creating a profile

Your profile is the foundation of your LinkedIn presence. Here are some tips for creating an impressive LI profile:

✗ **Don't list every job you ever had:** Some of you were lucky enough to have really interesting, exciting or unusual summer jobs. Good for

you, but will it really impress the firm you want a job at (or a potential client when you are a lawyer)? In many cases, probably not. Include a reasonable level of detail about your pre-law school work experience if you think it will impress a potential employer.

✓ **Do list other relevant or interesting background:**

You should include other relevant background information in your profile. The LI profile page outlines what you should include. Give details about your college or university degrees; affiliations, articles or books you have written; awards you have won; volunteer experience and so on. Note that you can change the order of the sections on the profiles page – put the sections that highlight your strengths at the top of your profile.

// tech tip



See the practicePRO Technology page (practicePRO.ca/technology) for these and other articles on technology articles from *LAWPRO Magazine*:



Essential Twitter Dos and Don'ts



The top ten legal technology tools for a law office



Don't use formal and dry CV-speak:

Inject a little personality to let people know more about you. Ask yourself what prospective employers really want to learn about you.



Do make your profile public:

While your LI contacts will always see your full profile, LI allows you to selectively hide details of your profile from other LI users on the Privacy & Settings page. This defeats the purpose of being on LI. Most of you should share all or most of your profile with everyone.



Do create a LI vanity URL:

By default, your LI URL will be alpha-numeric gibberish. A LI URL that includes your name is far more friendly. You can personalize your LI URL by clicking Privacy & Settings > Edit your public profile. I suggest you use the following: linkedin.com/in/FirstNameLastName.

Collecting contacts

Collecting a network of contacts is the very essence of LI. Here are some tips for building a good collection of LI contacts.



Do consider the quality, not the quantity, of your LI contacts:

We all want to be popular but ultimately, the quality of your contacts is more important than the quantity. While a high number of LI contacts may look impressive at first, potential clients will dig deeper and judge you by the details in your profile and the quality of the people in your network.



Do make it easy for people to connect with you:

LI allows you to limit invitations to connect to people in a contact list or people that already know your email address (Settings > Email Preferences). Don't make it hard for people to connect with you. Configure LI so that anyone can send you an invitation to connect.



Don't accept LI connection requests from people you don't like or respect:

Politely say "no thanks" or just ignore the invite. This can be awkward, especially when people are pesky and keep extending invites to you. Protect your reputation by making sure you like and respect the people you connect with.



Do be careful about conflicts of interest:

You may need to be cautious about connecting with the judges, experts or opposing counsel that might be involved with matters a potential employer is handling. Having such people as contacts could help you get a job, but they could also create a conflict of interest for a firm that wants to hire you.



Do send personalized contact requests:

Generic connection requests are cold and impersonal. Few things will make a stronger positive first impression than a personalized invitation to connect. This is especially helpful if the invitee may not be sure of or recall their connection to you.



Do use the "People You May Know" feature:

Look for this box in the top right of your LI homepage. Click "People You May Know" to see a list of people LI thinks you might know. It generates this list by using keywords and by looking at the contacts of your contacts. It does a good job of finding people that you will know.



Do mine the contacts lists of people you know:

Once you connect with someone in LI, you can see their list of contacts. As many of us work and socialize with the same smallish group of people, looking at the friends of your friends will help you find other people you know. The "Invite accepted" email is a great reminder to do this.



Do use lists of other groups of people you know:

I have had great success adding contacts by

reviewing lists of names from some of the organizations I participate in (e.g. members of the Ontario Bar Association). This works well, as many LI users do not list the different groups they belong to or the activities they participate in.



Do use the "Search" feature to find other contacts:

Enter the names of companies or other entities where you know people to add people to your contacts list.



Do remember to invite people you are connecting with in other social media channels to LI:

While you will not want to add everyone you connect with in other social media tools, this will get you a few extra contacts.



Do cross-market your LI presence:

Let people know you are on LI by adding the LI logo or your LI URL to your email signature (make it a link), and anywhere else it will be visible to people that might want to connect with you.

// tech tip

Posting updates

Most LI users are in a mad dash to collect contacts, and they are watching other LI users do the same thing. Unfortunately, they are missing out on one of the key benefits of LI: Being visible to your contacts by sharing information with them.

✓ **Do post regular updates,** but don't overdo it. Do what is right and works for you. At the start, that might be one update a week. Over time it might grow to a single daily update or even three daily updates. Get on a regular schedule, and stick to it.

✓ **Do share interesting ideas, news, links or information:** Strive to post updates your contacts will feel are truly worthy of reading. Send information that is practical, helpful, interesting or informative. On occasion, even funny things are fine.

✓ **Don't blast all your updates out at once:** It's great to be efficient and work on your updates at one time (e.g. first thing in the morning over your coffee), but remember that not everyone is online all the time. To give yourself greater visibility, use tools like HootSuite or TweetDeck which allow you to schedule your LI updates for a later point in time.

✓ **Do be professional:** What goes around comes around, and it doesn't matter if it's in person, in print or online. Be professional at all times, because everyone is connected to everyone on the web. When using LI you must comply with the *Rules of Professional Conduct* at all times.

✗ **Don't use LI messages for lawyer/client communications (a tip for when you are working):** You can't assume messages sent through LI are private. Don't use it for lawyer/client communications.

✓ **Do inject some personal info, but not too much:** Social media connections are built on personal relationships. You need to share some personal information so your contacts can learn more about you. But always remember that LI is a professional network and most things that happen in Vegas, the bedroom or the kitchen are not appropriate for posting on LI.

✗ **Don't automatically blast all your other social media updates to your LI contacts:** You can and should mention content that you post on your blog or in other social media channels, but don't bore us all by blasting everything through LI. As a filter, note that you can configure your LinkedIn account to display only tweets with the #in or #li hashtags.

How to be more visible

As I stated above, posting regular updates is key to getting value from LI. But there are some other simple things that you can do to give yourself greater visibility with your contacts.

✓ **Do comment on the updates your contacts post:** If you like, agree, or even disagree with something one of your contacts has posted, share your two cents by posting a comment on the original post. For reputation building, try to post comments on the updates of respected or well-connected contacts.

✓ **Do ask questions:** Social media is all about two-way communication and interactions. Asking a question in an update is a great way to engage your contacts in a discussion. And if you ask a question, make sure you read and comment on the answers!

✓ **Do tweak your profile:** By default, LI will automatically post an update every time you change your profile. You can turn this off, but I don't think you should. Make it a habit of tweaking your profile once or twice a month.

✓ **Do join a LI group:** LI has a groups feature. Groups help people that are interested in a particular topic, entity or event to find each other. There are also groups for events, associations and other entities. I guarantee there are groups on many topics relevant to your area of practice. Click on "Interests > Groups" and enter some keywords to search for groups that are of interest to you. But be warned: Some groups have far too many consultants and vendors aggressively marketing themselves.

Power user tip

For those of you that are already using LI and want to take it to a higher level, I offer the following tip:

✓ **Do look at and tweak your LI Settings:** I have mentioned the LI Settings and Profile configuration pages several times. Visit these pages and look at the various settings you can change. Most of you will want to go with the default settings, but you may find there are configuration options that will make LI operate in ways that are better suited to your personal preferences.

So there you have it: Some simple rules to govern your use of LinkedIn. Start building your LinkedIn network now. Not only might it help you find a job, it will be a useful professional networking tool for marketing when you become a lawyer. ■

Dan Pinnington is Vice President, Claims Prevention and Stakeholder Relations at LawPRO.

Feeling the pressure?

Each of us faces challenges in life. Sometimes we welcome those challenges, like marriage, the birth of a child, a promotion or a new job. And sometimes we don't, like divorce, job loss, a serious illness or the death of a loved one. It is no secret that a legal career brings with it many pressures and from time to time, a great deal of stress. Major events in our personal lives can also create pressures and stresses.

These pressures and stresses can become a serious concern if you don't have outlets to manage, control and resolve them. They can cause serious health issues (ranging from burnout to anxiety, substance abuse or depression) and be a contributing factor to malpractice claims and Law Society complaints. They can affect not just you, but your colleagues and loved ones as well.

Member Assistance Program (MAP), which is funded by the Law Society of Upper Canada with the financial support of LAWPRO, provides a number of resources that can help you deal with stress and achieve your health and wellness goals. MAP is operated by Homewood Human Solutions™, a trusted Canadian company with more than 33 years of experience providing support services. Confidentiality is guaranteed through an individual's right to privacy protection and enforced within the limits of the law. No personal identifying information whatsoever is disclosed to the Law Society of Upper Canada or LAWPRO.

Accessing MAP services

MAP services are available to lawyers, judges, paralegals, law students and their families. They are multilingual and accessible 24 hours a day, 7 days a week, in a variety of convenient ways and without needing a referral. You can access services:

- Online by visiting the protected Member Area of the MAP website
- Over the phone by calling MAP
- Face-to-face

MAP resources available to you

MAP offers three different ways for you to get help to respond to the challenges you are facing. There are online resources, counselling and coaching services.

The website is user-friendly and it is easy to setup a secure account. It provides everything from an orientation to a listing of the services, tools and other resources that are offered. There is an extensive online library of health and wellness articles as well as elder care and child care resource locators. There are e-courses to help you improve your skills (wellness, workplace effectiveness, etc.). Virtual e-counselling (simultaneous chat or secure message-based counselling) is available for a wide variety of topics.

There is also a multi-media health centre, where you can find information on everything from exercises for different breathing techniques, identifying areas of tension, health and wellness self-assessments, to videos and articles. The site has a "12 Weeks to Wellness" program – a weekly check-in on your health and fitness goals after assessing your health risk factors.

One of the most frequently accessed MAP resources is the counselling service. Experienced, credentialed therapists are available for in-person or online counselling and they are trained to help you throughout the different stages of life.



Member
Assistance
Program

Your Member Assistance Program (MAP)
is available 24/7

1-855-403-8922 (toll free)

TTY: 1-866-433-3305

International (call collect): 514-875-0720
myassistplan.com

The peer-to-peer support program is a confidential and uplifting program. Legal professionals who themselves have experienced struggles in the past, help others overcome obstacles – such as depression, alcohol abuse or stress. Those who volunteer in this program are compassionate people who can empathize with issues that lawyers face. The peer support program encourages participants to discuss their experiences.

In addition, live lunch-and-learn sessions, which usually include stress management workshops, have received positive feedback.

Next steps

Finding work-life balance is one of the more difficult tasks we all face, and one that we often put to the side. The Law Society's MAP program has numerous resources and services that can help you and your family meet the challenges of work and life. You are not alone and can reach out to MAP at any time: electronically, in person, or on the phone. Take the time to visit the MAP website or seek help if you or a loved one is struggling with stress or other challenges. ■

Doron Gold is Staff Clinician and Presenter at Homewood Human Solutions.

What I wish I knew in law school...

Law school can be a steep learning curve, and stepping into the world of practice can seem even more daunting. One of the most common complaints I hear from recent graduates is that they feel under-prepared to deal with the day-to-day realities of practice that they are confronting as articling students or recent calls.

While there may never be a substitute for hands-on learning, here are a few lessons my colleagues and I wish we had learned in law school to make the transition into the world of 'lawyering' easier.



From left to right are former LawPRO articling students Victoria Margolin, Joseph Juda, May El-Abdallah and Ayla Kim.

Courses that teach practical skills really do make a difference

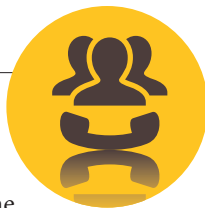


That legal writing class might just turn out to be the most important course you'll take in law school. Writing academic articles on complex legal topics won't necessarily prepare you for the days when you'll need to draft a factum in a succinct and straightforward manner. Drafting is an art. It's worth taking the time to hone the skill before entering practice.

The same goes for advanced research techniques.

Know where to go for help

After three years of law school, I found myself with a degree in my hand, but with the same sense of bewilderment about court procedures as I did on day one of law school. Luckily, there are resources out there that help fill the gap. The Law Society of Upper Canada provides how-to guides for topics ranging from administrative law to wills and estates. Many professional organizations, such as the Advocates Society, also provide resources for members. The practicePRO website provides useful precedents, such as retainers and statements of account.



Ask questions & seek a support system

Your time as a student is the perfect time to be asking as many questions as possible of professors, principals, peers, and others. After all, you are there to learn. Don't pass up an opportunity to discover something new out of fear or embarrassment. Many people take pride in being able to pass on the knowledge they've learned and will be happy to help you out. They might even tell you a funny story or two about their first time in court.

Pay attention to the process

Whether you are volunteering at a legal clinic or preparing for a moot, get in the habit of documenting your steps. Not only will this make you familiar with the processes, it will provide useful training in documenting files. Keeping a well-maintained record will be very useful in avoiding administrative errors such as missed filing dates and in refreshing your memory when meeting with a client. ■



May El-Abdallah was an articling student at LawPRO in 2011-2012. This article was prepared with assistance from Ayla Kim, Victoria Margolin, and Joseph Juda.

Impressions of a Law Practice Program student



Jonathan Smith

As part of the inaugural group of Law Practice Program (LPP) participants, I am pleased to have an opportunity to share my impressions with you. The LPP consists of four months of in-person and online training with Ryerson University and a four month work placement. There is also a French LPP run at the University of Ottawa.

Overall I thought the LPP gave me a good appreciation of what it is like to practice law. At the start we were split into “firms” of three to four people and we had clients” who were actors with whom we interacted via web conference to conduct client interviews. We dealt with files in many areas of law including civil litigation, criminal, real estate, business law, family law and administrative law. We managed client matters from inception to completion, which I thought was a great learning experience as we were afforded opportunities to gain hands-on practical experience. There were also weekly online meetings with firms and our mentor, who was a practising Ontario lawyer. This was helpful for feedback and guidance on the work we were doing on our files.

In addition to the distance education component of the program, there were three weeks between September and December in which we attended Ryerson to hone our

legal skills in person. We conducted a mediation in a family law matter, a real estate closing meeting with a client, and appeared at a landlord/tenant hearing. The highlight of the program, in my opinion, was when the program secured courtrooms at 361 University Ave. in Toronto for us to cross-examine a witness and subsequently conduct an examination in chief. I gained perspective by completing different legal tasks and I will use this perspective to steer my legal career in the right direction.

I am finding the LPP training component helped to prepare me for the work I am doing on my placement at LAWPRO. Conducting realistic assignments in different areas of law with strict deadlines ensured that I would be ready to work at any type of law firm or corporate environment. ■

Jonathan Smith is spending his LPP work placement at LAWPRO.



plug in

Want to know more? Plug in to helpful resources from LAWPRO

We at LAWPRO hope you enjoyed this issue of the Student Edition of *LAWPRO Magazine*.

Did you know that *LAWPRO Magazine* is published four times a year? Each issue contains practical information that can help you establish a well-managed practice and avoid claims. If you’d like to subscribe (it’s FREE for law students and articling students!) send a request to communications@lawpro.ca.

Remember – the practicePRO program has a web page devoted specifically to the concerns of lawyers new to practice. You can find it at: practicepro.ca/newlawyers.

If you have any questions, comments or suggestions, we’d love to hear from you.

Connect with LAWPRO:



Fraud resources

Updated LAWPRO Fraud Fact Sheet now available

The fact sheet is a handy, skimmable resource that lists the common red flags for bad cheque and real estate frauds, provides tips on how to avoid being caught up in these frauds, tells you who to contact if you have a file that raises suspicions, and provides a heads-up on how to spot when the fraudster is an insider – an associate, a law clerk or other member of the firm staff.

Download the Fraud Fact Sheet at practicepro.ca/fraud. To obtain hard copies for your lawyers or staff, please contact Tim Lemieux at practicepro@lawpro.ca



LAWPRO receives A (Excellent) rating from A.M. Best Co.

LAWPRO was awarded a financial strength rating of A (Excellent) and an issuer credit rating of A from a leading rating agency – the 14th time that LAWPRO has received this positive rating from A.M. Best Co.



In addition, the rating agency gave LAWPRO a stable outlook – citing in part the company's strong capitalization, commanding market profile and its historical and favourable operating results.

"These positive results from A.M. Best Co. are an important corroboration of the strength and stability of our company and of the strategies we have in place that have contributed to sound financial and claims results," said Kathleen A. Waters, President and CEO of LAWPRO. "We are also pleased that A.M. Best has recognized the unique mandate and nature of our insurance company in its evaluation of the factors driving our rating."



LinkedIn:
The LAWPRO LinkedIn page will keep you informed about our corporate news and connect you with other key legal stakeholders. Find and share topical and thought provoking information with other LinkedIn users.



Twitter:
@LAWPRO, @practicePRO and @TitlePLUSCanada dispatch updates and reminders as well as articles, checklists and other useful information. Follow them to join the discussion.

LAWPRO
How to find us:



Facebook:
The personal face of LAWPRO is highlighted on our Facebook page. Like our page to get to know us and learn about our social responsibility efforts and activities.



AvoidAClaim.com blog:
The latest claims prevention information, fraud warnings, resources and tools for your practice are featured on the blog. Subscribe to get updates by email or RSS feed.

4 out of 5 lawyers will face a malpractice claim



Improve your odds.

Check out these resources from the practicePRO program:

- **AvoidAClaim.com** blog to get the scoop on claims and how to avoid them
- **practicepro.ca/newcalls** for tips, tools and resources on how to succeed in the practice of law
- **lawpro.ca/newcalls** for information on insurance coverage you will need when you go into practice



Risk management



Professional liability insurance

The practicePRO® initiative is the claims prevention program provided by LAWPRO® – the malpractice insurer for Ontario lawyers. LAWPRO also provides excess insurance and title insurance through its TitlePLUS® program.



Lawyers' Professional Indemnity Company

lawpro.ca



Risk management
practicepro.ca



Additional professional
liability insurance
lawpro.ca/excess



Title insurance
titleplus.ca



AvoidAClaim.com



LAWPRO



@LAWPRO @practicePRO @TitlePLUSCanada



LAWPRO insurance
TitlePLUS Home Buying Guide – Canada



Printed on recycled paper. This product can be recycled.