



Toronto Lawyers ASSOCIATION 

Working Together, Remotely – Managing and
Leading Through COVID and Beyond

June 22, 2021

Program materials



Building a good workplace culture in 2021.....	1
Ideas for rethinking your law practice.....	5
Cultivate your innovation mindsets to build your future law practice today.....	6
Technology products for lawyers and law firms.....	14
Work from home technology tips.....	20
Emotional intelligence: The essential skill for the workplace and life.....	24
Managing remote work—human rights considerations.....	28
Matter Management – Quick start guide.....	34
Speaker bios.....	46

This resource is provided by Lawyers' Professional Indemnity Company (LAWPRO®). 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.



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

© 2021 Lawyers' Professional Indemnity Company (LAWPRO). All rights reserved.
® Registered trademark of Lawyers' Professional Indemnity Company

Building a Good Workplace Culture in 2021

Hong Dao

2020 was a very tough year. Instead of reciting a lengthy laundry list of all the bad things that happened last year, I'd like to focus on one goal that I hope all law firms and legal organizations will commit to in 2021: building a good work culture in which everyone can succeed.

It may seem odd to think about firm or organizational culture at this time when most of us are still working from home. But culture is not determined by whether employees are working in the same physical space. Even organizations with entirely remote workforces still have a culture.

What Culture Is and Why It Matters

Many people mistake culture as all the perks and benefits that a firm or an organization offers. Those gift cards, free lunches, summer company picnics, and fancy holiday luncheons or dinner parties are all very nice, but they do not make up the culture of an organization. Perks and benefits are only a feature, not a function, of culture. Merriam-Webster dictionary defines culture as "the set of shared attitudes, values, goals, and practices that characterizes an institution or organization." Culture emerges when we pair values with behaviors.

Culture can be understood through how employees feel about their experience at work. Do they like or even love their job? Do they feel safe psychologically? Do they feel valued? Do they look forward to going to work? Those feelings are influenced, in large part, by the culture of the firm.

Culture sets the tone, the attitudes, and the expectations for everyone in the organization, and it establishes the standard for how employees interact with and treat each other. Every workplace has a culture. The only question is what kind of a culture it has. Let's compare two different kinds of culture to get some perspective.

Culture A	Culture B
<ul style="list-style-type: none"> • Policies and rules are more important than the people impacted by them • Those with authority make all the decisions • Only management's opinions matter • Management uses fears to justify decision-making • Employees don't speak up, openly disagree, or dissent • Employees' concerns are ignored, dismissed, or deflected • Employees only look after their own interests and personal advancement • Everyone plays politics to get anything done • Employees use grapevine communication to get information 	<ul style="list-style-type: none"> • Policies and rules are made by considering the impact on those affected by them • Decision-making is delegated to those with information, not only to those with authority • Employees feel safe to voice opinions and disagreements, and their concerns are addressed and followed up on • People look out for one another and have each other's back • People work together to get things done • Everyone is kept informed and in the loop through open lines of communication • People have a purpose bigger than themselves for going to work

<ul style="list-style-type: none"> • Employees only work for a paycheck and benefits • People take credit for others' work • No one takes responsibility when things go wrong 	<ul style="list-style-type: none"> • People are recognized for their hard work and contribution • Individuals admit to mistakes, and management owns up to bad decisions
--	--

Many of us would consider Culture A to be toxic and would rather work for a law firm or an organization with a culture similar to Culture B. Employees in Culture A walk on eggshells, keep to themselves or their own clique, and do whatever it takes to save their own skin. It's a culture where employees don't trust management or vice versa. On the other hand, employees in Culture B are comfortable in their space, feel valued, and put the interests of their team and the organization before their own. Mutual trust and respect between employees and leadership exists in Culture B.

Culture matters because we know that work is more than a transactional exchange of labor for wages. Because we spend so many of our waking hours at work, it's reasonable to expect that the workplace offers more than a paycheck and health insurance. Those things can only incentivize us to perform what is minimally expected until we find another job that pays more. By contrast, a good culture can motivate employees to be engaged, loyal, and driven to go the extra mile and perform at their best. A culture in which the firm or organization truly cares about people is deeply felt by those who work there, and that feeling is usually reciprocated. Culture helps firms attract and retain the right people. Employees who share the same values, principles, or beliefs as the firm are much more likely to remain and thrive.

How to Build a Good Workplace Culture

Creating a good culture is an intentional act. It doesn't happen automatically or by default. Building a strong culture takes hard work and commitment, and it must be fostered and safeguarded. While many articles (like [here](#), [here](#), and [here](#)) have been written on how to build a positive culture, I want to focus only on three things: (1) values; (2) leadership; and (3) human resources.

Values lay the foundation

The values and principles that guide an organization also shape its culture. A law firm or an organization that truly cares about creating a positive work culture must have values that everyone — from leadership to staff — can believe in and work by. While different firms may have different values depending on their vision and purpose, a few characteristics are fundamental to a good culture.

Relationship: an emphasis on people

How a firm or an organization views its employees helps define its culture. Firms that see workers as mere cogs in the machine or bodies that fulfill a job function likely have a culture in which employees are not valued and no effort is made to retain them. Individuals are left to fend for themselves, and there is no reward for helping another person succeed — effectively harming relations among employees. When firms see workers as people, are interested in helping them excel in their job, and expect them to contribute to one another's success, they help build a strong relationship among employees. Employees who work in a culture in which leadership and their coworkers have their backs will feel a strong sense of trust and loyalty to the organization and each other.

Communication: through discussions not policies

Effective communication fosters transparency, trust, understanding, and engagement. It helps eliminate speculation, gossip, and rumors that can result in conflicts, tension, and negativity in the workplace. When leadership models effective communication by providing clear expectations and feedback, explaining proposed courses of action, and being willing to listen and respond, they create a culture of openness and honesty in which people feel safe to speak their minds. This is a culture in which decisions are not communicated through policies and rules, but made through discussions and debate.

Appreciation and recognition: proactive and genuine

Organizations that have a culture of engagement, high performance, and loyalty understand the importance of recognizing and appreciating their employees. Recognition occurs when workers receive positive feedback based on the results of their performance (whether a verbal thank-you, a shout-out sent to the team or whole firm, or financial remuneration in the form of a bonus or raise). Many organizations tend to stop there. But to truly create a culture in which people — not just their performance — are valued, firms also need to show appreciation. This means not just praising workers' achievements, but also acknowledging their worth and inherent value as human beings. It's an opportunity to build trust and connect with them. Appreciation does not need to wait for an accomplishment, and it shouldn't be meted out as quid pro quo when management wants something from employees. True appreciation should be given proactively and genuinely.

Employee development: opportunities to grow and advance

A work culture that focuses on employees' professional growth and development is one that truly knows how to appreciate and value them. Employee development is professional training that helps workers strengthen their skills and expand their knowledge. It's a long-term investment that not only makes them more engaged and adds more value to their work, but also helps retain talent. Hand-in-hand with professional development is the opportunity for growth and advancement. Even if advancement within the organization is limited because of its size, firms can still provide an opportunity for growth by giving employees a chance to lead. Leadership is not dependent on role or status; it is a learned skill. Allow a member of the team to take charge of an important project, and empower them to make decisions. Give them the freedom and autonomy to experiment and try new approaches, and support them in turning disappointing outcomes into a learning experience.

Diverse and inclusive workplace: a level playing field

A good workplace culture must also be diverse and inclusive. It welcomes and embraces the diversity of perspectives and beliefs from people of different backgrounds, ethnicities, abilities, religions, ages, etc. Offering the right resources to employees by taking into account their backgrounds and capabilities makes a workplace inclusive. Inclusion helps put everyone on the same level playing field. This type of culture is more dynamic, enriching, and empathetic.

Leadership paves the way

A firm's culture is only as good as its leadership. Those in leadership have control over the culture through the policies, standards, and expectations they set for the entire organization. One might even

argue that the purpose of leadership is to create culture. When an organization's culture is suffering, the rightful blame lies with the lack of or poor leadership from management. All the qualities that a firm wants to see exhibited in its culture must be embodied by the people leading the organization. Leadership must actively ensure that the firm's values are put into practice.

Human Resources must reinforce culture

Finally, HR must reinforce the culture by taking personnel issues and concerns seriously and doing necessary follow-ups. When HR gives (or appears to give) full attention to some concerns but ignores, dismisses, or minimizes others (or appears to do so), it demoralizes workers and weakens culture. HR also needs to take swift action to deal with employees who are toxic to the culture. Another way that HR needs to reinforce culture is to make sure that those who are hired believe in and commit to the organization's values and the qualities of its culture. This will help ensure a cohesive, satisfied, and effective workforce, joining together to work for a common purpose, vision, and goals.

[*This article originally appeared in the "inPractice Blog" for the OSB Professional Liability Fund](#)



Ideas for rethinking your law practice

The changes facing the legal professional may seem daunting, but all lawyers can rise to these challenges and embrace the opportunities they present. There are many ways to respond, some are quite small and easy, and others require a significant investment of time and money. Some can be done by individual lawyers, and others require changes at a firm level.

Every journey, and even the longest journey, begins with one step. Before you begin the journey to evolve your practice, ask yourself what you love and hate as a consumer when you patronize businesses. Keep these thoughts in mind as at one time or another your clients may have had similar pleasure and pain reactions to your services. The following list contains some options you can consider for transforming your practice:

Convenience

Today everyone seems quite busy and the instant gratification provided by online shopping and internet searches has greatly shortened our collective patience.

- Obviously, you cannot be available to your clients at all times, but you may be able to use client portals, chatbots or other technology tools to provide on-demand access to client information and even some legal advice or services.
- Some lawyers schedule weekend and evening appointments for their clients or potential clients, if requested. If your firm caters mainly to individual consumer clients, you might consider having regular evening office hours one day per week and closing at noon on Friday. Some individuals may have pay docked or have other negative work consequences from scheduling appointments during regular business hours and would hire you just because the firm is open every Thursday night.
- Appointments by a secured videoconference will likely become increasingly popular in the future.

More for less

Clients are demanding more for less and will continue to do so. Lawyers often hear that observation as a demand that lawyers receive less. Fortunately, this scenario can be a win-win if you use technology effectively along with different methods of service delivery.

- Automation of routine document creation combined with fixed fees.
- “Unbundled” or limited scope services let you share the workload with the client. Visit practicepro.ca/limitedscope for resources to help you accomplish this.
- Being a current (or recent) client of the firm confers the benefit of free notarial services, access to a client-only portal with videos featuring free general information or advice, downloadable documents and even a few free forms.

Client-focused

You may believe that you have always had a focus on clients, but in reality that focus was often on the client’s legal matter.

- A key focus of the initial engagement interview is determining what the client wants. Set clear expectations and advise the client about the range of possible outcomes and how you can assist them on the current matter, but at the same time remember to flag longer term considerations for them.

- Consider whether there are ways to give clients more price predictability (e.g., offer flat fees or other alternative fee arrangements). Setting fees for different stages of a matter can help accomplish this.
- Meet regularly with major or long term clients to get to know them better.
- Look for ways to build a deeper relationship with your clients. Ask yourself: How can I become their “lawyer for life”?

Efficiency

Our focus has always been doing the legal work right no matter how long it took. Now we must be more efficient and provide these “perfect” legal services as expeditiously as possible.

- Take time to learn more about technology and how it can help you reduce costs and be more efficient.
- Invest the time to analyze and improve your workflows. Digital client files and paperless workflows are an important part of this.
- Most lawyers can talk faster than they can type. Consider using voice recognition software.
- Would outsourcing legal or back-office work allow you to be more efficient?

Adapting and evolving your practice

Many lawyers have become specialists, focusing their work on one or more related practice areas. Consider how you could grow or change your practice by asking the following questions:

- Is there an area of my practice I should drop because it is not profitable or takes up too many resources?
- Is there a new area of practice I could consider developing given my skills, experience and interests?
- Consider how you can work with other lawyers in your office to make the options listed on this page happen at your firm.

The future is now. Many of the changes occurring in the legal services arena will happen regardless of whether lawyers want them to or not. Be a voice for change and take the steps that are necessary to evolve and adapt your practice. The resources listed in the other sidebars in this article will help you on that journey.



Cultivate Your Innovation Mindsets to Build Your Future Practice Today

Juda Strawczynski

Cultivate Your Innovation Mindsets to Build Your Future Practice Today

The legal services sectors are experiencing a period of rapid, significant change. With the COVID-19 pandemic shining a spotlight on the shortcomings of antiquated parts of our justice system and legal practice models, courts and law firms quickly shifted processes and practices throughout 2020. There's no turning back. To help you plan for the future of your practice, you can embrace innovation mindsets, which are different ways of thinking that help us create processes and ideas that improve our lives.

Here are 20 innovation tips to:

- get you in an innovation frame of mind;
- help you find your innovation inspiration;
- give you practical tips to succeed in any innovation project; and
- equip you for long term success.

GETTING INTO THE INNOVATION FRAME OF MIND

Choose your own adventure

You get to choose your adventures in law. You decide how you want to practice and who you wish to serve.

Especially when you're busy, it's hard to remember that you have agency over your tasks and priorities in your practice, and your personal life too. It can be hard to be honest about what you want to do, and what it may take to get there, but you get to choose. By taking ownership of your practice and where it will go, you empower yourself to effect changes for the better. By embracing agency over passivity, we become open to change.

Reflect on where you want to go

You're busy – but set time to reflect on your practice, including where you are, and where you want to be heading, including your innovation journey. Set time each month for self-reflection and self-assessment regarding your practice goals.

Self-reflection

What are your goals for:

- Client development
- Client pipelines and business development
- Client management
- The progress of your cases
- Your legal skills, practice management and innovation goals
- Your personal management

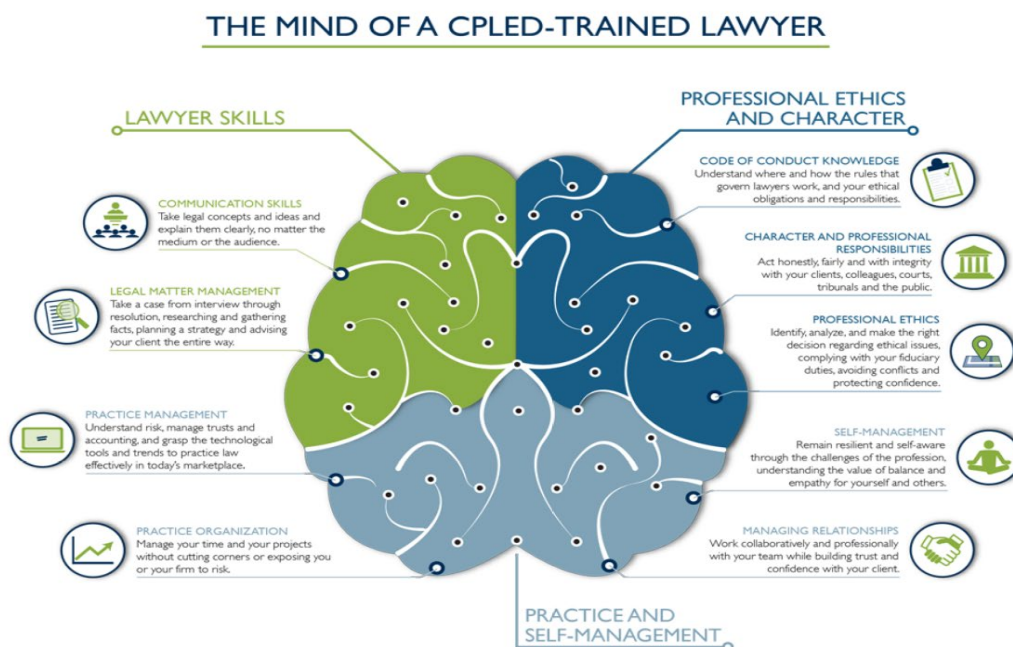
Self-assessment

For each area, how are you doing? For example:

- How did you apply your legal skills to a recent challenging situation?
 - o What was the situation? What were pressures making this challenging for you?
 - o How did you react?
 - o How did you proceed?
 - o What other options were available?
 - o How *might* you proceed differently in similar situations?
- For your legal innovation journey
 - o What's working?
 - o What's an area you may wish to further refine,
 - o What are areas you may wish to work on next?

Use your diverse skills to drive change

A good lawyer doesn't just know the law - they use a host of skills to serve clients. The "lawyer mindset" is not just about understanding and applying the law - skills in business development, people and project management, leadership, [emotional intelligence and empathy](#) all play a part. Recognize the diverse skills and mindsets you use as a lawyer as described by the Canadian Centre for Professional Legal Education:



Harness all of your skills to advance your innovation mandate. If you're worried that some areas are not where they should be, that could be a sign there is room for growth and improvement.

INNOVATION INSPIRATION

Take inspiration from other sectors

It's often said that imitation is the highest form of flattery. Lawyers should take inspiration from other sectors. If no-shows for client intakes are an issue, you can consider how doctors and dentists reduce the risk of no-shows for appointments through simple changes like calling the patient to confirm, to smart-phone apps that simplify and automate the confirmation process. Other service sectors are a great source of inspiration, and imitation.

Get inspired by your clients: Focus on their experiences

Law practices exist to serve clients, and in today's markets clients have more choice than ever. To find clients, retain them, and grow your relationships, it's important to consider the client's perspective. Listen to them, as they are a great source of ideas for what changes will help most.

When thinking about your client and prospective clients, consider:

- How a potential client might first learn about your services (or why they might not learn about you at all)
- The prospective client's first touchpoint with your firm? The initial impression?
- The client intake experience - What kind of client onboarding experience do you provide? How do you prepare clients before their first meeting? How do you work towards building trust from the outset?
- How does the client feel about when and how they receive communications from you?
- Are fees clear, and are clients able to understand their bills? Will the client feel like they received value for service, or at least not be surprised by your bill?
- What's the offboarding experience like for the client? How do you leave the client satisfied where possible?
- Do you keep in touch with former clients? Why? How? Do clients feel connected to you and your practice through these touchpoints?

Daring to dream: Moonshots and minimum viable products

You might be at a point where you're dreaming big, or you have an idea whose time may have come. Everyone fears failure, but we should sometimes allow for moonshots.

If you aren't sure whether your idea could reasonably become a reality, try to model it out using the concept of the minimum viable product ("MVP"). Think about the service you would hope to provide and the need it would meet or problem it would address. Then ask yourself:

- Who would be the target market for the service?
- The minimum reasonable expenses to launch?
- The minimum number of clients / average fee per client required to make the practice *viable*?

Perhaps now more than ever, lawyers can explore new ways of delivering legal services. With the ability to deliver services remotely, the traditional geographical limitations on providing services have been eroded, which enables lawyers to attract clients from both near and further afar. Remote practice opportunities also reduce overhead associated with traditional bricks-and-mortar law offices.

These changes also allow for super-specialization. Until recently, a small-town lawyer might only have been able to serve clients within a reasonable drive to and from the lawyer's office. That same small-town lawyer may now serve clients from all over the world.

Finding your clients by gaining inspiration from the “1,000 Fans” concept

Given these opportunities, there are lots of ways to develop your MVP or otherwise test your moonshot. Kevin Kelly's 2008 essay on the concept of [1,000 True Fans](#) is a helpful starting point. A lawyer with 1,000 dedicated clients, each paying \$100 for services, generates \$100,000 in revenue. A solid client base of 10, each spending \$10,000 on legal services, also generates \$100,000. Depending on your practice, the number of clients and spend per client will vary. The point is that you can consider how many clients you would ideally serve, and at what average price point per client to get a sense of your firm's niche, it's “true fan” client base, and your ideal revenue model.

Solo and small firms are well positioned to build services to service niche markets and have direct, meaningful relationships with clients. As just a few recent examples, there are lawyers focused on assisting with:

- Student debt related problems
- Issues related to horse ownership (“equine law”)
- Protecting the rights of loved ones in long term care homes
- Surrogacy and other complex family law issues
- Developing new cryptocurrency payment solutions, wallets and navigating the cryptocurrency shifting regulatory landscape.

Finding new markets: responding to the access to justice crisis

It is clear there are significant unmet legal needs in North America. Whether it's proactive legal protections such as having an employment contract reviewed, a small business struggling to comply with its regulatory duties and compliance, or a DIY litigant looking for some general guidance, there are lots of underserved markets where, with the proper business modeling factoring in technology and innovation, legal services could be provided at affordable rates to help underserved legal markets. A lawyer or firm in private practice need not solve the access to justice crisis; it just takes opening up one untapped market for a firm to find success while helping meet unmet legal needs.

Finding your dream clients: Using client personas

Do you have dream clients? Who are they? Get closer to a practice filled with only dream clients by reflecting on what a dream client is to you.

Consider developing client personas as ideal client archetype(s). Push yourself to really try to get to know what that ideal client looks like. Think about things like:

- Who have you enjoyed working with? What made this client a dream client?
- What kind of sector is the client in?
- Who would be the person instructing you?
 - o Describe them in 1 sentence
 - o How would they want to keep in contact with you?
 - o What frustrates them? What inspires them?
 - o What keeps them up at night?
 - o What are pain points for them? How can you help them solve them?

INNOVATION IN ACTION: TIPS FOR IMPLEMENTATION

Innovation as a project

An innovation project is like any other project. At the core of it, any innovation project involves:

- Conducting an environmental scan to see what's going on;
- Defining the issue you're going to address;
- Considering your options and choosing your solution;
- Planning for and launching your solution;
- Seeking feedback to continuously improve on your solution; and then
- Starting on the next project.

There are lots of project management and design thinking models you can use to map out the steps for your innovation project. While project management tools can help, creating a simple project plan identifying key steps, timing, and who needs to be involved can help you move forward.

Start with one project

In your scan for problems, you will likely find more than one area where you could improve or lots of things you'd like to try. Pick one project. When you tackle innovation projects one at a time, they add up, and make your practice better with each change. It's also far less stressful to take small steps than trying to make everything happen at once.

As [*Atomic Habits*](#) author James Clear notes, the effects of our habits multiply over time. There is power in working continuously towards incremental improvements. By focusing on one step at a time, and continuously working on improving your practice, you're compounding your gains.

In the process, you're not only benefitting from the innovations you roll out, but also transforming your practice into one that embraces continuous improvement. When the next challenge arises, you will have the processes in place and confidence to embrace it and meet it head on. Innovation and continuous learning and improvement become part of your practice mindset. Minor setbacks become learning opportunities rather than full-blown crises.

Call in your dream team

At the heart of it, innovation is about people. It may lead to changes in processes, or how services are delivered, but it starts with people and is about improving people's lives. Having a range of people on board can help you build diversity of thought and keep you open to new possibilities. To spark innovation, call in your team. In a law firm setting, this includes all staff. Whether you are in a large firm or true solo with no staff, ask for input from suppliers, clients and colleagues.

Innovate to identify and fix your pain points

Whether you're a solo lawyer or in a large firm, to get started you need to get started. Explore your current terrain and focus on your pain points. Bring in your dream team to determine what the key pain points and user-needs are for your practice.

If you're a solo, ask any staff and clients. If you're in a law firm setting, bring in your entire team and clients willing to give candid feedback.

For your “internal users”, ask yourself and your team:

- If I could change one thing about my practice, what would it be?
- What's the most aggravating thing in my daily practice?
- What's one task that seems that seems to cause frustration and/or delay?

Similarly ask your clients:

- What's one thing you wish we'd done differently for you?
- What's something that would have made things easier for you?

Take the time to properly define

Spend as much time as you can getting to know the issue. Ask follow-up questions from your clients and staff to make sure you will end up focusing on a root cause rather than a symptom of a problem. Clearly define the problem or issue you're trying to address before you jump to trying to solve it.

Solutioning tip: tech isn't always the answer

Too often we rush how we will solve the problem. There are usually many options available to address a pain point. While there is often technology that can help, it may not be the easiest, most efficient or cost-conscious solution. If the problem does require a tech solution, think carefully about how different tech options can best work with your existing processes, workflows and technology.

Implementing change: Don't forget training

There is a risk of mistakes being made any time a new process or technology is introduced in a workplace. You can reduce your risk by making sure that your rollout plan includes training. Budget for it (be it dollars, time, or both). Build in early-stage quality assurance checks, and assume training may need to happen in stages, with refreshers as required. Support your team and you'll get there faster and easier.

Embrace continuous feedback loops

The innovation journey is never-ending. Gains lead to further gains. For each new shift in process, build-in opportunities for real-time feedback and debriefs about what worked and didn't work on both your innovation and your process for getting there. Ask everyone who was involved in the rollout and include opportunity for comment from any users. By embracing continuous feedback loops you can learn as you go, detect and prevent mistakes, correct mistakes at earlier stages, and improve both your products and processes. In adapting this approach, you'll also be embedding an openness to innovation, creativity and collaboration within your practice, which further accelerates opportunities for positive change.

Celebrate wins

Legal practice has its ups and downs, so it's important to celebrate wins. It's a win when you introduce changes in your practice that make life better. Celebrate it. Make it a ritual to celebrate your successes. It may not be scientifically proven that law firms are more productive when there are cupcakes to celebrate milestones, but it couldn't hurt to have some.

TIPS FOR THE LONG RUN

Take your breaks and find supports when you need them

The practice of law is a marathon, not a sprint. It's important to take your breaks, both daily and throughout the year. During the day, don't forget to stretch. Go for walks, listen to music, or otherwise find your breaks that help you recharge and help enhance your overall productivity. Plan vacations in advance to have something to look forward to.

The practice of law can expose lawyers and staff to high levels of stress, and to the risk of vicarious trauma and burnout. It's important to recognize and [understand the mental health stresses in the legal profession](#). Lawyers and law firms can [encourage open discussions about mental health](#) and promote mental health resources. We are all human and can all use help.

You can also explore what resources are available to you to proactively manage your stress, or to support you through difficulties. In Ontario, the [Member Assistance Program](#) provides a confidential service to help lawyers, family members of lawyers, law students and others. It provides a range of supports, including online resources and e-courses, counselling services and a peer support program.

Set a learning plan to keep exploring and keep innovating

Keep exploring to find your inspiration.

At least once a year create a learning plan that will focus on areas in which you wish to improve based on your self-reflection and self-assessment (see Tip #1). While it will be important to [keep up with changes to the law](#), consider the other skills you need to develop, including skills to harness legal innovation. There are many ways to continue building your skills, including:

- Attending local bar association conferences, continuing legal education and technology conferences such as ABA TECHSHOW to learn more about innovation and practice management.
- Taking courses or setting aside time each week to learn how to maximize the use of your everyday technology supports, such as Microsoft Outlook, Word and Teams.
- Exploring and building skills through executive education programs, or from lower-cost online learning platforms such as [Coursera](#) and [Udemy](#).

There are also lots of places to keep reading to fuel your innovation dreams. As a starting point, here are a few resources that can help you continue to explore:

Articles, blogs and podcasts

- [57 Tips for Successful Innovation in Law](#) (Dennis Kennedy)
- [Attorney at Work](#)
- [Avoidaclaim.com](#)
- [From the Center Blog](#), North Carolina Bar Association (Catherine Reach)
- [Lawyerist](#)
- [Practicepro.ca](#) – Risk management, claims prevention and law practice management resources provided by [LAWPRO](#)
- There are lots of great podcasts focusing on legal innovation. For a sampling see our article [here](#).

Books

- Jordan Furlong, [Law is a Buyer's Market: Building a Client-First Law Firm \(link to free PDF of the book\)](#)
- Jack Newton, [The Client Centered Law Firm](#)
- Richard Susskind and Daniel Susskind, [The Future of the Professions](#), Oxford University Press, 2015
- Sharon D. Nelson, et al., [The 2020 Solo and Small Firm Legal Technology Guide](#), American Bar Association
- Mike Whelan Jr., Lawyer Forward, [Finding Your Place in the Future of Law](#)

Finally, while some of this learning will happen at the individual level, you can always learn with a buddy, or with colleagues in your firm or local bar association. Having a study buddy can keep you on track for your learning objectives and keep it fun.

Best of luck on your journey and building towards your future practice.

This resource is provided by Lawyers' Professional Indemnity Company (LAWPRO®). 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.



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

© 2021 Lawyers' Professional Indemnity Company (LAWPRO). All rights reserved.
 ® Registered trademark of Lawyers' Professional Indemnity Company

Technology Products for Lawyers and Law Firms

Updated November 20, 2020



The different services and products below are provided to assist lawyers explore legal technology which may assist their practices. They are examples of products available to lawyers. LAWPRO and practicePRO do not endorse third party products or services. Lawyers should consider the appropriateness of such products for their practices

Juda Strawczynski, Director, practicePRO and Eli Goldberg, Articling Student

Technology can help lawyers practice more effectively and efficiently. A number of products are available that can assist with law office tasks, functions, and even help lawyers provide legal advice to clients. When considering adopting a new tool, give yourself time to learn how to use it and consider watching online tutorials or other training. Be sure to consider security as well. For further resources on implementing technology tools in your practice, see our related resources at practicepro.ca/technology.

Calendaring, Collaboration, Task Management and Workflow Tools		
Acuity Scheduling	Acuity Scheduling allows users to book appointments online. Users can sync calendars to make the process even more efficient.	Tutorial
Calendly	Calendly lets users book meetings online without back and forth emails. Users can send their availability to other parties and let them select a mutually beneficial meeting time.	Tutorial
Confluence	Confluence is a collaborative workspace where teams and knowledge meet. It allows users to capture project requirements, assign tasks and manage several calendars at once.	Tutorial
Doodle	Doodle helps users book meetings by sending available time slots and allowing others to choose the best time for all parties.	Tutorial
Microsoft Teams	Microsoft Teams is an online hub where users can chat, meet, call and collaborate regardless of where the users are located.	Tutorial
Slack	Slack is an online hub that allows users to communicate regardless of where the users are located.	Tutorial
Toodledo	Toodledo allows users to create lists, add notes and collaborate with family and friends. It also tracks the user's habits to help organize and allow for more efficiency.	Tutorial
Trello	Trello is a list and progress platform that allows users to make lists and track progress as they go.	Tutorial
Documate	Documate turns template documents and forms into intelligent workflows, helping to reduce the time to generate document sets.	Tutorial
Zapier	Zapier automatically moves information between the apps you use to streamline processes.	Tutorial
procertas	Procertas aims to deepen relationships and improve dialogue between law firms and law departments and includes software training.	Tutorial

Document Signing		
Adobe Sign	Adobe e-sign allows users to electronically sign documents, send documents to other people for their signatures and get automatic notifications and reminders.	Tutorial
DocuSign	DocuSign is a platform for digital signatures.	Tutorial

Firm Management Software		
Clio	Clio is a cloud-based legal practice management platform. It enables law firms to track deadlines, manage cases and documents, bill clients, and accept payments.	Tutorial
Cosmolex	Cosmolex is a cloud-based law practice management software that manages trust and business accounting, time-tracking, billing, email and document management, tasks and calendaring.	Tutorial
Ghost Practice	Ghost Practice is an all-in-one practice management solution including case management, document management, time tracking, billing and accounting.	
PCLaw and Time Matters	<p>PCLaw Time Matters offers two practice management solutions (which may be used separately or together).</p> <p>PCLaw is an all-in one practice management solution providing matter management, billing and accounting solution software. It tracks trust accounting, client management, tracks billable hours, billing and accounting.</p> <p>Time Matters is a case matter practice management program, including contacts, email, documents, research, and matter management. It integrates with a variety of other software products.</p>	
Matter365	Practice management software that fully integrates into Office365.	Tutorial
FILEVINE	Filevine is a cloud-based case management solution for small and midsize legal firms for managing case documents, communication and file management. For Canadian clients Filevine uses Amazon Web Services' Canadian servers.	Tutorial
soluno	Soluno is a time, billing and accounting solution for law firms. (Not available for Mac/OSX)	

Note Taking		
Evernote	Take notes, find information, save web pages, create to-do lists and share ideas with others.	Tutorial
iAnnotate	iAnnotate is an app that allows users to markup PDF files with highlighting, diagrams, notes and audio comments.	Tutorial
Microsoft OneNote	Microsoft note taking software allows users to create notes, set tasks and manage their affairs.	Tutorial
Notability	Notability allows users to combine handwriting, photos and typing, all in one note. Users can also add and annotate PDFs in Notability.	Tutorial

Payment Solutions		
LawPay	LawPay provides a payment management solution that separates earned and unearned accounts. LawPay also organizes payments coming through from clients.	Tutorial
Square	Square is a hardware device that allows the user to accept any payment method, including credit card or debit, using tap and chip & PIN.	Tutorial

Social Media		
Hootsuite	Hootsuite is a social media management platform where users can manage all their social media accounts from one place.	Tutorial

Surveys and Form Building		
Google Forms	Google Forms is a survey administration application. Forms collect information from users via a personalised survey or quiz.	Tutorial
Simple Survey	Canadian based survey and form creation tool, with data hosted in Canada.	Tutorial
SurveyMonkey	SurveyMonkey provides free online survey tools.	Tutorial
Typeform	Typeform provides software that specializes in online form building and online surveys.	Tutorial

Voice Dictation and Transcription		
Dragon Speech Recognition	Dragon allows professionals to dictate and the software will automatically assess and transcribe what is dictated to a document.	Tutorial
Microsoft Word	Word for Microsoft 365 dictation allows for speech-to-text using your microphone.	Tutorial
SpeechExec	SpeechExec is a speech-to-text dictation and transcription software.	Tutorial

Writing and Editing		
Grammarly	Grammarly assists writers to produce clean and mistake-free writing and offers suggestions that go beyond just grammar.	Tutorial
textexpander	Textexpander lets users instantly insert snippets of texts from a database of emails, boilerplate and other content, concurrently as the user types.	Tutorial
WordRake	WordRake is an automated, in-line, editing software. WordRake can make documents or emails clearer, shorter and better overall. It can be added to Microsoft Word and Outlook.	Tutorial

Security		
BitLocker	BitLocker is a built-in feature to certain Microsoft versions, designed to protect data by encrypting entire volumes. BitLocker locks the entire operating system partition and requires a specialized key to unlock the operating system.	Tutorial
Lastpass	LastPass saves and remembers your passwords and is accessible throughout all the user's devices.	Tutorial
1password	1Password is a password manager developed by AgileBits Inc. It provides a place for users to store various passwords, software licenses, and other sensitive information in a virtual vault. Canadian users who sign up at 1password.ca have information stored on Canadian servers.	Tutorial
Authy	The Authy app generates secure 2 step verification tokens on your device. It helps users protect their account from hackers and hijackers by adding an additional layer of security.	Tutorial
Microsoft Authenticator	Microsoft Authenticator protects all of your accounts with two-step verification. The app also helps you secure all of your online accounts by using the industry standard time-based OTP (one-time password) codes.	Tutorial

Telephone, Internet and Fax		
Ubyty	Ubyty provides cloud-based telephone services and fax and voicemail services.	Tutorial
Vonage	Vonage offers, phone service, internet and paperless fax, amongst other services.	Tutorial

Video Conference Software		
GoToMeeting	GoToMeeting allows users to join, host or manage a meeting through video conferencing.	Tutorial
Skype	Skype enables individuals and businesses to make free video and voice calls, send instant messages and files to each other.	Tutorial
zoom	Zoom provides video conferencing software. Multiple users can share their screens concurrently and co-annotate for collaborative meetings.	Tutorial

Webex	Webex provides video conferencing, online meetings, screen share and webinars.	Tutorial
-----------------------	--	--------------------------

Tools for Specific Areas of Law

Family Law		
Divorcemate	Divorcemate provides cloud-based family law solutions including child and spousal support calculators, court forms and family law precedents.	Tutorial

Litigation		
TrialPad	TrialPad allows users to store and access documents from their iPad. It includes presentation tools, highlights text, creates side-by-side document comparisons, edits and shows video clips, adds exhibit stickers to documents and searches document texts.	Tutorial
citeright	citeright is a legal research tool that allows users to save the research they have done and lives in Microsoft Word as an add-on.	Tutorial
Page Vault	Page Vault helps legal professionals capture web content, such as Facebook, videos, and websites, and creates an easy-to-print PDF.	Tutorial
CaseFleet	CaseFleet allows lawyers to manage litigation files and organize facts, issues and sources.	Tutorial
Chrometa	Chrometa is software that tracks and times your work in the background. Chrometa captures the information of what the user is working on to categorize work and which client it is for.	Tutorial
EVICHAT	EVICHAT provides a service that organizes messages for the users. It can handle messaging between users and organize messages, such as websites and other evidence, helping declutter messages.	Tutorial
logikull	Logikull is an e-discovery platform that organizes evidence the parties intend to use.	Tutorial
primafact	Primafact is a document management software for litigation practice.	Tutorial
Worldox	Worldox is a document management system with document profiles, full-text searching and collaboration.	Tutorial
iManage	iManage combines artificial intelligence, security and risk mitigation with document and email management. It can be configured to have data stored on Canadian servers.	Tutorial

Wills and Estate Planning		
eState Planner	eState Planner simplifies the process of estate planning by collecting client information, creating the estate plan and importing editable documents.	Tutorial
Estate-a-Base	Estate-a-Base software records particulars of your various estate files, and automatically produces estate documents such as Court forms, inventory of assets, and proposed distribution.	
WILLBUILDER	WillBuilder provides a visual approach to creating wills and powers of attorneys.	
WillPowerWeb®	A wills production and management system offered by LawyerDoneDeal® to create wills and powers of attorney. Features customizable reports to clients and practice management features to track document preparation.	

This resource is provided by Lawyers' Professional Indemnity Company (LAWPRO®). 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.

© 2020 Lawyers' Professional Indemnity Company (LAWPRO). All rights reserved.
 ® Registered trademark of Lawyers' Professional Indemnity Company



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

Work from Home Technology Tips

Juda Strawczynski, Director, practicePRO

This article provides an overview of different types of technology that can help you practice safely and efficiently from home.

The rapid shift from office settings to working from home can feel daunting. You might feel as though you need to build everything immediately. But you don't have to buy a bunch of expensive new technologies all at once. Consider your immediate practice needs, the needs of your staff, and the needs of your clients. Then fit available technology to you and adapt as your practice evolves.

The services, products and providers named below are non-exhaustive. LAWPRO and practicePRO do not endorse third party products or services. Where such products or services are listed, they are provided as examples only. Lawyers should consider the appropriateness of such products for their practices.

Hardware

The key is to find a set-up that is secure and works for you.

- ✓ Computer: Whether it's a desktop, laptop or tablet, Mac or PC, as long as it meets your needs and gets you to your files and systems, you're good to go! Make sure you have anti-virus software installed and updated, and that you have passwords for the computer and key software platforms. Consider using two-factor authorization and biometric identification if it is available.
- ✓ External monitor(s), keyboard and mouse: Keep things comfortable and productive. A large, high resolution external monitor or multiple monitors can greatly enhance productivity by allowing you to work across different documents and systems without opening and closing windows. They also reduce eye strain. Get a keyboard and external mouse to enhance productivity and the right ergonomic setup. If you're stuck using a laptop or smaller screen, try to avoid hunching over the keyboard or leaning into the screen to see. Zoom in if you need to. Take regular breaks to stretch.
- ✓ Scanner: Scanning documents helps you maintain your files electronically, and reduce physical files at home. There are scanning products that you can use on your smartphone or tablet, as well as desktop scanners with the ability to handle multipage documents. For a further discussion, see [this article](#).
- ✓ Printer: If you can't go paperless, look for a printer that fits your printing needs. If it's wireless, make sure the network is secure and password protected.
- ✓ Phones:
 - Cell phones: Whether you use an iPhone or an Android cell phone, keep it secure. Secure it by PIN, fingerprint ID and/or facial recognition if available. Consider installing a "Find My Device" app, and put emergency information on your lock screen. Ensure that you can wipe your phone remotely. Keep systems up to date. And buy a good protective case to protect your investment!
 - VOIP phone systems: VOIP (voice over internet protocol) phone systems have come a long way on quality and service. They can be an inexpensive way to have a phone number that works from anywhere (as long as there is internet available). Most VOIP systems include core features such as voicemail, and can be configured to or automatically include international and conference calling.

- ✓ Fax: Yes, lawyers sometimes still need to send or receive materials by fax. While you can have a fax as part of your home office, and there are fax/printer hybrid machines as well, there are many programs that can send and receive faxed from your computer.
- ✓ Network: If you always work from home, you may have a hard-wired network in place. If you have a 'work from anywhere' setup, use a VPN to protect against cyber risks.
- ✓ Server: You may currently have a server for your firm. If it was stored at your physical office, now is the time to consider your remote server needs and location, or moving to the Cloud.

Moving to the Cloud

Cloud based systems can help you work from anywhere. As you move documents to the cloud, you will need to consider security and client confidentiality. See our short article [How to Safely Put Data in the Cloud](#) for guidance.

Video Conferencing

Video conferencing helps you stay connected to clients. [Zoom](#), [Skype](#), [GoToMeeting](#), Facetime, Whatsapp and other tools can help you meet clients online and maintain a face-to-face relationship.

This [Videoconferencing Checklist](#) will help you manage the steps you need to take before, during and after a video conference meeting with your client.

Software and Apps

As you move to remote work, you may want to consider changing from software systems that require in-person set-up and updating, to software service products and applications. These allow work from anywhere, potentially reduce IT costs and can increase productivity.

✓ **Office productivity software**

Products such as Microsoft 365 are available for both Macs and PCs. Pricing is on a per-user subscription basis and cloud storage is available. Google G Suite is another option. Confirm your storage needs before determining what package is right for you.

✓ **Online work spaces**

Work spaces such as [Microsoft's One Note](#) and [Evernote](#) are versatile tools that can help with all sorts of tasks including taking notes, capturing ideas, clipping materials from the web or elsewhere, saving scanned documents, sharing with teams, creating to-do lists, and doodling (during your mental health break).

✓ **Task, project management and workplace collaboration tools**

Tools like [Trello](#) and [ToodleDo](#) can help you manage tasks, work flow and collaboration while reducing email back and forth.

[Microsoft Teams](#) and [Slack](#) also offer collaborative platforms which can help remote teams work collaboratively.

✓ **Voice dictation**

[Dragon Speech Recognition](#) remains a leader in the field. There are also a range of free and subscription based services available.

✓ **Editing tools**

Editing tools can help us become clearer communicators. For example:

[Wordrake](#) works directly within Microsoft Word and makes edits in a track-changes style for your consideration. The edits, which you decide whether to accept, are aimed at reducing wordiness.

[Grammarly](#) checks grammar and tone for communications across email, social media and certain document project software. The Tone Detector helps you check for tone, which can help you avoid pushing send on an angry first draft.

[Text Expander](#) allows you to save time by saving snippets (such as paragraphs or standard signatures) and using shortcuts to insert the information without using copy/paste.

✓ **Calendaring tools**

Gone are the days of email or phone tag to check for availability. Online scheduling tools such as [Doodle](#) and [Calendly](#) are free and let you spend less time on scheduling meetings and more time getting work done.

✓ **E-signatures**

As lawyers move towards electronic signatures, there are different tools available to proceed securely. [DocuSign](#) and [Adobe Sign](#) are examples of e-signature solutions. Lawyers must remember that electronic signatures may not be permitted in all circumstances.

✓ **Practice Management Software**

There are several different practice management software providers available for Ontario lawyers: [Clio](#), [Cosmolex](#), [Ghost Practice](#) [LexisNexis®](#) [PCLaw®](#) and [Matter 365](#) are examples of these products. These each offer different solutions that can help you work on your files from anywhere, manage calendaring and timelines, and streamline client communication. Certain practice management software solutions also include time and expense tracking and online billing solutions.

✓ **Accepting online payments**

There are a range of solutions to make it easier for lawyers to accept payments from clients. From general credit card payment solutions such as [Square](#), to law firm specific solutions such as [LAWPAY®](#), e-commerce solutions are becoming more widely available for lawyers regardless of practice size. If you operate a trust account, you will need to make sure that your payment solution can accommodate payments into trust.

Keep exploring

Technology to assist lawyers in their practice continues to evolve. To learn more about the range of products see our [Technology Products for Lawyers and Law Firms](#) for further resources. To learn about how to get the most out of your existing products, see if there are free webinars or online instructional videos. Websites such as [Capterra](#) and [Lawyerist](#), can give you a sense of available products and how to leverage your existing technology (although certain product listings may not be available for Ontario lawyers). Check for CPD sessions that address legal technology for your practice area. Finally, talk to your staff and your colleagues about what technology tools are working for them and their unaddressed technology needs.

This resource is provided by Lawyers' Professional Indemnity Company (LAWPRO®). 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.

© 2020 Lawyers' Professional Indemnity Company (LAWPRO). All rights reserved.
* Registered trademark of Lawyers' Professional Indemnity Company



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



Emotional intelligence: the essential skill for the workplace and life

By Mahwash Khan, Communications Counsel and Chair EDI Advisory Group, LAWPRO

The concept of emotional intelligence isn't new but has seen exponential growth over the years and is said to be **the** essential skill in the workplace and in our personal lives.

We've all heard about the dichotomy of the heart and mind – it is at the centre of the concept of emotional intelligence. Stopping to think about what we are feeling prevents emotions taking charge of our behaviour.

Benefits of good emotional intelligence skills

- navigate social complexities and manage conflict
- overcome challenges
- empathize with others
- lead and motivate others
- improve overall physical and mental health by reducing stress and anxiety
- communicate effectively and forge stronger relationships

Building emotional Intelligence: 5 Practice Tips

Growing your emotional intelligence will take time, critical self-reflection and intentional effort. But the journey can be transformative.

Daniel Goleman, the leader in the field, sets out a number of EI components*:

1. Emotional self-awareness – awareness of one's own feelings, and an understanding of how those feelings can impact others
2. Self-regulation – managing one's own emotions and predicting their effects before acting on them
3. Empathy – sensing and understanding the emotions of others
4. Motivation – persevering through obstacles, with a growth mindset
5. Social skills – managing relationships, inspiring others and eliciting favourable responses from them

Everyone can continuously work to enhance their EI skills. Here are 5 tips that you can practice.

1. Enhance self-awareness

Pay attention to your emotions with mindfulness. If you are feeling a strong emotion, name the emotion and ask yourself why you might be experiencing it; what's causing it? By identifying emotions, you can lessen their power over you and manage them better. By acknowledging feelings, you can think logically about solutions.

How this helps your legal work: If you find yourself avoiding a file, dig deeper and try and think about what the reasons might be, and how you can approach the work. For example, are you nervous because you are afraid that the client won't be satisfied? Afraid to start because you don't understand the instructions? Avoiding the file because you are having difficulty

managing your client relationship? Avoiding work on a file may lead to missed deadlines. Having a checklist with a tickler system can help with completing tasks on time.

2. Focus on self-regulation

The way we think and feel are intertwined. Thoughts can help regulate emotions, and balancing emotion with logic can help curb the instinct to act upon a strong emotion. Compare what your emotions are driving you to do against what logical reasoning is concluding. Are emotions clouding your judgment or are there holes in the logic?

Also, when feeling upset, take a break to calm yourself down and be very aware of how you act. Practice deep breathing - it tricks the brain to calm down.

How this helps your legal work: Before sending a heated response to opposing counsel, pause and reflect on whether such a response would be productive, and in your or your client's best interests.

3. Build empathy

We interact with people in many aspects of our lives. Putting yourself in someone else's shoes, actively listening to them and thinking about their perspective can help you examine your own perspective.

To empathize with someone doesn't mean you have to completely understand them - it's about accepting them for who they are – *especially* when you don't understand them. You learn to value their existence. When you empathize with other people, you can evoke a more positive response.

How this helps your legal work: Actively listening without making assumptions or judgments can help you better understand your clients concerns and help with formulating follow up questions to fill in any gaps.

4. Practice self-motivation

Emotionally intelligent people think more positively with a growth mindset and practice resilience during challenging times. This helps to stay motivated while also motivating others.

It's important not to underestimate the power of attitude. Our attitudes affect the people around us and can be infectious.

People who convince themselves that failures are due to something they can change don't give up easily. They continue to try and learn and believe that success depends on their own actions.

Practising gratitude can boost your happiness and increase your positivity.

How this helps your legal work: Seeking out mentors and networking with others in your community provides many benefits during challenging times. You and your families also have free access to the [Member Assistance Program](#) ("MAP") - a confidential service to help you achieve your health and wellness goals.

5. Managing relationships

Understanding your own emotions and what drives your behaviours is a step towards working well with others. Body language and nonverbal communications can also play a role in relationship management. Your body language should match your words. Conversely, if you learn how to read other people's nonverbal communication, you can plan your response accordingly.

Conflict is inevitable and can arise in any relationship. Resolving conflict in a constructive way can help build trust and strengthen relationships. When disagreeing with someone, point out exactly what you think should have been done, but also highlight what was done well. When conflict isn't perceived as an attack, it fosters creativity.

How this helps your legal work: When communicating with clients, be transparent and empathetic. A detailed retainer letter setting out what you will (or will not) do is a good tool to manage your clients' expectations. The same principles of constructive communication apply to other members of your firm.

How stretching your emotional intelligence muscles can make you a more effective lawyer:

1. Examining any strong emotions and slowing down before reacting leads to more efficiency and lessens the chance of misunderstanding
2. Self-awareness can help counter procrastination, resulting in not missing deadlines
3. Empathy and active listening can help you understand your client's concerns more deeply to provide tailored solutions
4. Clear and transparent communication helps set expectations, leading to less disappointments/misunderstanding
5. Focusing on gratitude and positivity improves overall health and well-being, which is beneficial for you and your clients

Take a look at some resources available for free from the Member Assistance Program such as eCourses on resilience, responsible optimism, resolving conflict, and taking control of your mood.

Curious about your EI and skills you can build? Explore some of these tests

1. Mind tools (free; under two minutes)
<https://www.mindtools.com/pages/article/ei-quiz.htm>
2. IHHP (free; two minutes)
<https://www.ihhp.com/free-eq-quiz/>
3. Psychology Today (45 mins; receive a free snapshot report, with the option to purchase a detailed report for \$9.95 USD. The full report sets out strengths, limitations and action steps)
<https://www.psychologytoday.com/ca/tests/personality/emotional-intelligence-test>

4. 6seconds.org - Brain Brief profile (10 minutes; \$10 USD, gives you a snapshot of your brain's current style for processing emotional and cognitive data, and comes with a free "Brain Brief Interpretation Guide," an e-book about Brain Styles)
<https://www.6seconds.org/tools/sei/profiles/brain-brief-profile/>

* Daniel Coleman, *Emotional Intelligence*, 10th ed (New York: Bantam Dell, 2006).

This resource is provided by Lawyers' Professional Indemnity Company (LAWPRO®). 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.



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

© 2021 Lawyers' Professional Indemnity Company (LAWPRO). All rights reserved.
 ® Registered trademark of Lawyers' Professional Indemnity Company

Managing remote work – human rights considerations

Kirsti Mathers McHenry

The deepest impacts of COVID-19 are being felt by those who have lost their jobs and those who are struggling to keep their businesses afloat. We have worked, in our [previous blog posts](#), to provide clear, quality information to help those people assess their rights and navigate complex and evolving circumstances.

In this post, we turn to those who are still working and who are trying to make it all work –employees working remotely, with a particular focus on those who are juggling kids and work. We provide information for employers seeking to understand how to manage employees who are conducting conference calls and teaching long division while trying to find an online grocery delivery service that will send milk before they run out.

The reality is that people, particularly parents, are being asked to do the impossible – to work full time, to run a homeschool (or even just keep their children healthy and happy), and to run a household all at the same time and with limited to no ability to bring anyone into their home to help.

Additionally, everyone, whether they have children or not, is experiencing higher than normal levels of stress and anxiety, raising questions about mental health. Further, and as always, stressful situations allow bias and racism to bubble up, leading to additional stress and anxiety for racialized people.

Human rights laws prohibit discrimination on the basis of a number of protected grounds, including sex, marital status, family status, disability, race, ethnic origin, and place of origin.

Employers have a duty to adjust rules, policies or practices to accommodate employee's needs relating to protected grounds up the point of undue hardship. This is called the duty to accommodate. Undue hardship is a high threshold

Some commentators have postulated that an employer's duty to accommodate may be heightened given the unique circumstances of the pandemic. It is prudent for employers to:

- Remember that any existing obligations to accommodate employees continue. As you transition to remote work or make other changes, be sure to factor in and adhere to existing accommodation plans.
- Be proactive and ask your employees about new and emerging accommodation requirements. You may want to conduct a survey if you have a significant workforce or you may prefer to have managers speak one-on-one with staff and report on their findings.
- Talk to all staff, not just those you think may face challenges. First, because you don't want to open yourself up to allegations that you proceeded on the basis of, for example, a perceived disability or family status challenge. Second, you may overlook some employees' needs for accommodation if you undertake a more targeted approach.

- Document – thoroughly – all accommodation efforts. It is critical that employers thoroughly document all accommodation efforts. Failure to accommodate may leave employers vulnerable to discrimination claims, and arguments of undue hardship will likely fail if no accommodation attempts were made.

Employees are struggling both with the reality of changes to how they work and live and with challenges regarding the perceptions of their employers. For employees, we recommend:

- Communicating openly with your employer and manager and working proactively and collaboratively to identify any accommodation needs you have and to develop workable solutions
- Document your efforts to seek accommodation and obtain accommodation
- Keep track of hours worked and accomplishments while working remotely. Documenting what you have achieved may protect you from claims that you were unproductive or unavailable.

Below, we touch on several kinds of discrimination related to the pandemic and provide some thoughts on how to approach these questions. As with all employment matters, we recommend that you consult an expert for help when you need it – whether you are an employer or an employee.

Family status

In Ontario, family status discrimination is limited to discrimination arising as a result of the status of being in a parent-child relationship. This means that employees can bring claims relating to their obligations to care for their children and their parents. In the current climate, with schools closed and many long-term care facilities suggesting that those who can take their parents home, employees may have multiple, competing demands on their time that are largely incompatible with productive full-time work.

Single parents and those who have primary responsibility for children and/or parents will obviously feel the brunt of this, and we know that, in Canada as in much of the world, the bulk of this caregiving work is done by women.

Further, though existing human rights decisions have created a high threshold for workers to establish discrimination claims on the basis of marital or family status by imposing a requirement on the worker to “self-accommodate”, self-accommodation may not be possible during the pandemic. For example, school and childcare closures may make it impossible for the worker to find childcare options.

Employers should proactively address the challenges faced by their workforce relating to family status obligations through a combination of accommodation strategies tailored to meet the needs of the business. For example:

- Establish flex hours and allow staff to work at different times. This may be an especially attractive strategy for two-parent families who are balancing two jobs.
- Set meetings in advance so parents can prepare and get their children engaged in an activity during meetings.
- Establish clear deliverables and timelines so everyone understands expectations and can make plans to meet them.

- Ask staff what they need to make this work and engage in productive discussions to support people doing as much work as possible.

In some circumstances, and depending on the nature of the work, it may be appropriate to encourage people to use vacation time, reduce their hours of work, or take a leave of absence. In these cases, employers should carefully consider how to avoid making changes that exacerbate or are influenced by protected grounds, including gender and family status.

Family status is a relatively undeveloped ground of discrimination. Different provinces have defined family status differently. Further, during the current public health crisis, the Ontario government has used an expansive definition of family that encourages people to care for a variety of family members, including chosen family. This may affect the definition of family status and employers may consider providing human rights accommodating a broader range of relationships than what is currently required by law.

Gender

It is crucial that employers be aware of the gendered impact of the pandemic. In addition to being a social issue, gender equality in the workplace is a legal issue and business issue for employers.

Women are already disproportionately affected by workforce cuts and layoffs as they take on greater care demands at home. Even women who can telecommute are experiencing what the Canadian Women's Foundation [calls](#) the “double burden of unpaid and paid work”. The extra burden of unpaid work during the pandemic may make it difficult or impossible for women to continue to perform their paid work as before.

The unequal division of unpaid work not only makes women less likely to participate in the labour force, but, in heterosexual couples, it also facilitates men's paid work further deepening the divide between men and women in the paid workforce.

These inequalities (among others) are exacerbated as women step up to respond to the greater demands of unpaid work responsibilities from emergency business closures and quarantine measures. According to the United Nations [Policy Brief: The Impact of COVID-19 on Women](#), released last week:

Women's unpaid care work has long been recognized as a driver of inequality. It has a direct link to wage inequality, lower income, poorer education outcomes, and physical and mental health stressors. The unpaid and invisible labour in this sector has been exacerbated by the COVID-19 pandemic. But the pandemic has also made starkly clear the way in which the daily functioning of families, communities, and the formal economy are dependent on this invisible work.

Women who have lost their jobs during or as a result of the pandemic (keeping in mind that women are over-represented in the service industries that have been hit especially hard by the emergency business closures and travel restrictions) are less likely to seek out replacement paid work. And, as the economy begins to reopen, many women will likely to seek to rejoin the workforce later than their male counterparts because they will take on responsibility for sorting out unpaid work responsibilities. The impacts of this will continue well beyond the point where we are back to “normal”, as more women will also take on responsibility for managing the emotional fallout experienced by children as they transition back to daycare and school.

Ultimately, what many see as private arrangements, including decisions about who has primary responsibility for the children who are suddenly at home during normal working hours, will have serious repercussions on women's ability to continue to participate in paid work. Employers should look at changes to work, including policy changes and decisions about layoffs and leaves, through a gendered lens. That means they should acknowledge that gender is at play and affects how the pandemic, social distancing, school closures, and other changes will affect workers. It also means that when employers are looking at changes, they should examine who will be impacted. For example, if an employer is considering layoffs, it would be prudent to look at who will be laid off and if, for example, a disproportionate amount of the people who will be laid off are women or parents, to reconsider the approach taken. The continued participation of women and parents in the workforce is crucial to both equality and to the future success of businesses.

Disability

As noted above, any existing plans or obligations to accommodate an employee who has a disability must be maintained even as the nature and organization of work changes.

Additionally, employers should be alive to the possibility that the current circumstances may exacerbate or lead to new disabilities. The stress of life during a pandemic is significant. We are being asked to absorb new information daily about the public health situation. People are home with a small number of family members, which can lead to tension and stress. Family violence has spiked. Parents are spending "spare time" researching curricula and sourcing resources to make sure their children don't fall behind in school. Grocery shopping requires line ups and tense efforts to socially distance or frustrating efforts to find a delivery service that is available. We are, as many experts remind us, experiencing a dramatic shift in every aspect of our life and that is challenging and, for some, will lead to or exacerbate anxiety, stress, and mental illness.

Employees facing new or emerging mental or physical disabilities may have challenges accessing health professionals and it may be difficult to obtain expert medical advice about accommodation. Employers and employees should attempt to work together in the absence of expert advice to put accommodations in place.

Employers may want to consider:

- Proactively reminding employees about resources that exist, including EAPs
- Pointing people to resources to help them manage their stress
- Becoming a source of credible and useful information about COVID-19. Building a shared understanding of the challenge we are facing can help alleviate stress, particularly stress about how COVID-19 will impact their job.
- Communicate regularly and as openly as is reasonable about the impact COVID-19 is having on business. Giving staff more information should help them understand and plan.
- Maintaining open communication so that emerging issues can be identified and addressed. This is challenging in a remote work environment.

- Being flexible about requiring doctor's notes, medical evidence or opinions, or other third-party advice about accommodation requirements.
- Developing protocols around return to work or attendance at the office that take into account the needs of those who are uniquely vulnerable to COVID-19, i.e. those who are immune-compromised.

Employees:

- Remember that you do not need to disclose your particular disability, you need only identify what your accommodation needs are. Privacy is still possible.
- Consider how to get advice or information from a third party or medical professional about your accommodation needs.
- Document your efforts to seek accommodation and any responses from your employer.

Race, ethnicity, place of origin

There have been innumerable reports of racist attacks – both verbal and physical – during this pandemic. Employers have a responsibility not to condone or engage in racist reasoning or responses to this pandemic. This means both ensuring that policies and practices of the employers are non-racist and considering how to respond to comments and actions of employees that may be racist.

You may want to consider new or existing policies requiring employees to respect human rights and determine in advance how those can be applied in the current environment. Spreading quality information and reminding staff about their obligation to treat all coworkers and clients equitably and without discrimination may also promote a healthy and human rights respecting workplace during this difficult time.

The New Normal

Employers should be flexible when removing accommodations at the end of the crisis. We do not yet know when the need for pandemic-related accommodation will end, but it seems like that the return to “normal” will be graduated and slow. Employers should not take a hard-line approach to removal of accommodations at the end of the pandemic emergency given the ongoing inequalities and discrimination that workers may face beyond the “end” of the COVID-19 emergency.

Beyond considering strict legal requirements, business may be well-served by viewing this as an opportunity to assess its role in facilitating and promoting equality in the workplace. For women in particular, the pandemic is bringing to light the many challenges associated with women's ongoing and primary responsibility for unpaid caregiving work. The business case for gender equality in the workplace is well-researched and established. Gender equality in the workplace is associated with enhanced talent acquisition, better employee retention, business growth and innovation, and stronger and more authentic connections with consumers/clients. In short, gender parity in the workplace can translate to better business performance.

There are a multitude of ways employers can promote gender parity in the workplace: you will know what would work best for your business. A few ways in which businesses can help combat the gendered impacts of COVID-19 in their workplace include:

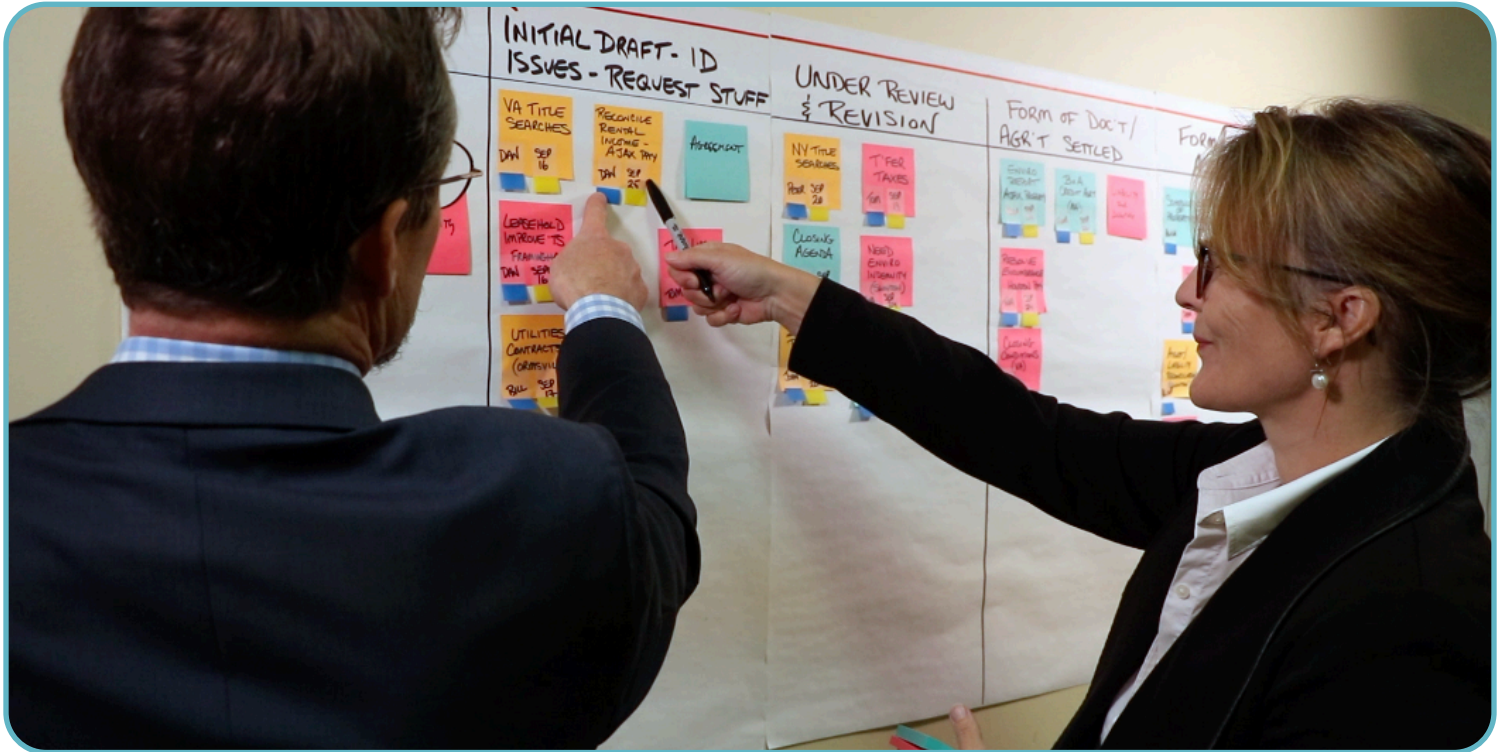
- Adjusting hiring practices when the economy reopens to increase diversity by, for example, including women on the interview panel, setting diversity quotas for women in certain roles, not penalizing time gaps on women's resumes, and allowing flexible start dates to accommodate women who may need extra time to settle their unpaid work responsibilities at the end of the pandemic.
- Promoting work-life balance by, for example, offering childcare and caregiving support, allowing remote work options or flexible working hours, setting schedules in advance (and sticking to them) to allow workers to make childcare arrangements and leisure plans, restricting employee hours, offering exercise benefits (e.g. reimbursement for gym memberships), and encouraging vacations.
- Establishing an inclusive workplace culture by, for example, giving more women in leadership roles, changing gender-biased words in company communication, ensuring equal mentorship and promotion opportunities, and providing and mandating ongoing training, including training on unconscious bias.

Building a diverse workforce that includes women, parents, racialized people, and people with disabilities is good for business. While COVID-19 presents many challenges, it also presents an opportunity for employers to reinforce their commitment to human rights and to building and supporting a diverse workforce.

How we act in times of crisis reveals a great deal about our values. Employees will remember whether their workplace was a place of support and help in a time of crisis or whether it revealed and failed to respond to discriminatory attitudes. How we respond to the human rights challenges of COVID-19 will help us build a successful and committed workforce or will lead to attrition and lost talent.

*This article originally appeared appeared at mathersmchenryandco.com

Matter Management Quick-Start Guide



*5 steps to getting your work
out of email and into a visual system
that will save you time & money*



Matter Management Quick-Start Guide

*5 steps to getting your work out of email
and into a visual system
that will save you time & money*

With a Matter Management Board, so you can:

1. Track your work and supervise your team without hunting through your inbox for updates
2. See all your open matters in one place, so you know if you can take on new matters
3. Know instantly who's available to take on more work, without having to call around or email your team
4. Track the progress of complex files from intake to closing, so you can report immediately when clients or team members ask
5. Find your bottlenecks and constraints, so you can make your work flow more efficiently

Watch the video

Then use this guide to build your first board.

The Board Builder Framework

WIP										
NOT STARTED	PHASE 1 PREPARATION	PHASE 2 TERM SHEET	PHASE 3 ENGAGE SPECIALISTS	PHASE 4 REGULATORY REVIEW	PHASE 5 DUE DILIGENCE	PHASE 6 DRAFTING	PHASE 7 NEGOTIATION	PHASE 8 PRE-CLOSING	PHASE 9 CLOSING	PHASE 10 CLOSED
PROJECT APPLE PEAR LLC CLOSING: MAY 24 PARTNER TWO		PROJECT IMAGE LEIKA PPTY CLOSING: MAY 15 PARTNER TWO	PROJECT ALPINE RCH LTD CLOSING: MAY 10 JENNIFER PARTNER		PROJECT FLIGHT WRIGHT BROS LTD CLOSING: MAY 15 PARTNER TWO	PROJECT FORD ORAL CORP. CLOSING: APRIL 26 PARTNER TWO PROJECT PINK KDSR LTD. CLOSING: APR 29 PARTNER ONE	PROJECT OMEGA VOLK INC CLOSING: APR 17 JENNIFER PARTNER PROJECT ZOO ELEPHANT EQUITIES CLOSING: APR 17 PARTNER ONE PROJECT CHICKAS WINGS LTD. CLOSING: APR 19 PARTNER TWO	PROJECT SATO MIMI CORP CLOSING: APR 12 JENNIFER PARTNER		



Start with the right space

Select an empty wall or whiteboard(s) with lots of space directly in front.

You want to be able to access your board, to add and move cards, and have enough space for stand-up meetings.

Ideally, you want a space you can dedicate permanently to your matter management boards.

1 DETERMINE YOUR COLUMN HEADINGS

Columns represent the stages of your matter

Consider the nature of the matter you are working on and choose the phases you're going to use to track progress of the different tasks.

Those phases become the column headings on your matter management board. Create a list. If you need help, see the samples later in this guide.

Don't think farther ahead than is useful to your project management needs.

For example, don't include the tasks associated with trial on your initial board for a civil litigation defence file if the majority of your cases settle out of court. You can create a board for trial and even appeal, but only as and when necessary.

When you do make a new board, keep a record of what you did. The next time your litigation file goes to trial or appeal, you'll be able to use it as a template.



2 IDENTIFY & COLOR-CODE YOUR TASK CATEGORIES

Color-coding makes it even easier to see your work

You're going to want to categorize your tasks so you can color-code your task cards.

Color-coding gives you quick information when you check your board. How many documents are outstanding? What are the main issues still unresolved?

In transactional matters, common categories include:

- Due Diligence
- Issues that arise in the course of the transaction
- Documents/Drafting

In litigation matters, common categories include:

- Pleadings
- Motions
- Discovery
- Trial/Appeal

If you're tracking work in progress (WIP), color-code your cards by matter type or by lead attorney...whatever makes the most sense in your practice.



3 CREATE YOUR INITIAL TASK OR MATTER LIST

Start with the tasks or matters you know about

Create a list of all of the tasks that you know from the outset are likely to be associated with the matter.

List the tasks you feel are important enough to your project management and reporting needs to be tracked across the lifecycle of the file.

Don't worry if you don't know all the tasks at the beginning. You can add more as you go along.

Put each one on a separate sticky note, using your color-coding system.



If you're using your board to track WIP, your initial list will be all the open matters you want to track.

4 START BUILDING OUT YOUR MATTER MANAGEMENT BOARD

Create your first board

Use the set-up checklist included below to make sure you have all the supplies you need.

Use tape and markers to create the columns you want for your board. We recommend you use removable cards or stickies for your column headings when you build your first board. Sometimes it takes a little trial and error to get it right.

Once you're happy with the layout and your columns, you can start populating your board with all the task cards for your matter, or all your open matter/client cards, if you're tracking WIP.

If you have a junior, a project manager, paralegal, or assistant, this is

Use Post-it® brand sticky notes. They work. Others don't. There's nothing worse than building a board one day and coming back to a rainbow of stickies on the floor the next morning.



5 REVIEW AND APPROVE YOUR MATTER MANAGEMENT BOARD

Check the set-up

If you delegated the actual set-up of your board, you'll need to review and approve the final organization.

Make any changes you require to meet your project management and reporting needs.

You may even decide to reorder your columns at this point. Say, for example, you decide in your real estate deal that the Closing Phase should appear after the encumbrances are released and title to the property is registered. Just reorder as you see fit. This is where using temporary column labels comes in handy.

Now you're ready to start using your board!

The power of matter management boards comes from the visual information you get at a glance, so you need to keep your boards up to date. Add tasks or open matters to your board as they come up.

As soon as a task is ready to move to the next phase, move it over. You'll be surprised at how satisfying it is to keep those cards moving closer and closer to the "Done" column.

Matter Management Board

Set-Up Checklist

42

- ☐ **Space:** select a space or reserve an office or conference room with plenty of empty wall space or whiteboards that can be preserved for the life of the project (physical boards)
- ☐ **Supplies** (physical boards)
 - ☐ tape
 - ☐ super-sticky coloured stickies
 - ☐ markers
 - ☐ coloured flags
 - ☐ stamp for data fields (optional)
- ☐ **Column headings**
 - ☐ Select logical phases of your matter if you're using your board to manage a single file
 - ☐ Select logical phases for the work of your practice if you're using your board to manage WIP across the practice
- ☐ **Tasks**
 - ☐ Determine what kinds of tasks will you track (e.g. documents, issues, due diligence)
 - ☐ Decide on a color-coding system for your task cards and put the legend on your board
 - ☐ Determine the information you will track on each task card

Examples for managing a matter: <ul style="list-style-type: none">• Task description• Start date• Due date or end date• Assignee• Priority• Status/Progress• Task jurisdiction	Examples for managing WIP: <ul style="list-style-type: none">• Project or file name• Start date• Anticipated closing or end date• Team (partners, associates, paralegals, assistants)• Priority• Status/Progress
---	--
- ☐ **Approval:** If required, get the structure and organization approved by the supervising lawyer
- ☐ **Starting off:** Populate the *To Do* column on board with all of the known tasks
- ☐ **Kick-off:** Schedule a kick-off meeting with your team (attorneys, paralegals, clerks, etc.)
 - ☐ Review and confirm phases
 - ☐ Review and confirm tasks
 - ☐ Add and/or modify task cards and move as necessary
 - ☐ Make and/or modify initial assignments
 - ☐ Confirm expectations on how often the board must be updated
- ☐ **Updates:** Schedule regular meetings to keep your board up to date

Template for a buy-side M&A deal

<i>To Do</i>	→ <i>Doing</i> →					
To Do	Initial Review Issue identification & requesting information	Term sheet	Engage specialists	Regulatory review (including anti-trust), if applicable	Due diligence	Drafting

→ <i>Doing (continued)</i> →						<i>Done</i>
Internal review & revision (including with client)	Negotiation & revision	Pre-Closing	Closing	Post- Closing: integration of target business	Post- Closing: purchase price adjustment	Done

You might decide to create a separate board for the tasks that arise post-closing. In that case, you could delete the two post-closing phases from your list of column headings for the initial board.

Ultimately, you decide how the board should be structured to best meet your and/or your client's project management and reporting needs.

**After every matter,
assess what you could
have done better, and how
you'll structure your
board next time**

Template for a civil litigation defence file

<i>To Do</i>	→ <i>Doing</i> →					
To Do	Assess	Develop strategy and/or budget	Drafting (responses, pleadings, motions)	Internal review & revision (including with client)	Service, filing	Case conferences

→ <i>Doing (continued)</i> →						<i>Done</i>
Mediation	Settlement	Trial preparation	Trial	Judgment	Client reporting	Done

You might decide to create one or more separate boards for the tasks associated with trial preparation, trial, judgment, and even appeal. It depends on how often your files in a given type of case proceed past mediation/settlement on to trial and/or appeal.

Ultimately, you decide how the board should be structured to best meet your or your client's project management and reporting needs.

Your column headings should be your big buckets of activity. Don't get too detailed.

Template for a commercial real estate transaction

<i>To Do</i>	<i>Doing</i>					
To Do	Initial Review Issue identification & requesting information	In drafting	Internal review & revision (including with client)	Negotiation & revision	Form of document or issue settled	Incorporated in documents (agreements, forms, schedules, etc.)

<i>Doing (continued)</i>						<i>Done</i>
Approved, printed, tabbed for signature	Signed	Closing	Release: encumbrances, funds, title	Registration of title	Client reporting	Done

Contact Us

Gimbal Canada Inc.
gimbalcanada.com
 +1-514-667-2288



[@DavidFSkinner](#)
[@KarenSkinner](#)
[@GimbalCanada](#)

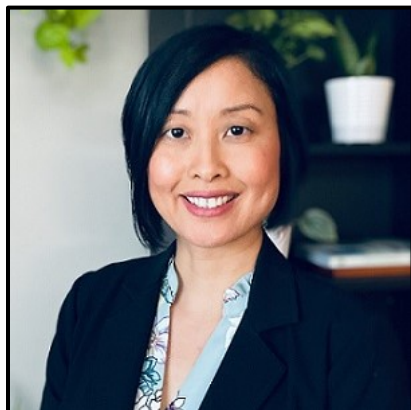
Get Our Tips

Practical advice in your inbox

[Sign Up](#)

SPEAKER BIOS

Hong Dao



Hong Dao is a practice management attorney at the Oregon Professional Liability Fund. She provides confidential practice management assistance and education to attorneys to reduce their risk of malpractice exposure. Ms. Dao came to the United States from Vietnam with her family as boat refugees in the early 1980s. She grew up in Colorado, where she attended the University of Denver as an undergraduate, and then moved to Iowa to attend Drake University Law School, where she received her JD.

Before joining the PLF in 2014, Ms. Dao worked as a staff attorney at the Oregon Law Center, representing, advising, and advocating for clients in employment, housing, and consumer law matters, and presenting community education programs. Prior to that, she worked as a contractor with the Criminal Division of the U.S. Attorney's Office in Oregon. She has been an adjunct instructor of business law at Portland Community College since 2012.

Ms. Dao is a member of the Oregon State Bar, Washington State Bar, American Bar Association, Oregon Women Lawyers, Multnomah Bar Association, and Oregon Asian Pacific American Bar Association. She is a 2014 recipient of the Oregon State Bar President's Public Service Award.

Ms. Dao also has been active in the Asian Pacific American community in Oregon, having served on the board of directors for the Center for Intercultural Organizing (now called Unite Oregon) and the Asian Pacific American Network of Oregon (APANO). She was also a graduate of the first cohort of the Asian Pacific Islander Community Leadership Institute (API-CLI).

Ms. Dao writes for the PLF's [inPractice](#) blog and tweets technology and practice management tips on [Twitter](#). To view her blog posts, [click here](#).

Kirsti Mathers McHenry



Kirsti has worked in diverse legal environments for the past 15 years. She has used her wide-ranging experience to develop expertise in management, strategy, organizational development, and evaluation. She began her legal career at a national full-service law firm, clerked for the Court of Appeal for Ontario, and then obtained a graduate degree in law from the University of Michigan.

Kirsti worked for almost a decade at Legal Aid Ontario, running projects and managing teams to deliver on key corporate priorities. Here, Kirsti developed project management, financial management, human resource, strategy, and evaluation skills. Her work included policy and research, stakeholder relations, financial modelling, acting as policy liaison for a significant IT build, training, workforce planning and modelling, evaluation, organizational development, and policy implementation.

She left LAO to take on a senior executive role at a non-profit foundation, where she refined her management skills and gained significant expertise working with smaller organizations and seeing their challenges and opportunities. In this role, Kirsti built her expertise in human resource management, program and organizational development, change management, communication, and evaluation. Kirsti was a key driver in the development of diversity and inclusion plans and process improvements. She also developed and implemented a multi-year evaluation plan.

Kirsti taught human rights law at Queen's University as a sessional professor and taught legal research as both a guest lecturer at the University of Toronto and as a sessional professor at Humber College.

In her spare time, Kirsti applied her skills to lead a team (with her wife, Jennifer) that worked extensively with the provincial government to draft and pass the *All Families Are Equal Act*. This legislation extended parental recognition to LGBTQ parents and made the laws of Ontario more inclusive. The legislation also eliminated the need for many LGBTQ parents to go to court to secure parental recognition, thus saving much-needed court resources. Most recently, Kirsti built Mathers McHenry & Co. and remains very involved in strategy, financial planning and oversight, operations, and organizational development.

Karen Dunn Skinner



Karen Dunn Skinner is a co-founder of Gimbal Canada. She's a Lean Six Sigma Black Belt and an attorney with over 20 years of experience practicing law in Canada and Europe. She combines her deep understanding of the legal industry with her training in Lean Six Sigma to provide practical solutions to the competitive and budgetary pressures on practitioners and clients alike.

Karen is an expert in Lean and process optimization. Her work adapting Lean's business improvement strategies to the legal industry has made her a recognized leader in legal practice innovation. She's taught Lean and process improvement to over a thousand lawyers and legal professionals, and she's led process improvement projects in law firms and in the legal departments of government agencies and multinational companies across North America. Karen was a member of the Quebec Bar for over 20 years.

Juda Strawczynski



Juda manages and promotes practicePRO, LAWPRO's innovative claims and risk management initiative, including identifying emerging claims and risk, resource creation, and outreach to the profession.

Prior to joining LAWPRO, he served as a Policy Counsel at the Law Society of Ontario, where he provided strategic counsel with respect to key issues facing the legal profession, including access to justice, professional regulation, governance and legislative issues. Prior to that, Juda practised litigation, and served as a Fellow at Physicians for Human Rights in Cambridge, MA, as President of Canadian Lawyers for International Human Rights (CLAHR) from 2013 to 2018, and as a Director of the Canada Millennium Scholarship Foundation. Juda has a Bachelor of Arts from McGill University in Humanistic Studies and International Development Studies, and a Juris Doctor from the University of Toronto.