



## **Professional Development and Competence Department Resource and Program Report**

FOR INFORMATION ONLY

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## PROFESSIONAL DEVELOPMENT AND COMPETENCE DEPARTMENT

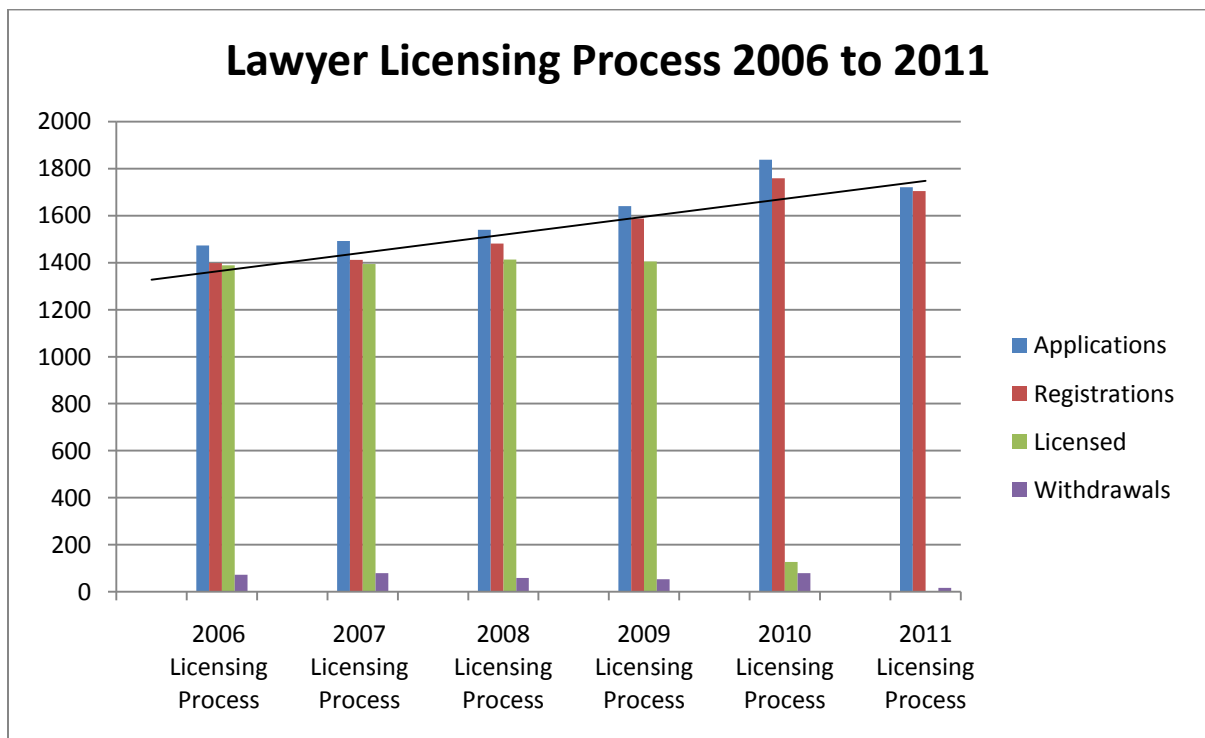
The Professional Development and Competence (PD&C) Department supports policy development and operational implementation for all activities, products and programs related to practice management and supports, continuing professional development, legal information services, the lawyer and paralegal licensing processes, and post-call quality assurance.

The Department focuses on the relationship between pre- and post-call substantive, procedural, practice management and professional responsibility competencies within the profession and strives to create a platform of services that assists lawyers and paralegals to maintain viable practices and provide competent service.

### LICENSING AND ACCREDITATION: LAWYER LICENSING

As of March 31, 2011, the number of applications processed for the 2011 Lawyer Licensing Process was 1721 and have resulted in 1704 registrations to date. It is anticipated that the applications will continue to increase until the deadline of August 31, 2011.

The following chart indicates the number of candidate applications, registrations, withdrawals and L1 licences issued in each of six Licensing Processes (2006-2011) since the inception of the Licensing Process in May 2006. The Process is governed by the three-year rule which requires a registered lawyer candidate to be called to the bar within three years from the time of their entry into a licensing year.



## Tracking Licensing Cohorts: Three-Year Rule

	<b>New Applications</b>	<b>New Registrants (fees paid)</b>	<b>Licensed (by end of 3 years or to date)</b>	<b>Withdrawn* (after formal registration)</b>
<b>2006 Licensing Process (May 2006 to April 2009)</b>	1473	1398	1388	72
<b>2007 Licensing Process (May 2007 to April 2010)</b>	1492	1412	1394	80
<b>2008 Licensing Process (May 2008 to April 2011)</b>	1540	1481	1413	59
<b>2009 Licensing Process (May 2009 to April 2012)</b>	1640	1587	1405	53
<b>2010 Licensing Process (May 2010 to April 2013)</b>	1837	1758	127	79
<b>2011 Licensing Process (May 2011 to April 2014)</b>	1721	1704	0	17

\*Withdrawals Include:  
 (a) Voluntary withdrawal - inactive  
 (b) Requirements not met - deactivated  
 (c) 3-year rule exhausted - Examinations or Articles incomplete  
 (d) Registration revoked - Hearing Panel decision on Good Character  
 (e) Deceased

## ARTICLING PROGRAM

### National/International Articles

Candidates may complete up to ten months of articles outside of Ontario (national) or outside of Canada (international). The total number of candidates who completed articles outside of Ontario is as follows:

<b>Licensing Year</b>	<b>National Articles</b>	<b>International Articles</b>
<b>2008</b>	18	9
<b>2009</b>	15	23
<b>2010</b>	18	22

### Exemption from Articles and the Professional Conduct and Practice Course

In 2009, candidates became eligible to apply for and be granted a full exemption of articles if they have practice experience in a common law jurisdiction that exceeds 10 months. In 2009, 52 candidates were granted exemptions from the articling program and an additional 93 candidates were granted an exemption in 2010. To date, 145 candidates have received an exemption.

Candidates who are exempted from articles must successfully complete a mandatory three-day course. The Professional Conduct and Practice Course provides instruction on professional responsibility and practice management topics in an Ontario context using

lectures, panel presentations and roundtable discussions. One-hundred thirty-seven (137) of the exempted candidates have completed the mandatory course to date.

There have been four sessions of the Professional Conduct and Practice course since its inception in May 2009:

	<b>May</b>	<b>December</b>	<b>Total</b>
<b>2009</b>	22 attendees	19 attendees	41 attendees
<b>2010</b>	51 attendees	45 attendees	96 attendees

Candidates exempted from articles must also successfully complete the two Licensing Examinations. As a result of this significant reform, candidates exempted from articles could be eligible for a call to the bar within six months depending on the timing of their receipt of the Certificate of Qualification from the National Committee on Accreditation.

### **Articling and the Unplaced Lawyer Candidate Rate**

The graph below indicates the Articling Program unplaced rates as at the end of March in each Licensing Process cohort. Candidates will continue to search for placements and the unplaced rate will continue to decrease marginally until the end of the current licensing cycle. Once a licensing year is completed, unplaced candidates begin to roll into the following licensing period and are competing with all of the unplaced candidates from the next cohort, exacerbating the issue of lack of placements. *The Law Society does not continue to track unplaced candidates after the entry year into the licensing process. Therefore the statistics provided do not reflect those candidates who may still be searching for a placement from previous licensing years.*

March 2008, unplaced rate for the 2007/2008 licensing group

➤ 81 of 1391 = 5.8%

March 2009, unplaced rate for the 2008/2009 licensing group

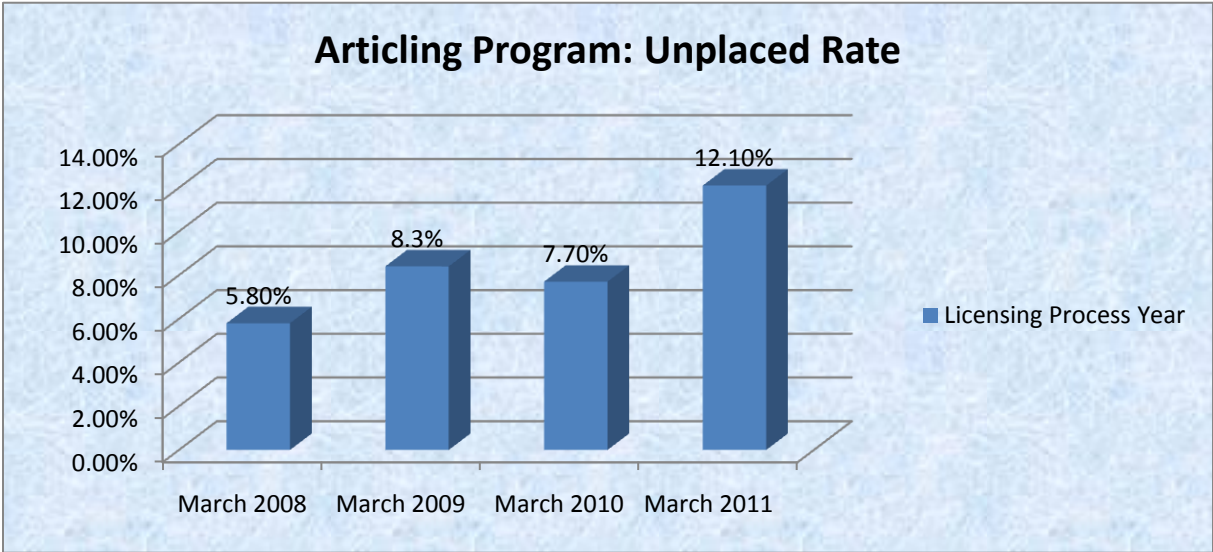
➤ 125 of 1493 = 8.3%

March 2010, placement rate for the 2009/2010 licensing group

➤ 115 of 1496 = 7.7%

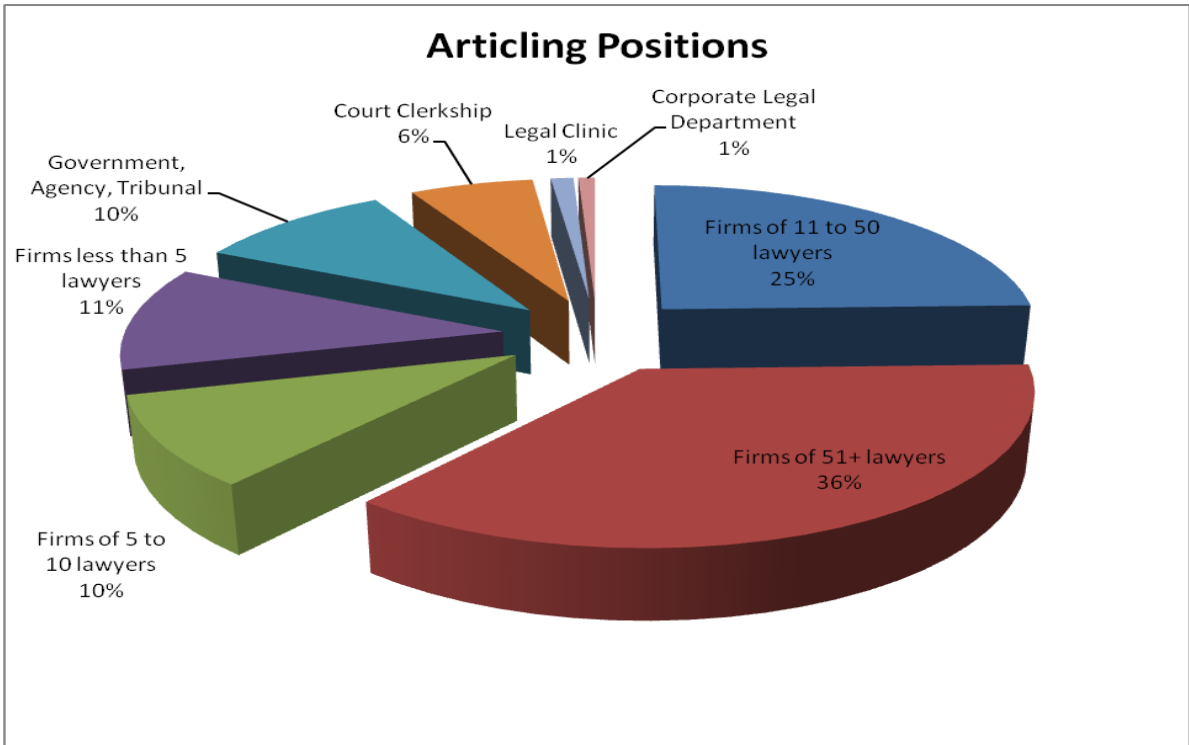
March 2011, unplaced rate for the 2010/2011 licensing group

➤ 214 of 1767 = 12.1%

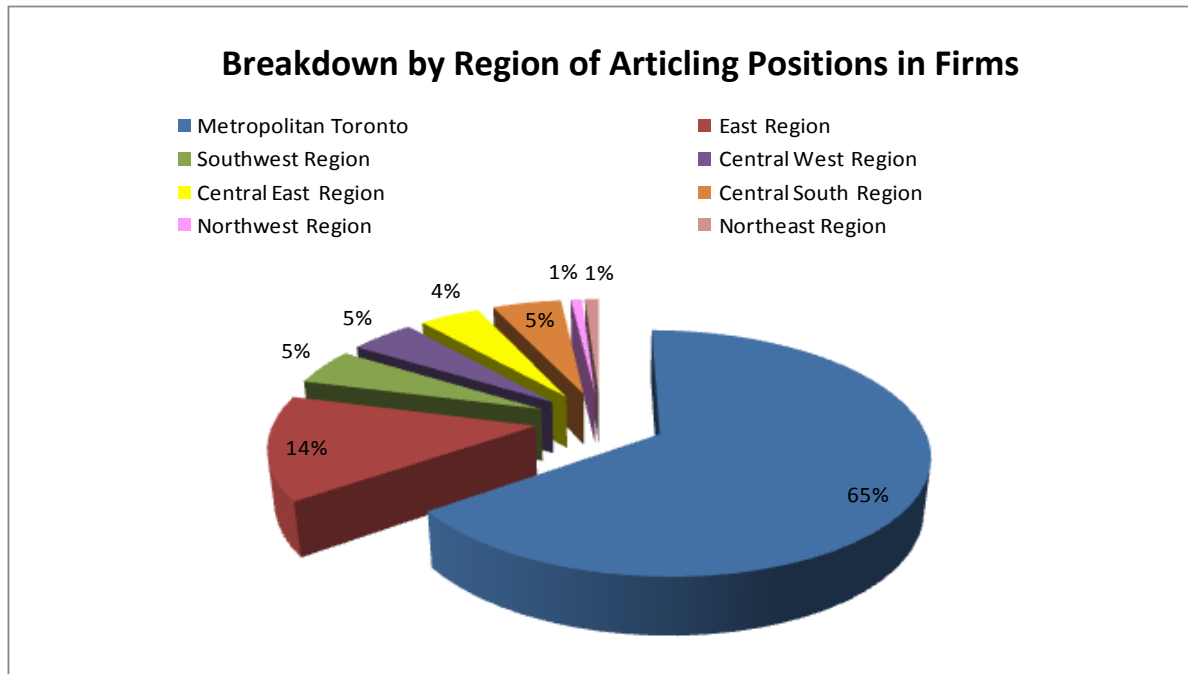


**Articling Placement Locations**

Larger firms still employ the majority of articling candidates. Those firms have infrastructure and support systems in place that allow them to support articling candidates on a regular basis. The number of articling placements with the largest firms remains stable with no growth. As presented in the chart below, 61% of all placements are in private practice firms with 11 or more lawyers and 21% of placements are currently found in firms of 10 or fewer lawyers.



An examination of current articling positions by region within the province is depicted in the chart below. The vast majority of placements, 79%, are found in the Toronto and Ottawa areas, with 65% in the Metropolitan Toronto Area. The next largest articling employment centre is the East Region with Ottawa city centre supporting the majority of those positions. Other city centres such as Hamilton, London, Windsor and the 905 area code comprise the next most active locations for placements.



### Articling Survey

The Task Force on Licensing and Accreditation recommended that an Articling Survey be conducted in 2009-10 to collect information about articling positions in Ontario and to effectively assess the scope of the articling market across the Province. The results from the survey would enable the profession to examine the possibility of increasing placements in certain regions. The Articling Survey would also provide an opportunity to educate more lawyers about the Law Society's articling supports and promote the possibility of joint articles when hiring an articling candidate.

7749 out of 8209 firms in the province (as at May 2009) participated in the telephone survey. The location and total number of articling placements across the province are indicated below.



Regions	Total Firms in Region	Total Firms Contacted and Survey Completed	Firms Contacted with no Articling Placements	Firms Contacted with Articling Placements	Total Articling Candidates in Region (% of total placements)
(1) Metropolitan Toronto	3279	3140	2793	347	830 (64%)
(2) Northwest Region	104	93	86	7	11 (1%)
(3) Northeast Region	226	207	197	10	13 (1%)
(4) East Region	1005	926	816	110	180 (14%)
(5) Central East Region	1151	1089	1039	50	57 (5%)
(6) Central West Region	960	908	856	52	61 (5%)
(7) Central South Region	773	715	670	45	65 (5%)
(8) Southwest Region	711	671	631	40	63 (5%)
<b>TOTAL</b>	8209	7749	7088	661	1280

During the survey, firms indicating that they did not have an articling placement were asked if they would consider joint articles if there was a firm in their region willing to share an articling candidate. Firms that indicated an interest in joint articles, 2284 firms, were provided with further information.

In a follow-up phase of the survey, 404 firms in a variety of regions and cities that were considered to have higher potential for articling growth were assessed. Of those firms, the survey showed that 277 had specifically indicated an interest in considering entering into a joint articling arrangement with another firm in their region. All 277 firms were once again contacted by telephone to enlist their support.

This phase of the project resulted in only 11 (4%) of the 277 firms expressing a firm commitment to joint articles. Of the 11, the PD&C Department has only been able to match four firms, equating to two placements. These two positions have yet to actually be created by these firms.

## Joint Articling Survey Results – Follow-up

Regions and Number of Cities in follow up phase for joint articling commitment	Number of Firms that expressed interest in joint articles	Firms no longer interested	Firms did not return calls	Firms considering joint articles but no commitment	Firms that expressed a commitment to joint articles
(1) Northwest Region – 1	17	12	2	3	0
(2) Northeast Region – 2	17	8	7	0	2
(3) East Region – 4	39	22	11	6	0
(4) Central East Region – 6	122	63	26	28	5
(5) Central West Region – 1	17	7	6	4	0
(6) Central South Region – 4	56	28	16	8	4
(7) Southwest Region – 1	9	2	5	2	0
Seven Regions – 19 Cities	277	142(51%)	73(26%)	51(18%)	11(4%)

### Articling Registry

Since the online Articling Registry was developed in June 2009, it has become a viable recruitment and job search tool for law firms, legal organizations, law students and licensing candidates. Using the registry, firms can post available articling positions and search through articling candidates' profiles; candidates can use the registry as a tool for reviewing articling opportunities in their job search. The registry also helps smaller firms outside of major urban centres to locate law school students or licensing candidates who are interested in available articling positions.

Year	Total Postings on Articling Registry
2009	77
2010	151
2011	41
	(January 1 to March 31)
<b>Total</b>	<b>269</b>

## Post Articling Employment

At the time of call, candidates are asked to complete a voluntary survey of their employment status. The table below demonstrates the results of the voluntary employment surveys conducted from February 1995 to June 2010.

The June 2010 survey had an 84% response rate. Results indicated that the hire-back rate of candidates returning to the firm with which they articulated was 42.8%, a 1.5% decrease from the previous year. In addition, 55.5% of the June 2010 call candidates indicated that they had secured some type of employment. A decrease of 2.1% as compared to the previous year's survey. In the 2009 and 2010 licensing years, there has been a 10.2% decrease in the number of candidates indicating that they had secured employment at the time of call.

Date of Call	Response to survey - % of class	% of respondents hired back by articling firm	% of respondents employed elsewhere	% of respondents employed at time of Call
June 2010	84	42.8	12.7	55.5
June 2009	84	44.3	13.3	57.6
June 2008	80	49.4	16.3	65.7
June 2007	75.0	49.0	16.6	65.6
July 2006	89.3	49.1	18.5	65.1
July 2005	89.3	52.3	14.0	66.3
July 2004	61.5	49.7	16.7	66.4
July 2003	60.3	49.6	12.9	62.5
Sep. 2002	26.1	39.4	25.1	64.5
Feb. 2002	48.5	52.5	25.4	77.9
Feb. 2001	63.3	51.3	26.9	78.2
Feb. 2000	59.9	46.7	23.1	69.7
Feb. 1999	55.5	44.5	19.4	63.9
Feb. 1998	56.5	38.7	28.4	67.2
Feb. 1997	60.1	37.5	26.3	63.7
Feb. 1996	77.0	35.3	30.7	66.0
Feb. 1995	54.6	38.4	28.8	67.2

## LICENSING AND ACCREDITATION: PARALEGAL LICENSING

As of March 31, 2011, the number of applications processed for the 2011 Paralegal Licensing Process was 861 and has resulted in 857 registrations. It is anticipated that the applications will continue to increase until the deadline of August 31, 2011.

The table below indicates the number of candidate applications, registrations, withdrawals and P1 licences issued in each of four Licensing Processes (2008-2011) since the inception of paralegal regulation. Each Licensing Process is governed by the three-year rule which

requires a registered paralegal candidate to be licensed within three years from the time of their entry into a licensing year. The table does not include any paralegal entering through the initial grandparenting process, but only depicts college candidates entering through the now standardized licensing process.

The 2010 licensing cycle was the last cycle into which applicants from colleges with a non-accredited paralegal program were allowed to enter the process. After June 30, 2010, all candidates must obtain a diploma or certificate from a college paralegal program that has been accredited by the Law Society. As a result, there were a high number of applications and registrations in the Licensing Process for 2010. Now that all candidates must come from accredited programs, the number of applications and registrations for 2011 (which will close on August 31) is expected to represent the “new norm” for the number of entry candidates coming into the process from the colleges on an annual basis. The number of registrations remains quite high and is a product of the number of college programs that have been, and continue to be, accredited.

### Tracking Licensing Cohorts: Three-year Rule

	<b>New Applications</b>	<b>New Registrants (fees paid)</b>	<b>Licensed (by end of 3 years or to date)</b>	<b>Withdrawn* (after formal registration)</b>
<b>2008 Licensing Process (June 2008 to May 2011)</b>	<b>313</b>	<b>276</b>	<b>258</b>	<b>37</b>
<b>2009 Licensing Process (June 2009 to May 2010)</b>	<b>550</b>	<b>510</b>	<b>461</b>	<b>40</b>
<b>2010 Non-accredited (June 2010 to May 2011)</b>	<b>1073</b>	<b>1045</b>	<b>827</b>	<b>28</b>
<b>2011 Accredited (June 2011 to May 2014)</b>	<b>861</b>	<b>857</b>	<b>43</b>	<b>4</b>
<p>* Withdrawals include</p> <ul style="list-style-type: none"> <li>(a) Voluntary withdrawal - inactive</li> <li>(b) Requirements not met - deactivated</li> <li>(c) 3-year rule exhausted - Examination incomplete</li> <li>(d) Registration revoked - Hearing Panel decision on Good Character</li> <li>(e) Deceased</li> </ul>				

### Licensing Process for Integration of Exempted Groups

In 2010 Convocation approved a new intake of Exempted Group members who could apply to enter an Integration Licensing Process. The application process commenced in October 2010 and continues to be progressing smoothly. The deadline for applications to the Integration Licensing Process will end on September 30, 2011.

As of March 31, 2011, 173 applications have been entered online and of those entered, 70 applications have been received and reviewed. The table below provides the breakdown by

exempted group and the number of applications completed online and those that have now formally submitted the online application.

A total of 52 candidates of the 70 applications received have officially registered for the Integration Licensing Process by providing all required documents.

<b>Breakdown by Exempted Group</b>	<b>Applied Online</b>	<b>Applications Received</b>
Appraisal Institute of Canada	4	0
Board of Canadian Registered Safety Professionals	14	6
Human Resources Professionals Association of Ontario	7	4
Trade union /Ontario Federation of Labour	10	8
Registered Collection Agent (Collection Agencies Act)	27	8
Advisor, Office of the Worker and Employer	5	3
Employee of a Legal Clinic (not a student)	10	4
In-house legal services provider	83	34
Injured Workers group funded by the WSIB	4	0
Legal services in a not-for-profit organization	8	3
Ontario Professional Planners Institute	1	0
<b>Total</b>	<b>173</b>	<b>70</b>

Exempted Group members who have registered for the Integration Licensing Process will be required to complete an online course, fulfill all good character requirements and successfully pass the licensing examination. The online course will be available to the integration process candidates beginning June 1, 2011. Candidates will be given specific instructions on accessing the online course and relevant information on how to complete the course. For purposes of the Integration Licensing Process, candidates are required to successfully complete the online course and have no good character issues outstanding (all matters must be cleared or finalized by hearing) prior to being entitled to take the Paralegal Licensing Examination.

### **Professional Conduct and Advocacy Course for the Integration Licensing Process**

The Professional Conduct and Advocacy Course is a required component of the Integration Licensing Process and will be delivered online in a variety of formats and consists of 15 modules. The design of the modules will include presentations, readings, exercises, demonstrations, vignettes and practice tips from legal professionals. Candidates will be required to successfully complete a 20-minute, multiple-choice assessment at the end of each module before they can progress to the next module. The Course is organized into 15 modules, is self-paced and will take approximately 50 hours to complete.

## **Paralegal College Program Accreditation**

As part of its mandate to govern and regulate paralegals, the Law Society accredits paralegal education programs that have been approved by the Ministry of Training, Colleges and Universities (MTCU). Institutions must submit a detailed application package and participate in a rigorous audit process in order to demonstrate that the program's curriculum, infrastructure and systems support the accreditation criteria. The Law Society liaises regularly with the MTCU on accreditation issues, and copies of accreditation approvals or denials of all college programs, with reasons, are provided to the Ministry.

To date, the Law Society had approved the accreditation of 21 paralegal college programs at 29 college campus locations throughout Ontario. Applications from non-accredited programs continue to be received and reviewed by the accreditation team, including resubmissions from colleges that have revised their program content and re-applied. The accreditation team has also recently reviewed and updated the paralegal college education accreditation package, which is available on the Law Society's website.

The auditing of accredited college paralegal programs began in November 2009. Audits consist of a documentation review and a two-day site visit at the institution to observe classes and facilities, and meet with program administrators, faculty and students. As of the end of March 2011, the paralegal accreditation team has conducted 12 college program audits. Audit and reporting processes are conducted in a standardized, fair and transparent manner, with a draft audit report to be sent to colleges for clarification prior to the report being finalized. All colleges will be audited within three years of the date of their accreditation and at least once every five years thereafter.

## **CONTINUING PROFESSIONAL DEVELOPMENT**

The Continuing Professional Development (CPD) Requirement for Law Society members came into effect on January 1, 2011 and resulted in a significant increase in activity and member services support for the PD&C team.

To ensure that the quality improvement regulatory requirement and accreditation system for CPD maintains a distinct separation from the program development activities of the organization, these functions have been placed in separate units of PD&C and now report to different management within the PD&C Department.

The Licensing and Accreditation unit now oversees all policy implementation, program accreditation, exemption and accommodation requests and requirements related to the member fulfillment of the CPD requirement as prescribed in the By-laws.

All educational program development is completed by the new CPD unit which combines the former Program Development and Program Delivery units of the PD&C Department, creating increased efficiency and quality of content and service.

## CPD Accreditation and Policy Development

Under the new CPD Requirement, the Law Society accredits all content dealing with professional responsibility, ethics and/or practice management (“professionalism”) for Professionalism Hours. Members licensed on or before May 31, 2010 are required to complete a minimum of three Professionalism Hours and up to nine Substantive Hours annually, for a total of 12 CPD hours per calendar year. Substantive Hours need not be accredited by the Law Society.

New members licensed after May 31, 2010 must take all 12 CPD hours in accredited programs or activities that integrate a significant amount of professionalism content with substantive, procedural and skills related topics.

The Licensing and Accreditation unit has been receiving an unexpectedly high volume of applications for accreditation of programs and activities with Professionalism Hours since the CPD requirement took effect, with an average weekly intake of 80-100 inquiries and 75 applications.

As at March 31, 2011, a total of 1868 applications have been processed. This includes 981 applications for program accreditation from education providers and 887 activity applications from members seeking accreditation of activities such as teaching, writing, mentoring and study groups.

A total of 919 education programs received accreditation by the end of the first quarter of 2011. Of these, approximately 820 programs were accredited for New Member CPD Hours. Program applications were received from education providers, law firms and in-house legal departments, government legal divisions and related agencies, non-profit entities and a number of legal associations at a provincial and national level.

To reiterate, only Professionalism Hours are required to be accredited in advance by the Law Society. Substantive Hours do not require accreditation – members are free to choose their substantive hours from personally relevant legal content as they prefer. The following table provides information only on program activity within which professionalism content appears, it does not reflect any substantive program activity.

CATEGORY OF APPLICANT	NUMBER OF PROGRAM APPLICATIONS RECEIVED	NUMBER OF PROGRAM APPLICATIONS ACCREDITED
Education Providers (OBA, Advocates Society, etc.)	163	158
Law Firms In-House	395	382
Legal Associations	166	144
Government In-House	130	120
Colleges and Universities	11	11
Non-Profit Groups (other than education providers)	11	9
Law Society Programs	71	71
For profit/industry programs	34	24
<b>TOTAL</b>	<b>981</b>	<b>919</b>

The 887 applications for accreditation of activities, as opposed to formal education programs, are broken down as follows:

ACTIVITY TYPE	NUMBER OF ACTIVITY APPLICATIONS RECEIVED	NUMBER OF ACTIVITY APPLICATIONS ACCREDITED
Teaching	189	154
Writing/Editing	22	18
Mentoring/Articling Principal	379	364
Video Replays of Professionalism Programs	51	51
Study Groups	200	191
Other	5	2
Mixed Attendance*	41	41
<b>TOTAL</b>	<b>887</b>	<b>821</b>

\*Mixed attendance refers to instances where a member seeks Professionalism Hours for teaching at and attending the same program.

## Exemptions

Lawyers and paralegals may be eligible for an exemption from the CPD Requirement due to parental leave, illness, or other circumstances coming within the Human Rights Code or due to additional circumstances as the Director of Professional Development and Competence, or a designate, deems appropriate.

Lawyers and paralegals in their first full two years of practice – New Members – who seek an exemption will be granted an extension of time to complete the CPD Requirement on the basis of one month for each month for which the exemption is granted.

Lawyers and paralegals who have been practising or providing legal services for more than two full years will be granted an abridgment of the CPD Requirement on the basis of one hour for each month or partial month for which the exemption is granted.

The chart below shows the breakdown of exemption applications to date.

	Exemption Application Received	Exemption Application Pending	Exemption Granted	Changed Status/ No longer seeking exemption	Denied
Parental Leave	62	18	27	17	0
Illness	5	4	0	0	1
Other	16	1	1	3	11
<b>TOTAL</b>	<b>83</b>	<b>23</b>	<b>28</b>	<b>20</b>	<b>12</b>

The Law Society has been communicating with members and education providers about the CPD Requirement since June 2010 in print and online. The first three months of 2011 provided an opportunity to receive valuable feedback from the membership regarding aspects of the CPD policies that require additional clarification. As a result, a number of



adjustments have been made to Law Society communications about the CPD requirement to increase transparency and accessibility of the information being presented. The enhanced approach has been incorporated into the Law Society's Member Portal to improve the member experience in the CPD Portlet. Highlights of these changes include:

- Strategic placement of key definitions, improved program listing, and enhanced search function in the Law Society Portal
- Expanded definitions of key terms and reorganization of information on CPD Requirement and CPD Accreditation Process web pages
- Updated Accreditation Criteria and Application Forms, including expedited treatment of popular delivery formats such as video replays and archived webcasts

### **CPD Review and Evaluation**

A review and evaluation of all aspects of the new CPD requirement is scheduled to take place in the fall of 2012, 18 months after inception of the requirement and following the completion of approximately six months of CPD audits within the professions.

### **CPD Program Development and Attendance**

In 2011, the Law Society will produce 136 programs, including approximately 40 free of charge programs on the topics of professional responsibility, ethics and/or practice management ("professionalism"). To date, the free professionalism programs have attracted approximately 56% of the total number of registrations received for programs to be held throughout the entire 2011 year.

At the end of March, 2011 total registrations with the Law Society for all programs to be held between January and December of 2011 reached 28,973. This represents a 47% increase in registrations as compared to the total number of registrations received for all programs for the entire 2010 year.

In 2010, total registrations were 19,785. In the first quarter of 2011, total registrations to date are 28,973.

### **First Quarter 2011 Results**

	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011 at March 31st</b>
Total number of CPD programs ( <i>all formats</i> )	71	77	77	69	94	35
Attendance at paid CPD programs ( <i>all formats</i> )	18,340	16,961	18,598	15,382	19,785	9,188
Attendance at free CPD programs ( <i>all formats</i> )						7,168
Average attendance at CPD programs ( <i>all formats</i> )	257	220	242	223	210	467

## Program Formats and Materials

The number of program offerings provided and registrations processed up to and including March 31, 2011, by format, are as follows:

### LIVE (in person) PROGRAMS

	2006	2007	2008	2009	2010	2011 at March 31st
Total Number of programs	53	64	59	56	64	31
Total number of attendees	10,473	8,597	7,378	5,607	6,552	3,661
Average Attendance	198	134	125	100	102	118

### LIVE WEBCAST

	2006	2007	2008	2009	2010	2011 at March 31st
Total Number of programs	37	57	57	57	65	29
Total number of attendees	2,884	3,409	5,883	5,649	7,084	11,770
Average Attendance	78	60	103	99	109	406

### TELESEMINAR

	2006	2007	2008	2009	2010	2011 at March 31st
Teleseminar						
Total Number of programs	11	15	22	15	17	2
Total number of attendees	2,502	3,326	3,498	2,062	4,043	183
Average Attendance	227	222	159	137	238	92

The Law Society continues to provide members with a wide variety of options for attending CPD programs. The majority of programs are available both live and via webcast, while some professionalism programs are offered via teleconference or webcast only. Registrants receive 30-day online access to the video recording following the program. Video and audio recordings of past CPD programs, as well as the materials from past programs may also be purchased.

It is important to note that members are required to view archived or recorded programs with at least one other colleague to fulfill the CPD interactivity requirement and claim the hours.

### **CPD Program Development**

The CPD team continues to work closely with volunteer lawyers and paralegals to develop programs that meet the needs of members in a variety of practice areas and experience levels. Program planning for 2012 began in March 2011. Once again this year, the team will be working with focus groups to review and update the Law Society's competency-based CPD curriculum. For 2012, the Law Society is planning 130 programs, including approximately 40 original and repeat programs on professionalism topics.

### **Study Group Resources**

The CPD team, in conjunction with volunteer lawyers and paralegals, developed a series of Professionalism Case Studies for members to use for study group discussion and analysis of ethical issues. Facilitators' guides for each of the case studies are available upon request. The case studies and a participant's guide became available online in January 2011. Step-by-step guides for organizing study group sessions, including advanced level roundtable discussions, are also available online.

### **Presenter Resource Centre**

The Presenter Resource Centre provides volunteer chairs, presenters and study group facilitators with online access to the information they require to prepare for a CPD program or study group session, including presenter FAQ's, forms, and tips on how to prepare program materials, teach professionalism, and improve public speaking style, among other topics. A reception in honour of the Law Society's volunteer program chairs from January 2010 – June 2011 will be held in Convocation Hall on June 1, 2011.

## **PRACTICE MANAGEMENT**

### **Practice Management Helpline**

The Practice Management Helpline provides licensees with assistance and insight regarding the application of the *Rules of Professional Conduct*, the *Paralegal Rules of Conduct*, Law Society legislation and by-laws. The service is confidential and the Helpline strives to return all calls within 24 hours.

Representatives screen the call, assist the caller to identify the issue(s), refer the caller to existing resources such as articles, professional development programs, the Knowledge Tree, and other resources (including transferring the call to other more appropriate

departments for additional information or recommending alternatives for additional support, such as LAWPRO, Legal Aid, Teranet, etc.) and escalate the call to Counsel, if necessary. Counsel will discuss the ethical issues, applicable legislation, potential options and the advantages and disadvantages of each option with the caller.

From January 1, 2011 to March 31, 2011, the Practice Management Helpline received 1,745 calls in total for an average of 582 calls per month. Of the 1,741 calls that were received, 1,405 (80%) were handled by Representatives (meaning the question could be answered by reference to existing resources) and 340 (20%) by Counsel (meaning an interpretation of the *Rules of Professional Conduct* or a discussion of ethical issues was required). The calls received during the first quarter of 2011 can be broken down by size of practice:

	<b>Lawyers</b>		<b>Paralegals</b>		<b>Total Licensees</b>	
	<b># of calls</b>	<b>% of total</b>	<b># of calls</b>	<b>% of total</b>	<b># of calls</b>	<b>% of total</b>
<b>Sole practitioners</b>	640	45.6	130	52	770	46.6
<b>Small Firms (2 to 5)</b>	300	21.4	53	21.2	353	21.3
<b>Medium Firms (6 to 10)</b>	101	7.2	6	2.4	107	6.5
<b>Large Firms (&gt;10)</b>	153	10.9	5	2.0	158	9.6
<b>Other</b>	210	13.6	56	2.2	266	16.1
<b>Total calls for assistance</b>	1404	100	250	100	1654	100

Calls from lawyers arise most commonly from the real estate, family law and civil litigation practice areas. In the past year, the most frequent calls from lawyers by practice management issue are:

1. Conflicts
2. Member's/Lawyer's Annual Report
3. Confidentiality
4. Trust Accounting
5. Client Identification and Verification
6. Withdrawal From Representation
7. Fraud
8. Client Property
9. Fees
10. File Ownership and Transfer

Calls from paralegals arise most frequently in the areas of Provincial Offences Act, Smalls Claims Court and Statutory Accident Benefits matters. In the past year, the most frequent calls from paralegals by practice management issue are:

1. Paralegal Scope of Practice
2. Conflicts
3. Name of Firm
4. Paralegal's Annual Report
5. Trust Accounting
6. Advertising/Marketing
7. Practice Arrangements
8. Withdrawal from Representation
9. Delegation/Supervision
10. Professional Corporations

### **Practice Management Resources**

By tracking frequently asked questions, the Helpline identifies areas of concern within the lawyer and paralegal professions and responds to those concerns by developing new resources and relevant information pieces through Practice Tips, the e-Bulletin or the Knowledge Tree. Counsel and representatives have direct contact with the members on a daily basis and are in a unique position to assess the Law Society's resources and identify, recommend and create new, valuable and necessary resources. In consultation with practitioners, the Practice Management team is in the process of developing new resources in the form of podcasts on a variety of technology issues and critical practice management topics.

### **Practice Mentoring Initiative**

The Helpline also links lawyers who have specific substantive legal issues to mentors. The licensee must have a unique legal issue and must show that he or she has completed some legal research prior to being matched with a mentor. There are a total of 182 lawyer mentors on the mentor roster as of March 31, 2011.

This year, the Helpline is expanding the Practice Mentoring Initiative to address the needs of paralegals and will be recruiting paralegal licensees to act as mentors.

### **CERTIFIED SPECIALIST PROGRAM**

In order to qualify for the Certified Specialist Program, a lawyer must meet the following criteria:

- practised for a minimum of seven years prior to the date of the application
- substantial involvement in the specialty area during five of the seven years, i.e.,
  - mastery of substantive law, practices and procedures, and
  - concentration of practice in the specialty area;
- complied with the professional development requirements; and
- complied with the professional standards requirements.

The number of certified specialist lawyers in the profession has changed very little in the past 10 years and remains low at approximately 2% of practising lawyers.

	2006	2007	2008	2009	2010	2011
Number of Specialists	719	726	732	720	714	739
Specialists in Toronto Area	408	412	415	408	402	421
Specialists outside Toronto	311	314	317	312	312	318
Number of Specialty Areas	15	15	15	15	15	15

Previously, only Certified Specialists were required to complete 12 additional hours of continuing professional development. As of January, 2011, specialists are subject to the same CPD requirement as all experienced members of the professions.

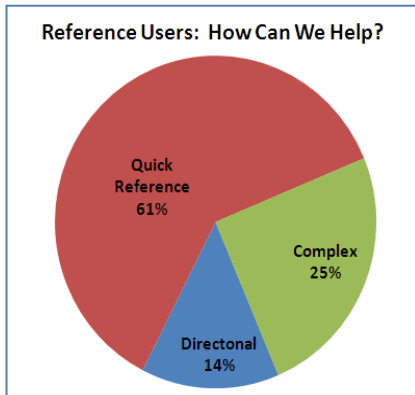
The Certified Specialist Board continues to expend approximately \$40,000 per annum on marketing efforts to bolster awareness within the public and the profession. Current efforts include a Yellow Pages advertising campaign directed at increasing top of mind awareness within the public, and a consideration of a video advertisement on the Law Society's Web site. Operational costs for the Certified Specialist Program have been reduced to their lowest possible levels to ensure quality of service and support without any "extras", and dedicated staffing has been reduced to one full-time staff member.

Areas of Specialization	Number of Specialists
Bankruptcy and Insolvency Law	10
Citizenship and Immigration Law (Immigration/ Refugee Protection)	41
Civil Litigation	296
Construction Law	28
Corporate and Commercial Law	19
Criminal Law	87
Environmental Law	36
Estates and Trusts Law	34
Family Law	65
Health Law	11
Intellectual Property Law (Trademark/Patent/Copyright)	39
Labour Law	26
Municipal Law	27
Real Estate Law	24
Workplace Safety and Insurance Law	12

## LEGAL INFORMATION

### Legal Information Services Provision

Law Society members undertake research using the Great Library's physical and electronic collection in Toronto as well as electronic resources available at their desktops. While the Great Library is the primary legal research resource for paralegals, lawyers also use the Great Library's services through law association libraries.



### The Great Library is a Metropolitan Library

The Law Society's Great Library is both a physical space and a resource whose services and content are available to members anywhere in Ontario. The Great Library's physical location is primarily used by Greater Toronto area lawyers, their articling candidates, and staff. Ninety-one per cent (91%) of reference requests are from Toronto-based Law Society members, and another 7% are from outside the Greater Toronto area but within Ontario. Legal professionals comprise 42% of visitors, articling candidates 49%, and librarians and other staff make up the remaining 9%.

While the Internet has changed how Law Society licensees do research, it has not changed how they seek out research assistance. PD&C provides multiple channels for support, including phone, e-mail, and chat reference. Nearly 80% of Great Library users walk into the physical library and access services and resources themselves. Twelve and one-half per cent (12.5%) of reference questions are answered by phone. E-mail reference has increased, up from 6% to 8% in the last year. Law Society members may also interact with reference librarians using Web-based instant messaging.

A significant majority of reference questions involve directional reference ("where can I find") and quick reference questions. The Great Library's reference librarians are experiencing a trend common across the legal information world, which is that the number of reference questions is falling but the number of complex questions remains constant.

### Space and Cost Savings

The Great Library is making physical and collection assessments to improve service delivery. Some initiatives being implemented or planned for 2011-2012 include:

- Increased staff availability in the Main Reading Room by shifting staff from other locations in the library, in order to ensure there is always a staff person available to assist Law Society members as soon as they enter the library.
- Continue to balance print and electronic subscriptions, making cancellations to the print collection where it is possible to provide access to the information more affordably and effectively using electronic services. Some examples include:
  - In 2008, the cancellation of a substantial number of print law reviews and journals because of their availability in an online database, HeinOnline. This

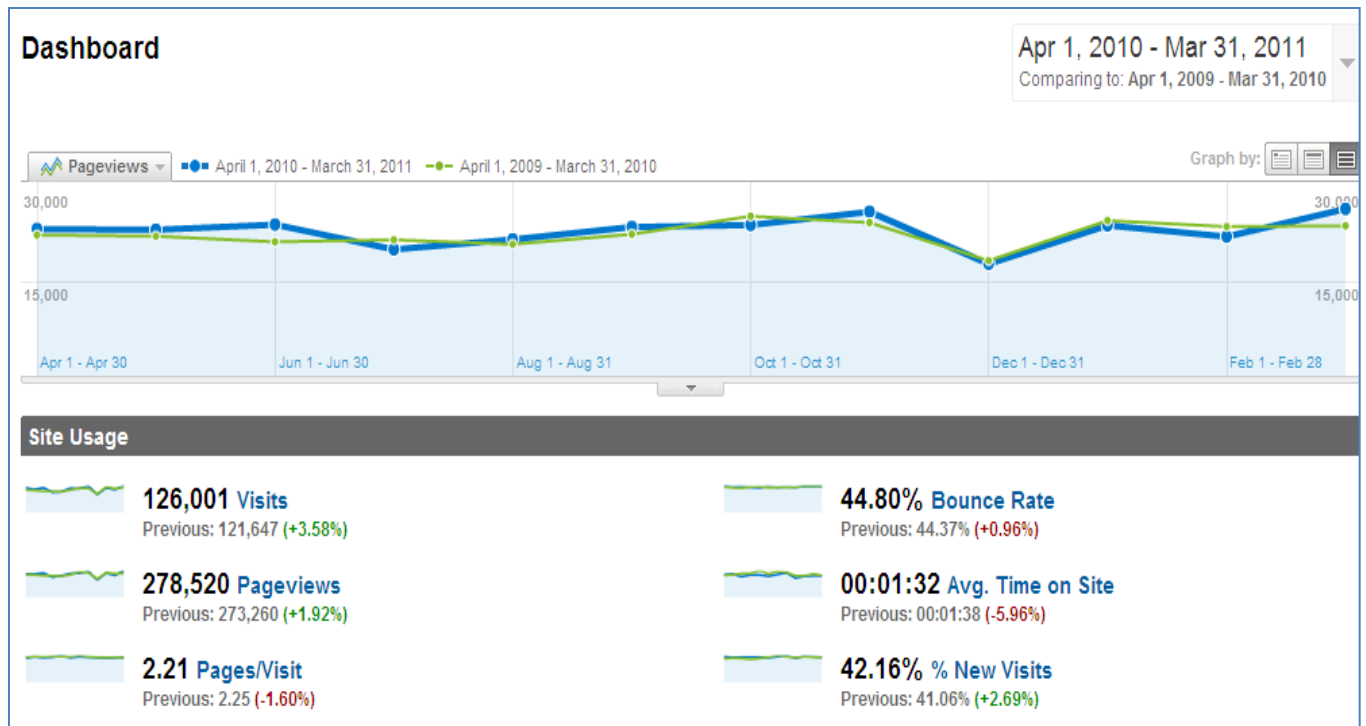
cancellation enabled the Great Library to forego spending \$65,000 on compact shelving that had been budgeted as a solution to space constraints. The HeinOnline subscription provides access to an increased number of law and practice journals than was previously available in the print collection.

- In 2010, cancellation of the U.S., U.K., and other non-Canadian print loose-leaf and LexisNexis Canada. This creates a net savings in print expenditures of over \$90,000 and also frees up staff time for more service-oriented activities.
- The Great Library will shift the law reports out of the Main Reading Room, where they are rarely used, and replace them with the secondary materials (texts, treatises, journals, form books) that are currently on the library's lower floor. This will improve the customer experience by making the most sought after material the most accessible, and within easy reach of professional staff and photocopyers.

### Continued Importance of Web site

Visitors to the Great Library's section of the Law Society's Web site continue to look for practical information and appear to be finding what they are looking for more often. The Great Library's website bounce rate, which measures how many visitors looked in at a page and then immediately left, has dropped from 51% in 2009 to roughly 45%.

Great Library Web site traffic has leveled off after significant growth through 2010. An average of 10,500 visitors arrived on the site each of the last 12 months, an increase of nearly 4% over the previous 12 months. Over 40% of visitors know the Web site address and come directly to it. Over 30% arrive after using a search engine that links to the site's pages.





One of the notable resources developed by PD&C librarians are the video tutorials and online research guides covering current topics. They are available 24 hours a day, providing an opportunity for members to get help and improve their research.

The Legal Information team also provides the Advocat online library catalog and the digital library known as AccessCLE, that provides pay-per-view access to Law Society continuing legal education articles. The catalog was searched nearly 173,000 times in 2010, the 10th most viewed resource at the Law Society. AccessCLE was the 16<sup>th</sup> most viewed, with over 93,000 views.

### **More Comprehensive Research**

PD&C has broadened the spectrum of resources available to Law Society members directly from their desktop. CanLII is the cornerstone of an increasing number of information tools available to members wherever they practice.

#### **CanLII**

The economic realities of modern legal research mean that it is not possible to provide every licensee with desktop access to databases like LexisNexis Canada or Westlaw Canada. Instead, it is important to create a broad baseline of online resources that every licensee can utilize. CanLII is the foundation of this online collection, providing high quality case law and legislative content and basic note-up support.

#### **HeinOnline**

The Great Library has complemented CanLII's information with a province-wide subscription to HeinOnline. This provides every Law Society licensee – lawyers and paralegals – with access to hundreds of Canadian, U.S., and foreign law journals, historic U.S. primary law, and treaties and complements the extensive collection of Canadian case law available on CanLII.

Law Society licensees can access this from anywhere with an Internet connection. This type of information would normally be unavailable in a solo or small firm environment, but is heavily used by government and large law firm researchers. The Law Society license enables all members to save by avoiding their own license fee. Lawyer and paralegal interest in HeinOnline has grown, bolstered by mentions in the e-Bulletin. While there were 268 requests for user accounts in all of 2010, there have already been 231 requests in the first three months of 2011 alone.

#### **InfoLocate**

The difficulty with proliferating resources is that each resource – CanLII, HeinOnline, the library catalogue – has to be searched or used individually. PD&C has implemented a new search overlay that will start to pull information from various resources into a single view.

The new resource is called InfoLocate (<http://www.infolocate.ca>) and the first phase ties together Great Library databases and Web content. PD&C will start indexing Law Society Web content in 2011 and subsequently adding commercial and government Web sites, including HeinOnline, CanLII, government Websites (including the Ontario Legislative Library's bill database), and other law-related blogs and information sites. These will be selected for inclusion to ensure that results are of the greatest relevance to practitioners.

The screenshot shows the InfoLocate Great Library search interface. At the top left is the logo for The Law Society of Upper Canada and Barreau du Haut-Canada. The search bar contains the text "limitations act" and a "GO" button. Below the search bar are filters for "All items", "anywhere in the record", and "All Libraries". The results section is titled "Results for All Libraries" and shows 230 results sorted by relevance. Three results are visible:

- 1** **Book**: [Recommendations for a new Limitations Act : report / of the Limitations Act Consultation Group.](#) (View details)  
Ontario. **Limitations Act** Consultation Group.  
Toronto, Ont. : **Limitations Act** Consultation Group, 1991  
Available at **Great Library--See Reference Staff (Closed Stacks) (KF 450 .L55 O585 1991 ) (Holdings)**  
 Add to e-Shelf \_\_\_\_\_ and other locations \_\_\_\_\_
- 2** **website**: [Legal Research Guides.](#) (View details)  
Law Society of Upper Canada. Great Library  
 Add to e-Shelf \_\_\_\_\_ **Online access (Holdings)**
- 3** **Book**: [The 4th annual Advocacy Conference.](#) (View details)  
Hamilton Advocates' Conference (4th : 2004 : Hamilton, Ont.). Stark, Michelle.; Sullivan, Joseph.; Mew, Graeme, 1959-.  
Hamilton, Ont. : Hamilton Law Association 2004

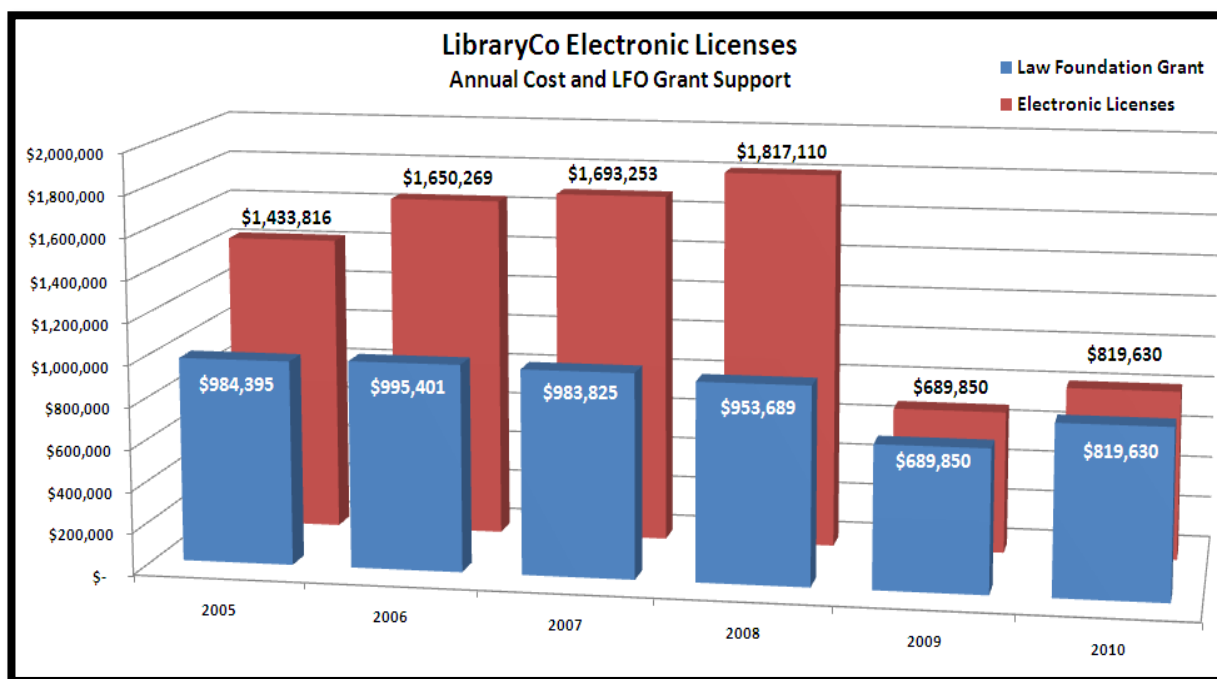
On the right side, there is a "Refine My Results" section with options to narrow results by "Online Availability" (Online resources (8), Online Law Society CLE articles (60)), "Resource Type" (Books (151), Serials (9), Loose-leaves (8), Web Sites (3)), and "Subject" (Limitation of actions (82), Constitutional law (71)).

Search results can be narrowed in ways that are familiar to anyone who has purchased online. Researchers can select search categories to narrow the results. The Great Library is enhancing the results with additional links. If a member returns results for a book or resource in the Great Library's catalogue – which includes all law association library collections as well – that member may see links to a free online version of the resource, or links to Amazon or other sources where a copy may be purchased. The Great Library understands that it may be more efficient for Law Society members to get the resource immediately rather than having to work with library staff to access it.

## 2011 Legal Information Enhancements

The Great Library is working with Membership Services to develop information resources accounts for all Law Society members. This will create a number of new opportunities. Lawyers and paralegals using InfoLocate will be able to save their searches and be automatically notified if new search results are available that are relevant to their search queries. It will also enable more collaboration with the law association libraries in enhancing document delivery and book circulation.

## Service Provision for LibraryCo



The Legal Information unit of PD&C serves a dual role with its law association colleagues across the province. It is both a provider of information – document delivery, reference support – and also a provider of operational support. These roles are fulfilled in a variety of ways:

- The Great Library team negotiates electronic licenses for LibraryCo as well as providing expertise in library collection and research trends. This led to a decision by the LibraryCo Board of Directors to turn to competitive bids for electronic products for their 2009 contracts. This enabled the Board to eliminate over \$1 million in license costs and reduce its grant request to the Law Foundation of Ontario.
- PD&C realizes the value of having data to support decision-making. As a result, the department moved the LibraryCo Toolkit website onto Law Society servers to provide greater control and the ability to measure usage. Statistics are available measuring where the remote access service is used most heavily, by county or district or individual lawyer, and to understand when it is being used.
  - For example, PD&C reported to the LibraryCo Board that only 22 lawyers accounted for 30% of all Toolkit access in 2010. Only 634 lawyers, up from 629 in 2009, accessed the Toolkit even once. That represents roughly 36% of the 1,739 accounts that have been created for Toolkit-eligible lawyers.
  - Use of Canada Law Book's Criminal Spectrum product continues to drop. Since tracking of access to Criminal Spectrum began in February 2009, there has been more than a 14% decrease in Toolkit users accessing this online product. Criminal Spectrum represents roughly 20% of LibraryCo's annual electronic subscription expenditures.

- The Great Library provides direct support to the 48 law association libraries across the province, enabling lawyers to get additional help and materials. Many requests are for assistance in areas where the law association library may have fewer resources, such as U.S. and U.K. law. In 2010, the Great Library handled 216 reference inquiries, filled 211 document delivery requests, and loaned 119 book books to lawyers through their law association library staff.
- The Great Library team includes a roving law librarian who is available to law association staff and executives as a resource. The roving law librarian coordinates regular conference calls that highlight best practices among the law associations, and the discussions are led by the law associations whose ideas are being discussed. As the roving law librarian travels around the province, she is able to see trends and issues and share information broadly among both law association and Law Society staff.

## **WEB CONTENT MANAGEMENT**

The Law Society implemented a new Web content management system in 2010. Early in 2011, a new Web content management team was also created to focus on the Law Society's content strategy. This team operates within PD&C's Legal Information group.

This new team will focus on developing a unified vision and set of resources for managing and delivering the Law Society's Web content. The organization's new content management software enables staff from across the Law Society to create their own content for the Law Society's Web site. The Web content management team develops the workflow so that new content gets to the Web site as efficiently as possible with necessary internal approvals. The team works with content owners in other Law Society departments, including Communications, Policy, and PD&C, to empower the staff to take greater control of their own content.

In 2011, the team will work on a number of additional steps in the organization's content management project:

- Improving the Law Society's Web site search;
- Transferring PD&C content and other sites, like BencherNet and Justicia, into the content management software so that staff responsible for those areas can manage their own Web pages without the potential delay of routing through other technical or communications departments;
- Working with Communications and other staff departments to improve the Web site's navigation and to make information easier to find.

## **QUALITY ASSURANCE: SPOT AUDIT, PRACTICE MANAGEMENT REVIEW AND PRACTICE AUDIT PROGRAMS**

The audit and review programs of the Law Society are an integral part of the Law Society's quality assurance activities in the public interest. These programs have also received extremely positive feedback from lawyers and paralegals. The programs are making a measurable impact on law practices and legal services practices – with sole and small firm sustainability significantly improved for those firms that receive an audit.

### **Spot Audit Program: Lawyers**

Spot Audit is a proactive, quality assurance program that assesses a firm's compliance with financial record keeping requirements. The goal of the Spot Audit program is to audit every law firm in the province once every five years. In 2010 over 1,700 audits were conducted.

The majority of these audit engagements found that the firm had either minor/no books and records' deficiencies (47%) or deficiencies that were readily remediated to the Law Society's satisfaction (40%). Lawyers selected for an audit continue to report extremely high approval ratings for both the auditors (99%) and the overall experience (94%). Some of the more significant books and records deficiencies are as follows:

<b>Books and Records Issues</b>	<b>% Failed to Meet LSUC Requirements</b>
Completeness of Books and Records information	79%
Completeness of client ID information	43%
Inactive accounts managed	36%
Cash receipts always recorded	33%
Currency of records	26%

### **Practice Management Review Program: Lawyers**

Practice management reviews ensure that practitioners meet competency standards and identify areas for improvement in managing the lawyer's practice. Reviewers provide practical suggestions on how to maintain practice at optimal levels, leading to greater efficiencies, high quality service and greater lawyer and client satisfaction.

The Practice Management Review unit conducts 400 random reviews on individual lawyers and up to an additional 100 focused and re-entry to practice reviews per year.

In 2010, there were 457 practice management reviews conducted (368 initial reviews plus 89 revisits). Approximately 24% of initial attendances found that lawyers were not meeting standards of professional competence. A revisit is required to assess the implementation of recommendations made in the initial reviewer's report.

Over 95% of lawyers selected for a practice management review responded that they found the process to be constructive and value added to managing their practice.

## Common Practice Deficiencies: Lawyers

The majority of law firms in Ontario are either soles or small size firms (2 to 5 lawyers), making up approximately 95% of all law firms in the province. The following charts provide information on the breakdown of deficiencies found in practice reviews of sole and small firm lawyers. The specifics of each deficiency, the recommendations to remediate and reference to resources will be made in the Reviewer's report to the lawyer for response.

General Observations on Law Firm	% Failed to Meet Minimum Standards
Power of Attorney to another lawyer	80%
Written office manual	59%
Written business arrangements	46%
Arrangements with other lawyer	34%
Data security	25%

Client Service and Communication	% Failed to Meet Minimum Standards
Written retainer agreements	42%
Sufficiency of written retainers	34%
Phantom Clients	32%
Conflicts Management	32%

File Management	% Failed to Meet Minimum Standards
Time docketing	47%
Limitation periods and other key dates	30%
Key information in files	26%
Adequate documentation in file	19%
File management system	17%

Financial Management	% Failed to Meet Minimum Standards
Duplicate cash receipts	36%
Books and records are current	25%
Manage financial health of the firm	24%

## Risk Management and Assuring Quality

From a risk perspective, PD&C generally finds the following common practice management issues associated with lawyer practices.

### **Most Common Issues Creating Public Risk**

- Failure to recognize the need for, identify the components of, and implement a comprehensive conflict checking procedure
- Failure to recognize and deal appropriately with common situations in practice that may give rise to conflict situations
- Failure to recognize and deal appropriately with joint retainer situations
- Inadequate bring-forward system
- Inadequate reminder/tickler system
- Failure to advise clients of risks of electronic communications

### **Issues Creating Risks for the Lawyer**

- Contingency planning and having a Power of Attorney to another lawyer
- Lack of written retainer agreement or written confirmation of retainer
- Failure to confirm client instructions in writing
- Failure to maintain dockets (especially lawyers with Legal Aid practices)
- Failure to properly document discussions and meetings
- Failure to document and record dealings with prospective clients
- Failure to organize files and file contents
- Development of office policies
- Backing-up and securing of electronic data

### **Spot Audit and Practice Management Review Revisits: Lawyers**

A revisit by an Auditor or Reviewer is required any time the lawyer (review) or law firm (spot audit) fails to meet minimal expectations of competence and the issues are significant enough (contrary to the public interest, could result in direct harm to clients) to warrant another visit to assure improvements have been made in the public interest.

Of those lawyers who underwent a revisit for a review, the vast majority (87%) were found to have implemented the recommendations from their initial practice management review report and were now meeting minimum competence standards.

<b>Spot Audits</b>		
Sole and small firms audited (2007 – 2010)	4,023	
Return visit required	301	7.5%
<b>Practice Management Reviews</b>		
Sole and small firm lawyers reviewed (2007- 2010)	768	
Return visit required	214	27.8%

## Paralegal Practice Audits: Paralegals

In November 2008, Convocation implemented an audit program for paralegals, approving 75 practice audits per year on paralegal practices. As a result of the high percentage rate of revisits for paralegal practice audits, in 2009 Convocation increased the total number of audits to 125 per year, including at least 75 original visits and up to 50 additional revisits. This ensures that an appropriate number of new paralegal practices are audited annually.

Practice audits mirror the format of practice management reviews for lawyers, with the goal of providing targeted advice to achieve effective and efficient practices. In 2010, there were 89 practice audits of paralegal practices conducted (66 initial audits plus 23 revisits). The program has been well received by paralegals, with 97% of those who underwent a practice audit finding it to be constructive and value added.

Since the inception of the Practice Audit Program in late 2008 to December 31, 2010, 51% of initial attendances found that paralegals were not meeting standards of professional competence and a revisit would be required to assess the extent of remediation.

Practice Audits		
Number of paralegals reviewed (Nov 2008 –2010)	135	
Return visit required	69	51%

The top ten practice management deficiencies found in conducting a practice audit of paralegal practices are:

Paralegal Practices – Areas of Review	% Failed to Meet Minimum Standards
Power of Attorney to another legal services provider	86%
Written business arrangements	71%
Phantom Clients	70%
Written office manual	69%
Time docketing	67%
Conflicts management	60%
Duplicate cash receipts	58%
Books and records comply with By-Law #9	49%
Data security	48%
Arrangements with another paralegal	47%

The type of practice management deficiencies found in paralegal practices is similar to those found in practice reviews of lawyers. The major difference is in the extent of failure in each of the categories where paralegal practices have failed to meet minimum competence standards.



For both sole and small firm lawyers and for paralegals, the failure to grant a Power of Attorney to another colleague ranks as the top practice management deficiency that poses a risk to protecting clients' interests and practice operations.

This business continuity issue poses a risk for clients, a risk for individual lawyers and in particular sole practitioners. It also poses a risk for the legal professions and the Law Society's members who may inevitably take responsibility, through the payment of member fees, for addressing a practitioner's failure to plan for potential personal or practice crisis.

### **Spot Audit and Practice Review Educational Initiatives**

General information and trends on areas of deficiency encountered in reviews of lawyer and paralegal practices is exchanged with other areas of PD&C for the purpose of developing resources and tools that will assist practitioners to avoid these problems. Reviewers have presented to local law associations and written articles on key practice management deficiencies, the steps to remediate and a list of applicable resources.

PD&C has developed CPD seminars to be presented by the Practice Audit group's experienced Reviewers in the counties. Three seminars have been conducted to date, and one is scheduled for paralegals on May 6, 2011. The sessions have all been very well attended and have received high satisfaction ratings. The most recent session was held in London on March 4, 2011 and had over 100 members in attendance.

Plans are also underway for the June 2011 *Sole and Small Firm Conference and Expo* to include a session on legal practice contingency planning and Powers of Attorney. This session will be chaired by a Reviewer and panelists will address the deficiencies found in practice reviews concerning contingency planning and Powers of Attorney, the associated risks, the minimum competence standards, various approaches to ensure compliance with standards and a list of resources.

On the financial side of effective practice and the development of supports and resources for members, the Spot Audit team has been actively involved with practice resource developers in PD&C on a number of educational initiatives ranging from developing CPD courses and materials to presenting at CPD sessions on a variety of financial books and records topics.