



VOLUME 44, ISSUE 2

## PARALEGAL PRESS

SUMMER/FALL 2013

### PRESIDENT'S MESSAGE

# Change is Constant!

I am delighted to offer my first "President's Message" to Paralegal Press! I thank you for your support as I embark on this exciting role.

In my short time as President of the BCPA, I have already had the privilege of representing the Association at a number of events: the Okanagan Members' Event in April, the spring Members' Event in May, and the Benchers' Meeting in May. I appreciated the opportunity to connect with everyone, and found it especially valuable for our members and the Benchers to put faces to names.

At the Annual General Meeting in April, longtime BCPA Directors Janet Crnkovic, Lisa Evenson, and Samantha Kuypers stepped down, as did Denene Johnston. On behalf of the Board and the Association, I extend our gratitude for the tremendous contributions they have made in promoting our profession and bringing the Association to where it is today.

While sad to see our Directors go, I feel very enthusiastic about working with our new Board. Please join me in welcoming Debra Whelan and Dominique Marcotte to the executive group and get to know them by reading "10 Questions" in this issue. I look forward to working with everyone to continue to bring dynamic social events and learning opportunities to you, while we work to help elevate our profession and the Association.

With the exciting changes happening to our profession, in particular with the "Designated Paralegal" designation,



Access to Justice, and our current relationships with The Law Society of British Columbia and CLEBC, I believe the BCPA can only grow and become the ultimate professional association for all paralegals across British Columbia. The Board worked hard to create and develop these relationships and I will continue these efforts with our Directors to maintain and strengthen them.

Throughout my term, I will work to realize what I hope is our shared vision: Ensure growth of the Association, make sure that it becomes recognized across the province as the leading professional association for paralegals, and to create a contingency plan to help ensure consistency for current and future board members.

The Board has already started working on a new initiative for our voting members. We will share details regarding this new initiative with you soon.

I hope you enjoy this issue of the Paralegal Press! In particular, take note of "Interview Tips" from our valued repeat sponsor ZSA, penned by Elizabeth Borrill. And if you're considering 'upping your game', don't miss Julie Fredette's experiences as a "Designated Paralegal".

Enjoy the rest of your summer!

Best regards,  
Yves Moisan, BCPA President

# Word on the Street



We are recognized leaders in the provision of permanent support recruitment and temporary staffing services and we have the track record to prove it.

- Paralegals
- Legal Assistants
- Law Firm Managers

- Corporate Secretaries
- Temporary Support Staff
- Contract Managers

## What People Are Saying

JoAnne assisted me in obtaining a position as the Assistant to the VP of Legal and Corporate Secretary for [a mining industry company in Vancouver]. I was referred to ZSA through a friend of mine who used ZSA (JoAnne Peppiatt) as her recruiter and also had good results. Firstly, I found JoAnne to be very professional. I liked that JoAnne contacted me with job opportunities that were very specific to my working background. It has been a long time since I've been in the job market and JoAnne had very good and useful information with respect to the interviewing process that I believe actually helped me to secure the job. JoAnne has such a nice and calm personality that put me at ease during a very stressful time. I actually signed up with a couple of other recruiters but nothing materialized through them. ZSA (JoAnne) was excellent compared to the other recruiters that I've used. I would use the services again and I will definitely refer ZSA and JoAnne to others.

H.B.  
Candidate



**JoAnne Peppiatt**  
Managing Consultant  
[jpeppiatt@zsa.ca](mailto:jpeppiatt@zsa.ca)  
604-681-0706



**Elizabeth Borrill**  
Senior Consultant  
[eborrill@zsa.ca](mailto:eborrill@zsa.ca)  
604-681-0706

I was hired as a Legal Administrative Assistant - Securities and Corporate Law. I had decided to start looking for a position to see what other opportunities were out there. Elizabeth was the first person I contacted and the first step I took. I would rate my experience with Elizabeth as top notch. Over the years, I have met with several recruiters from various agencies and no one by far has compared to Elizabeth. Elizabeth is the only person that took the time to get to know me and truly cared about placing me with a company that was the right fit. She actually cold called the firm because she had them in mind for me as she felt we would be a good fit - and she was right. I have met with other recruitment agencies and none of them come close to the type of service I received from ZSA. I would definitely use ZSA again!

A.L.  
Candidate

**zsa.ca** ↗

CANADA'S LEGAL RECRUITMENT FIRM™  
FOUNDER: CANADIAN GENERAL COUNSEL AWARDS



# CONTENTS



## PARALEGAL PRESS

VOLUME 44, ISSUE 2 | SUMMER/FALL 2013

## FEATURES

- 01** President's Message  
Yves Moisan
- 05** CapU Update: Paralegal Program  
Michael Begg & William Enwright, Capilano University
- 06** Limitation Act Changes  
Laurely Dale, Dye & Durham
- 08** 10 Questions With...  
An Interview with Dominique Marcotte
- 09** Your Money • Summertime Coverage  
Derek Fulton, Qtrade Asset Management
- 10** E-Discovery Costs  
Charles Lavalée, Lateral Data
- 12** 10 Questions With...  
An Interview with Debra Whelan
- 13** Immigration Law  
Sara Adel, Maynard Kischer Stojicevic
- 14** My Life as a Designated Paralegal  
Julie Fredette, RDM Lawyers
- 15** CLEBC: News & Announcements
- 16** Interview Tips  
Elizabeth Borrill, ZSA
- 17** Lifestyle | Food • Be My Guest  
Sean Manson, Italian Kitchen & IK2Go
- 18** Roadmap to Medical Experts  
Dr. Avi Orner, CIRA Medical
- 20** Legal Writing  
Shawn Erker, Stikeman Elliott LLP
- 22** Events: BCPA's Annual Spring Event & Okanagan Members' Event  
Veronica MacInnis, BCPA
- 24** Conference highlights Global Nature of Issues facing Legal Profession  
Art Vertlieb, The Law Society

## BC PARALEGAL ASSOCIATION

### **Yves Moisan**

President

yves@bcparalegalassociation.com

### **Carmen Marolla**

Vice President, Legal Services Provider Task Force

Representative & Sponsorship

carmen@bcparalegalassociation.com

### **MaryAnn Reinhart**

Secretary

maryann@bcparalegalassociation.com

### **Rose P. Singh**

Vice President, Events & Victoria Representative

rose@bcparalegalassociation.com

### **Debra Whelan**

Director, Lunch & Learns

debra@bcparalegalassociation.com

### **Tanya Groutage**

Director, Career Development & Okanagan

Representative

tanya@bcparalegalassociation.com

### **Veronica MacInnis**

Director, Newsletter

veronica@bcparalegalassociation.com

### **Karen MacMillan**

Director, Membership

karen@bcparalegalassociation.com

### **Dominique Marcotte**

Director

dominique@bcparalegalassociation.com

---

The Paralegal Press is published by the BC Paralegal Association  
PO Box 75561, RPO Edgemont Village, North Vancouver, V7R 1N8

Newsletter Chair: Veronica MacInnis

Newsletter Committee: Yves Moisan, Jane Kennedy

Editor: Stephanie Marsh, Pier Blue Communications Consulting  
Designer: Emma Berg, Creative Services

The Paralegal Press is published three times yearly. Articles up to 1,500 words will be considered but not guaranteed for publication. Articles may be edited for formatting, legal and other purposes. The views expressed in the articles of the Paralegal Press are not necessarily the views of the BCPA or the Newsletter Committee. For reprint permission, to request back copies or for advertisement opportunities please contact the Newsletter Chair at veronica@bcparalegalassociation.com.



Vancouver Litigation Support Services Ltd. (VLSS) is a boutique firm specializing in comprehensive medical document analysis, transcription services, and support in the use of medical-legal documentation by professionals in the insurance, legal and medical industries.

Medical documents can be obscure, complicated, and often serve their own administrative purpose - the primary objective of VLSS is to bridge the medical-legal information gap, clarifying and building understanding of medical issues within a legal framework. The intersection of medicine and the law culminates in a variety of personal injury, casualty, disability, accident benefits and medical negligence cases - sometimes it takes a trained Ei to tease out the real story these documents tell, and this is where our expertise comes in. We know what documents to expect, how to decode abbreviations and medical jargon, and how to interpret the nuances of a medical history; turning an inscrutable mountain of documents into a **clear, concise** report and making sure nothing is lost in translation.

Our broad medical and legal knowledge allows VLSS to quickly identify pertinent issues and critical event timelines in even the most complex cases.

BRIDGING THE MEDICAL-LEGAL INFORMATION GAP — SOMETIMES IT TAKES A TRAINED Ei.

## Vancouver Litigation Support Services Ltd.

777 Hornby Street, Suite 1030, Vancouver BC V6Z 1S4 | T (604) 662 3034 | F (604) 662 3332

E [info@vanlit.ca](mailto:info@vanlit.ca) | W [www.vanlit.ca](http://www.vanlit.ca)



Firms can rely on ARC Document Solutions with the same confidence and security as they have become accustomed to in providing the highest level of legal print services in the industry. ARC is a true one-stop source for your legal document service needs from start to finish.



- Digital Printing and Copying
- Document Scanning
- Digital Conversion
- Page Numbering / Stamping
- Legal and Trial Graphics
- Marketing Materials
- B&W and Colour, standard and oversize document reproduction

Proud  
supporters  
of



Peter Coles | [peter.coles@e-arc.com](mailto:peter.coles@e-arc.com) | mobile 604 512.5520

### ARC Western Canada

Metro Vancouver | Vancouver Island | Calgary | 240+ ARC locations worldwide | [www.e-arc.com](http://www.e-arc.com)



## CapU Update: Paralegal Program

In June, both faculty and students of the paralegal program received well-deserved recognition. Faculty member Deb Jamison won Capilano University's "Excellence in Empowering Learning" award; an award that is given to only two or three instructors at the University each year. At convocation, new graduate Stacie Gin was the valedictorian for all Faculty of Business & Professional Studies graduates. Stacie's speech impressed all attendees, making not only the 36 paralegal graduates proud, but our entire CapU community.

June also marked the completion of the first run of two new courses. William Enwright taught Advocacy in the evenings, having students "stand and deliver" every aspect of litigation, from chambers matters to a full mock trial. Enwright, with Moira Wong, a full-time instructor in the Legal Studies program, also co-created an online course, Arts & Entertainment Law. Like Advocacy, the course emphasized law in practice, using a real software business based in Seattle, as a course-long case study.

Other new online and evening offerings also emphasize practical application. The redoubtable Nigel Kent, Partner at Clark Wilson, teaches Legal Ethics, drawing teaching scenarios from his years of practice. In recognition of the family-law pilot project, we have started incorporating more courtroom skills into existing courses, such as Monika Follett's Family Law.

New courses in the coming year include Modern Themes in the Law, Elder Law, and Sports Law. We will have two new instructors as well: Chris Hardcastle will teach Sports Law, and Britta Jensen will teach Legal Analysis. Chris and Britta bring a bounty of expertise in business law to the faculty, as does Kenn Lui, who joined us in January, teaching corporate law and procedures, legal drafting, and estates and succession.

In addition to new courses, our instructors are working on writing projects. Jason Leslie is taking a year's leave to work on a Master of Laws at UBC. Meanwhile, John Fairlie is in the final editing of the new textbook he is co-writing: *Introduction to Canadian Law*.

The department has done some (re)writing of its own: Our website is now refurbished, with more information, a new layout, and a video that explains our programs and promotes the work paralegals do. Please take a look: <http://www.capilanou.ca/paralegal/>.

You, the members of the BCPA, are the best promoters of what paralegals can do! We feel thrilled by the increasing profile of paralegals in the province, and applaud the role of the BCPA in making the family-law pilot project happen. We look forward to helping you make the pilot a success, and enlarge the role of paralegals in a wide range of arenas, from the boardroom to the courtroom. If you have ideas to share about how Capilano can help you or continue to strengthen its ties with law firms, please contact any faculty member at the University.



Michael is an Instructor at CapU's School of Legal Studies. Michael completed his LL.M. in 2007 and is now writing his Ph.D. dissertation. Before joining Capilano University, Michael taught at UBC Law school and Vancouver Community College.



Since 1997, William has worked extensively on the development of Paralegal Distance Education courses for Capilano University. He also gives seminars to lawyers and adjudicators on legal writing, business law and aboriginal law. In 2009 and 2010, William was a Visiting Professor at Kushiro Public University of Economics in Japan.



**BCPA  
SCHOLARS**

Join the Board in congratulating current BCPA members who have become recent scholars!

**Candy Tsang**, VCC Paralegal Program student and BC Paralegal Association student member is the 2013 recipient of the BCPA scholarship.

**Cristie Coryo and Caitlin Hansum**, Capilano University Paralegal Degree students and BC Paralegal Association student members both won the Fall 2012 BC Paralegal Association Endowment Bursary.

**Susan Holm** is the Spring 2013 recipient of the BCPA Annual Scholarship.



# Limitation Act Changes

BY LAURELLY DALE,  
Dye & Durham

In writing this article, I am not oblivious to the fact that the limitation on submitting a piece relating to the preparation for the effective date of the New Limitation Act, SBC 2012, c.13 (formerly Bill 34 and hereinafter: "New Act") has expired. If your clients are prudent, organized and typically call you from the scene of an accident or hospital on the date a cause of action was discovered, then I suggest you brush up on the New Act at once. The nature of litigation dictates that most pleadings are drafted a few months or even years after the date of discovery. I harp on the adjective "discovered" as this is the new Basic limitation trigger date ("Basic"). Part 2, Section 6(1) provides a two-year limitation period after the day on which the claim is discovered, not the date upon which an action could be commenced. Eliminating the previous "2, 6, and 10 year" limitations, debt collection, breach of contract, professional negligence and medical malpractice, to name a few, are now included in this two-year limitation period.

**Exceptions include:**

1) Section 7, enforcement of a judgement, permitting 10 years to act (if this exception applies to one of your files,

*...Most claims you receive have arisen prior to the effective date of the New Act. Transitional issues are of paramount importance. The types of limitations and discoverability will determine which Act is applicable.*

reference should also be made to the relatively recent SCC case Yugraneft Corp. V. Rexx Management Corp. [2010] 1 S.C.R. 649);

2) Section 22(2) contribution and indemnity claims that commence the date one is served with pleadings or 'reasonably ought to have known that a claim for contributions could be made'; and

3) Part 3 Section 21, revision of the Ultimate Limitation Periods (hereinafter: "ULP"), cutting them from 30 years to 15 and amending the test to when the cause of action or omission arose (not discoverability).

Calls for reform to the Former Limitation Act [RSBC 1996] Chapter 266 (hereinafter: "Former Act") arose from the Uniform Law Conference of Canada Model Limitations Act (2005). Other jurisdictions, notably: Alberta (2000); Ontario (2002); Saskatchewan (2004); and New Brunswick (2009) have adopted similar models.

Unlike preparing one's office for the transition into the "New" British Columbia ("BC") Supreme Court Civil Rules, BC. Reg. 168/2009 or more recently, the Family Law Act, SBC 2011, c.25, the New Act will be primarily utilized over the next two years as a reference in applying the transition provisions found at Section 30. I admit that the transition rules began clicking after reading numerous academic publications and charts. I learn by doing. I am also a math nerd. Subsequent to marking up my office desk calendar with various transition scenarios, I can now state with confidence



**Arch Title**<sup>TM</sup>  
title insurance—pure and simple  
no, seriously ...

1.855.777.2429 [www.archtitle.ca](http://www.archtitle.ca)

## CONTINUED, FROM PAGE 6: Limitation Act Changes

that I understand the transition rules after trying out a few handcrafted scenarios. At this time, most claims you receive have arisen prior to the effective date of the New Act. Transitional issues are of paramount importance. The types of limitations and discoverability will determine which Act is applicable. The above summary description of Basic and ULP's should be referenced. Below are some brief examples:

### 1) Medical Malpractice

If your client was treated by Dr. Conrad Murray May 31, 2007, allegedly causing irreparable harm (accrual date) due to negligence, the Former Act would apply, meaning that the claim would expire May 31, 2013, six years after the act or omission that gave rise to the claim or accrual date. However, under Section 30 of the New Act, if your client was treated negligently by Dr. Conrad Murray June 1, 2010, causing irreparable harm, but it was not discovered until June 1, 2013, the Former and New Acts would apply simultaneously. The new Basic two-year limitation period would apply with a limitation date of June 1, 2015; however, with respect to the ULP, the Former Act would apply as it runs from when the cause of action arose, on June 1, 2010, maximum exposure to liability being five years. The transition rules apply to pre-existing claims where the former six-year medical ULP has not expired, the act or omission occurred prior to June 1, 2013 and it was not discovered until, on, or after June 1, 2013.

### 2) Personal Injury

As is the case under the Former Act, the majority of personal injury claims will be subject to the Basic two-year limitation. The only impact from the New Act will be discoverability and the ULP. Example: Your client is allegedly injured by a Miss L. Lohan in a motor vehicle accident on or about June 15, 2013; the basic limitation to sue Ms. Lohan would be June 15, 2015.

The New Act cannot be used to revive dead claims under the Former Act. If an act or omission occurred prior to the

effective date, no court proceeding has been commenced, and the limitation period under the Former Act has expired, it is barred. However, similar to the Former Act, the New Act is silent on the issue of extending limitation periods.

Discoverability, found at Division 2 Section 8 of the New Act, will be the contentious issues in the majority of limitation litigation. The new discoverability provisions are mirrored almost word-for-word from the legislation in Ontario and Saskatchewan. Westlaw Canadian Encyclopaedic Digest Limitation of Actions IV is a starting point in conducting this research.

Unlike the Former Act, the running of time is postponed for both the Basic and ULP if one or more of the following is found: Under the age of 19; person while under disability (and/or falls and continues); and fraud and wilful concealment of facts. The inclusion of the ULP may impact the number of equitable estoppel arguments.

Of note are claims that are not subject to the New Act, including: Sexual assault/battery; child or spousal support claims; possession of land claims; and limitation periods established under other enactments.

The purpose of a limitation period is to implement finality and fairness in the judicial process. Although the New Act may require you to draft pleadings when you should be focusing on settlement, and perhaps frantically calling agents such as Dye & Durham at 3:15 pm to file your Notice of Civil Claim by four o'clock, let's hope that the trade-off is a reduction in professional liability insurance premiums.



Laurely Dale, BA., LLB., acts as In-House Counsel at Dye & Durham Corporation. She has more than 11 years' experience in the legal industry. Ms. Dale was a trial lawyer in Ontario and BC before joining Dye & Durham as In-house Counsel. She currently handles all of D&D's litigation; employment; contract drafting and negotiations.

## Maximizing Your Mediation Results: Preparing Your Client to be More Effective

Presented by Mediate BC  
[www.mediatebc.com](http://www.mediatebc.com)

## LUNCH & LEARN

Date: September 25, 2013

Time: 12:00 - 1:00 pm

Location: 500 - 1155 West Pender Street,  
Vancouver

Who is Invited: BCPA members only  
Fee: Complimentary (bring your own  
lunch as it will not be provided)



## 10 QUESTIONS WITH...

# An Interview with DOMINIQUE MARCOTTE

Dominique is a paralegal in the litigation department at Harris & Brun in Vancouver and recently joined the BCPA Board of Directors.

### Where did you go to school?

I attended Kwantlen University and Vancouver Community College.

### How long have you been working in the legal field and in what areas of law?

Twenty years! I started as a Legal Secretary, as it was then called. I worked in personal injury immediately after graduating from Kwantlen College. I then commenced the Legal Assistant program about two years later. I have always worked in litigation in private law firms, but have gained experience in various areas of litigation including corporate/commercial, tax and personal injury.

### If you were to work in a different area of law, what would it be?

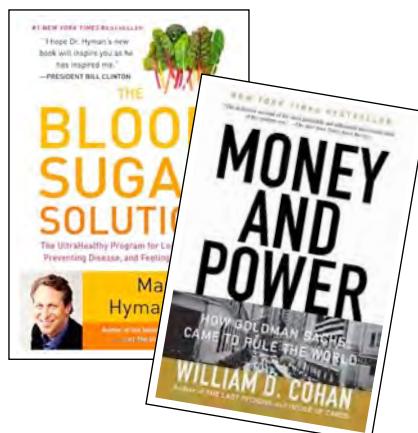
Intellectual property, patents and trademarks.

### Who has influenced you in your career, inspires you in general?

When I was a legal secretary at my first job, I worked with a "summer" paralegal. She was so professional and knowledgeable! She gave me information, advice and direction that remains relevant to this day. She was definitely an early influence in my decision to become a paralegal.

### What is your favourite book, and what are you reading now?

Oh, it would be too difficult to narrow down just one! My "favourite" changes every couple of months! I have read so many fabulous books on a variety of subjects, and I am sure I will read many, many more. Right now, I am all over the map with *How Goldman Sachs Came to Rule the World*, *The Blood Sugar Solution*, and the *PLTC Practice Manual*! In addition, I always have piles of magazines around for a quick read; National Geographic is still one of my favourites!



---

*If you are going to learn, learn from the best. There is no other way. Mediocrity breeds mediocrity. And do not ever stop learning.*

---

### What is the best piece of advice you have received?

Go with your gut. When I listen to mine, it has never led me astray – both professionally and personally.

### What is the best piece of advice you can offer?

If you are going to learn, learn from the best. There is no other way. Mediocrity breeds mediocrity. And do not ever stop learning.

### How did you learn about the BCPA?

A paralegal I had worked with when I was taking the paralegal course suggested I join (a long, long time ago!).

### How long have you been a member with the BCPA?

A year and a half now.

### What do you like about the BCPA?

I like that it is an association (guided by volunteer paralegals) whose goals, among other things, include bringing paralegals together and to provide information and knowledge in an effort to advance all paralegals and the paralegal profession. This is such an exciting time to be a paralegal! There is strength in knowledge, education and numbers!

# Summertime Coverage

**S**ummer holidays have finally arrived! Time for vacation! As you pack the sunscreen and wide-brimmed hat for your trip, don't forget these important items:

**Travel Insurance** – If you will leave Canada, even for a short weekend getaway to the US, make sure you have travel insurance. The cost is minimal compared to the costs of you will be responsible for if you become injured outside the country.

**Power of Attorney** – Appoint someone you trust who can handle your financial affairs. For example, if you get admitted to a US hospital and need cash for treatment, a Power of Attorney (POA) could act on your behalf and wire funds to you.

**Travel Visas** – These are great ways to earn free vacations for you and your family. Some Travel Visas include trip cancellation insurance, extended warranty on your purchases, travel insurance while you are out of the country, and some even provide you with cash. But be careful not to overspend on your Visa and make sure you aren't paying annual fees for things that you may not use.

**Home Insurance** – Even if you are only renting a home, it is good idea to have home insurance. The cost is minimal and the peace of mind and benefits are well worth the cost. Home insurance will protect you if someone injures themselves on your property, a fire or robbery takes place and your valuables need replacing. Many home policies will even cover theft from valuables not in your home. When you go away, it's comforting to know that you will be covered should something happen.

**Provide a contact number** – It's important to provide a contact number for those people you have asked to look after things for you while you are away, especially if there's an emergency.

These are just a few things to consider before you head out on your holidays. Have an enjoyable and safe summer!



Derek Fulton is a Mutual Funds Representative with Qtrade Asset Management Inc., and a Wealth Management Specialist with Prospera Credit Union. Derek is a Certified Financial Planner, a Fellow of the Canadian Securities Institute, and has more than 14 years' experience in the financial services industry.

# Out to Lunch!

*Paralegals share their favourite lunchtime haunts...*

## Didi's Greek

RECOMMENDED BY LISA A. EVENSON, PARALEGAL/  
EDISCOVERY AT HARPER GREY LLP

Didi's Greek is, by far, my favourite food truck in Vancouver. They have to-die-for chicken souvlaki along with other authentic Greek food. The souvlaki, though, really is the best ever! The chicken is juicy, tender and super yummy! (Bonus: It is free range!) The tzatziki is thick and creamy and plentiful! The service is always pleasant and fast, in contrast to other food trucks that have seem to have lengthy waits.

I first tried Didi's at last year's GreekFest and got hooked! When they aren't catering private events, you can find Didi's at Robson and Denman. Look them up at [www.didisgreek.com](http://www.didisgreek.com)

## Food Truck Faves

### The Juice Truck

RECOMMENDED BY YVES  
MOISAN, SENIOR PARALEGAL  
AT GRAYMONT LIMITED

Try The Juice Truck located on the corner of Abbott and Water streets in Gastown. They make awesome fresh juices and smoothies! I have tried almost all of the smoothies on their menu. My personal favourite is the Avocado-Pineapple. I also love their cacao coconut bars. Check out their website: [www.thejuicetruck.ca](http://www.thejuicetruck.ca)





# E-Discovery Costs

BY CHARLES LAVALLEE,  
LATERAL DATA

The widespread use of computers for recordkeeping, communication and information storage has vastly expanded the breadth of potential discovery in litigation. Although technology is helpful in the sense that it makes fuller disclosure possible, it also creates an unfortunate paradox. The cost of sorting and producing all the relevant information in a party's possession may put litigation beyond the economic ability of a vast number of litigants. Thus, it is necessary to ask such questions as: How much discovery is enough? Do all cases justify the same type of disclosure? Should there be some rule of proportionality that governs production based upon the issues in the lawsuit?

This observation from 2008 by the Honourable Madam Justice Conrad in Innovative Health Group Inc. v. Calgary Health Region (Can. Alta. C.A.) reflects a paradox that remains largely unaddressed in the Canadian jurisprudence: The exorbitant costs of disclosure in the era of Big Data, which represent as much as 75 percent of overall litigation expenses. These costs have grown disproportionately to the costs of prosecuting or defending the underlying case. Therefore, cases involving e-discovery often present a Hobson's choice: Comply with broad requests for documents at a cost greater than the lawsuit's value, or settle.

In response to the impracticality of linear review, new technologies are evolving to reduce the burden of e-discovery. Although Canadian courts have yet to address the use of these tools, some judges in the UK and US have welcomed them, particularly in light of recent emphasis on the concept of proportionality. Their decisions can inform Canada's adoption of technology to address proportionality and limit the cost of e-discovery.

## The Intersection of Technology and Proportionality

Proportionality applies a cost-benefit analysis to discovery. Essentially, the inquiry balances the demands of discovery—including effort as well as expense—against the likely benefits of this discovery. While this has been a tacit undercurrent in rules governing civil litigation in Canada, the UK, and the US, recent developments have brought this issue to the forefront in Great Britain and America.

## The United Kingdom

The underlying principle of the UK Jackson reforms, which became effective on April 1, 2013, is proportionality. In particular, the purpose of the e-disclosure amendments contained in Practice Direction 31B is to "encourage and assist the parties to reach agreement in relation to the disclosure of Electronic Documents in a proportionate and cost-effective manner."

Based on the new rules, judges now have the express power to require parties to set and exchange budgets for the entire case at the outset of a matter, including forecasts for disclosure costs. Throughout the matter, the judge will monitor the parties' expenditures to make sure that the case—and disclosure—remain proportionate. As part of this budgeting exercise, parties must undertake in-depth disclosure planning. For example, counsel must meet with representatives from the organization's business units as well as their IT personnel to determine the proper scope of potentially relevant data.

Furthermore, in most cases, parties now have the option to choose from a range of six menu options for disclosure rather than just standard disclosure. The options range from "no disclosure" to turning over the "keys to the warehouse," meaning a party turns over all of its documents and then allows the opposing party to select the ones it wants to use.

Well before these amendments, at least one UK court had addressed the use of software to temper the scope of disclosure through proportionality. In Goodale v. The Ministry of Justice, Senior Master Whitaker suggested that the case was "a prime candidate for the application of software that providers now have, which can de-duplicate that material and render it down to a more sensible size and search it by computer to produce a manageable corpus for human review—which is, of course, the most expensive part of the exercise." He also acknowledged his awareness of "software that will effectively score each document as to its likely relevance and which will enable a prioritization of categories within the entire document set." In other words, the judge encouraged parties to use advanced tools such as technology-assisted review (TAR) to manage their data.

Likewise, Practice Direction 31B acknowledges the significant role technology plays in e-disclosure; it includes the directive that "technology should be used in order to ensure that document management activities are undertaken efficiently and effectively." In meeting to prepare for the case, the parties are obligated to discuss the "tools and techniques (if any), which should be considered to reduce the burden and cost of electronic documents." In its list of tools, the Practice Direction includes "agreed software tools."

## The United States

Although the 2006 amendments to the US Federal Rules of Civil Procedure (FRCP) referred to proportionality in limiting discovery of ESI where it is "not reasonably accessible because of the costs and burdens of retrieving it," the concept has not been consistently applied in practice. Currently,

## CONTINUED, FROM PAGE 10: E-Discovery Costs

several proposed amendments to the FRCP are targeted at improving the proportionality of discovery. In addition to other rules reducing the number of interrogatories, requests for admission, and depositions, a proposed revision to Rule 26(b)(1) would explicitly limit the scope of discovery so it is "proportional to the needs of the case."

---

*In response to the impracticality of linear review, new technologies are evolving to reduce the burden of e-discovery. Although Canadian courts have yet to address the use of these tools, some judges in the UK and US have welcomed them, particularly in light of recent emphasis on the concept of proportionality.*

---

Unlike the UK's Practice Direction, the FRCP does not specifically address the use of technology. However, to meet the proportionality principle, parties are increasingly turning to technology to control costs, a trend reflected in recent US case law. In 2012, US federal and state courts began to recognize the role Technology-assisted Review (TAR) can play in keeping discovery costs in check. In the seminal case of *Da Silva Moore v. Publicis Groupe* (S.D.N.Y. Dec. 3, 2012), Magistrate Judge Andrew J. Peck of the Southern District of New York approved the use of TAR for several reasons, including "the need for cost-effectiveness and proportionality under Rule 26(b)(2)(c)" when managing a vast amount of data.

### **Advanced Analytics: The New Gold Standard for Proportionate Discovery**

As the rules and case law show, courts continue to become increasingly receptive to the use of technology in e-discovery. In line with these developments, The Sedona Canada Commentary on Proportionality in Electronic Disclosure and Discovery published in October 2010 encourages parties to consider "[t]he value of technological tools and approaches to reduce the volume of irrelevant and/or duplicative information" in weighing the burden and cost of e-disclosure. Advanced analytics can satisfy the proportionality goals expressed in all three jurisdictions: They lessen the burden of e-discovery on two fronts by culling down data volumes and pinpointing the evidence needed to support a case.

Culling can be accomplished through a number of tools. Two of the simplest are de-duplication, which removes exact duplicates from a collection, and deNISTing, which removes operating system, program, and application files. Mass tagging capabilities also can reduce the amount of effort a data set requires. As an example, near-duplicate analysis collects multiple versions of the same document and highlights the differences among them. One reviewer then

compares the documents to each other, leading to greater consistency and efficiency than when these documents are scattered among a review team. Another tool, email redundancy and thread management, can group email messages fully contained in subsequent emails within the same thread, allowing reviewers to tag an entire document family at once.

Furthermore, various filtering techniques can narrow the scope of a review. Keywords are one of the most popular tools for filtering documents. However, they also carry some risk. If the party chooses the wrong terms and the results are under-inclusive or over-inclusive, then it may give a false impression of the issues at stake in the matter. However, when combined with the use of other technologies, keywords become much more useful. For instance, concept analysis groups documents based on similar topics or concepts, revealing the potentially responsive documents in a collection. Based on this better understanding of their data's contents, counsel can work with linguists to identify more focused keywords.

TAR, the most advanced discovery tool on the market, automates the document review process. In using TAR, experienced attorneys familiar with the legal and factual issues in a case code a seed set of documents for relevancy and privilege. This seed set is then fed to a computer, already programmed to uncover the logical reasoning of the seed set. Sophisticated algorithms then apply that logic across the entire data population. This process is repeated, training the computer until its coding decisions are acceptably similar to the human-coding decisions.

TAR has multiple cost-saving applications in e-discovery. For example, it can be used along with other tools to reduce the review population, and it can help isolate the most highly relevant documents by prioritizing them. Prioritization has two benefits: (1) it allows reviewers to zero in on the most critical documents that yield better understanding and guide strategy decisions at the inception of a matter, and (2) it allows lower-cost resources, such as contract attorneys, to review documents of lesser significance.

### **Conclusion**

As Canadian practitioners struggle to keep the scope and cost of e-disclosure proportionate, they should look to the cost-effective, defensible use of advanced analytical tools to reduce document collections and speed review used in the UK and US.



Charles Lavallée is Director, Business Development at Lateral Data, a Xerox company. Contact him at CLavallee@lateraldata.com.



## 10 QUESTIONS WITH...

# An Interview with DEBRA WHELAN

Debra is a paralegal at Dosanjh Law Group in Vancouver and recently joined the BCPA Board of Directors.

### Where did you go to school?

I went to school in Prince George and attended the College of New Caledonia.

### How long have you been working in the legal field and in what areas of law?

I started with Legal Services in 1994. From there, I moved into private practice doing Personal Injury, Immigration, some Wills and Estates Law and Corporate Law, as well as some Family Law. After that, I moved onto Civil Litigation for a while before back to Personal Injury Law, which is the area I have focused my career on for the past seven years.

### If you were to work in a different area of law, what would it be?

There are so many different areas of law! I like the challenge so I leave those options open.

### Who has influenced you in your career, inspires you in general?

I am inspired by women in all walks of life. I am constantly amazed at the ability we women have to adapt and excel at anything we put our minds to. I am not necessarily a "feminist", but I do believe we have a lot to offer. My husband is also a great source of inspiration to me. He is very supportive of women and their abilities and roles.

### What is your favourite book, and what are you reading now?

I don't really have a favorite book. There are so many great ones out there that I have read. I think my favorite subject though is reading about how individuals (particularly women) in the past who have pushed through many barriers and achieved so very much. Maya Angelou is definitely up there as one of my favorite authors. I don't have a book on the go right now.

### What is the best piece of advice you have received?

Believe in yourself. If you don't, no one else will.

### What is the best piece of advice you can offer?

My advice would be essentially the same. Most people give up too easily. I think we have to push ourselves constantly to get better. Work hard and work smart. Focus your energies on the big picture and don't get bogged down in the small details.

### How did you learn about the BCPA?

Through the Trial Lawyers Association, of which I am also a member. I was reviewing a Salary Survey that came across my desk and it piqued my interest.

### How long have you been a member with the BCPA?

I have been a member of BCPA for about five years now.

### What do you like about the BCPA?

I like the idea that we are all working together to improve our profession. There are so many talented paralegals out there; it's great that we can draw on each other's experiences!



## Save the Dates!

Upcoming BCPA events

### BCPA ANNUAL FALL DINNER November 5, 2013

Terminal City Club  
Downtown Vancouver

### BCPA VICTORIA: MIX & MINGLE September 12, 2013

Harbour Towers Hotel & Suites  
Victoria



# Immigration Law

BY SARA ADEL

The controversial Federal Skilled Worker Program (FSWP), which was temporarily put on hold by Immigration Minister Jason Kenney in July 2010, is once again up and running. The program was primarily shut down to revamp the original program and eliminate a backlog of about 280,000 people who had applied for permanent residency before February 28, 2008. The program re-opened on May 4, 2013.

The new program promises to ensure that not only can Canada select the immigrants most needed by our economy, but that they are positioned for success. Applicants under the new program must meet at least one of the following criteria:

- One (1) year of continuous work experience in one of 24 eligible occupations (the list is significantly shorter this time around); or
- Have a qualifying offer of arranged employment; or
- Have eligibility to apply through the Ph.D. stream.

The applications will be assessed against a point grid, with points awarded for language abilities, age, education, work experience, employment already arranged in Canada and

adaptability. The changes also include the introduction of the Educational Credential Assessment (ECA), which will assess all foreign credentials for their Canadian value. There will also be a set number of applicants for each occupation for each year.

Language proficiency and youth are the two most important factors in the economic success of immigrants in Canada. The new Federal Skilled Worker Program is addressing these factors to ensure that Canada selects skilled immigrants. The program's emphasis seems to focus on younger immigrants who are more likely to acquire valuable Canadian working experience, are better positioned to adapt to changing labour market conditions, and will spend a greater number of years contributing to Canada's economy.

Applications intake will be capped to 5,000 new applications for all eligible 24 occupations.



Sara Adel, B.A. (UBC), Paralegal Studies Diploma (Capilano University), is a Paralegal with Maynard Kischer Stojicevic in Vancouver. She specializes in Immigration law, providing assistance to clients and corporations in both US and Canadian immigration matters. Sara is a member of BCPA.



**ARLYN • RECRUITING**

## YOUR TOP LEGAL RECRUITMENT TEAM

We can assist you with permanent, contract and temporary positions.

We work with small to large sized law firms, as well as In-House and Corporate positions.

Arlyn Recruiting offers our candidates a full array of recruitment services, including:

- Career and transitional coaching
- Salary information
- Resume feedback
- Interviewing techniques
- Job placements

Contact our team today!

Stephen • Diane • Jean • Nathalie • Naomi • Kevin  
604.681.4432 | [info@arlynrecruiting.com](mailto:info@arlynrecruiting.com)  
[www.arlynrecruiting.com](http://www.arlynrecruiting.com)

## UBC Continuing Studies

### Expand Your Career

#### UBC Certificate in Immigration: Laws, Policies and Procedures

Add immigration consulting to your paralegal tool kit and enjoy helping others immigrate to Canada. Our part-time program can get you started on an exciting addition to your career. Classes take place evenings at UBC Robson Square in downtown Vancouver.

The next program offering starts September 3.



**[cstudies.ubc.ca/cilpp](http://cstudies.ubc.ca/cilpp)  
604.827.4203**



a place of mind  
THE UNIVERSITY OF BRITISH COLUMBIA



# My Life as a Designated Paralegal

BY JULIE FREDETTE,  
RDM LAWYERS

I have assumed the role of a Designated Paralegal in medium-sized law firm in the Fraser Valley. I feel very fortunate because our Managing Partner, whom I had worked for exclusively for a number of years, was involved in the process of examining the expanded roles for paralegals in the early stages. I believe it was our working relationship and his confidence in my ability that opened his eyes to the idea of expanded roles for paralegals who desire more challenge and added responsibility. RDM Lawyers is a full-service firm, and access to justice for all walks of life is very important to our firm's core values. Having said that, even with the support of the lawyer I work with and my firm, I honestly did not believe I would see any significant changes or expansion to my job during my working life. Wow – was I wrong! I am so thankful to the members of the Law Society that worked so hard to get this initiative going.

Although I work exclusively in personal injury, my role as a Designated Paralegal has changed. At this moment, I realize that it has changed more than I ever expected. Although a lot of my day-to-day work remains the same, some significant changes have certainly added to my responsibilities and there is a different "feel" to my position. I don't really know how to explain it, other than to say the value that I bring to the files that I work on is now truly "recognized".

I meet every personal injury client that comes into our office. Sometimes, it is with the handling-lawyer and sometimes I meet with the clients on my own.

When I meet a client with a lawyer, I am now introduced as a Designated Paralegal and my title is explained in detail to the client by the handling-lawyer. When I meet a client on my own (either in the office, hospital or in their home), I explain my role to them with respect to their specific case, and what the term "designated" means in relation to the services I can provide to them. The most significant and exciting change for me is that I am now able to give our clients legal advice regarding the circumstances of their accident and can advise them on the documentation they need to sign.

It seems to me in explaining the role of a Designated Paralegal, clients have a certain level of confidence in my level of skill. I can sense that they feel completely at ease dealing with me alone on difficult issues, whereas previously they

may have asked for assistance directly from the lawyer.

After I assumed the new title, I immediately applied for, and received, my appointment as a Commissioner for Taking Oaths for British Columbia. I have drafted Affidavits, advised the client on the content of the Affidavit and they have sworn it in my presence.

I look forward to assisting clients in resolving other issues (hourly basis versus CFA), which may prove to be more cost-efficient than pursuing the issue at a lawyer's billing rate. I have not done this yet but feel confident that I will in the near future. We are just waiting for that scenario to present itself!

All enthusiasm about my new role aside, I must stress that I am extremely cautious about the advice that I give clients. I communicate with the responsible lawyer all the time and do not give advice unless I feel completely confident with it. With respect to quantums, settlement offers, counter-offers, etc., I always discuss the merits of the case with the supervising lawyers first. It is always at the forefront of my mind that my role is a lawyer-supervised model and ultimately they are responsible for my actions.

This welcome change came at a good time in my life. My children are all grown up, I have the support of a wonderful husband and am in a position where I can dedicate the time I need to perfect this role. I put forth a lot of effort to make sure that I am up to date on the law and that I provide the service our clients are told they can expect from me. The added responsibility is certainly more than just a change in "title"! I feel truly excited about the expanded role for our profession, but recognize that it might not be for everyone. However, I do encourage you all to consider it, then go for it!



Julie Fredette works as a Case Manager and Designated Paralegal for RDM Lawyers in the Fraser Valley for 16 years. As Case Manager, Julie carries a number of files on her own while managing a staff of eight people (paralegals and legal administrative assistants) and overseeing their duties. Julie started Paralegal training in Ottawa and graduated from Capilano College (now Capilano University). She is happily married and has children: her daughter is an Occupational Therapist in Seattle and her son is a Linesman in British Columbia.

# CLEBC: News & Announcements

The provincial government has announced that most of the Wills, Estates and Succession Act, S.B.C. 2009, c. 13 (the "WESA") will come into force on March 31, 2014 (see B.C. Reg. 148/2013). New probate rules and forms will come into effect in conjunction with the WESA; new Part 25 (Rules 52-1 to 52-16) and Appendix A.1 of the Supreme Court Civil Rules will replace existing Rules 21-4 and 21-5 and the existing probate forms, pursuant to B.C. Reg. 149/2013.

The legislation and Rules will result in major changes in practice and procedure, as we reported on April 2, 2013. CLEBC has confirmed dates for its primary course offerings on the WESA and new Rules, and has posted the dates to allow practitioners to plan. CLEBC is working with the British Columbia Law Institute (the "BCLI") in presenting these courses. For further details visit the CLEBC and BCLI websites this summer.

On November 21 and 22, 2013, we will present a two-day course in Vancouver (Live Course/Live Webinar): WESA and the New Rules: Is Your Estates Practice Ready? Lawyers, paralegals, legal support staff, notaries public, trust officers, and other estates practitioners will learn what is changing and how they can effectively assist clients in the WESA era. Chaired by Fiona Hunter, Roger D. Lee, and Helen H. Low, the first day will focus on estate planning issues, and the second day will address the new estate administration and estate litigation laws and procedures. The faculty (and rebroadcast dates) will be announced soon. Also to be announced soon: the date for a CLE-TV course highlighting the key information that you need to know about the WESA.

In 2014, (Vancouver – February 13 & 14; Victoria – February 20 & 21; and Kelowna – February 27 & 28), we will offer a full-day course (Live Course/Live Webinar), followed by a separate half-day course (Live Course only). The full-day course, *Estate Administration: Navigating the New Rules*, will deal with the nuts and bolts of the new Probate Rules and the WESA's provisions affecting estate administration. The half-day course on the second day, *Estate Applications under the New Rules*, will examine the rules and forms in more detail, particularly the procedures to apply for administration grants. The full-day course is aimed at all practitioners, while the half-day course is geared more towards paralegals, legal support staff, and junior lawyers. Peter Ramsay QC, will co-chair each of the February 2014 courses, with Genevieve N. Taylor (Vancouver course), Margaret R. Sasges (Victoria) and Geoffrey W. White (Kelowna). Details about the faculty and topics will appear later this summer.

CLEBC continues to work with the government, stakeholders, and the leaders of the WESA initiative to help prepare the legal profession for the new laws and procedures. Please stay tuned for further announcements about course offerings, and the updating of our publications (including the *Wills, Estates and Succession Act Transition Guide*; the *BC Probate & Estate Administration Practice Manual*; *Wills Precedents: An Annotated Guide and Annotated Estates Practice 2013*) to incorporate the WESA and the new Rules.

For more information, contact Alix Golgoni, Marketing Manager, at [agolgoni@cle.bc.ca](mailto:agolgoni@cle.bc.ca)

## Save the Dates— CLEBC's WESA and Probate Rules Courses

The new *Wills, Estates & Succession Act* (WESA) and the new Probate Rules are coming into force on March 31, 2014. The legislation and Rules will result in major changes in practice and procedure. Learn what is changing and how you can more effectively assist your clients now and in the WESA era.

### UPCOMING COURSES

#### NOVEMBER

##### WESA and the New Rules: Is Your Estates Practice Ready?

VANCOUVER | November 21 & 22

#### FEBRUARY

<b>Estate Administration:</b> <i>Navigating the New Rules</i>	<b>Estates Applications Under the New Rules</b> ( $\frac{1}{2}$ -day)
VANCOUVER   Feb. 13	VANCOUVER   Feb. 14
VICTORIA   Feb. 20	VICTORIA   Feb. 21
KELOWNA   Feb. 27	KELOWNA   Feb. 28

### FEATURED PUBLICATIONS

<b>Wills, Estates and Succession Act Transition Guide</b>	<b>BC Probate &amp; Estate Administration Practice Manual</b>
UPDATED: Nov. 21	UPDATED: Feb. 2014



[www.cle.bc.ca](http://www.cle.bc.ca)



**1.800.663.0437**

500 – 1155 West Pender Street  
Vancouver, BC V6E 2P4

**Connect with us:**





# Interview Tips

BY ELIZABETH BORRILL,  
ZSA

You've realized it's time for a change. You've polished and submitted your resume for that perfect position. Now that you've received an invitation to a meeting, how do you nail that job interview?

- **Be on time.** Punctuality is a valuable trait, and employers want to see that you can follow instructions and arrive as scheduled. However, arrive no more than 5 to 10 minutes early or you risk inconveniencing your interviewer (who may feel obliged to alter his or her schedule to accommodate your earlier-than-expected arrival)!

- **Be prepared.** Arrive at the interview with copies of your CV, list of references, reference letters, and (if applicable) educational certificates. You should also have conducted your own research about the company and position you've applied for. Interviewers are likely to ask if you have any questions, and may appreciate if you do, taking this as an indication of both initiative and interest.

- **Be well-presented.** Interviews usually involve first-impressions. It is important to demonstrate professionalism with neat and clean hair and make-up, as well as attire that is appropriate for an office setting. Taking a few extra minutes to ensure a polished presentation in your appearance suggests that you would likely also take the same care and attention with your work!

- **Be practiced.** You don't want to sound overly rehearsed; however, you should be prepared to talk about yourself eloquently. You must also answer questions in a concise, articulate way that provides a full response—a one-word answer is never sufficient, and you should be ready to offer examples.

- **Be approachable.** Just like on a first date, your interviewer is trying to get to know you! Technical skills and credentials are important with any job opportunity, but equally important is your fit with the organization's corporate culture. Don't forget to smile, make eye contact, and be personable. You may be interviewing for a job that is a perfect match for your skills, but getting along with the hiring manager is a necessary step to ensure success!

*Arrive at the interview with copies of your CV, list of references, reference letters, and (if applicable) educational certificates. You should also have conducted your own research about the company and position you've applied for. Interviewers are likely to ask if you have any questions, and may appreciate if you do, taking this as an indication of both initiative and interest.*

- **Be involved.** Interviews can last from 10 minutes to multiple hours in length. Whether long or short, hiring managers will want to see that you're engaged in the conversation, listening attentively, and answering questions fully and completely.

- **Be yourself!** You should be interviewing the company or firm, just as they are interviewing you! By "overselling" or misrepresenting yourself, you risk securing a new job that you will ultimately dislike. By answering questions honestly and genuinely, you'll know that when you are the successful candidate, it is because the hiring manager feels that YOU are the right fit for the organization—not just for the job you've interviewed for, but perhaps for your whole career.

**Good luck!**



For further assistance with your job search, please contact ZSA! Elizabeth Borrill is a seasoned Consultant who specializes in recruitment for legal support staff and Paralegals. Contact her at ZSA's Vancouver office: 604-681-0706

# Be My Guest

**F**or the last ten years, I have ‘lived’ inside a restaurant. Measuring my life in busy lunch rushes and late-night dinner seatings, I have come to see the world from inside the space of a dining room.

Working as a Restaurant Manager on Alberni Street, I have cleared the lunch plates of celebrities, tourists, CEOs and best friends. I have celebrated about a thousand birthday parties and untwisted the corks on countless bottles of wine. Most importantly, however, I have grown to respect how a single dining experience can create an everlasting memory, or break a night in half.

As your maître-d for this article, I would like to serve up the next few paragraphs as courses, and share with you a taster of some of the lessons I have learned about dining along the way. I may not be a cook or an Executive Chef, but I do know how to put together an ideal restaurant experience.

---

*As a main course, family style is always the way to go. Have you ever had to hide the look of devastation on your face when you realized you should have ordered the halibut and not the sad piece of chicken that lies flopped on your plate? There is nothing better than trying a number of different flavours in one sitting, and sharing that experience with the people around you.*

---

For starters, remember that wine always tastes better when someone else is pouring it. After spending a full day (and sometimes, night) at the office, the last thing you want to do at a restaurant is work. Navigating a menu or wine list can be exhausting, especially after one or two cocktails at happy hour. Let the server do the heavy lifting for you; they know what the best dishes are on the menu and exactly which wines to pair with them.

As a main course, family style is always the way to go. Have you ever had to hide the look of devastation on your face when you realized you should have ordered the halibut and not the sad piece of chicken that lies flopped on your plate? There is nothing better than trying a number of different flavours in one sitting, and sharing that experience with the people around you. Sharing plates can be great way to break the ice at a serious business dinner, and prevent you from ever saying “I should have ordered that.”

For dessert, the best advice I can ever give you is: Do not pass. Alright, so I get it, you are not a die-hard chocolate fan and your stomach is like a hotel with no vacancy; but that



doesn’t mean that you still can’t finish with something sweet. Canada is famous for a number of reasons, but ice wine is my favourite. After all, there has to be something good that comes from the onslaught of winter! The late-harvest Riesling is precisely it.

This is the part of the evening where I say goodnight. Without question, Vancouver is home to the best restaurants in this country. Remember: the next time you go out, have fun, be adventurous and, most importantly, relax! Who knows? I might just be there to guide you on your way. Bon Appétit!



Sean Manson is a graduate from the University of Winnipeg, published writer and Restaurant Manager at Italian Kitchen and IK2Go. He loves jazz, cabernet sauvignon and spaghetti bolognese.



community therapists



Life Care Plans / COFC  
Functional Capacity Evaluations  
Brain Injury Assessments  
Active Rehab, Community Integration  
GVRD, Fraser Valley, Sea-to-Sky

Referral Contact  
604-681-9293  
[www.communitytherapists.com](http://www.communitytherapists.com)



# Roadmap to Medical Experts: Navigating the Options

BY DR. AVI ORNER,  
CIRA MEDICAL

## Introduction

It is widely recognized that the evidence of medical experts in personal injury litigation, whether in the context of automobile accidents or otherwise, often plays a pivotal role in determining the final outcome of a case. The regulations and case law relevant to medical experts vary somewhat across Canadian jurisdictions. However, in British Columbia and Ontario, the similarities far outstrip the differences in terms of the duties of expert witnesses, the court procedures and rules applicable to the submission of expert evidence, and the role of the court as gatekeeper in determining who is properly qualified as an expert or whether experts called are relevant to the issues being litigated. Understanding these and other issues relevant to the use of expert witnesses is, however, only the starting point in preparing a case. Beyond this, counsel is well-advised to seek out advice from experts experienced in assessing the clinical scenario applicable to the injuries sustained by, or the ongoing medical condition of, a plaintiff. Fortunately, the practice of insurance medicine has evolved in recent years such that the industry is now served by many third-party providers of independent medical examinations that specialize in providing counsel with specialized clinical advice. This can go a long way towards assisting in the construction of comprehensive assessment approaches tailored for the specific clinical scenario at hand and, ultimately, more timely and efficient litigation pathways.

## Procedural Rules – British Columbia and Ontario

Very similar rules govern the use of expert witnesses before the courts in Canada. In British Columbia (BC), Rule 11 under *Supreme Court Civil Rules*<sup>1</sup> set out the duties and procedures applicable to expert witnesses, while in Ontario Rules 4.1 and 53.03 of the *Rules of Civil Procedure*<sup>2</sup> are most relevant in this regard. In Ontario at least, the current rules reflect recommendations made in November 2007 in what is commonly referred to as the Osborne Report as part of a civil justice reform project.<sup>3</sup> Rule 11 of the *Supreme Court Civil Rules* pertains to expert witnesses and their reports and testimony, and provides important information of which physicians performing independent medical examinations (IME) should be aware. Of crucial importance is the principle, as set out in Rule 11-2, that an expert witness has an overriding duty to "assist the court" as opposed to being "an advocate for any party". This is true even in situations where the expert was previously involved in a treating capacity and not within a standard IME function.

In terms of the requirements applicable to the reports of expert witnesses, Rule 11-6 sets out the relevant information.

## 11-6 Requirements for report

- (1) An expert's report that is to be tendered as evidence at the trial must be signed by the expert, must include the certification required under Rule 11-2 (2) and must set out the:
  - (a) Expert's name, address and area of expertise;
  - (b) Expert's qualifications and employment and educational experience in their area of expertise;
  - (c) Instructions provided to the expert in relation to the proceeding;
  - (d) Nature of the opinion being sought and the issues in the proceeding to which the opinion relates;
  - (e) Expert's opinion respecting those issues;
  - (f) Expert's reasons for his or her opinion, including:
    - (i) a description of the factual assumptions on which the opinion is based,
    - (ii) a description of any research conducted by the expert that led him or her to form the opinion, and
    - (iii) a list of every document, if any, relied on by the expert in forming the opinion.

## Proof of qualifications

- (2) The assertion of qualifications of an expert is evidence of them.

Like Rule 11-2 in BC, Ontario's Rule 4.1 states that the primary duty of the expert is to the court and not the party by whom they have engaged; in other words, the expert is not to be an advocate for the party on whose behalf they provide evidence. Rule 4.1 goes beyond the BC rule to provide that an expert's evidence must be fair, object and non-partisan, that the evidence must relate exclusively to matters within the expert's area of expertise, and that the expert is to provide such additional assistance as the court may require. And, in order to encourage compliance, Rule 53 require that all experts sign a written declaration (Form 53) acknowledging their duty to the court. Otherwise, the provisions of Rule 53.03 track, word-for-word, the requirements of BC Rule 11-6.

The rules governing an expert's duty and the contents of

<sup>1</sup> Supreme Court Civil Rules, BC Reg 168/2009.

<sup>2</sup> Rules of Civil Procedure, RRO 1990, Reg 194.

<sup>3</sup> The Honourable Coulter A. Osborne, Q.C., *Civil Justice Reform Project: Summary of Findings & Recommendations*, November 2007.

## CONTINUED, FROM PAGE 18: Roadmap to Medical Experts: Navigating the Options

expert reports makes it imperative for counsel to ensure that any physician retained as an expert witness possesses the appropriate qualifications by education, training and experience in order to provide an objective and non-partisan opinion on the specific elements of the case referred to them. The additional focus on requiring the assessor to clearly outline the scientific rationale's underlying opinions offered is pivotal inasmuch as new medical discoveries are made with what seems like ever-greater speed, and given that the medical profession's focus on ensuring that the most rigorous evidence-based approach is reflected in continually evolving standards of practice. Being able to establish the validity of an expert's evidence, not merely by reference to the results of an objective, professional independent medical examination but also to the consensus present in the wider medical community, is vital, particularly in cases involving complex clinical scenarios or issues of causation.

### What Constitutes Expert Evidence?

Understanding what constitutes expert evidence is crucial to identifying and retaining the best possible expert witness. A framework for the admissibility of expert evidence was provided by The Supreme Court of Canada in *R. v. Mohan*<sup>4</sup>. The respective decision outlined a test with the following criteria: (a) relevance; (b) necessity in assisting the trier of fact; (c) the absence of any exclusionary rule; and (d) a properly qualified expert. The Court further instructed that "[t]he evidence must be given by a witness who is shown to have acquired special or peculiar knowledge through study or experience in respect of the matters on which he or she undertakes to testify."

In the US, what is now known as the "Daubert Trilogy" set down a new test for determining the validity of scientific evidence. In the 1993 decision in *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, the US Supreme Court mandated rigorous scrutiny of scientific evidence, particularly where it involved a novel theory, prior to its admission before the court. Pursuant to *Daubert*, it must be shown that the theory or technique can be or has been tested, that it has been subject to peer review, and that it can be assessed in terms of known or potential rate of error or the existence of standards. Finally, it must be shown whether the theory or technique has been generally accepted. The two subsequent decisions (*General Electric Co. v. Joiner* and *Kumho Tire Co. v. Carmichael*) further clarified the scope and intent of *Daubert* for future cases.<sup>5</sup>

These principles were partially incorporated into Canadian case law the decision the Supreme Court of Canada in *R. v. J.-L.J.*<sup>6</sup>. This decision acknowledged the *Daubert* principles and noted that "[t]he trial judge's discharge of his gatekeeper

function in the evaluation of the demands of a full and fair trial record, while avoiding distortions of the fact-finding exercise through the introduction of inappropriate expert testimony, deserves a high degree of respect."

### Regulation under Governing Medical Bodies

Few professions are as strictly regulated as the medical profession. In order to ensure the integrity of the profession and to best serve the public interest, many countries employ a layered approach to regulation and ensure standard of care is continuously met.

The BC Ministry of Health is responsible for establishing regulatory colleges under the Health Professions Act (HPA).<sup>7</sup> Rule 16 under the HPA charges regulatory colleges such as the College of Physicians and Surgeons of British Columbia (BCCPS) with the task of establishing the requirements for registration and enforcing standards of practice for all physicians. The BCCPS, in turn, relies on the Royal College of Physicians and Surgeons of Canada (RCPSC) and the College of Family Physicians of Canada to set requirements for accreditation in each medical discipline that must be met for a physician to obtain a provincial license. It is important to emphasize that, as the overall body of medical knowledge has grown and the focus of individual practice areas has evolved, the total number of formal designations has increased. For example, the RCPSC utilizes five sub-categories of classification: (1) fundamental program; (2) specialties; (3) subspecialties; (4) area of focused competence (diploma) program; and (5) special interest group for medical activity.<sup>8</sup>

Many industry organizations and medical governing bodies provide guidance to physicians acting as expert witnesses that reinforce and expand on the medical and legal principles outlined above.

The Canadian Medical Association encourages physicians to "[r]ecognize your limitations and, when indicated, recommend or seek additional opinions and services."<sup>9</sup> The CMA echoes this directive within the medicolegal framework, stating, "Physicians asked to act as an expert consultant must honestly self-evaluate whether they are appropriately qualified to provide the necessary opinion in the circumstances of that case."<sup>10</sup>

For its part, The College of Physicians and Surgeons of Ontario (CPSO) stated the following in its guideline on the reports and testimony of medical experts:

Physicians must accurately represent their scope of expertise. When providing expert opinions, physicians must restrict their statements to areas in which they have expertise. If a particular question or issue falls outside the

cont'd on page 21

<sup>4</sup> [1994] 2 S.C.R. 9.

<sup>5</sup> General Electric Co. v. Joiner (No. 96-188) 78 F. 3d 524, reversed and remanded. Kumho Tire Co. v. Carmichael, 526 U.S. 137 (1999).

<sup>6</sup> 2000 SCC 51, [2000].

<sup>7</sup> RSBC 1996, c 183.

<sup>8</sup> Royal College of Physicians and Surgeons of Canada p. 2-3, available at: [http://www.royalcollege.ca/portal/page/portal/rc/credentials/discipline\\_recognition](http://www.royalcollege.ca/portal/page/portal/rc/credentials/discipline_recognition)

<sup>9</sup> Canadian Medical Association, CMA Code of Ethic, p. 2, available at: <http://policybase.cma.ca/dbtw-wpd/PolicyPDF/PD04-06.pdf>.

<sup>10</sup> The Canadian Medical Protective Association, Medico-legal handbook for physicians in Canada, p. 16, available at: [http://www.cmpa-acpm.ca/cmpapd04/docs/resource\\_files/ml\\_guides/pdf/com\\_medico\\_legal\\_handbook-e.pdf](http://www.cmpa-acpm.ca/cmpapd04/docs/resource_files/ml_guides/pdf/com_medico_legal_handbook-e.pdf).



# Legal Writing

BY SHAWN ERKER,  
STIKEMAN ELLIOTT LLP

I once helped my sister make a roast.

That's how the anecdote begins anyway. I don't actually have a sister. And it's a little gender-biased to presume it is a sister who is making the roast. But when you tell a story, you tell it the way it's been told.

I once helped my sister make a roast. Before she placed the roast in the oven, she carefully cut off all four ends. Curiously, I asked her why she did this. Did it assist the cooking process? Improve the flavour?

"That's how mom did it," she told me.

So I brought the question to my mother. "That's how your grandmother did it," she said.

Undeterred, I remained convinced there must be some family secret as to why we cut the ends off our roast. So I asked my grandmother the same questions. She paused, as if the question was absurd. "Well, that was the only way I could fit in the pan we had at the time!"

The moral of the story is, of course, to resist the habit of assuming something is correct because it's always been done that way. Grammar and punctuation, more so than many things, is susceptible to such thinking. Most people learn the idiosyncrasies of languages through osmosis. We may not know "why" something is supposed to be written a certain way; we just know (or believe) it. This habit gets reinforced by the fact that many so-called "rules" of grammar appear to be arbitrary and nonsensical—like the absurd rule against split infinitives, probably derived from Latin.

Legal writing, with its reliance on precedents and templates, is most prone of all to "roast cutting". This is especially unfortunate, since few areas exist in which clarity of thought is more important. If the written word is intended to convey ideas, we should at least have some idea about why we write the way we write. Many things that "look" correct only do so because we keep seeing them done that way. Rather than ask if something "looks" right, we should ask whether something makes our writing more clear and easy to read.

Two examples may help illustrate the way we can develop unintended writing habits: (1) the serial comma, and (2) double spacing after periods.

## Marginal Comma Cost

The serial comma is the final comma before a co-ordinating conjunction in a list. For example, this article deals with serial

commas, spaces after periods, and roasts. The final comma before the "and" was the serial comma. The serial comma is intended to reduce ambiguity in lists. A common example of this is the, possibly apocryphal, book dedication, "To my parents, Ayn Rand and God". The serial comma would clarify whether the list includes three items or two.

---

*Most people learn the idiosyncrasies of languages through osmosis. We may not know "why" something is supposed to be written a certain way; we just know (or believe) it.*

---

One of the most prominent proponents of "no serial commas" is the *New York Times Manual of Style and Usage*, which has banished the final comma from its pages and the pages of those who follow its dictates. The *New York Times* Director of Copy Desks explained this usage, in a 2007 "Ask the Editors" column, as an artifact of newspaper publishing: When typesetting newsprint, every character, including commas, requires its own piece of type. The marginal costs associated with adding an additional piece of type for every serial comma would significantly add up over numerous prints.

However, this reasoning doesn't apply to word processors, where the marginal cost of the comma is moving your finger a few centimeters. As well, even newspapers will insist on including the serial comma where it is necessary for clarity. This means the writer or editor must spend excess time considering the clarity of each list and the necessity of a serial comma in the circumstances. From the point of view of the newspaper, this re-allocates the time and effort of punctuation from the printing floor (where everything is dictated by marginal costs) to the editor (who is likely working on salary and has no marginal cost associated with his or her contemplating-commas time). These cost-associated reasons don't apply to anyone who doesn't use a printing press at the end of the process.

Many readers and writers will pick up on this absence of the final comma and will internalize this "rule", not knowing

## CONTINUED, FROM PAGE 20: Legal Writing

that it sacrifices the writer's time and clarity for a cost-benefit that doesn't exist for them.

### Double-spacing after a Period

Similarly to the serial-comma debate, many writers will insist that the proper amount of spaces to place after a period is two. Yet almost every style guide, including even the *New York Times Manual of Style and Usage*, says that the proper amount of periods to place after a period is one.

Most proponents of the "double space" were taught this usage in school—on a typewriter. Typewriters historically used monospaced fonts, which allot the same amount of space for each character. With a monospaced font, the double space made the end of the sentence more noticeable. While single spacing gradually became the standard for style guides, printers, and typographers in the twentieth century, double spacing continued to be taught for monospaced typewriters.

Today, almost every font used on a word processor (with some exceptions, such as Courier) are variable-spaced fonts. These fonts are designed to place letters an appropriate space away from each other—and away from a period. So, essentially, when you double-space after a period on a

word processor, you take what someone has designed as the optimum and most pleasing amount of space between sentences, and arbitrarily double it.

### Thinking Twice, so the Reader Doesn't Have To

Punctuation and grammar subconsciously help the reader understand what's written. When we have trouble reading some complex, densely written work, it's not always the subject matter, but rather poor choices about grammar or punctuation or both made by the writer and editor that leave the reader stranded.

When so many of the choices we make in writing come down to subjective preference, it's absurd to insist that many of these rules are absolute. But we should all take care to consider why we habitually punctuate or write a certain way, and ask ourselves whether we've used the most effective choice for conveying ideas.



Shawn Erker is currently the Editor-in-Chief – Editorial of the UBC Law Review and a Summer Law Student at Stikeman Elliott LLP in Vancouver.

## CONTINUED, FROM PAGE 19: Roadmap to Medical Experts: Navigating the Options

physician's area of expertise, the physician must clearly state this and decline to answer.<sup>11</sup>

The Medico-Legal Society of Toronto provides the following advice to legal counsel:

Good practice requires that the lawyer understand the limits of the physician's expertise. ... The lawyer must also take care to ensure that the physician's opinion is based on foundation facts that can be proved by admissible evidence to be given at trial or at the hearing.<sup>12</sup>

### Discussion

From both a legal and medical perspective, all stakeholders in the judicial process have a clear interest in ensuring the matters before the court are addressed in an objective fashion by experts who are most qualified to proffer opinions on the issues before the court.

While accomplishing this goal may appear straightforward, where the time since injuries were sustained or the triggering event of condition occurred stretches out or where other confounding issues arise, deciding which experts are best qualified to give evidence in a specific case becomes vastly more complex. For example, it is common knowledge that orthopaedic surgeons are the default practitioners for the treatment of patients with fractured bones. Thus, it would seem logical to enlist an orthopaedic surgeon as an IME assessor in a case involving a femoral fracture following a motor

vehicle accident (MVA). However, if in evaluating the situation two years subsequent to the accident and recognizing that other factors can come into play, including possible ongoing pain complaints, depression (from the claimant's lack of mobility and inability to work) and neurological complaints that have surfaced possibly a result of a head injury sustained at the time of the accident), it is clear that an entirely different set of decision points are involved. Other options in such a case may include, for example, retaining a physiatrist, neurologist, psychiatrist, psychologist or neuropsychologist.

As a general rule, the most efficient and comprehensive option will depend on the nuances of the pertinent clinical conditions influencing the case at a specific point in time. While there is no standard response to the scenario above, there is tremendous value in reviewing the case through a clinical lens and only then, attempt to match the best qualified assessor(s) to the specific case.

Cira Medical maintains a dedicated Clinical Co-ordination department staffed with accredited healthcare professionals who can provide clarity around the principles discussed here as they pertain to cases across all levels of complexity.



Dr. Avi Orner has acted as Medical Director for Cira Medical Services since 2010. He completed his medical education including residency training in Family Medicine at the University of Toronto. Dr. Orner is on staff at The Scarborough Hospital where he practices as a Surgical Assistant.

<sup>11</sup> College of Physicians and Surgeons of Ontario, *Medical Expert: Reports and Testimony*, p. 5, available at: <http://www.cpso.on.ca/uploadedFiles/policies/policies/policyitems/Medical-Records.pdf>.

<sup>12</sup> Medico-Legal Society of Toronto, *The Medico-Legal Report*, 2008, p. 8, available at: <http://mlst.mindzplay.ws/mlst/doc/MLST%20REPORT%202008%20FINAL4.pdf>.

# BCPA's Annual Spring Event

**O**n Thursday May 9th, the BCPA held its annual Spring Event at Steamworks Brewing Company in Gastown. In its fourth year, the event had the best turnout yet! Rose Singh, new Vice President of the BCPA, entertained the crowd as the night's MC. Yves Moisan, new President of the BCPA, announced upcoming BCPA initiatives.

Endless hors d'oeuvres and flowing wine tastings allowed for a relaxing atmosphere for our guests to mingle with one another.

We must thank our sponsors, without whose generous support, our event would not have been possible:

**Platinum Sponsor: ZSA Legal Recruitment**

**Gold Sponsor: Vancouver Litigation Support Services**

**Silver Sponsors: CKR Canpro and Capilano University**

**Preferred Sponsors: ARC Document Solutions and CLEBC.**

We greatly appreciate your ongoing support!

Utmost thanks goes to ZSA Legal Recruitment, Capilano University, CLEBC, Dye & Durham, Borden Ladner Gervais LLP, Janes Freedman Kyle Law Corp., and Mediate BC for donating wonderful door prizes!

Last, but not least, THANK YOU to all of our members who attended! Your participation is what makes our events a true success!



# Okanagan Members' Event enters its Second Year

**O**n April 18, 2013 the BC Paralegal Association hosted Okanagan paralegals at an informal get-together at The Green Room in Kelowna. BCPA Directors Tanya Groutage and MaryAnn Reinhardt, and BCPA President Yves Moisan attended. MaryAnn, a Designated Paralegal, spoke to the group about her role and answered questions about the Designated Paralegal initiative.

This was the second year of the Okanagan event. Approximately 30 members attended! Everyone had a great time sampling canapés and mingling with fellow members.

The BCPA would like to thank our generous and always-supportive sponsors for helping make the event a success:

**Platinum Sponsors – Arlyn Recruiting, and Arch Title, a division of Arch Insurance Canada Ltd.**

**Gold Sponsor – ViewPoint Medical Assessments Inc.**

**Silver Sponsor – Do Process Software**

**Preferred Supplier Sponsor – The Continuing Legal Education Society of British Columbia (CLE)**

We also thank ViewPoint Medical Assessments Inc., CLE, The Green Room, and Kristi's Klaws for providing fabulous door prizes!



BY ART VERTLIEB, QC

# Conference highlights Global Nature of Issues facing Legal Professions

In April, I was honoured to represent the Benchers of the Law Society at the bi-annual conference of the Commonwealth Lawyers Association, held in Cape Town, South Africa.

The Commonwealth Lawyers Association is an international organization representing 54 countries that exists to promote and maintain the rule of law throughout the Commonwealth by ensuring an independent and efficient legal profession, with the highest standards of ethics and integrity.

Given the common ground of our legal systems, education and practice, Commonwealth lawyers have much to learn from one another. In this case, the theme of the conference was "Common Challenges – Common Solutions," and it could not have been more fitting.

I attended several exceptional presentations on the changing face of the legal profession and the challenges of maintaining access to justice, coming away with a renewed appreciation that lawyers and regulators across the globe are wrestling with the same dilemmas we face in BC.

Among the challenges that were discussed were legal aid funding cutbacks, the need to expand the use of paralegals and other legal service delivery options, and judicial appointment processes that recognize "merit with bias" to ensure diversity of the bench.

The practice of law, though it may be managed at the provincial or state level, is a global profession, driven by international trade and the mobility of people. This creates common experiences and also provides for solutions that can be shared among jurisdictions.

Here in BC, we are learning a great deal from what is happening elsewhere, particularly in the United Kingdom. What's more, others are learning from us, as I am frequently reminded when I attend such conferences.

**Paralegals enthusiastic about providing options for legal services**

Closer to home, I have been speaking to lawyers and paralegals about the new rules that allow supervised designated paralegals to provide legal advice and make limited appearances in family court.

The energy, interest and passion for this opportunity among paralegals are clearly evident, and I am hearing of a number of variations about how the new rules can work in practice.

We plan to profile in future editions of the *Benchers' Bulletin* some of the success stories that are developing as a result of this opportunity. For those who read my letter to the *Vancouver Sun* in April of this year, you will know that the Benchers are urging lawyers to find ways to offer their clients greater price flexibility through the use of paralegals and articled students.

The need is obvious. Just recently, University of Windsor law professor Julie Macfarlane released her report on the experiences of self-represented litigants. Her interviews with more than 250 such individuals were disheartening and should cause great concern for the entire profession.

Whether or not the reasons for access to justice barriers are world-wide or local, each of us has a part to play in making much-needed changes. The profession has a long-standing tradition of improving society. We cannot now be slow to respond to the forces that are driving change. Given our proud history and experience, we must be willing to reform our business models and step out of our comfort zone.

*Reprinted with permission from The Law Society of British Columbia, [www.lawsociety.bc.ca](http://www.lawsociety.bc.ca)*



A renowned trial advocate, Art Vertlieb has worked tirelessly to improve BC's legal profession, helping found the Trial Lawyers Association of BC in 1980 and the Lawyers Assistance Program in 1989, to name a few. He is the 1st Vice-President of the Law Society for 2012 and will serve as President in 2013.

# It's time to get Linkedin

Let's face it – social media is an increasingly popular way for people and businesses to manage and network with business contacts, colleagues and friends. At Stikeman Elliott, we encourage our staff and lawyers to join LinkedIn to build and contribute to the online community. Here's our guide for beginners to get started using LinkedIn.

## What is LinkedIn?

LinkedIn is the world's largest professional network with over 187 million members in over 200 countries worldwide. LinkedIn connects you to your trusted contacts and helps you exchange knowledge, ideas and opportunities with a broader network of professionals in the legal industry and beyond.

## Reasons to use LinkedIn

- ▶ Build your brand
- ▶ Increase your visibility
- ▶ Stay in touch with clients, prospective clients and colleagues
- ▶ Communicate with experts

## Getting Started

### Setting up your profile

- ▶ Go to [www.linkedin.com](http://www.linkedin.com)
- ▶ Fill in the required information about yourself:
  - First and last name
  - Email address and password
- ▶ You will then receive a confirmation email

#### Join LinkedIn Today

First Name:	<input type="text"/>
Last Name:	<input type="text"/>
Email:	<input type="text"/>
Password:	<input type="text"/>

## Next...

- ▶ List your past three relevant positions and your education
- ▶ Add a summary paragraph – think of it as your professional elevator pitch (avoid including dates)
- ▶ Choose a minimum of five skills and experiences
- ▶ Add a profile photo
- ▶ Review "privacy options", making your profile as public as you are comfortable
- ▶ Personalize your URL

Note: LinkedIn allows you to see the last 5 people who have viewed your profile - this feature is located on the right hand side of your profile page. Conversely, people can see when you view their profile.

## Making Connections

- ▶ Connect with past, current and prospective clients, colleagues and former classmates
- ▶ Create status updates to keep yourself in your connections' newsfeeds
- ▶ Join online legal directories or university alumni groups and follow companies like Stikeman Elliott

## Promote Yourself

- ▶ Monitor your network for changes. For example, if you notice a title or company change with a connection, send your congratulations
- ▶ List upcoming events you're attending, publications you've authored or awards you have received

## Review and Update

- ▶ Revise your LinkedIn profile regularly
- ▶ Be on the lookout for new connections to add
- ▶ Ask for recommendations

**STIKEMAN ELLIOTT**

Contact: Teresa McLaren | [\(tmclaren@stikeman.com\)](mailto:tmclaren@stikeman.com) | (604) 631-1312

# Club BCPA

Exclusive lifestyle discounts for BC Paralegal Association members.  
Go to [bcpa.intrd.com](http://bcpa.intrd.com) to start saving today!



## SAVE 40%

WHEN YOU BOOK 3  
OR MORE NIGHTS



## HOTELS

Finally some downtime

*Save up to  
40% off!*

Clarion  
Comfort Suites  
Quality Inn  
Sleep Inn  
Sparkling Hill Resort  
and MORE!



## TICKETS

Hitting the slopes hard!!

*Save up to  
\$25 off*

Big White  
Playland  
PNE  
Sun Peaks  
Whistler Blackcomb  
and MORE!



## TRAVEL

Sayonara Amigos

*Exclusive  
Rates*

Avis  
Enterprise Car Rental  
National Car Rental  
Park'N Fly Edmonton  
Park'N Fly Vancouver



## HOME

Love the new look

*Member  
Savings*

Centra Windows  
The Mortgage Group

(insider)trading

Where insiders prefer to purchase

Brought to you by the BC Paralegal Association and powered by InsiderTrading,  
**Club BCPA** gives you exclusive access to discounts on products and services.  
Start saving today at [bcpa.intrd.com](http://bcpa.intrd.com)