



Western
Association of
Legal
Assistants

News

November 1990 edition

P.O. Box 4127, Main Post Office, Vancouver, B.C. V6B 3Z6 telephone: 687-4933

President's Corner

The Association's 11th Annual General Meeting was held at the offices of Russell & DuMoulin on September 11, 1990. The purpose of the Annual General Meeting was to elect six Directors for our 1990/91 year. Two of the existing Directors, namely myself and Viviane Dufrane desired another term as Directors and members, Madenka Maretic, Heather Pellow and Debra Rowbotham expressed their desire to be Directors of the Association. Sarah Hanna was further nominated as a Director and accepted the nomination.

At the first Directors' meeting the following Appointments were made:

Terry Wilson
President
631-3179

Heather Pellow
Vice-President
662-5448

Madenka Maretic
Secretary
688-0401

Viviane Dufrane
Treasurer
685-4321

Each of the Association's Committees must be under the direction of a Director. The Committees were distributed accordingly:

Debra Rowbotham
Newsletter Committee
631-3151

Sarah Hanna
Education Committee
631-3131

Heather Pellow
Program Committee
662-5448

Madenka Maretic
Membership Committee
688-0401

If any members have questions or concerns, you may direct them to the appropriate individual.

Following the formalities of our Annual General Meeting, the attendees had a opportunity to meet one another and exchange ideas over a glass of wine.

Introducing the WALA directors



Terry Wilson

Terry graduated from Capilano College in the Spring of 1985 and has been a member of the Association since July 1986. She was first elected a Director in May of 1988. Terry has been President of the Association since August 2, 1989. Her first year and a half of working experience was secured at Harper, Grey, Easton & Company, thereafter joining Boume Lyall, which merged to Lyall McKercher Hanna, merging again to become Russell & DuMoulin. Terry presently practices in the area of personal injury litigation and her extra-curricular activities include aerobics, cycling and having a good time.

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Introducing the WALA directors
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Heather Fellow

Heather graduated from Capilano College in the Spring of 1986 and has been a member since August of 1987. Her practicum was completed at Bradbrooke, Crawford & Greene in North Vancouver. Heather continued her employment at Richards Buell Sutton and from September 1988 to the present has been working in I.C.B.C.'s litigation department with two lawyers. Heather has little time for extra-curricular activities with the exception of WALA and being a new mother.



Madenka Maretic

Maddie graduated from Capilano College in the Spring of 1988. She has been a member since November of 1986. Maddie's practicum was primarily in the area of Corporate Law but she now practices general litigation at Owen Bird. Maddie is presently taking part-time courses for an undergraduate degree with a major in Political Science. She also volunteers her time for the SFU Alumni Association. Born in Yugoslavia, Maddie can be considered a world traveller and is an avid jogger.



Viviane Dufrane

Viviane was a graduate of Capilano College's Program in the Spring of 1987. She has been a member since February of 1988 and a Director since the Spring of 1989. Viviane secured her practicum at Lyall McKercher Hanna, later moving on to Harper, Grey, Easton & Company for the next 1 1/2 years. For the past four months she has been working in personal injury litigation at Epstein, Wood, Wong & Logie. Viviane enjoys travelling, aerobic, skiing and jogging.



Debra Rowbotham

Debbie is our most experience Director having graduated in the Spring of 1983. Her work-

ing experience includes a year in litigation and family law, six years in personal injury defence work and the past six months in labour and employment law at Russell & DuMoulin. Debbie is only the second legal assistant in the Lower Mainland to work in the area of labour law. Debbie divides her spare time between performing volunteer work for the Port Moody Victim Services (a police based program) and activities such as cycling, tennis, travelling, swimming, photography, needlework and this year is making an effort to learn how to ski (look out!!).



Sarah Hanna

Sarah graduated from Capilano College in the Spring of
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Legalese - plain and simple

Bankers and lawyers endorse plain legal language

The Plain Language Joint Committee of the Canadian Bar Association and the Canadian Bankers' Association released its final report recently. The Joint Committee endorsed the use of plain language in law and in business. It called for both CBAs to set up a national advocacy body, the Plain Language Coalition.

PLAIN LANGUAGE - A DESCRIPTION

The report, *The Decline and Fall of Gobbledygook*, says:

"The fact that so many legal, business and government documents are written in gobbledygook is unfortunate, since these documents frequently contain information that can have important consequences for the individuals who read them.

The (CBAs) recognize the importance of an informed public. (They) agree that plain language documents can help improve public access to the law. In particular, plain language documents in the financial services industry will increase consumers' awareness of their rights and duties in financial transactions."

RECOMMENDATIONS

The Joint Committee recommends:

1. Plain language drafting should be looked upon as a dynamic process and not as a mechanical application of static rules. Appropriate study and training can teach

this skill.

The Legal Profession

2. Law schools and bar admission courses should include plain language drafting courses.

3. Law societies should ensure that continuing legal education courses are offered in plain language writing.

The Banks

4. Banks and other large organizations should require their lawyers to draft documents in plain language.

5. Large organizations should have a plain language policy for consumer documents.

6. An organization should have an interdisciplinary committee to develop consumer forms. The first draft of any consumer form should be done by someone with plain language training and experience.

7. Banks and other large organizations should ensure their employees have access to plain language writing courses.

Governments

8. The Joint Committee urges all governments in Canada to adopt plain language techniques in the drafting of legislation, regulations, and government forms, and in so doing, to set an example for commercial practice.

The Plain Language Coalition

9. Both CBAs should adopt a Joint Statement of Principles stress-

ing the need for plain language documentation, undertaking to promote plain language documentation within their memberships and throughout the Canadian community, and inviting other segments of business, legal community, and government to adhere to the Joint Statement of Principle.

10. The Canadian Coalition for Plain Legal Language should consist of industry associations, law firms, and government departments that adhere to the Joint Statement of Principles. 11. Assisted by the Canadian Legal Information Centre, the Coalition should advocate the increased use of plain language drafting in Canada and serve as a resource to its members. In future issues of this newsletter, the plain language movement will be explored further.

WALA in the television spotlight

Our acting President, Terry Wilson, was filmed a few weeks ago for Legal Wise which was reporting upon Legal Assistants in British Columbia. Although Ms. Wilson was interviewed in her capacity as a working legal assistant, the reporter has been asked to introduce her as President of the Western Association of Legal Assistants. Air time for the show is not yet known but we anticipate it to be the end of November 1990. A special notice will be sent out to all members advising of the air date. If you are unable to watch the show it will

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firm spotlight

LADNER DOWNS

Ladner Downs is one of Vancouver's oldest and largest law firms. In 1989 Ladner Downs opened branch offices in Hong Kong and Richmond. Recently Ladner Downs has joined the international partnership of Osler Renault, now to be known as Osler Renault Ladner, with offices located in London, Paris, Hong Kong, and New York.

Ladner Downs consists of 122 lawyers and approximately 200 office staff. Of the staff there are 45 legal assistants occupying collections, corporate financing, foreclosures, litigation, probate, real estate, tax and trademarks positions. Approximately 17 of the legal assistants have diplomas, 14 of the 17 are in the litigation department.

With the exception of real estate/conveyancing and corporate financing, the majority of the le-

gal assistants have their own offices and a shared secretary. While some of the offices are internal, and within the actual department they represent, the litigation and collections legal assistants are situated within the same vicinity and they have large outside offices.

Because of the size of the firm, each department of legal assistants remains quite separate and distinct from each other. Therefore, there is not a lot of interaction between the different groups of legal assistants. Within each department legal assistants are invited to participate in meetings and educational programs both inside and outside the firm. The litigation legal assistants have quarterly meetings.

The responsibility of each legal assistant varies according to the lawyer who delegates the work. In the litigation department there

has been up to five legal assistants working on one file at a time. The firm is moving towards the trend of computerization and it is expected that the litigation legal assistants will each their own computers in the near future. Approximately ten of the litigation legal assistants have their own computers, while all of the real estate and conveyancing and most of the corporate and probate legal assistants have use of their own computers.

Ladner Downs is moving towards the trend of hiring Legal Assistants who have completed the two year program at Capilano College either fulltime or in the evenings. They also encourage those Legal Assistants who have not obtained their diploma to attend night school in anticipation of receiving their diploma in the near future.

Sherry Kuyek

VCC Legal Assistant program rides again

Once again it appears that VCC is trying to resurrect the "Legal Assistant" program that has been often commenced but rarely completed by VVI. The courses are proposed to start as early as January 1991 (approval from the VCC Board is still pending).

VCC currently offers a Legal Secretary program that involves six courses offered in the areas of Legal Office Procedures & Ethics; Civil Litigation, Corporate, Matrimonial, Wills & Estates and Conveyancing. Each course is 9 hours in length except Legal Office Procedures & Ethics which

is only 3 hours long.

This latest version of the VCC Legal Assistant Course will be a part-time study program where the student chooses to specialize in one of three areas: Conveyancing, Corporate or Litigation.

The Program will involve two lectures per week (3 hours in length) over an eight month period. Upon completion of the course the student must complete a 4 month practicum in a law Firm. It is proposed that program start dates will be staggered ena-

WALA on TV from p. 3

be recorded and shown at our next Members' meeting.

In anticipation of the flood of calls that will undoubtedly be received after the airing of this show, the Directors felt it time to retain an answering service enabling us to have our own phone number and a listing in the yellow and white pages and with Directory Assistance. Effective immediately, you may contact any of the Directors by leaving a message at 687-4933.

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NETWORK NEWS

Hello and welcome to Network News

As many of you have heard, The Legal Assistant Network (TLAN) is a new, exclusive, placement service established to promote career opportunities and professional placement for member legal assistants. TLAN operates as a division with The Counsel Network, a lawyer placement service, and is endorsed by the Western Association of Legal Assistants. Only legal assistants who are members of WALA may use this service.

Since the previous newsletter introduced TLAN, I won't go over that again. At the suggestion of the WALA executive, in this regular column I will comment on recruitment, placement and career opportunities; topics such as resume tips, job search techniques, professionalism, employment law, interview skills, placement services, etc.. Today I will discuss our placement process in the sense of what happens and what to expect, in practical terms, when you submit your resume to TLAN. Hopefully, with your support this column will continue as a regular newsletter feature and, in turn, TLAN will be of real benefit to you. However, for this to happen YOU must become involved! So, please call or write to me if you have any questions, comments or topics of interest and above all, spread the word and let those involved in hiring know that there now exists an exclusive legal assistant placement service which can fully and effectively meet their needs in this area.

Perhaps the best way to appreciate how we work is to understand our placement phi-

losophy, for both TCN and TLAN. Simply put, we are not a factory or "meatmarket", which distributes as many resumes as possible around town in the hopes of making a connection and collecting a fee. Rather, we are a professional recruiting firm which acts for specific reputable clients and which only refers candidates once we have a clear understanding of the position to be filled and are satisfied that the people we refer fit within these parameters and are motivated to the position. We are interested only in matching the right person with the right position in a professional and ethical fashion.

Our process is quite simple to explain. First and foremost, a candidate must submit a resume providing up to date information with a letter asking that the person be registered. If the person referred appears qualified for any current open positions, the person is put on the "active searchlist" and an interview arranged with the consultant for the next available date. Those not referred to the active searchlist are processed in the normal manner. A file is opened and a letter is sent acknowledging receipt. The letter also advises the candidate that they will be contacted for an interview as soon as convenient, since we try to interview all who apply. All candidate information is held in strictest confidence and is not released from our office without the express consent of the candidate.

At the interview, which is usually very informal, the consultant will review the resume and discuss in greater depth the candidate's credential's, work his-

tory, personality and goals. The purpose is to obtain an understanding of the applicant and the type of position they are seeking and would best be suited for. The consultant will always ask for references, preferably from current or former employers. Depending upon the circumstances and the applicant's instruction, these references will be contacted at the appropriate time.

If the consultant decides to "confirm" the file, two things happen. First, a letter is sent advising the applicant that the file will automatically be monitored and considered should a suitable position arise. Second, the candidate information is fed into the computer database for future review and retrieval. If a potential match arises, the candidate is contacted by the consultant to discuss the position. If the candidate wishes to pursue the position, the file is grouped with the files of other candidates for further screening. The candidate may be re-interviewed by the consultant, or referred for a client interview. If the candidate is selected by the client, the consultant would normally negotiate, present and finalize the offer.

That is our normal process for the registration and screening of candidates. Again, I emphasize two primary points. First, we act in strict confidence and only release information with the consent of the candidate. Second, there is no fee or cost to the candidate for placement. That is paid by the employer.

Finally, I must also emphasize that, while a placement service will assist certain individu-

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als and can act as an extra set of eyes and ears regarding career opportunities, you are your own best placement consultant. Consequently, you should assume total responsibility for your job search and conduct the search in a determined, systematic and professional fashion!

Stephen Nash

WELCOME!

.Since our Summer Newsletter, the Association has acquired 14 new members. Our membership presently stands at 112 active (paid) members comprised of 70 legal assistant members and 42 student members. A further 13 legal assistant members and 19 student members who have yet to pay their membership dues or have allowed them to lapse. We take this opportunity to introduce our new members who have joined the Association since our Summer 1990 Newsletter:

- Sylvie Anderson (L.A.)
- Heather Bennett (L.A.)
- Rhea Cappelletti (S)
- Maurlene Campbell (S)
- Jean Florendo (S)
- Sherry-Lynne Kuyek (L.A.)
- Marie McLean (S)
- Ellen Murphy (S)
- Kimberley Robertson (S)
- Susan Spencer (S)
- Lorraine Tung (L.A.)
- Tracey Waldner (S)
- Debbie Wong (L.A.)
- Helen Wood (S)

Terry Wilson

IN TOUCH

The first in a series of articles dealing with different areas of specialty for legal assistants

This article will be the first in a series dealing with different areas of specialty for legal assistants.

This first article deals with the role of the legal assistant in the labour law department. Because British Columbia is a highly unionized province, it has a sophisticated labour law system. The role of a labour law assistant is becoming vital in this area of practice. Although there are only two legal assistants employed in labour departments in Vancouver law firms, the need for legal assistants specializing in this area is increasing.

Areas in which a labour law legal assistant can assist a lawyer include Employment Law, Arbitration Law, Industrial Relations and Human Rights. The duties which are common to all areas include but are not limited

- to
- *investigating and reviewing file to identify problems
- *liaising with clients on progress of file
- *drafting pleadings, affidavits, arguments, statement of facts and correspondence
- *interviewing witnesses
- *research
- *monitoring case law
- *maintaining files
- *obtaining and maintaining precedents
- *preparing for hearings

As one can see, there is a wide range of duties which can be fulfilled by a labour law legal assistant. Because it is a new and upcoming area of specialty the need for legal assistants in this area should increase significantly in the near future.

Sherry Kuyek and Debbie Rowbotham

NOTICE

All full legal assistant members are presently being out on the CLE mailing list in order that they will receive notification of courses for both lawyers and legal assistants in their area of specialty. In that regard we ask that you ensure that we are updated with respect to where you are working and your area of specialty.

For further information, please write or telephone The Western Association of Legal Assistants (WALA) P.O. Box 4127, Main Post Office, Vancouver, B.C. V6B 3Z6 telephone 687-4933

EDITOR'S NOTE

I would like to take this opportunity to give a BIG THANK YOU to Terry, Cheryl, Sarah, and Sherry who banded together to print and distribute WALA News while I was decadently bronzing the bod and sipping tequila. THANK YOU ALL ONCE AGAIN!

Opinions expressed in

WALA News are those of the writers and not necessarily those of Western Association of Legal Assistants (WALA). WALA cannot assume liability for errors or omissions. Please feel free to reprint any of the articles in this newsletter just so long as you give credit where credit is due.

D. Rowbotham

WALA Committee Reports

EDUCATION COMMITTEE

The Education Committee serves several purposes in WALA. The first is to obtain information on legal assistant courses offered elsewhere in Canada, the United States and even Great Britain. With that in hand, the Committee is able to evaluate the programs against the education standards set by our By-laws. This assists the Directors in evaluating "out of Province" membership applications.

The Committee also keeps up to date with courses and seminars that may be of interest to our members. We will keep you up to date though articles in the Newsletters.

We are looking into putting together educational seminars for our members and will be working with the Program Committee to organize them. If you have a particular topic you would like to know more about, or would like to speak about - please let us know.

If you have any enquiries or are interested in working on this committee, please contact the Chairperson, Sarah Hanna at 631-4742. The Members of the Committee are Fran Brett, Sandra Spiller, Sheena Fleming, Colleen Todd and Gemma McDonald.

THE NEWSLETTER COMMITTEE

The Newsletter Committee is being chaired this year by Debbie Rowbotham. Other Committee members include: Terry Wilson, Sarah Hanna, Ann Erleback, Cheryl Stephens, Wendy Mulligan and Sherry Kuyek.

At our first Newsletter Commit-

tee meeting, it was decided that we would like to have regular feature stories such as "President's Corner, (Terry Wilson's domain), "In Touch" which will focus on different areas of specialty and options for legal assistants, "Spotlight" which will give information about various Vancouver area law firms, "Legalese - Plain and Simple" a series of articles prepared by Cheryl Stephens relating to the progress made in simplifying legal jargon and last, but by no means least, "Network News" which is an article written by Stephen Nash of The Counsel Network. In each issue of our newsletter Mr. Nash will focus on a particular topic. We can look forward to reading about recruitment, placement, career opportunities, resume tips, job search techniques, etc.

We also discussed the possibility of distributing the newsletter six times per year instead of four times per year. We would also like to start a regular feature where we publish your questions or comments and provide an answer or response. In this regard, your letters are more than welcome as we want the newsletter to reflect your interests. We do not have a title for this article yet but would appreciate your feedback regarding this as well.

Cheryl Stephens is helping to ensure that WALA News has a professional look in its layout and composition.

Your thoughts are important to us. We therefore ask that you please either write or contact one of us by leaving a message at 687-4933. We would appreciate your feedback with respect to the way

WALA News is presently published, or any ideas you have for future articles. We look forward to hearing from you!!

MEMBERSHIP COMMITTEE

This year's Membership Committee is chaired by Maddie Maretic and Committee members include Linda Lawson and Terry Wilson. Some of the responsibilities of the Committee are to maintain an accurate account of existing members, to ensure dues are paid and to look at new ways to recruit members.

In addition, the Committee is finalizing a directory of members based on replies to the Questionnaire that has been published in previous Newsletters. This Directory will list each member, their employer and area(s) of specialty. The Committee proposes to publish the Directory annually with updates sent out semi-annually. If any Legal Assistant member has not yet completed this Questionnaire please contact Maddie Maretic at 688-0401.

Interest has also been expressed in the Association issuing certificates of membership to its members. The Committee is looking into cost and feasibility of such a venture. As well, the Committee is looking into providing a portfolio package to new members upon acceptance to the Association. Such a portfolio would include: a letter of introduction from the Association, certificate of membership, WALA By laws. Report of the Directors (from previous year), President's update outlining goals for ensuing year, current Directory, Questionnaire for Directory, and

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Committee reports from p. 7

Stephen Nash's letter of introduction.

As membership in the Association continues to grow, this Committee continues to play an active and challenging role in the Association.

Program Committee Report

This Committee's function is to plan and organize the social events. It is always our goal to increase support and interest in these events. We would therefore appreciate receiving your suggestions as to what you would like to see organized in the next year.

Here are just a few upcoming events to mark on your social calendar: Rum and Egg Nog night at Alexander Holburn on December 5, 1990 at 5:30 p.m. and our Annual Dinner Meeting (date and place to be announced) for sometime in February 1991.

VCC program from p. 3

bling students to have approximately 3 opportunities to commence the program each year.

Entrance requirements include fluency in English, a Grade 12 diploma and have either some legal office experience or completion of a legal secretarial course and have some additional experience.

The Program appears to lack the substantive content that programs such as the Capilano College Legal Assistant Program include. With such a short lead in time before the proposed commencement date for the program, the writer wonders about the chances of success for this latest attempt at a "quick" Legal Assistant course!?

Further details will be reported as they become available.

Sarah Hanna

Status of Legal Assistant Certification

In October 1989 the Paralegalism Subcommittee of the Law Society of British Columbia recommended that a separate Law Society Committee should study and make specific recommendations on "the criteria for legal assistant Certification, the cost of a certification program and a schedule for implementation".

Currently, the members of this Committee are being appointed and we can expect an announcement as to the identity of the Committee members some time in the next few months.

The initial mandate of the Committee will be to gather as much information as possible about the realities of the work legal assistants do in the various areas in which they work. If this investigatory stage is as extensive as hoped, then it is also likely that it will take quite a while.

Following that, the Committee will be compiling a number of proposals for presentation to the Benchers as to what the procedure for certification should be. It is hoped by the Benchers that a Certification program will be self funding - which probably means

through the fees charged for the Certification examination.

It should be emphasized, that although the recommendations in the Paralegalism Committee's report favour legal assistants who have a substantive law background, the Certification program will not be a licensure program, but rather one that is intended to increase the proficiency of legal assistants. On the other hand, the standard of proficiency required for Certification has not yet been determined and there is the possibility that it could be below the standard set for Capilano College graduates (as well as the standard set by WALA). Since the Certification program will be a proficiency scheme rather than a licensure scheme, promotion of a high standard for Certification is the goal of WALA. It is anticipated that the greater the educational requirement, the greater the recognition in terms of professional status and salary.

The coming months should be interesting at the very least. We will keep you advised as things develop.

CHRISTMAS FESTIVITIES

The Program Committee met on October 15, 1990. This committee is organizing a RUM & EGG NOG AND "GOODIES" Reception on Wednesday, December 5, 1990, at the offices of Alexander, Holburn, Beaudin & Lang, 27th floor, 700 West Georgia Street, Vancouver, at 5:30 p.m.

This has been organized for members to get to know each other and celebrate the Holiday Festivities.

In addition, there will be a videotape shown of the television show, "Legal Wise", where our President, Terry Wilson, was interviewed about the use of legal assistants. (see p. 3 for more details).

Please R.S.V.P. to Heather Pellow - 662-5448 or to Viviane Dufrane - 685-4321.