



### In this issue:

1. [Fraudsters Target Lawyers](#)
2. [Preventing Harassment and Violence in the Workplace](#)
3. [New Model Policy on Accommodation](#)
4. [Vacation Plans and Trust Accounts](#)
5. [Cross-border Laptop \(In\)security](#)
6. [Guide to Legal Research in Canada](#)

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### 1. Fraudsters Target Lawyers

Law societies across the country continue to report on fraud schemes targeting lawyers. On May 21, 2008, the Law Society of Upper Canada issued an [Alert on Fraudulent Scams](#). The May 2008 issue of the Law Society of British Columbia's Benchers Bulletin included the article [Counterfeit bank drafts - yet another trust account scam](#). And, the May 30, 2008 issue of [The Lawyers Weekly](#) included the article [Lawyers fall victim to client-fraud](#) by Christopher Guly.

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### 2. Preventing Harassment and Violence in the Workplace

Law firms should make sure they have a written policy to prevent harassment and violence in the workplace. Regulations under [The Workplace Safety and Health Act](#), CCSM c.W210 that came into effect last year require every workplace under Manitoba provincial jurisdiction to develop and implement a written policy to prevent harassment in the workplace and to ensure that employees comply with that policy. (See Workplace Safety and Health [Regulation 217/2006](#).) Employers must also complete a risk assessment and if a risk of violence is identified a policy must be developed and implemented and training in violence protection must be provided and enforced. Law firms that have not implemented this kind of a policy should refer to the Law Society's [Respectful Workplace Model Policy](#) for assistance.

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### 3. New Model Policy on Accommodation

Law firms have an increasing responsibility to take active steps in accommodating their employees. Firms that develop an accommodation policy with well-defined processes and procedures will be able to expedite the resolution of workplace issues that arise. The Law Society's new [Model Policy on Accommodation](#) can assist firms in this regard and members may wish to consider incorporating its provisions together with those found in the [Respectful Workplace Model Policy](#).

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### 4. Vacation Plans and Trust Accounts

If you are planning for summer holidays don't forget to consider arrangements for cheque signing on your trust account in your absence. [Law Society Rule 5-43\(1\) \(d\)](#) requires trust cheques to be signed only by the member or another practicing lawyer in the member's firm or by those persons

in conjunction with other employees of the firm. Any arrangements to have a lawyer of another firm sign during your absence must be approved in advance by the Law Society's CEO. Also, keep in mind that no matter how much confidence you place in your non-lawyer staff, they are not permitted to sign on your trust account without a lawyer's signature as well. There is vulnerability in not having a lawyer scrutinize trust transactions. As well and unfortunately, the Law Society has seen instances where trusted employees with years of service have stolen funds. The Law Society's insurance does not cover trust account theft by non-lawyer employees. So, NEVER sign your cheques in blank and keep your cheque stock in a secure place. For further information on cheque related issues see the article in the July 2007 Communique article: [Watch out for cheque fraud](#).

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## 5. Cross-border Laptop (In)security

If travel to the U.S. is on your agenda in the coming months, you need to be aware that the Ninth Circuit of the United States Court of Appeal in [United States v. Arnold](#), has recently determined that data contained on personal laptop computers may be searched by border security agents. If you want to protect your information and that of your clients (which you are bound by the [duty of confidentiality](#) to protect), take a look at the resources here for some tips on how to travel more securely with your laptop computer:

- [Caution Travelers: Laptops May Be Subject to Suspicionless Searches at the Border](#), ABA Site-Tation, April 25, 2008
  - [Read me first: Taking your laptop into the US? Be sure to hide all your data first](#) by Bruce Schneier, published in *The Guardian*, Thursday May 15 2008
  - [Electronic devices - encryption and client confidentiality issues](#) by Dave Bilinsky, published in the [Law Society of British Columbia's](#) March 2008 *Bencher's Bulletin*
  - [Laptops and Cross-Border Security](#) by Simon Fodden, published February 7, 2008 on [Slaw.ca](#)
  - [Electronic Devices and Borders - A Privacy-Free Zone?](#) by Dana Bissoondatt published in [Fraser Milner Casgrain LLP's](#) May 2008 *Focus on Technology/IP* newsletter.
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## 6. Guide to Legal Research in Canada

The online guide, [Doing Legal Research in Canada](#), has been updated as of April 4, 2008. It provides a useful starting point for researching Canadian law.

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[Go to the eLaw Archive](#)

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