



### In this issue:

1. [Why You Need a Succession Plan](#)
2. [Privacy Interest Abandoned With Garbage: SCC](#)
3. [Vacation Preparation](#)
4. [Recession Resources](#)
5. [Technology Tips for Reluctant Users](#)

---

### 1. Why You Need a Succession Plan

Sole and small firm practitioners who have not planned for future contingencies like death or disability are risking their own financial security and that of their families, colleagues and clients. The article [Succession planning protects you and your clients](#), published in the [Spring 2009 edition](#) of the Ontario Lawyers Gazette, reviews why a plan is needed, what happens when you fail to plan, the regulatory framework and the components of an effective plan. It also contains a list of succession planning resources, some free and others available for purchase. See, for example, the LawPRO booklet [Managing Practice Interruptions](#) or the Canadian Bar Association article [Planning Ahead for Partner Retirement](#).

---

### 2. Privacy Interest Abandoned With Garbage: SCC

In a recent criminal law decision concerning unreasonable search and seizure, the Supreme Court found that placing garbage out for collection where the public can easily access it is "inconsistent with the continued assertion of a constitutionally protected privacy interest." [R. v. Patrick](#), 2009 SCC 17, should serve as a warning to all businesses, especially law firms, to review their waste disposal policies and to make sure that privileged and private information is protected. The following article discusses the significance of the case in a non-criminal context, suggesting that its principles may extend into issues of investigative powers, waste disposal policies and solicitor-client privilege.

- [Supreme Court Finds Abandonment of Privacy Interest in Waste](#) a May 11, 2009 Osler Update

---

### 3. Vacation Preparation

Before you head off for a well-deserved summer vacation make sure that you have:

- changed your voice mail (but see [Your "Out of Office" Voice Mail Message](#) for the right and wrong way to do this) and set up an automatic "out-of-office" response on your e-mail system
- informed opposing counsel on active files that you will be away
- arranged for a designate to monitor the ongoing matters in your office (read mail, e-mail etc.)
- left a phone number or e-mail address where you can be reached in an emergency

- made sure that an appropriate person has signing authority on your trust account (if you are not practising in a firm remember that Law Society Rule 5-43 (1)(d) requires you to request The Law Society's permission for another signing authority)
  - made arrangements for maintenance of trust records and reconciliations so that they are kept up-to-date.
- 

#### 4. Recession Resources

As the recession lingers, so too do the articles exploring its impact on law practices. Here are some of the latest additions:

CBA PracticeLink has started a [Recession Resource Centre](#), which produces and collects online materials dealing with the effects of the economic downturn on the legal profession. Selected resources include:

- [A Recession Coping Guide for Canadian Law Firms](#) by Janice Mucalov
- [Technology Tips for Riding Out the Recession](#) by Luigi Benetton
- [Smart Marketing for Challenging Times](#) by Susan Van Dyke
- [Law Firm Checklist for Coping with a Recession](#)

Similar themes are explored in the following articles:

- [Many lawyers are using technology to save time, money during the current downturn](#) by Arnold Ceballos, published June 12, 2009 in *The Lawyers Weekly*
  - [Weathering the Storm-Law Firm Risk Management in Hard Times](#) by Mark J. Fucile published in the May 2009 Oregon State Bar Bulletin
  - [Get the most out of your marketing team](#) by Catherine Mitchell and Kelli Wight, from the April 3, 2009 *The Lawyers Weekly*
  - [Discover, and Market, Your Niche Law Practice](#) by Ann Macaulay, March 2009 [CBA Practice Link](#)
  - [Time for going it alone?](#) by Kevin Marron, published April 2009 in *Canadian Lawyer*
- 

#### 5. Technology Tips for Reluctant Users

For those of us who didn't grow up in a digital world, adapting to the increasing use of technology in legal practice can be a challenge. Here are a few quick tips to simplify your life as a technology user:

- If reading website content strains your eyes try the free application [Readable](#), which transforms website text to a customized format you can read. Once you have set the tool to your preferred specifications (a simple process), a click of your mouse will adjust the text on any website.
  - Never lose another file again. Read the Lifehacker article [Five Best Free Data Recovery Tools](#), choose the data recovery tool that best fits your needs, and you'll be prepared to get your data back before it's gone forever.
- 

[Go to the eLaw Archive](#)

*The Law Society of Manitoba provides this service solely for the benefit of and to support the competence of its members. Members should exercise their professional judgment in using or adapting any content.*