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New Code of Professional Conduct: CBA

The Canadian Bar Association's Ethics and Professional Responsibility Committee has published a revised [*Code of Professional Conduct*](#) containing major changes in two areas: conflicts of interest (see the Interpretation section and chapters 3-6, 8-10, and 17) and clients' language rights (see Commentary, chapter 2). The new *Code* is fully searchable online. Previously published guidelines supplementing the *Code* ([Guidelines for Ethical Marketing Practices Using New Information Technologies](#) and [Guidelines for Practising Ethically with New Information Technologies](#)) are also available online.

Cloud Computing

Last year's [positive talk](#) about SaaS (that it would revolutionize law office technology) continues, with many predicting that cloud computing is a model with staying power. See, for example, this [post](#) by Brian Bowman, which includes a link to Deloitte's [Technology Predictions 2010](#), where the author predicts cloud computing will grow "much faster than most other technology verticals," especially in small to medium enterprises.

If you need a review of what cloud computing is and what it means to lawyers, see David Whelan's article [Where's Your Stuff](#) (Slaw, January 11, 2010). It provides links to both free and fee-based practice management software services and applications. It also considers the risks of relying on SaaS applications, as does Joshua Poje's article [The ABCs of Cloud-Based Practice Tools](#), from the January 2010 issue of *Law Practice Today*. Those considering SaaS application purchases will find the list of key questions to ask SaaS vendors, found at the end of the article, particularly useful.

Protecting Yourself from the Dangers of Email

Email is fast, convenient, and ubiquitous, but it isn't always the safest way for lawyers to communicate, as noted in articles like [Is The Hacker World Targeting Your Law Firm?](#), [Email and security issues](#), or [Protecting privilege: how safe are your e-mails?](#)

The most recent issue of *Insurance Issues: Risk Management*, a Law Society of British Columbia Lawyers' Insurance Fund publication, is titled [Email: Preventing a mailstrom](#). It identifies the different ways in which lawyers' use of email has triggered claims against their Insurance Fund and offers practical risk management advice to help others avoid similar mistakes.

Retaining Legal Talent

In [How Virtual Law Firms Attract and Keep Great Legal Talent](#), a follow up to her recent [article](#) on law firm strategy, Nicole Garton-Jones discusses how the business model of virtual firms addresses the issues at the heart of the current high attrition rate in the legal profession (especially among women). She argues that establishing a firm culture predicated on balance and flexibility with applied technological solutions to facilitate it, has enabled her firm to both attract and retain top legal talent, and she makes a compelling argument for a new paradigm.

Keeping Up With Facebook

As noted in this month's [Litigation eLaw](#), sub-service by posting on Facebook has arrived in Manitoba. Whether you love it or hate it, you can't ignore Facebook, and you definitely need to understand it even if only to offer informed advice to client users or your children. The social media primer in December's [Practice Management eLaw](#) highlights some of the perils of using Facebook, with privacy concerns and identity theft front and centre. Many commentators have decried Facebook's recent controversial move to restrict users' privacy control. Most offer tips on how users can regain control of their own privacy interests. See, for example, the *New York Times* article [The 3 Facebook Settings Every User Should Check Now](#) by Sarah Perez.

The Bottom Line on Workplace Email Monitoring

If your firm does not already have a comprehensive computer use policy in place you need to get one, especially if you monitor employee email for any reason. The article [Monitoring employee e-mail: a privacy primer](#), by Brian Bowman and Andrew Buck, is an excellent summary of the legal issues raised by email monitoring practices. It was published in *Privacy Pages*, the CBA National Privacy and Access Law Section Newsletter, December 2009.

Director Liability: Know the Risks

A new post on PracticePRO's Avoid a Claim blog, [Sitting on a non-profit board: A risk management checklist](#), suggests lawyers should think carefully before accepting an invitation to serve as a director of a charitable or non-profit board. All directors are at risk of being held accountable for their own or others actions or failures to act, and lawyers in particular are held to a high standard of care. The checklist of questions to ask yourself before accepting a director appointment will help you to define and assess your risk.

Online Practice Management CLE: CBA

The Canadian Bar Association is presenting several online programs dealing with practice management topics in the next month:

[Technology in the Courtroom](#) - February 23, 2010. A review of the technologies you can use to achieve greater efficiency, better case organization, and improved presentation of evidence.

[The Four Pillars of Practice Management](#) - March 1, 2010. This webinar explores the connection between the four pillars of effective practice management: communication, time management, file management and financial management.

[File Management Systems: the Good, the Bad, the Ugly](#) - March 8, 2010. This webinar will review how any size firm can maximize performance with the right file management software system.

[Practicing Law 140 Characters at a Time: Twitter for Lawyers](#) - March 9, 2010. Want to know how other lawyers are using Twitter for professional development and marketing? This program will show you how to use Twitter and showcase best practice examples of lawyers and firms who are already there.

[Negotiation Skills: A Refresher on Theory behind Practice](#) - March 15, 2010. This program will explore the theory behind negotiation strategies and examine why and how they work.

[Kick it up a Notch: Plain Language Writing for Professionals](#) - March 22, 2010. Learn how to integrate plain language communication in your practice at this two hour webinar.

Winter CPD: LSM

[Trust Accounting: In the Know](#) - This lunch hour program aimed at lawyers and support staff will review the Division 4 - Financial Accountability rules, including accounting systems, restriction of cash rules, client identification and verification and annual trust account reports. Join Law Society auditor Colleen Halpenny at 12:00 noon on February 24, 2010 at the Law Society classroom.

[Accommodation in the Workplace](#) - This half day program will examine current issues on workplace accommodation from a number of perspectives including workplace safety, human rights and discipline issues. It takes place April 14, 2010 from 1:00-4:00 p.m. at the Law Society classroom.

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