



The Institute  
of Law Clerks  
of Ontario

# LAW CLERKS' REVIEW

## ILCO's ANNUAL SUMMER EVENT

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Calendar of Events

On August 10, 2014, ILCO hosted its annual summer picnic, which was held at Toronto's beautiful Centre Island. We were delighted as we were treated with fabulous weather – warm, sunny and perfect for an afternoon outdoors! Members were presented with a goody bag upon arrival - filled with all the necessary summer essentials (water bottle, first aid kit, mini flashlight, hat and sunglasses). A delicious BBQ Lunch was served, compliments of Do Process and Cartel. After lunch, members and their families enjoyed the rides in Centreville's Amusement Park, compliments of Rai Grant Insurance Brokers. The kids enjoyed the Log Flume, Bumper Cars and Carousel, just to name a few. Ice cream coupons were provided to all in attendance, compliments of Stewart Title Guaranty Company, and those who enjoyed it can attest - it was a refreshing and delicious treat on this sunny afternoon. All in all, with an entire island to explore, there was no shortage of fun!

ILCO would like to send a special thank-you the staff at Centre Island and Centreville for catering and running our picnic lunch seamlessly. Another huge thank-you to our sponsors, Do Process, Cartel, Rai Grant Insurance Brokers and Stewart Title Guaranty Company for their generous support!

Last but certainly not least, ILCO would like to thank all of the wonderful members and their families for

joining us. We had a great time getting acquainted (and re-acquainted) with all of you while lounging in the sun. This event could not have been such a success without you. Until next year!

Ian Curry and Maddie Lepore  
Co-Chairs, Public Relations



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## PRESIDENT'S MESSAGE

As the cool summer months draw to a close, ILCO's Board and staff is preparing for a very busy fall. Our schedule is filled with special events, CLE programs and new initiatives.

A major project that has been initiated by the Board of Directors is a review of the ILCO By-Laws with a view to revise them to comply with the upcoming changes to the Ontario Not-for-Profit Corporations Act. The Governance Committee has been tasked with this review. The Governance Committee has also been tasked with reviewing and revising certain aspects of the by-laws to clarify how our association should be governed and to make our association more efficient. The By-Law changes will complement our new Certification offering. Stay tuned for further information on both these initiatives.

Additionally, our 2015 Conference Committee is hard at work to make ILCO's 25th Annual Conference an exceptional one. With several special surprises in the works for our attendees, this conference will truly be a memorable event.

We welcome your submission of articles for our Newsletter. Please submit articles of one of our Newsletter Co-Chairs, Anna Traer or Christopher Poirier. Their contact information is listed in the Newsletter and on the ILCO website.

Lastly, we continue to reach out to non-members who could benefit from membership and involvement in ILCO. While we have seen exponential growth in membership over the past several years, there are still many more that are not aware of ILCO or what we have to offer. Help us spread the word and keep our association growing strong.

Take care and enjoy a wonderful fall.

**Rose Kottis**  
President

## ILCO CERTIFICATION WILL BE HERE SOON – ARE YOU READY?

If you would like to be recognized as an expert in the area of law you are currently in and you have been a law clerk in that area for 10 years or more please consider becoming an ILCO Certified Expert.

Becoming an ILCO Certified Expert recognizes our ILCO members, who meet the experience and knowledge requirements, as leaders in their chosen field of law.

**For those interested, the following are some of the qualifications and ongoing requirements your ILCO Certification Committee is currently working on to become a Certified Expert:**

- Submit an application for certification together with resume and statements of reference;
- be a member in good standing with ILCO with an Ordinary, Associate, Fellow, or Extra-Provincial membership;
- be in current Qualifying employment in the same field of law for a period not less than ten (10) consecutive years prior to the date of seeking such admission as a Certified Expert;
- completed an Ethics course with proof of completion, through an ILCO approved institution (ILCO, LSUC, OBA, in house/other); and
- complete, in each calendar year after certification has been obtained, the required number of approved professional continuing legal education ("CLE") hours together with one ethics course every two (2) Institute membership years.

The current required number of CLE hours is five (5) hours in each ILCO membership year.

### Why apply?

- Demonstrates employment dedication;
- Enhances career opportunities;
- Recognizes growth, professional development and competence;
- Increases recognition by peers, employers, recruiters and clients;
- Confirms expertise in a specific area of law; and
- Sets you apart as a leader in your field of law.

### Application Fees

The one time application fee, due with the application package, is \$150.00 plus HST.

There are no other yearly fees in addition to your normal membership fees.

\*\*\*\*\*

Further criteria and application requirements will be presented at our ILCO Conference this May.

**Lisa Matchim (Chair), Amanda Gailling-Striakas, Bernadett Germuska, Carol Hutchison and Lesley Wagner**  
ILCO Certification Committee

## MARK YOUR CALENDAR FOR ILCO'S 25TH ANNUAL CONFERENCE -MAY 27-30, 2015

Don't miss ILCO's silver anniversary conference at the Sheraton On The Falls in Niagara Falls, Ontario. It will be a special conference with an excellent lineup of speakers. Join us for the pre-conference golf tournament on May 27th at Ussher's Creek Course - Legends on the Niagara.

See you there!

ILCO Conference Committee

## ILCO NEWSLETTER - ARTICLES WANTED!

If you have written an interesting article or know of an article that would be of interest to law clerks which ILCO can re-print with permission, please contact ILCO at [reception@ilco.on.ca](mailto:reception@ilco.on.ca).

**Christopher Poirier and Anna Traer (Co-chairs)**  
Newsletter Committee

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# CAREER SATISFACTION? WE'RE DOING IT WRONG...

by Michell Smith

Listening to people talk about their careers today reminds me of that Sally Struthers commercial from the 90's... A listing of career choices that's so long and so varying that people seem almost lost as to what to do next.

With the developing world retiring so many automatable professions of the past and inventing so many new possibilities for earning in the future, it's easy to get swept up in the "stuckness epidemic" successfully paralyzing us using the weapon of overwhelming choice. Believing that the answers we seek have got to be somewhere on the internet...

Hundreds of thousands of people change jobs several times a year. Millions more are looking while working, constantly ready to move on for something better. Yet we still ask children what they want to be when they grow up as though we expect them to have one specific answer – one career, when the average adult today has 11.3 jobs between the ages of 18 and 46.

We should start asking children what they want to be first, so that they grow with the expectation of change and adventure and look at maneuvering through careers as progress, not as the fault of bad choices.

In the midst of all this transiency, every leader is looking for the best people to put on their team, and in today's opportunity filled world there are leaders and recruiters everywhere.

Everything that can be analyzed, routinized, systemized and codified will eventually be done by machines. Investing in social skills and emotional intelligence, developing people skills and understanding, and providing people solutions is our unique and valuable offering that can't be automated... yet.

Millions of dollars get spent on recruiting, training and retention, yet these issues persist to be the largest areas of challenge that business' face today. This challenge is not just a company challenge, it is a people challenge.

For most (if not all of us) we have an abusive relationship with our careers - just due to the natural process of what happens when we grow up.

Progress, progress, progress, promotions, recognition, happiness, more

progress, a raise, gained confidence, some success, big expectations for the future, everyone applauds us... until it stops... and we feel loss. Then we imagine we should change jobs or change careers or change everything and doubt ourselves, our choices, our lives, our futures and we get stuck.

We quit jobs because we don't get enough recognition when the truth is that virtually no job or career can stand up to that type of pressure to keep feeding our egos and needs past the point of growth into adulthood....

Our expectations are the problem. Until we recognize that, we can keep job hopping and blaming industries with no hope for changing the future, or we can choose a different way.

To invest in making ourselves happier, to take the pressure off of our careers as the exclusive delivery vehicle for our sense of worth or fulfillment and to actually spend some time learning how to influence our happiness is our responsibility alone.

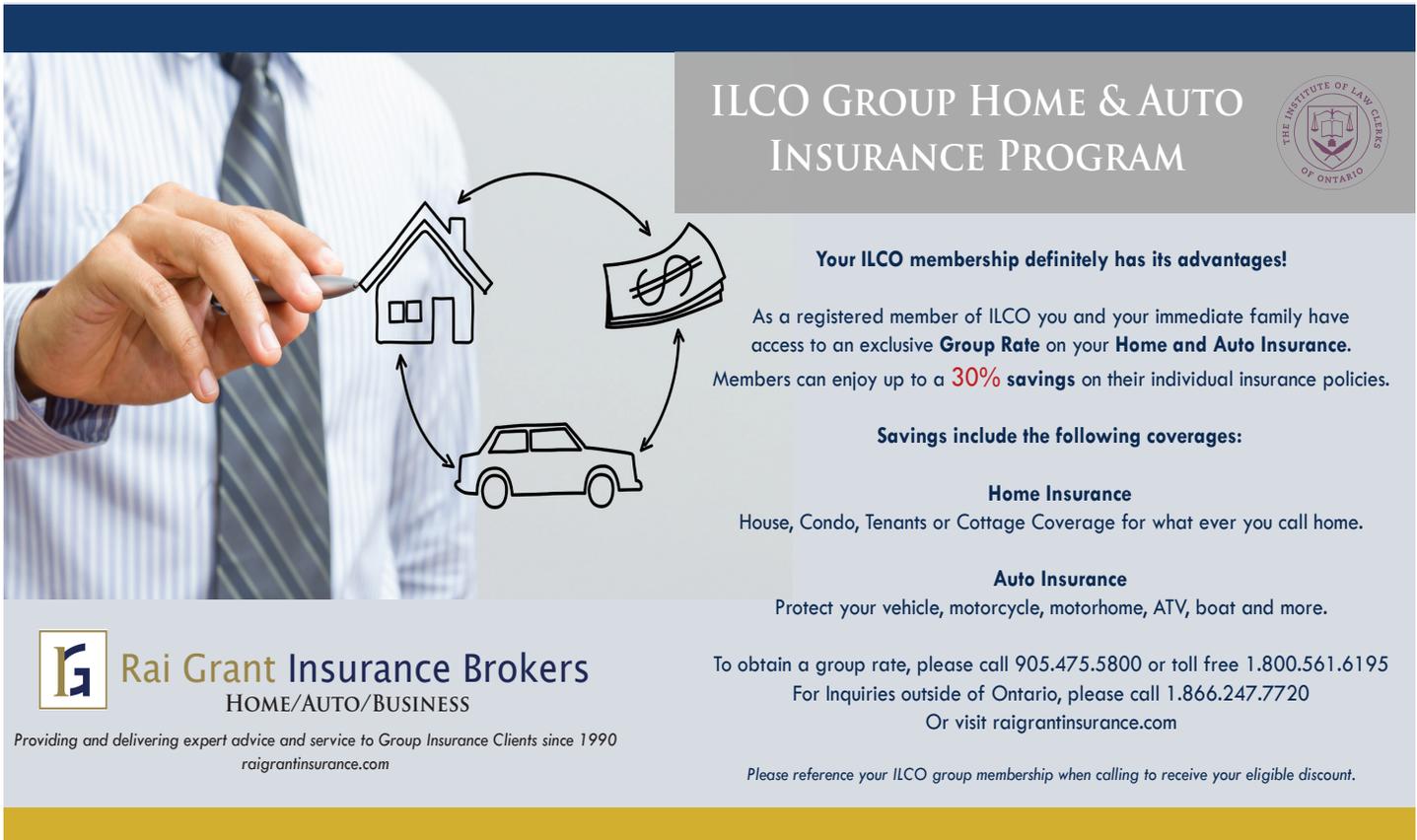
There are seasons when career advancement takes the reigns yes, but there are also seasons when career advancement does not. We must activate other influencers of happiness in our lives or forever be at the mercy of this one thing, that we do not control.

We didn't do it wrong. We just grew up in a world that expected us to have the same career our whole lives and for that career to fulfill us. The world has changed – our perspective should too.

This issue must be looked at from both sides. Companies do need to invest in leadership development, employee incentive programs and evolving the workplace to engage their employees in an honest and rewarding way – AND, we need to recognize that finding fulfillment is going to come from living a balanced and fulfilled life.

What does that mean for you? It's your job to figure that out.

ILCO wishes to thank **Michell Smith**, Personal Development Coach and Bestselling Author of "The Six Questions", for permitting ILCO to reprint the article originally published on her website [www.michell-smith.com](http://www.michell-smith.com).



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As a litigation support professional with a few big trials under my belt, I swoon when I hear that lawyers and judges want to conduct court proceedings in an electronic format. This means being able to present documents on screen instead of printed briefs. There are several benefits to this method of delivery: Access to fully searchable documents, presenting a memorable visual display, significant cost and time savings, and a lower carbon footprint. But what does it really mean to conduct a trial in an electronic format and to move the traditional courtroom into the modern era?

I was recently tasked with designing and implementing an electronic courtroom for an upcoming large commercial matter. I also had to attend the trial daily to provide support, as well as manage all aspects of document workflow. I had to prepare a Joint Book of Documents with my counterpart at the opposing firm: Read-Ins, Submissions and Exhibits would all be electronic. I received instructions to prepare nothing in paper format.

Challenge accepted.

Let's start with a definition of an e-trial. An e-trial works the same way as a traditional paper trial except that documents are in electronic format. An e-trial means using electronic tools to display evidence, enter exhibits, highlight & magnify documents, employ real-time transcription, utilize video deposition, hyperlink Read-ins and Submissions, and access fully searchable documents—all with internet access.

We visited the courtroom we would work in for the next six months. The room was equipped with 15" LCD monitors circa 2005, one on each of the three counsel tables, the witness box and the bench. Three 42" monitors hung from the walls for the gallery and there was a switchbox at the control center. The 15" monitors were too small for our requirements so we would have to bring in 32-inch, wide-screen monitors to overlay in the existing system, as well as build a second system to support dual screens. For document presentation, two screens would be required, as opposed to a single split-screen. The list of equipment grew! We took measurements, quickly assembled a list, consulted with our respective IT departments on what was available, and what would need to be purchased. This courtroom was getting a makeover to bring it into the twenty-first century.

Our List:

- Two laptops or PCs with solid-state hard drives to host Joint Book of Documents
- Twenty-two, 32-inch, widescreen, flat-panel monitors (two each for the judge, witness, six counsel tables, podium and gallery)
- An amplified speaker set for audio and / or video
- VGA splitter to split document image across multiple monitors
- VGA Cables
- Gaffer's tape or cloth cable covers
- A laser pointer, easel and paper with markers
- A portable printer and scanner
- WIFI access for the legal team (or shared among everyone in the courtroom)
- Back-up for all equipment

The design was simple to implement and support. It was a one-way push-system where documents would be displayed on a screen using Summation AD Mobile. The control center sat in the middle of the room and consisted of two laptops – each one running a copy of the Joint Book of Documents. Laptop A would display on the 'A' screens, laptop B on the 'B' screens. While AD Summation Mobile is not technically courtroom-presentation software, it served admirably. Other options for presentation include PowerPoint, Trial Director, Sanction, Adobe PDF plus a whole breed of iPad applications such as Trial Pad, Trial Director for iPad, and Exhibit View, to name a few.

This high-level guide contains vital elements that will assist with the planning process:

1. Talk to the legal team and figure out what type of display and presentation will be required.
  - Does counsel want to highlight documents on the fly?
  - Will split screens be required to assist displaying evidence in a meaningful way?
2. Meet with the judge, counsel and litigation support team as early as possible to determine various requirements:
  - What courtroom has been booked and what are the electronic capabilities of that courtroom?
  - What equipment is required and who will cover the costs?
  - Schedule multiple visits with Court Services. Take measurements and test power sources.
  - If court is in session, then you will need to make arrangements to gain after-hours access.
  - Once the room gets set up, bring the judge and parties in to do several dry runs before Day One to ensure everyone feels satisfied and confident with the set-up.
3. What software will be used to host and display documents throughout the trial? There are many options available on the market depending on the type of presentation.
4. How will documents and exhibits be identified, entered and managed and who will maintain the list?
5. How will native file formats be managed, for example documents in Microsoft Excel, Microsoft Project, Microsoft Access file formats?
6. Will real-time court reporting be used? Digital recording? Daily rough transcripts?
7. How will Read-ins be presented and filed and what is the format?
8. Book your War Room and make a list of equipment you will need for that room.

We did experience a couple glitches in the first few days as we settled into a rhythm in the courtroom, switching from screen 'A' to screen 'B,' zooming in and out of big spreadsheets, navigating to pages within large documents to find specific entries and searching within a document for various text. Documents on display were highlighted in advance and in real time. Exhibits were entered via PDF on a USB key for the Registrar and opposing counsel. Documents and pages put to

a witness were tracked in the database as they were displayed. All documents in the Joint Book of Documents were marked as one exhibit, which expedited calling documents to be put to a witness. Transcripts were delivered in rough format each evening. My counterpart at opposing counsel and I switched up at the control center sitting in the hot seat based on which side was presenting, and worked together to resolve glitches. Soon, the courtroom ran like a well-oiled machine.

No trial is too small to be electronic. Whether there are 100 or 100,000 documents, there is a system out there that will support the requirements. There are talented and experienced trial consultants and litigation-support personnel available to plan, implement and support trials on a daily basis. There are many software possibilities available whether your e-trial

will utilize Adobe PDF locally, Trial Director or a Cloud-based solution. Every e-trial I have been involved in has been rewarding because of proper planning, a plan to solve any technical glitches, and keeping the set-up as simple as possible. I have my IT department at Stikeman Elliott to thank for stepping in and out as needed for technical support, and answering last-minute calls when access issues occurred. With the right team of individuals, sufficient lead time for planning, and a creative thought process there is nothing you can't accomplish!

ILCO wishes to thank the BC Paralegal Association for permitting ILCO to reprint the article originally authored by **Carolyn Anger** and published in Paralegal Press, Fall 2014 edition.

## ILCO NEEDS YOU!

by Russell Connelly

Do you want to get more your membership from the Institute of Law Clerks of Ontario? The Continuing Legal Education Committee ("CLE") is looking for volunteers. You will be involved with planning events that help your fellow members enhance their knowledge in their area of practice. We meet once a month and you would be expected to:

- Reach out to speakers for programs
- Attend meetings

- Help with setup of the programs
- Chair programs

If you have any questions or are interested in joining the CLE committee, please send an email to [cle@ilco.on.ca](mailto:cle@ilco.on.ca).

**Russell Connelly** Member, CLE Committee

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When you join a new firm or company you feel (and in a way are) like the new kid joining a school in the middle of the school year. You wonder how to fit in and to become part of the team as opposed to just the new person. Well here are some suggestions on how to become a big part of your company/firm.

In my experience, taking the time to see how your company works is the best way to find out where you can nestle in and enhance what is already there. Are there any committees within the organization that you can join? Do you have any ideas of how to bring more attention to the firm in the community?

- Do the partners have any causes that are important to them?
- Are you volunteering with any groups that you feel could use help?
- What are some things you notice that are lagging or falling under the radar?

Take your time and make a list for a few months. After a while review the list and adjust it because as we all know things change in firms quickly a lot of the time. Speak to your office manager or department head with your suggestions and put things in motion.

### **Russell Connelly**

Corporate Law Clerk

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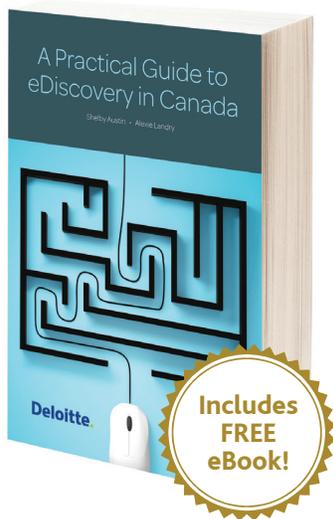
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## CALENDAR OF EVENTS

DATE	EVENT
Friday, October 17, 2014	Provincial Alternate Corporate Exam Registration Deadline
Saturday, November 1, 2014	Provincial Alternate Estates Exam
Saturday, November 8, 2014	Provincial Alternate Corporate Exam
Wednesday, November 12, 2014	Advanced Corporate Law Program
Friday, January 2, 2015	Provincial Real Estate Exam Registration Deadline
Tuesday, January 27, 2015	Provincial Real Estate Exam
Saturday, January 31, 2015	Student Awards
February, 2015	Annual General Meeting
Monday, February 2, 2015	Estates Course Begins
Friday, February 20, 2015	Provincial Litigation Exam Registration Deadline
Wednesday, May 27, to Saturday, May 30, 2015	ILCO's 25th Annual Conference

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