



NOVA SCOTIA
BARRISTERS' SOCIETY

**MANAGEMENT SYSTEM FOR
ETHICAL LEGAL PRACTICE (MSELP)**

WORKBOOK

The Workbook

The MSELP Self-Assessment Tool is an instrument designed to ensure your legal entity has an effective Management System for Ethical Legal Practice (MSELP), comprising 10 elements that need to be present for legal services to be effectively and ethically provided to clients. It is intended to help you reflect upon and improve your processes and the systems that impact the quality of your legal services delivery.

Law firms and lawyers are required to have in place each of the 10 elements that apply to their specific legal entity, and to demonstrate commitment to them.

In the self-assessment tool, there is no one right answer. Each entity will have different systems and tools to support these elements, depending on their practice areas and resources.

This workbook will assist you in self assessing each of the 10 MSELP elements. It will help you work through each element before you complete and submit your online MSELP Self-Assessment Tool to the Society.

A list of 'indicators' of each element is provided for your consideration, together with a 1-5 scale for self-identifying your relative strength in each. Taken together, your 'scoring' of these indicators may help you to self assess each MSELP element. The indicators are relevant to all lawyers in private practice. The workbook was designed with the services and practice systems of small firms and sole practitioners in mind. Throughout, "you" and "your" is used and is intended to include sole practitioners and law firms of all sizes.

There are, of course, other matters relevant to each element, which you may also wish to reflect upon as you complete your self-assessment. Other considerations are outlined in the MSELP Self-Assessment Tool. 'Resource' links are provided for each element to assist you in reflecting and improving.

Please do not submit this workbook. Keep it as a record and as a tool from which you can continue to work to enhance your MSELP.

Assessment scale

To assist you in self assessing the strength of your management systems as they relate to each element, indicators of that element are provided, together with a rating scale of 1-5. Listed under each indicator are examples of the processes, policies and other systems you might employ to support the delivery of ethical legal services.

You are asked to consider the likelihood that these systems are consistently employed in your practice. For example, under **Element 1 – Developing Competent Practices**, you are asked to consider various statements that indicate the likelihood of you and your staff having sufficient training and experience to perform your duties. The first indicator is: "You conduct background and reference checks and review resumés on hiring", to which you might respond:

- 1 – In my practice, I/we **almost always** conduct background and reference checks and review resumés on hiring.
- 2 – I/we **usually** conduct background and reference checks and review resumés on hiring.
- 3 – I/we **occasionally** conduct background and reference checks and review resumés on hiring.
- 4 – I/we **usually do not** conduct background and reference checks and review resumés on hiring.
- 5 – I/we **almost never** conduct background and reference checks and review resumés on hiring.
- N/A** – This is not relevant to my practice (e.g., I have no employees).

The '**Notes**' field at the end of each element provides space for you to record further reflection on your current systems and/or ideas for their improvements.

Again, there are no right answers. The intention is to provide you an opportunity to identify where more robust processes and systems can be developed in your practice.

ELEMENT 1: DEVELOPING COMPETENT PRACTICES

Your staff delivers the legal services your entity is engaged to provide with appropriate skill, expertise and in an ethical manner.

INDICATOR – You and your staff have sufficient training and experience to perform your duties.

Considerations	Almost never	Usually not	Occasionally	Usually	Almost always	N/A	Resources
You conduct background and reference checks and review resumes on hiring	1	2	3	4	5		CBA Ethical Practices Self-Evaluation Tool LIANS / Sample interview questions
You train when first hired and when major procedural changes occur	1	2	3	4	5		Nova Scotia Barristers' Society / Professional development Nova Scotia Barristers' Society / Hiring Practices for Equity in Employment: Interviewing Guide
You offer ongoing educational opportunities	1	2	3	4	5		Law Society of Alberta / Top 10 Things to Include in Your Law Office Manual
You have a policy and procedures manual for staff	1	2	3	4	5		Suffolk University Law School / Legal Tech Assessment
You review the use of technology and technology training with staff and lawyers on a regular basis	1	2	3	4	5		Nova Scotia Barristers' Library / The 2015 solo and small firm legal technology guide : critical decisions made simple

INDICATOR – You and your staff are provided with education and training in the following areas:

Identification of conflicts	1	2	3	4	5		Nova Scotia Barristers' Society / Code of Professional Conduct [Chapter 3.1: Competence; Chapter 3.2: Quality of Service; Chapter 6: Relationship to Students, Employees and Others] NSBS Family Law Standards / Standard #3: Lawyers' Competence
Use of trust accounts	1	2	3	4	5		
Password confidentiality	1	2	3	4	5		
Technology security	1	2	3	4	5		
Ethics	1	2	3	4	5		
Billing practices	1	2	3	4	5		
Appropriate communications with clients	1	2	3	4	5		
Physical security	1	2	3	4	5		
Health and wellness	1	2	3	4	5		
Clients' unique cultural circumstances	1	2	3	4	5		



Notes:

ELEMENT 2: COMMUNICATING IN AN EFFECTIVE, TIMELY AND CIVIL MANNER

Communications with your clients are clear and clients are in a position to make informed decisions about the services they need, how their matter will be handled and the options available to them.

INDICATOR – You have written guidelines in relation to communication with clients and a process for ensuring the guidelines are effectively disseminated to all staff.

<i>Considerations</i>	Almost never	Usually not	Occasionally	Usually	Almost always	N/A	<i>Resources</i>
Confidentiality	1	2	3	4	5		Law Society of British Columbia / “Communications Toolkit” Law Society of Upper Canada / “Client Service and Communication Practice Management Guideline” Lawyers' Insurance Association of Nova Scotia / Client service LIANS / “Retainer Agreements and Engagement Letters” PracticePRO / Precedent documents and retainers
Retainers	1	2	3	4	5		
Use of email / telephone / text and other forms of communication	1	2	3	4	5		
How clients are informed/updated about their matters	1	2	3	4	5		
Compliance with privacy and anti-spam legislation	1	2	3	4	5		
Requirements in relation to non-lawyer communications to ensure clarity and that they are not holding themselves out as a lawyer	1	2	3	4	5		

INDICATOR – You have a process to ensure that the communication guidelines are regularly reviewed.

You discuss the guidelines with staff to reinforce and ensure being followed	1	2	3	4	5		LIANS / Communication Slaw / Obtaining and Acting on Client Feedback PracticePRO / Post-Matter Client Service Survey Precedent
Guidelines are regularly reviewed to ensure currency and compliance with applicable ethical standards	1	2	3	4	5		
Compliance with guidelines is part of performance reviews	1	2	3	4	5		
You have a process to regularly obtain client feedback	1	2	3	4	5		

INDICATOR – You provide clients with information and communication guidelines as appropriate.

Communications are addressed in retainer letters	1	2	3	4	5		Nova Scotia Barristers' Society / Code of Professional Conduct [Chapter 3.2: Quality of Service; Chapter 5.1: The Lawyer as Advocate; Chapter 7.2: Responsibility to Lawyers and Others; Chapter 6.3: Equality, Harassment and Discrimination]
You take reasonable steps to keep client contact information up to date	1	2	3	4	5		
You explain to clients the importance of making sure you are advised of any change in their contact information	1	2	3	4	5		
Clients are advised how to find information about your entity	1	2	3	4	5		

INDICATOR – You have information about your legal entity available publicly.

<i>Considerations</i>	Almost never	Usually not	Occasionally	Usually	Almost always	N/A	<i>Resources</i>
Range of services	1	2	3	4	5		
Staff and lawyers working for entity	1	2	3	4	5		
Practice hours	1	2	3	4	5		
Contact information	1	2	3	4	5		
After-hours contact information	1	2	3	4	5		

INDICATOR – You communicate in a manner that is respectful of clients and their needs.

Communications are in the manner most comfortable for the client	1	2	3	4	5		<p>NSBS Family Law Standards / Standard #2: Client Competence</p> <p>American Bar Association / Representing Clients with Limited English Proficiency</p> <p>Law Society of British Columbia / Respectful Language Guideline</p> <p>The Law Society (UK) / Practice notes: Meeting the Needs of Vulnerable Clients</p>
Communications are done in a timely and efficient manner	1	2	3	4	5		
Clients are advised of the methods of in which they may communicate with their lawyers, and the expected and appropriate frequency of communications	1	2	3	4	5		
You reasonably attempt to accommodate clients on short notice and make referrals to others where appropriate	1	2	3	4	5		
Communications are conducted in a manner that is professional, and ensures privacy and confidentiality	1	2	3	4	5		
You have processes for addressing language barriers	1	2	3	4	5		
You have processes to ensure that communications with clients are reflective of cultural competence, equity and diversity	1	2	3	4	5		

INDICATOR – You have processes in place to ensure timely review of all matters and to inform clients about their matter's progress.

Considerations	Almost never	Usually not	Occasionally	Usually	Almost always	N/A	Resources
Clients are regularly informed of the status of their matter	1	2	3	4	5		LIANS / Financial Management Nova Scotia Barristers' Library / How to Draft Bills Clients Rush to Pay American Bar Association / Managing Client Expectations PracticePRO / Managing the Lawyer-Client Relationship
Clients are provided with projected/possible outcomes, including anticipated timelines	1	2	3	4	5		
Clients are informed of anticipated costs and any material changes to the anticipated costs	1	2	3	4	5		
Material changes in the scope of the retainer, costs or timelines are communicated to the client in a timely manner and confirmed in writing where appropriate.	1	2	3	4	5		
Copies of key documents and communications are provided to the client in a timely manner.	1	2	3	4	5		
Deadlines, limitations, hearing dates and other important dates are communicated to the client.	1	2	3	4	5		

Notes:

ELEMENT 3: ENSURING CONFIDENTIALITY

You keep the affairs of clients confidential unless disclosure is required or permitted by law, or the client consents.

INDICATOR – You have a confidentiality and privacy policy.

<i>Considerations</i>	Almost never	Usually not	Occasionally	Usually	Almost always	N/A	<i>Resources</i>
You provide education on the importance of confidentiality	1	2	3	4	5		Nova Scotia Barristers' Society / Code of Professional Conduct [Chapter 3.3: Confidentiality] NSBS Law Office Management Standards / Standard #4: Maintenance and Backup NSBS Law Office Management Standards / Standard #6: Cloud Computing LIANS / Sample Confidentiality Agreement LIANS / Service Provider Confidentiality Policy LIANS / Practising Remotely LIANS / Office Space/Location/Confidentiality LIANS / Data Security PracticePRO / Model Technology Usage Policy Law Society of British Columbia / Cloud Computing Checklist PracticePRO / Social Media Pitfalls to Avoid
You provide education on the potential consequences of a breach of confidentiality	1	2	3	4	5		
Employees sign a confidentiality letter or agreement	1	2	3	4	5		
You have confidentiality requirements (including agreements) for third parties (such as landlords, contractors, bookkeepers, computer service providers, cleaners, interns, volunteers, family members) who may access physical space or computers, tablets and smart phones	1	2	3	4	5		
You ensure that all third parties who may access physical space or computers, tablets and smart phones protect confidentiality of information obtained	1	2	3	4	5		
You protect confidentiality in office areas entered by persons not employed by or associated with the entity	1	2	3	4	5		
You take steps to ensure that others cannot overhear confidential conversations staff and others associated with the entity have both within and outside the physical office (i.e., on phone in reception/common area or call taken/made offsite)	1	2	3	4	5		
You take steps to ensure that client files and other confidential material are not left in any publicly accessible places	1	2	3	4	5		
You locate copiers, fax machines, mail, etc. so that confidential information cannot be seen by persons not employed by or associated with the entity	1	2	3	4	5		

You have appropriate office security for confidential information – including electronic information	1	2	3	4	5		
You take steps to protect confidential information on all computers, laptops, tablets, smart phones, thumb drives and other technological devices (i.e., passwords)	1	2	3	4	5		
You take steps to protect confidentiality when using social media or cloud-based services	1	2	3	4	5		
You are familiar with the requirements of privacy legislation	1	2	3	4	5		
You are familiar with situations where disclosure of confidential information is permissible under or required by law	1	2	3	4	5		
If sharing office space, you take steps to ensure confidentiality with respect to others with whom the space is shared	1	2	3	4	5		
Notes:							

ELEMENT 4: AVOIDING CONFLICTS OF INTEREST

You never act where there is a conflict, or a significant risk of conflict, between you and your client.

INDICATOR – You have a written conflict policy

<i>Considerations</i>	Almost never	Usually not	Occasionally	Usually	Almost always	N/A	<i>Resources</i>
You check for and evaluate conflicts prior to accepting a new matter and before receiving confidential disclosure	1	2	3	4	5		Nova Scotia Barristers' Society / Code of Professional Conduct [Chapter 3.4: Conflicts; Chapter 5.2: Lawyer as Witness]
You check for and evaluate conflicts when a new party is added	1	2	3	4	5		NSBS Family Law Standards / Standard #1: Conflict of Interest
You check for and evaluate conflicts when a new person is hired	1	2	3	4	5		LIANS / Conflict of Interest
You check for and evaluate conflicts that may result from prior employment, volunteer work, business interests or personal interests of staff and others associated with the entity	1	2	3	4	5		Canadian Bar Association / Task Force on Conflicts of Interest Toolkit (2008) The Law Society (UK) / Practice notes: Conflict of interests (March 2015)
You provide education on the avoidance of conflicts and the consequences of a conflict	1	2	3	4	5		PracticePRO / Managing Conflict of Interest Situations
Your policy is periodically reviewed and updated	1	2	3	4	5		LIANS / Conflict of Interest Checklist
You maintain an effective master list or database of current and former clients	1	2	3	4	5		CBA / Developing a Conflict Checking System for Your Law Firm
You request information regarding names of corporate officers and directors in the course of completing conflict checks	1	2	3	4	5		PracticePRO / Sitting on a non-profit board: A risk management checklist
You request information regarding other names (maiden names, previous names, etc.) in the course of completing conflict checks	1	2	3	4	5		PracticePRO / Managing the Practice of Investing in Clients
You request information regarding all adverse parties in the course of completing conflict checks	1	2	3	4	5		
You avoid having a financial interest in a client matter	1	2	3	4	5		
You avoid engaging in business with a client	1	2	3	4	5		
You avoid representing adverse parties	1	2	3	4	5		
You obtain a signed waiver from a client if representation is requested and agreed to after a conflict has been discussed	1	2	3	4	5		

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**ELEMENT 5: MAINTAINING APROPRIATE FILE AND RECORDS
MANAGEMENT SYSTEMS**

Your entity maintains accurate and up to date records using an appropriate file management system that safeguards clients' documents and information.

INDICATOR – You have a record retention policy

Considerations	Almost never	Usually not	Occasionally	Usually	Almost always	N/A	Resources
You have a centralized filing system (including cloud based systems)	1	2	3	4	5		Nova Scotia Barristers' Society / Code of Professional Conduct [Chapter 3.5: Preservation of Client's Property] NSBS Law Office Management Standards / Standard #1: Record Retention LIANS / Disaster Planning Law Society of Upper Canada / The Contingency Planning Guide for Lawyers Law Society of Upper Canada / File Management Practice Management Guideline
You have a supervisor appointed to manage that system	1	2	3	4	5		
You have a standardized arrangement for naming of your electronic files (e.g., last name, first name, subject matter/area of law, file number)	1	2	3	4	5		
You store files in a secure area and safe from water and vermin damage	1	2	3	4	5		
You set file destruction dates	1	2	3	4	5		

INDICATOR – You have a file opening procedure for each new matter

You perform "conflict of interest" checks	1	2	3	4	5		LIANS / Intake Procedures LIANS / Engagement Letters Law Society of Upper Canada / File opening checklist
You send an engagement letter	1	2	3	4	5		
You use a retainer agreement	1	2	3	4	5		
You use checklists	1	2	3	4	5		

INDICATOR – You use a tickler system for deadlines

Statute of limitations	1	2	3	4	5		Legal Aid Ontario / Tickler Guidelines and Procedure Tennessee Bar Association / Tickler and Calendar Systems
Appointments	1	2	3	4	5		
Discovery or specific filing deadlines	1	2	3	4	5		
Court appearances	1	2	3	4	5		
Review dates	1	2	3	4	5		
Remote calendar access	1	2	3	4	5		
Staff calendar access	1	2	3	4	5		
Check out procedures for physical files	1	2	3	4	5		

INDICATOR – You have a closing procedure for each file

<i>Considerations</i>	Almost never	Usually not	Occasionally	Usually	Almost always	N/A	<i>Resources</i>
You return original documents to clients	1	2	3	4	5		LIANS / Guidelines for File Closure, Retention and Destruction
You send closing letters at the end of the retainer / matter	1	2	3	4	5		The Law Society (UK) / Practice notes: File closure management [3: File closure policy and checklist]

Notes:

ELEMENT 6: ENSURING EFFECTIVE MANAGEMENT OF THE LEGAL ENTITY AND STAFF

Staff are adequately supervised, supported and managed in their delivery of legal services to clients.

INDICATOR – You share space with other lawyers or professionals who are not members of your legal entity (including business centres) in an appropriate manner

<i>Considerations</i>	Almost never	Usually not	Occasionally	Usually	Almost always	N/A	<i>Resources</i>
You have taken steps to clearly distinguish your entity to prevent confusion by clients and the general public (entryway, letterhead and other written materials)	1	2	3	4	5		Nova Scotia Barristers' Society / Code of Professional Conduct [Chapter 6: Relationship to Students, Employees and Others] Canadian Bar Association / Sharing Space: Tips for Solo Practitioners Law Society of British Columbia / "Lawyers Sharing Space"
You do not share a trust account or any banking arrangements	1	2	3	4	5		
If you share staff, e.g., receptionists or paralegals, you have taken appropriate steps to ensure confidentiality of client materials and/or disclose to clients the limits of your ability to maintain confidentiality	1	2	3	4	5		
If you share office equipment (fax machines, servers, etc.) you have addressed confidentiality issues, made proper disclosure to clients and clarified ownership of the shared equipment	1	2	3	4	5		

INDICATOR – Your office is accessible to all members of the public

	1	2	3	4	5		
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INDICATOR – You have an information management policy

	1	2	3	4	5		Legal Files / Case Management: Why Doesn't Every Law Firm Use It? American Bar Association / Practice/Case Management Software Comparison Chart for Solo/Small Firm
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INDICATOR – You back up your electronic documents and store your paper documents appropriately (including testing of the backup)

You use cloud services, including online dictation or remote receptionists	1	2	3	4	5		NSBS Law Office Management Standards / Standard #4: Maintenance and Backup of Electronic Data
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INDICATOR – You provide training

<i>Considerations</i>	Almost never	Usually not	Occasionally	Usually	Almost always	N/A	<i>Resources</i>
Staff	1	2	3	4	5		LAWPRO / Supervision of employees: The buck stops with you (2009) The Law Society (UK) / Practice notes: Supervision (October 2011) The Law Society of British Columbia / “Promoting a Respectful Workplace: A Guide for Developing Effective Policies” (December 2014) PracticePRO / “Delegating responsibly and effectively” (Summer 2007) LawPRO Magazine Nova Scotia Lawyers Assistance Program
Lawyers	1	2	3	4	5		
On how and what to delegate	1	2	3	4	5		
On effective and appropriate supervision	1	2	3	4	5		
On cultural diversity	1	2	3	4	5		
On consumers of Mental Health Services	1	2	3	4	5		
You monitor and encourage staff and lawyer well-being	1	2	3	4	5		
You promote the Nova Scotia Lawyers Assistance Program	1	2	3	4	5		

INDICATOR – You have guidelines to encourage equality of opportunity and respect for diversity in hiring

You encourage diversity and cultural knowledge	1	2	3	4	5		NSBS / Hiring Practices for Equity in Employment: Interviewing Guide NSBS / The Equity Portal Nova Scotia Human Rights Commission / A guide for drafting job application forms and interview questions
You accommodate disabilities	1	2	3	4	5		
You assign and evaluate work free of bias	1	2	3	4	5		
You have a clear mechanism for staff to raise employment issues, including discrimination and harassment	1	2	3	4	5		

INDICATOR – You provide staff with clear and complete instructions

Staff are informed of priorities and deadlines	1	2	3	4	5		The Management Center / You Probably Need to Give More Feedback! Here's How.
Staff are instructed on appropriate file management processes	1	2	3	4	5		
Staff are provided with appropriate, timely and confidential feedback	1	2	3	4	5		
Staff know the whereabouts of their direct supervisor or person in authority	1	2	3	4	5		

INDICATOR – You have a comprehensive, up-to-date office policy and procedure manual and it is regularly reviewed with staff

<i>Considerations</i>	Almost never	Usually not	Occasionally	Usually	Almost always	N/A	<i>Resources</i>
You have written job descriptions	1	2	3	4	5		LIANS / Succession Planning LIANS / Human Resources/Staff Management Law Society of Alberta / Top 10 Things to Include in Your Law Office Manual
You have written termination procedures	1	2	3	4	5		
You have provision for overtime, sick leave and medical insurance	1	2	3	4	5		
Confidentiality agreements have been signed	1	2	3	4	5		
You conduct appropriate background checks before hiring key staff	1	2	3	4	5		
Non-arms length staff are also bound by the policy	1	2	3	4	5		
Clients are aware of non-arms-length staff	1	2	3	4	5		
There are clear lines of authority	1	2	3	4	5		
You have a succession plan	1	2	3	4	5		
In the event of unforeseen accident, illness or death, staff are aware of your succession plan, who to contact and the steps to take in order to address the interests of your clients	1	2	3	4	5		
You carry adequate insurance for your practice, including excess professional liability coverage and Outside Directors Liability coverage	1	2	3	4	5		

Notes:

ELEMENT 7: CHARGING APPROPRIATE FEES AND DISBURSEMENTS

Clients are charged fees appropriately and are clear about the costs, or likely costs incurred during their legal transaction.

INDICATOR – You use a written retainer agreement

<i>Considerations</i>	Almost never	Usually not	Occasionally	Usually	Almost always	N/A	<i>Resources</i>
The agreement explains the billing process	1	2	3	4	5		NSBS Law Office Management Standards / Standard #5: Retention and Billing PracticePRO / Precedent Documents and Retainers
All new and returning clients sign the retainer agreement	1	2	3	4	5		
Interest on unpaid bills is clearly laid out	1	2	3	4	5		
The agreement sets out who will work on the file and at what rate	1	2	3	4	5		
The agreement sets out terms for withdrawal as counsel	1	2	3	4	5		
The amount of a retainer and how it is replenished	1	2	3	4	5		
Fees are distinguished from disbursements	1	2	3	4	5		
Any limitations on scope of service are clearly identified	1	2	3	4	5		
Timing of bills	1	2	3	4	5		

INDICATOR – Your fees are fair and reasonable

You provide clients with notice in advance of a change of fee or disbursement charges	1	2	3	4	5		Law Society of British Columbia / Fees, Disbursements and Interest (2012) Scott, Todd C / " Nine Rules for Billing Ethically and Getting Paid on Time " (November 2011)
You keep time on all files, even those for which a fixed fee or contingency charged	1	2	3	4	5		
Disbursements and other charges posted to client files regularly	1	2	3	4	5		
Bills are reviewed and approved before they are sent to the client on a regular basis	1	2	3	4	5		

INDICATOR – You understand what constitutes unethical billing practices

	1	2	3	4	5		Nova Scotia Barristers' Society / Code of Professional Conduct [Chapter 3.6: Fees and Disbursements]
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Notes:

ELEMENT 8: SUSTAINING EFFECTIVE AND RESPECTFUL RELATIONSHIPS WITH CLIENTS, COLLEAGUES, COURTS, REGULATORS AND THE COMMUNITY

Your dealings with clients and other third parties will be conducted in a fair, open, effective and respectful way that respects diversity.

INDICATOR – You have a policy with respect to responding to client communications

<i>Considerations</i>	Almost never	Usually not	Occasionally	Usually	Almost always	N/A	<i>Resources</i>
Turnaround times for phone calls	1	2	3	4	5		Nova Scotia Barristers' Society / Code of Professional Conduct (current to May 2016) [Rule 2.1-1 : Integrity; Rule 3.2-2 : Honesty and Candour; Chapter 5 : Relationship to the Administration of Justice; Chapter 7 : Relationship to the Society and Other Lawyers; Rule 7.2-11 : Undertakings and Trust Conditions; Rule 7.3-1 : Maintaining Professional Integrity and Judgment]
Manner of communication (phone, mail, email)	1	2	3	4	5		
Timing of interim reports	1	2	3	4	5		
Copying client on correspondence	1	2	3	4	5		
Timing of final reports and final accounts	1	2	3	4	5		

INDICATOR – You have a policy ensuring each client receives a retainer letter setting out:

Anticipated fees and disbursements	1	2	3	4	5		PracticePRO / Precedent Documents and Retainers
Billing policies	1	2	3	4	5		
Services covered by the retainer	1	2	3	4	5		
A statement that there is no guarantee of a specific outcome	1	2	3	4	5		
Termination of legal services	1	2	3	4	5		

INDICATOR – All client instructions are confirmed in writing

	1	2	3	4	5		
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INDICATOR – You maintain an active case list

	1	2	3	4	5		
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INDICATOR – Client matters are completed in a timely fashion

	1	2	3	4	5		
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INDICATOR – You respond to communications from lawyers in a timely fashion

	1	2	3	4	5		
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INDICATOR – You have a written guideline in relation to undertakings

<i>Considerations</i>	Almost never	Usually not	Occasionally	Usually	Almost always	N/A	<i>Resources</i>
Tracking undertakings	1	2	3	4	5		Law Society of Upper Canada / Undertakings and Trust Conditions
Ensuring undertakings are fulfilled in a timely fashion	1	2	3	4	5		QBE Europe Professional Indemnity Risk Management / Solicitors: A Guide to Undertakings (January 2013)

INDICATOR – You have a written guideline in relation to communicating with the Court

	1	2	3	4	5		

INDICATOR – You have a guideline with respect to public statements

Comments regarding judicial decisions and the administration of justice	1	2	3	4	5		LIANS / Social Media in the Workplace Shields, Allison C / " Managing Your Reputation in an Online World " (July/August 2014) ABA Law Practice Magazine
Encouraging respect for the administration of justice	1	2	3	4	5		
Media inquiries	1	2	3	4	5		
Use of social media	1	2	3	4	5		
Advertising is true and accurate	1	2	3	4	5		

INDICATOR – You effectively use your calendar

You calendar court appearances	1	2	3	4	5		
You set reminders of scheduled court appearances	1	2	3	4	5		
You ensure you are not double booked	1	2	3	4	5		
You use a tickler system	1	2	3	4	5		

INDICATOR – You have a written guideline in relation to communicating with the Nova Scotia Barristers' Society

You respond to the Society in a timely fashion	1	2	3	4	5		
You act in a manner consistent with the NSBS Standards	1	2	3	4	5		

INDICATOR – You have a guideline to prevent discrimination and harassment

	1	2	3	4	5		NSBS / The Equity Portal
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INDICATOR – You provide training to lawyers and staff on issues relating to discrimination and cultural competence

	1	2	3	4	5		NSBS / The Equity Portal
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Notes:

ELEMENT 9: WORKING TO IMPROVE DIVERSITY, INCLUSION AND SUBSTANTIVE EQUALITY

You are committed to improving diversity, inclusion and substantive equality and ensuring freedom from discrimination in the delivery of legal services and the justice system.

INDICATOR – You have a workplace equity policy

<i>Considerations</i>	Almost never	Usually not	Occasionally	Usually	Almost always	N/A	<i>Resources</i>
Your entity treats all persons in a manner consistent with best practices in human rights law and the <i>Code of Professional Conduct</i>	1	2	3	4	5		Nova Scotia Barristers' Society / <i>Code of Professional Conduct</i> (current to September 2014) [Chapter 3.2 : Quality of Service; Chapter 5.1 : The Lawyer as Advocate; Chapter 7.2 : Responsibility to Lawyers and Others; Chapter 6.3 : Equality, Harassment and Discrimination] NSBS / Equity & access NSBS Law Office Management Standards / Standard #8: Equity and Diversity
Policy encourages equality and respect for diversity in all areas of recruitment, retention, and advancement	1	2	3	4	5		
It prohibits harassment	1	2	3	4	5		
It prohibits discriminatory practices	1	2	3	4	5		
It addresses accommodation for persons with disabilities	1	2	3	4	5		
It is communicated to all current and prospective staff	1	2	3	4	5		
It is published online or otherwise made available to those outside of your practice	1	2	3	4	5		

INDICATOR – You have a process to enforce your equity policy

	1	2	3	4	5		
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INDICATOR – You have a process to ensure language used is appropriate to the individual receiving your communications and reflects cultural competency, equity and freedom from discrimination

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INDICATOR – You provide staff and lawyers training in culturally competent legal service delivery

	1	2	3	4	5		
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Notes:

ELEMENT 10: WORKING TO IMPROVE THE ADMINISTRATION OF JUSTICE AND ACCESS TO LEGAL SERVICES

Your entity plays a role in improving access to legal services and the administration of justice.

INDICATOR – You have a *pro bono* guideline or policy

<i>Considerations</i>	Almost never	Usually not	Occasionally	Usually	Almost always	N/A	<i>Resources</i>
You are required to participate in <i>pro bono</i> work	1	2	3	4	5		ABA Standing Committee on Pro Bono & Public Service and the Center for Pro Bono / Resources for Law Firms
Your entity encourages <i>pro bono</i> work	1	2	3	4	5		Canadian Bar Association / The ABCs of Creating a Pro Bono Policy for Your Law Firm
<i>Pro bono</i> hours 'count' toward billable hour targets	1	2	3	4	5		Harvard Law School / Pro Bono Guide: An Introduction to Pro Bono Opportunities in the Law Firm Setting
You spend the appropriate amount of time with the client and are empathetic	1	2	3	4	5		MacLaughlin, Paul / Managing Pro Bono (Law Society of Alberta)

INDICATOR – You use limited scope retainers

	1	2	3	4	5		NSBS Law Office Management Standards / Standard #7: Limited Scope Retainers LIANS / Limited Scope Retainer Resources
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INDICATOR – You use alternative fee arrangements

	1	2	3	4	5		LegalTrek / Alternative Fee Arrangements: a Comprehensive Guide for Law Firms
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INDICATOR – Lawyers and staff receive training on how to deal with self-represented litigants

	1	2	3	4	5		NSBS Family Law Standards / Standard #7: Unrepresented Party LawPRO Magazine / Self-Represented Litigants: A survival guide Slaw / Providing Legal Services in a Coaching Model: The What, Why and How
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