

# The Legal Office Environment



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## Learning Outcomes

After reading this chapter, you will understand:

- The roles within the legal office environment.
- The types of orientation and training you can expect.
- The importance of acting with integrity, courtesy, and professionalism.
- The difference between hard skills and soft skills.
- The benefits of office ergonomics.

*We are what we repeatedly do. Excellence, therefore, is not an act but a habit.*

—Aristotle

## Introduction

Presumably, if you are using this textbook you are enrolled in a legal program, studying to become a paralegal, law clerk, or other professional in the legal field. Your goal is to be employed in a law office. A law office can be an intimidating place. The air of status and prestige may at first shake your confidence a little, and you might even feel out of place. But really, a law office is no different from any other office setting. You want to make a positive first impression on your employer, *and* you also want to feel confident that you chose the right career. This chapter will guide you through the workings of a law office. It will give you the tools you need to make a good impression and give you the confidence that comes from knowing what to expect in your position.

## Roles and Relationships

### Roles

There are a variety of roles in a legal office. In large firms you will likely find a division of work by department—accounting, file management, human resources, legal research, and so on. For example, one person may be responsible for managing client files, another person may perform secretarial duties and finance administration, and another may conduct legal research for a specific case. Most law firms also have a receptionist who greets clients, answers telephones, routes incoming and outgoing mail, and assists other staff with their workloads. In a smaller law firm, you will likely have more than one role.

Often, people with the same qualifications and training will have different titles, such as “paralegal,” “legal assistant,” “legal secretary,” or “law clerk.”

Some law firms employ an office manager who oversees all staff. An office manager often works to improve areas of the firm such as advertising, marketing, protocols and procedures, and human resources.

### LAWYERS YOU MAY ENCOUNTER IN YOUR FIRM

**Managing partners:** Lawyers who have an ownership interest in the firm and who are given special management responsibilities by other owners.

**Senior partners:** Lawyers who have an ownership interest in the firm and have been with the firm for a long time.

**Junior partners:** Lawyers with an ownership interest in the firm but not as much seniority as senior partners.

**Associates:** Lawyers who are employees of the firm.

**Articling students:** Law school graduates who work under the supervision of fully licensed lawyers until they qualify for admission to the bar society.

Finally, there are the lawyers. **Law societies** in each province and territory throughout Canada govern the legal profession. In Canada, there are 14 law societies—generally, one for each province and territory. Quebec is an exception with two law societies. Table 1.1 lists the addresses and websites for Canada’s provincial and territorial law societies. In Ontario, both lawyers and paralegals are governed by the Law Society of Ontario (LSO).

In British Columbia, a lawyer can supervise up to two designated paralegals. A designated paralegal can give legal advice and represent clients as permitted at tribunals and at family law mediation. Designated paralegals are not governed by the Law Society of British Columbia. They work under the supervision of a lawyer.<sup>2</sup>

In Alberta, paralegals are not regulated or recognized by the Law Society of Alberta and are not authorized to practise law. They work under the supervision of a lawyer. They cannot give legal advice or represent clients in court matters. Paralegals and legal assistants are required to work under the direction of a lawyer.

### law societies

professional bodies with a regulatory role that includes the right to supervise the training, qualifications, and conduct of lawyers

“The Federation of Law Societies of Canada is the national coordinating body of the 14 law societies which are mandated by provincial and territorial law.”<sup>1</sup>

## PARALEGALS VS LEGAL PROFESSIONALS

In 2007, the LSO began licensing and regulating paralegals—making Ontario the first province or territory to do so. Paralegals in Ontario owe obligations to their clients, the general public, and the administration of justice, as outlined in the LSO’s *Paralegal Rules of Conduct*<sup>3</sup> and the *Paralegal Professional Conduct Guidelines*.<sup>4</sup> These documents and others are available on the LSO website (<<https://www.lso.ca/>>).

In Ontario, paralegals differ from law clerks in many ways. While law clerks must work under the supervision of a legal representative, paralegals can open their own practices and work independently. In Ontario, to provide legal services, paralegals must graduate from an accredited college, pass the licensing exam with the LSO, and obtain a class P1 licence; this enables them to provide legal services within the permitted scope of practice as governed by the LSO.

In British Columbia, “designated paralegals” are people who work under the supervision of a lawyer. The provincial law societies do not credential or regulate “designated paralegals.” Lawyers are responsible to the law society for work completed by the designated paralegal.<sup>5</sup>

This text refers to “legal representatives” and those that work under their supervision. The references to “legal representatives” apply to lawyers, and in Ontario apply equally to paralegals.

1 “About Us” (2020), online: *Federation of Law Societies of Canada* <<https://flsc.ca/about-us>>.

2 “Paralegals” (2020), online: *Law Society of British Columbia* <<https://www.lawsociety.bc.ca/support-and-resources-for-lawyers/law-office-administration/paralegals>>.

3 Law Society of Ontario, *Paralegal Rules of Conduct* (1 October 2014; amendments current to 27 February 2020), online: <<https://lso.ca/about-lso/legislation-rules/paralegal-rules-of-conduct>>.

4 Law Society of Ontario, *Paralegal Professional Conduct Guidelines* (1 October 2014; amendments current to 27 February 2020), online: <<https://lso.ca/about-lso/legislation-rules/paralegal-professional-conduct-guidelines>>.

5 *Supra* note 2.

**TABLE 1.1 Provincial and Territorial Law Societies**

Province/Territory	Contact Information	Website
Alberta	Law Society of Alberta Suite 700 333 11th Avenue SW Calgary, AB T2R 1L9 Tel: 403-229-4700 Toll-free: 1-800-661-9003	< <a href="https://www.lawsociety.ab.ca">https://www.lawsociety.ab.ca</a> >
British Columbia	Law Society of British Columbia 845 Cambie Street Vancouver, BC V6B 4Z9 Tel: 604-669-2533 Fax: 604-669-5232 Toll-free: 1-800-903-5300 TTY: 604-443-5700	< <a href="https://www.lawsociety.bc.ca">https://www.lawsociety.bc.ca</a> >
Manitoba	Law Society of Manitoba 200 - 260 St Mary Avenue Winnipeg, MB R3C 0M6 Tel: 204-942-5571 Toll-free: 1-855-942-5571	< <a href="https://lawsociety.mb.ca">https://lawsociety.mb.ca</a> >
New Brunswick	Law Society of New Brunswick 65 Avonlea Court Fredericton, NB E3C 1N8 Tel: 506-458-8540 Fax: 506-451-1421 Email: general@lsbnb.ca	< <a href="https://lawsociety-barreau.nb.ca">https://lawsociety-barreau.nb.ca</a> >
Newfoundland and Labrador	Law Society of Newfoundland and Labrador 196 - 198 Water Street PO Box 1028 St. Johns, NL A1C 5M3 Tel: 709-722-4740 Fax: 709-722-8902 Email: thelawsociety@lsnl.ca	< <a href="https://lsnl.ca">https://lsnl.ca</a> >
Northwest Territories	Law Society of the Northwest Territories 4th Floor, Diamond Plaza 5204 50th Avenue Yellowknife, NT X1A 1E2 Tel: 867-873-3828 Fax: 867-873-6344 Email: info@lawsociety.nt.ca and communications@lawsociety.nt.ca	< <a href="http://www.lawsociety.nt.ca">http://www.lawsociety.nt.ca</a> >
Nova Scotia	Nova Scotia Barristers' Society Cogswell Tower 800 - 2000 Barrington Street Halifax, NS B3J 3K1 Tel: 902-422-1491 Fax: 902-429-4869 Email: generalenquiry@nsbs.org	< <a href="https://nsbs.org">https://nsbs.org</a> >

Province/Territory	Contact Information	Website
Nunavut	Law Society of Nunavut Bldg 917, 3rd Floor, Unit B PO Box 149 Iqaluit, NU X0A 0H0 Tel: 867-979-2330 Fax: 867-979-2333 Toll-free: 1-844-979-2330 Email: administrator@lawsociety.nu.ca	< <a href="http://www.lawsociety.nu.ca">http://www.lawsociety.nu.ca</a> >
Ontario	Law Society of Ontario Osgoode Hall 130 Queen Street West Toronto, ON M5H 2N6 Tel: 416-947-3300 Toll-free: 1-800-668-7380 TTY: 1-416-644-4886 Fax: 1-416-947-3924 Toll-free fax: 1-877-947-3924 Email: lawsociety@lso.ca	< <a href="https://lso.ca">https://lso.ca</a> >
Prince Edward Island	Law Society of Prince Edward Island 49 Water Street Charlottetown, PE C1A 1A3 Tel: 902-566-1666 Fax: 902-368-7557 Email: lawsociety@lspei.pe.ca	< <a href="http://lawsocietypei.ca">http://lawsocietypei.ca</a> >
Quebec	Barreau du Québec 445 Saint-Laurent Boulevard Montréal, QC H2Y 3T8 Tel: 514-954-3411 Toll-free: 1-844-954-3411 Email: infobarreau@barreau.qc.ca  Chambre des notaires du Québec 2045 Stanley Street, Suite 101 Montréal, QC H3A 2V4 Tel: 514-879-1793 Fax: 514-879-1923 Toll-free: 1-800-263-1793	< <a href="https://www.barreau.qc.ca/en">https://www.barreau.qc.ca/en</a> >  < <a href="https://www.cnq.org">https://www.cnq.org</a> >
Saskatchewan	Law Society of Saskatchewan 1100 - 2002 Victoria Avenue Regina, SK S4P 0R7 Tel: 306-569-8242 Toll-free: 1-833-733-0133 Fax: 306-352- 2989 Email: reception@lawsociety.sk.ca	< <a href="https://www.lawsociety.sk.ca">https://www.lawsociety.sk.ca</a> >
Yukon	Law Society of Yukon 304 - 104 Elliot Street Whitehorse, YT Y1A 0M2 Tel: 867-668-4231 Fax: 867-667-7556 Email: info@lawsocietyyukon.com	< <a href="https://lawsocietyyukon.com">https://lawsocietyyukon.com</a> >

Each province and territory in Canada has its own educational requirement for becoming a lawyer. To become a lawyer in Ontario, candidates must graduate from a recognized law school and complete the provincial or territorial licensing requirements.

All lawyers in Canada are licensed to practise law. They can act as barristers, solicitors, notaries public, and commissioners. Historically, a lawyer's role was split into two distinct sub-professions—barrister (legal advocate) and solicitor (legal adviser). With the exception of Quebec, today, in almost all common law jurisdictions, the distinction between barristers and solicitors is blurred, and most lawyers perform a variety of roles:

- Barristers advocate on behalf of their clients in court.
- Solicitors process legal business outside the courtroom.
- Commissioners take affidavits and administer oaths to those swearing a document to be true.
- Notaries public draft or certify deeds, contracts, and other documents and validate their authenticity (e.g., stating that a document is a true copy).

The following fall under LSO regulation in Ontario:

- The holder of a class L1 licence is entitled to practise law as a barrister and solicitor.
- The holder of an L2 licence is entitled to practise law in Ontario as a barrister and solicitor in the employ of the Attorney General for Ontario or, if appointed under the Ontario *Crown Attorneys Act*,<sup>6</sup> as a Crown attorney or as an assistant Crown attorney.
- The holder of a class P1 licence is entitled to provide legal services within the permitted scope of practice for paralegals.

A legal representative's work varies depending on the area of law in which he or she practises. If you are support staff (law clerk, legal secretary, etc.) in a legal office, your job is to make the legal representative's job easier. Legal representatives will have their own requirements and expectations. You will need to stay in tune with your employer's needs by having frequent, detailed conversations. The better you know the legal representatives' working style, the better team member you will make, and therefore the better the firm will serve its clients.

## Relationships

Managing relationships in the workplace is challenging. If you become close friends with your co-workers, keep in mind that your working relationship can be affected if the friendship sours. Strive to establish and maintain a professional relationship with your co-workers at all times.

Be prepared to work with a variety of difficult personalities throughout your career, including:

- a talkative office mate,
- someone who is always negative,

<sup>6</sup> RSO 1990, c C.49.

- an emotionally needy person who seeks an audience on personal matters,
- someone who does not carry their share of the workload, and
- someone who does not follow office protocol.

In most situations, your best strategy is to control what you can, and learn to ignore what you cannot. For example, you can discourage a talkative or needy office mate by staying focused on your own work, filing something out of the immediate area, or stating that you are on a tight deadline. Most people will pick up non-verbal or indirect cues and respond accordingly. If your office mate doesn't, you may have to resort to an honest, open conversation.

If a colleague's behaviour is out of your control, such as someone not pulling his or her weight or not following office protocol, you have three choices: ignore the situation and focus on your own job, speak to your colleague, or speak with your supervisor. Always consider the possible ramifications of any decisions you make regarding co-workers.

Treat every person who works in the firm with respect, regardless of their title or status. Everyone's goal should be to provide excellent service to the firm's clients. Without satisfied clients, the law firm will not thrive.

## Orientation and Training

Ideally, an employee will be provided with an orientation package when the job begins. An effective **orientation package** is a guide to the office, provides answers to your questions, and reassures you that you are not missing critical information. A detailed orientation package consists of three elements:

**orientation package**  
a guide to the office

1. a broad introduction and orientation to the organization/firm,
2. a training manual and/or procedures and protocol manual, and
3. a training schedule that covers everything an employee needs to know.

If you start a job and discover that there is no orientation package, be proactive, ask the employer or supervisor for a job description (if you didn't receive one during the hiring process) and a list of short-term and long-term goals. The employer may refer you to an experienced staff member to act as a mentor. A mentor can provide advice and assistance. This may not be as helpful as a well-prepared package, but it will serve the needs of the position. Be creative, ask questions, review existing processes, and learn.

An orientation checklist serves two purposes. First, it familiarizes you with and focuses you on the immediate learning requirements of your employment position. Second, it provides you with a reference point for future orientation opportunities. If you are provided with a checklist, use it. If you are not provided with one, create one.

Figure 1.1 shows a typical orientation checklist. Depending on the nature and dynamics of the office, your checklist may vary.

## FIGURE 1.1 Orientation Checklist

- Get a clear explanation of the schedule for the first week on the job.
- Be introduced to all staff members and learn their roles and titles.
- Identify a staff member who will act as mentor for the first week or two.
- Obtain an organizational chart of the firm with full names and titles of everyone in the firm.
- Understand the dress code and firm image.
- Get an overview of the department and/or firm.
- Learn general office goals and objectives.
- Get a full description of your position and responsibilities, as well as what is expected of you.
- Get your email, phone, and voicemail set up.
- Learn mail and telephone procedures, as well as policies on the personal use of email, the telephone, and other equipment.
- Understand parking arrangements—where you can park, costs, passes, etc.
- Learn how to order supplies and request particular desk accessories.
- Choose a calendar and other organizational tools.
- Set up your own workstation (subject to office rules).
- Get a nameplate for your desk or office.
- Complete your hiring documentation as required.
- Get a tour of the building and your work area, and learn the location of washrooms, staff rooms, other work areas, and departments.
- Be briefed on working hours, breaks, sick leave, and annual/vacation leave, as well as on overtime and after-hours procedures.
- Obtain pay date and payroll information and overtime policies.
- Receive information on employee benefits (in print or online).
- Receive resources such as directories, protocol manuals, computer program manuals, dictionaries, and staff lists.
- Obtain necessary keys, passes, alarm codes, and personnel identification.
- Learn end-of-day routines regarding lights, telephones, doors, computers, and alarms.
- Learn safety, security, and emergency procedures.
- Be introduced to office organization, including files, supplies, and resources.
- Learn correspondence styles and standardized practices.
- Learn where office equipment is located and how to use it.
- Receive information on travel policies regarding mileage, meals, expenses, etc.
- Be informed of the format, participation, and frequency of staff meetings.
- Obtain union information (if relevant).
- Understand performance standards and the evaluation process.
- Obtain policies on accountability, customer service, confidentiality, and ethics.
- Obtain the firm's conflict-of-interest policy.
- Obtain an employee handbook (if there is one).
- Develop a detailed training plan.

There is a significant difference between an orientation package and a training plan. As you can see from the checklist, an orientation package is your guide to the office, but it does not train you on how to do your job. You should also follow a detailed **training plan**, which will teach you the particular functions and responsibilities of your position, as well as how the firm operates.

If your employer does not provide a training plan, draft one yourself:

- Keep a notebook with you at all times.
- Ask yourself what daily activities you need to accomplish to successfully complete your duties.
- When receiving instructions related to your duties, take notes, review them, and ask for clarification when necessary.

### training plan

a document that teaches the functions and responsibilities of a position



When you have time, organize this information along with corresponding precedents. For example, place a sample retainer letter with your notes on how to create a retainer letter. Keeping the information in a precedent folder will make your job easier.

During your first week, you may be provided with a custom-designed work schedule to help phase you into the new office. If a schedule has not been prepared, you may want to discuss one with your employer/supervisor.

## Expectations, Codes/Rules, Policies, and Etiquette

### Employer Expectations

Legal representatives place a great deal of importance on etiquette, protocol, and conduct. As discussed, provincial and territorial law societies regulate the legal profession. The law society's responsibility is to ensure that a person who practises law or provides legal services meets standards of learning, competency, and professional conduct.

Legal representatives in Ontario are governed by the LSO's *Rules of Professional Conduct*. Table 1.2 lists the web links for the provincial and territorial law society rules and codes of professional conduct in Canada.

**TABLE 1.2 Provincial and Territorial Law Society Rules and Codes of Conduct**

Province/Territory	Rules and Codes of Conduct Links
Alberta	< <a href="https://www.lawsociety.ab.ca/regulation/act-code-and-rules">https://www.lawsociety.ab.ca/regulation/act-code-and-rules</a> >
British Columbia	< <a href="https://www.lawsociety.bc.ca/support-and-resources-for-lawyers/act-rules-and-code-of-professional-conduct-for-british-columbia">https://www.lawsociety.bc.ca/support-and-resources-for-lawyers/act-rules-and-code-of-professional-conduct-for-british-columbia</a> >
Manitoba	< <a href="https://lawsociety.mb.ca/regulation/act-rules-code">https://lawsociety.mb.ca/regulation/act-rules-code</a> >
New Brunswick	< <a href="http://lawsociety-barreau.nb.ca/en/regulation/acts-and-rules">http://lawsociety-barreau.nb.ca/en/regulation/acts-and-rules</a> >
Newfoundland and Labrador	< <a href="http://lsnl.ca/lawyers-students/lawyer-regulation">http://lsnl.ca/lawyers-students/lawyer-regulation</a> >
Northwest Territories	< <a href="https://www.lawsociety.nt.ca/lawyers/regulations">https://www.lawsociety.nt.ca/lawyers/regulations</a> >
Nova Scotia	< <a href="https://nsbs.org/legal-profession/your-practice/responsibilities-requirements">https://nsbs.org/legal-profession/your-practice/responsibilities-requirements</a> >
Nunavut	< <a href="https://www.lawsociety.nu.ca/en/about-us/society-rules-and-policies">https://www.lawsociety.nu.ca/en/about-us/society-rules-and-policies</a> >
Ontario	Lawyers: < <a href="https://lso.ca/lawyers/practice-supports-and-resources">https://lso.ca/lawyers/practice-supports-and-resources</a> > Paralegals: < <a href="https://lso.ca/paralegals/practice-supports-and-resources">https://lso.ca/paralegals/practice-supports-and-resources</a> >
Prince Edward Island	< <a href="http://www.lawsocietypei.ca/regulation">http://www.lawsocietypei.ca/regulation</a> >
Quebec	< <a href="https://www.barreau.qc.ca/en/ressources-avocats">https://www.barreau.qc.ca/en/ressources-avocats</a> > (This page is available only in French.) < <a href="https://www.cnq.org/en/your-rights.html">https://www.cnq.org/en/your-rights.html</a> >
Saskatchewan	< <a href="https://www.lawsociety.sk.ca/regulation">https://www.lawsociety.sk.ca/regulation</a> >
Yukon	< <a href="http://lawsocietyukon.com/rules">http://lawsocietyukon.com/rules</a> > < <a href="http://www.lawsocietyukon.com/code.php">http://www.lawsocietyukon.com/code.php</a> >

Law society rules and codes are typically organized under a variety of headings:

- relationship to clients;
- practice of law;
- relationship to the administration of justice;
- relationship to students, employees, and others;
- relationship to the society and other legal representatives;
- professionalism;
- advocacy;
- fees and retainers; and
- practice management.

Law clerks, legal office assistants, and legal secretaries typically work directly under the supervision of a legal representative. Although you may have autonomy when important tasks are delegated to you, it is the legal representative who is ultimately responsible for a breach of the rules. Under law society rules, it is important that you understand the scope of information you can provide. You must be careful not to give advice or provide information that requires the legal judgment of a legal representative.

### PRACTICE TIP

Each province and territory in Canada imposes obligations on legal representatives to properly delegate to and supervise staff. Relevant rules are set out, for example, in the following places:

- in Ontario, By-Law 7.1, Chapter 6.1-1<sup>7</sup> of the *Rules of Professional Conduct* for lawyers,<sup>8</sup> and Rule 8.01(3) (4) (5) of the *Paralegal Rules of Conduct*;
- in British Columbia, Chapter 6.1-1<sup>9</sup> of the *Code of Professional Conduct for British Columbia*, annotated; and
- in Alberta, Chapter 6.1<sup>10</sup> of the *Law Society of Alberta Code of Conduct*.

Three common breaches of the rules relate to breach of confidentiality, misuse of trust funds, and a non-lawyer giving legal advice.

Confidentiality is paramount to the protection and service of the client. If you breach confidentiality, the legal representative you are working for can face serious consequences. To avoid any breaches of confidentiality, never leave client files and documents in a public area or in an area where other clients can access them. Safely store files when

7 (Amendments current to 27 February 2020), online: <<https://www.lso.ca/about-lso/legislation-rules/by-laws>>.

8 Law Society of Ontario, *Rules of Professional Conduct* (1 October 2014; amendments current to 24 October 2019), online: <<https://www.lso.ca/about-lso/legislation-rules/rules-of-professional-conduct>>.

9 Law Society of British Columbia, *Code of Professional Conduct*, Chapter 6: Relationship to Students, Employees, and Others—Annotated (effective 1 January 2013; updated December 2019), online: <<https://www.lawsociety.bc.ca/support-and-resources-for-lawyers/act-rules-and-code/code-of-professional-conduct-for-british-columbia/chapter-6-relationship-to-students,-employees,-a>>.

10 Law Society of Alberta, *Code of Conduct*, Chapter 6: Relationship to Students, Employees, and Others (20 February 2020), online: <<https://www.lawsociety.ab.ca/regulation/act-code-and-rules>>.

the office is closed. Never discuss the details of any client-related matter in a public place or within earshot of other clients. It is even unacceptable to tell anyone, including your own family or friends, that a particular person is a past or present client of your firm. You will likely be asked to sign an oath of confidentiality or a confidentiality agreement similar to the one shown in Figure 1.2 to ensure that you comply with this protocol.

### **FIGURE 1.2 Sample Confidentiality Agreement, Memo Format**

To: Victoria Orlandi

From: Janet Heeringa

Date: August 19, 20—

**Re: Confidentiality Agreement**

I acknowledge a moral and professional obligation not to disclose client information directly or indirectly except as authorized by you.

I agree not to disclose the names of clients, the nature of legal matters, personal information, or any other information gained in this office to unauthorized persons.

I shall not deal carelessly with any information so as to cause it to be disclosed.

This acknowledgment will bind me even after my position ends and applies to all current and past clients.

I have read the foregoing and discussed it with my employer. I understand and agree to comply with the terms of this agreement.

I understand that any breach of the terms of this agreement may be just cause for the termination of my employment.

Employee name: *(please print)* \_\_\_\_\_

\_\_\_\_\_  
Employee signature    Date *(dd/mm/yy)*

Witness: *(please print)* \_\_\_\_\_

\_\_\_\_\_  
Witness signature    Date *(dd/mm/yy)*

Trust moneys belong to the client. There is a legal and ethical obligation to account for every penny of the client’s trust moneys at all stages of a client matter. Failure to live up to that responsibility can have serious consequences for the legal professional.

Non-legal representatives should never provide legal advice because it could cause serious problems for the client and the legal representative. This rule sounds simple,

but it is easy to forget when a client asks, “What do you think I should do?” In an attempt to help, non-legal representatives sometimes answer the question in a way that leads the client to believe they are receiving a legal opinion or legal advice.

Some firms have policies of behaviour that dictate employee conduct and the employer’s expectations. You may be required to sign a form to indicate that you received and understand the policies. If you do not receive a copy of the policies, you should inquire into the availability of one.

A policy will address a number of the issues outlined in the orientation and training section of this chapter, such as dress code; conflicts of interest; and personal use of the telephone, email, and the Internet. Employers often complain that staff members spend too much time on social media, surfing the Internet, or sending personal emails. Find out your employer’s policies, and stick to them. An employer generally has other basic expectations as well, such as punctuality, dependability, loyalty, and teamwork.

## Employee Expectations

Expectations go both ways. Employees and employers have rights and expectations. Each province and territory has laws to protect employees. Employee rights across Canada are protected by the federal *Canadian Human Rights Act*<sup>11</sup> (e.g., freedom from sexual harassment and discrimination). Other provincial and territorial laws cover employees’ right to refuse unsafe work and protection from workplace harassment and violence. Other employment laws cover hours of work; public holidays; emergency, family, and parental leave; termination; and severance pay. You should also be treated fairly and with respect, and your health-related needs should be accommodated. You are entitled to receive the salary and benefits you were promised in your contract, and your employer should provide you with regular feedback to help you improve your job performance.

Once secure in the role, ask the employer about ongoing training. There will be changes in certain areas of law technology, and opportunities in the firm. Other sources of training include local bar associations, law societies, colleges, and universities.

## Communicating

**legal jargon**  
terms that are typically only understood by legal community

**Legal jargon** and slang develop naturally and can be unique to your office. Avoid using legal jargon and slang when you speak to clients. Even when clients are not around, you should limit your use of slang because it does not set a professional tone.

Gossiping is conversation about other people’s lives, and it is usually personal and unproven. Gossip can break down a team and create an unproductive office. Avoid participating in gossip. Do not be the office gossip or align yourself with the office gossip; your reputation will suffer. If it is not your story to tell, don’t.

Finally, use humour in the office cautiously. When used appropriately, humour can reduce stress, alter negative thinking, improve communication, increase empathy, defuse difficult situations, and increase productivity. However, demeaning humour, such as sexist, racist, or crude comments, can destroy an office environment. Avoid insults, sarcasm, and cynicism. You may think you’re being funny, but others may not see it that way. To ensure that your humour is appreciated, be mindful of your audience and situation. The same comment in two different situations will have two different

11 RSC 1985, c H-6.

outcomes. Also, remember that preceding a comment with a phrase like “I hope this does not offend anyone” does not excuse what comes next. Be sensitive when telling jokes, and always remember that you are working in a professional environment.

## Soft Skills

What is the difference between hard and soft skills? The easiest way to explain the difference is that hard skills can be learned by following a set of instructions, whereas **soft skills** are developed through practical work and life experiences.

More and more employers are recognizing the value of soft skills. Creativity, ambition, critical thinking, and communication and leadership skills are all examples of soft skills. Any number of people can prepare and type a document, but not everyone can take the initiative and improve office procedure or lead a committee. These are the added skills that will help you get the position you want. Most soft skills are transferable, which means you can apply them to numerous positions, even those outside your field.

As you develop your soft skills, be sure to incorporate them in your resumé, either by listing examples of tasks or by creating a summary of “other abilities.” Just because soft skills cannot be quantified in the same way as hard skills does not mean they are less important. You will find more information about resúmes in Chapter 12, Your Future.

### soft skills

skills that cannot be measured or taught (e.g., initiative)

## SETTING OUT AND MOVING UP

When you graduate with a paralegal, legal assistant, legal secretary, or law clerk diploma, you have made an excellent start on your path to a career in the legal field. Nevertheless, few employers will be prepared to give you much responsibility for client files or dealing with complex legal issues until you have proven that you can apply the knowledge you have acquired in a responsible and professional manner. Don't be surprised (or discouraged) if your career path starts in the mail room or as a receptionist or file clerk.

However, a job well done is highly valued in a legal environment, no matter what task you have been given. As you prove your worth, you will be given increasing responsibility. Over time, you will find that you can advance within the original work environment and will also become increasingly aware of other opportunities in the legal field that may require both the practical experience you are acquiring and additional education or certification. Some of the wide range of possibilities that will open up to you are listed in Chapter 12, Your Future in Figure 12.1.

## Equipment and Ergonomics

### Selecting Furniture and Equipment

It is important to be acquainted with the types of furniture and equipment commonly found in an office, because you may be the person responsible for purchasing equipment or furniture for yourself and others in the office.

Before you purchase any furniture or equipment, identify the office needs, space, and budget and get your employer's approval. In some cases, it may be more economical to lease or rent furniture and equipment. Make sure you crunch the numbers before you decide which option is best for the office. You should also consider whether or not the equipment requires a service contract. Some equipment, such as photocopiers and printers, may benefit from this more than others. If your equipment is leased, service may be included in the contract.

If the office setup is changing, consider which equipment is used most often, how noisy the equipment is, how much space it occupies, and how you use it. Always set up the equipment in a way that will be most convenient for the user. Figure 1.3 contains a list of equipment that you're likely to find in a law office or that you may have to purchase or lease at some point.

**FIGURE 1.3 Office Equipment and Furniture**

- Desks (for legal representatives, support staff, conference rooms).
- Chairs (for legal representatives, support staff, conference rooms, reception area).
- Filing cabinets.
- Supply cabinets.
- Bookcases.
- Fireproof cabinet.
- Computers (hardware and software).
- Printers (black and white, colour, laser).
- Facsimile machine (fax) (special features).
- Photocopier (standard, colour, special features).
- Legal reference materials.
- Office signs.
- Scanner.
- Postage meter.
- Calculators.
- Electric pencil sharpener and electric stapler.
- Binding machine.
- Dictation and transcription machines.
- Telephones and telephone equipment.
- Numerous smaller office and desk tools.

## Ergonomics

**ergonomics**  
the science of designing the job to fit the worker rather than physically forcing the worker's body to fit the job

Poor **ergonomics** leads to a number of physical injuries. Some of the more common complaints include back, neck, and shoulder pain; repetitive strain injury (usually in the wrists); and headaches or migraines. Well-adjusted or ergonomically designed equipment can reduce the discomfort caused by routine daily tasks. Not every office can afford to be fully ergonomic, but you can identify the equipment and furniture that causes you the most trouble and request a change. Evaluate the way you sit, stand, and reach in relation to your equipment and furniture, and adjust your positioning to maximize its ergonomic effect. You should end up being more comfortable—and more productive as well. Table 1.3 lists some common office equipment and ergonomically ideal ways to set it up.

**TABLE 1.3 Ergonomic Office Equipment**

Equipment	Ideal Setup/Body Position
Chair	<p>The armrests should be low enough to allow your elbows to rest comfortably.</p> <p>The chair should support your posture, its seat height should be adjustable, it should be able to swivel, and it should have wheels.</p> <p>Add a lumbar cushion or backrest if necessary.</p> <p>Sit with your hips and knees at right angles; if necessary, use a foot rest or adjust the height of your chair. Do not cross your legs. Keep your head and neck in an upright position and your shoulders relaxed. Keep your elbows close to your body and at right angles to your hips.</p>
Computer monitor	<p>Keep the monitor about an arm's length from your eyes (with the keyboard pulled out).</p> <p>Ensure that the monitor's contrast and colour settings are easy on your eyes.</p> <p>Keep the monitor directly in front of you (rather than angled to the side).</p> <p>Reduce glare on the monitor surface by moving the monitor, restricting the source of light (e.g., by drawing the blinds), or using an anti-glare screen.</p>
Document stand	<p>Position the stand as close to the monitor as possible, at the same height and distance.</p> <p>Minimize your eye, neck, and head movements when looking from the monitor to the document stand.</p>
Keyboard and keyboard tray	<p>Use a keyboard with good key accessibility, or use a split keyboard.</p> <p>Key lightly; do not forcefully pound the keys.</p> <p>Use a soft, gel-filled wrist pad.</p> <p>The keyboard tray should be adjustable and should slope away from you at a downward angle.</p> <p>Keep the keyboard close to you—roughly above your knees.</p>
Lighting	<p>Use task lights that are flexible and that can be focused on document stands, screens, or desk work.</p> <p>Use task lights in combination with indirect lighting (on the wall or ceiling) to avoid strong contrast between dark and bright areas of your workspace.</p> <p>Too little or too much light can contribute to headaches and eyestrain. Eliminate glare by using anti-glare computer screens or drawing the blinds.</p>
Mouse	<p>Use a mouse pad with a built-in wrist rest.</p> <p>Add a mouse extension tray to the keyboard.</p> <p>Keep your wrists in a neutral position and your elbows close to your body. You should not have to reach for the mouse, and your forearms should be supported.</p>
Telephone	<p>Use a telephone headset or a speaker phone. Position the phone within easy reach.</p>

## KEY TERMS

ergonomics, 14  
law societies, 3

legal jargon, 12  
orientation package, 7

soft skills, 13  
training plan, 8

## REVIEW QUESTIONS

1. What is the difference between a senior partner and a junior partner?
2. What can you do if there is no orientation package?
3. Name five difficulties that you could encounter with your co-workers.
4. What is the key to a successful working environment in a law firm?
5. What is a critical way of protecting the client?
6. Can a non-legal representative give legal opinions? Take instructions from clients? Prepare legal documents?
7. Why should you not gossip in the office?
8. When is humour appropriate in the office? When is it inappropriate?
9. What are soft skills? What are hard skills? Give an example of each.
10. What is ergonomics? Why is it important?
11. What should you consider before purchasing furniture or equipment?
12. What can you do to ensure that the client receives quality service and is happy with the firm?

## CAREER AWARENESS ACTIVITY

To fully understand the education, knowledge, skills, responsibilities, and expertise needed to become a professional in a legal office setting, it's helpful to speak to someone with experience in the field.

Arrange an interview with a person working as a law clerk, legal assistant, paralegal, or lawyer. Before the interview, do your research. Know the type of law practised by the office you are visiting. If you are interested in becoming a litigation assistant, interviewing someone in a corporate law office will be less useful to you than visiting an office that deals primarily in litigation. If you don't know anyone who works in a legal environment, ask your instructor for a possible interviewee.

After you've found your subject, arrange an interview for a specific time and place. If the person does not have

time to meet in person, conduct your interview by telephone or email.

Prepare your questions before the interview. Format your list of questions so that you have space to write the subject's response beside each question. Sample questions are provided. You may want to change these questions and add your own.

Once the interview is complete, send a note to the interviewee, thanking them for taking time out of their busy schedule to help you with your research. Prepare a three- to four-page report outlining what you have learned about positions that might be available to you. Attach the interview sheet to your report. Be prepared to present the report to your class.



## Sample Questions

1. What are the major responsibilities of an employee in the field?
2. What education and training do I need to gain a position in this field?
3. What other characteristics or traits should I possess or develop in order to succeed?
4. What are the entry-level positions in this field?
5. What is the position's salary range?
6. What are the opportunities for growth?
7. What will I need to do in order to advance?
8. What type of in-house training is available?
9. What are the working conditions like in this field?
10. Is travel required?
11. What do you find most rewarding about your job?
12. What frustrations, if any, do you experience?
13. What is the employment outlook?
14. Are you satisfied in your position?
15. If you could change something about your position, what would it be?

