

RISK AND PRACTICE MANAGEMENT TIP: When a Staff Member is the Client

In past *InForum* tips, we reminded you of your duty to supervise the work conducted by staff, and reminded you to stay diligent when you represent friends and family. These reminders are equally important when your client is also a staff member.

Many lawyers provide their professional services to their staff for free. In that scenario, it is tempting to allow the staff person to work on their own file to reduce the lawyer's load. This is not a recommended practice. If an error is made, it can still lead to a claim against you. If your office is small, and work by the staff member unavoidable, remember to remain diligent about supervising the work done by the staff member, and documenting your instructions and advice to your "client". You are responsible for the work coming out of your office. Even if you have great staff, mistakes can happen which may lead to claims against you so it is important to remain diligent and to document your file appropriately.

*If you have any questions on these, or any other risk- or practice-related matters, do not hesitate to contact Stacey Gerrard, LIANS Counsel with the **Risk and Practice Management Program** at sgerrard@lians.ca or call 423-1300 ext. 345.*