

## **RISK AND PRACTICE MANAGEMENT TIP: Safe and Effective Practice**

*Safe and Effective Practice*, written by Jean Côté (and others), edited by Barry Vogel QC, and published by the Canadian Lawyers Insurance Association (CLIA) is a loss prevention handbook that provides useful information for all lawyers across Canada. For example, the authors note “persistent fallacies” that lawyers cling to about legal malpractice:

1. Legal negligence claims are based on a lack of knowledge or poor decision-making;
2. If I do a good job for my client, I won't be sued;
3. Protecting myself against a client would require that I treat the client as the enemy and therefore I couldn't properly represent their interests;
4. All legal malpractice claims involve lawyer error and I don't make mistakes; and,
5. I could never forget this matter and therefore do not need to record all the details.

Chapters include information on time management; claims against lawyers and what is actionable and not actionable; common recurring problems seen in litigation, conveyancing, and corporate/commercial practice; how to avoid being sued; interviewing, including when and where; and limitation diaries and reminder systems.

Copies of this handbook are available on the CLIA website at:

[www.clia.ca/eng/Safe\\_Effective\\_Practice\\_ENGLISH\\_final.pdf](http://www.clia.ca/eng/Safe_Effective_Practice_ENGLISH_final.pdf)

*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](mailto:sgerrard@lians.ca) or call **423-1300 ext. 345**.*