

Budget-Friendly Legal Services

Practical Tips to
Reduce Your
Legal Spend



Presented by:

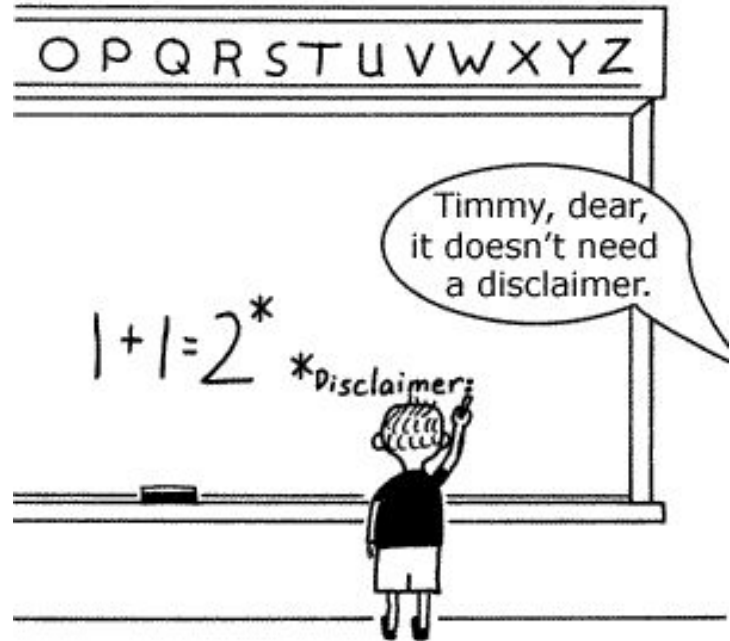
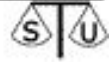
Lisa Stam and
Gaya Murti

Spring LAW



Legal Disclaimers

Timmy
doesn't need
a disclaimer
but we do...



Legal Disclaimers

We're lawyers and know that legal disclaimers are never fun to read, but sometimes necessary to have. To clarify the legal scope and intent of our webinars, here are our general legal disclaimers that apply to all SpringLaw videos, webinars and content on our YouTube channel:

- 1) The content of this webinar should not be relied upon as legal advice. If you require legal advice, please contact one of SpringLaw's lawyers, or you may wish to consult with the [Law Society of Ontario](#) for a listing of lawyers in Ontario.
- 2) Attending, accessing or viewing any SpringLaw webinars does not create a lawyer-client relationship with anyone at SpringLaw. That will only happen after you formally sign a Legal Services Agreement with us.
- 3) You should apply your own judgement in making any use of any content from our webinars, including the use of the information as the basis for any conclusions. Every case and set of facts is different and unique to you - our videos are informational only.
- 4) The law changes quickly in Canada. We do not guarantee that the content of our recorded webinar videos is accurate, complete or up-to-date given how quickly the law can change. SpringLaw assumes no obligation to update the content. We assume no responsibility for errors or omissions in the content or other documents that are referenced by or linked to in our videos. The content of this webinar may be changed without notice to you.

Please contact us at info@springlaw.ca if you have any questions about any of our content or your legal matter generally.

Presentation Roadmap

- 1) Why?
- 2) Cost of Legal Services
- 3) DIY, DWY, DFY
- 4) Types of Legal Work
- 5) Life of Workplace Dispute
- 6) Reducing Legal Costs
- 7) In the Trenches with a Litigation Paralegal
- 8) Next Steps/Key Takeaways

1) Why?



1) Why do we care about legal fees?

- Digital world and volume of data
- Access to justice
- Long term relationships

2) Cost of Legal Services



2) Cost of Legal Fees

- Why are hourly legal rates high?
- What do your legal fees pay for?

3) DIY, DWY, DFLY



3) Range of Legal Services

DIY Do It Yourself \$	DWY Do It With You \$\$	DFY Do It For You \$\$\$
<ul style="list-style-type: none">• Legal products• Templates• Webinars• Courses• Precedents• Google• Create from scratch	<ul style="list-style-type: none">• Middle ground• Template with guidance• Review your document• You do the upfront heavy work, lawyer review output	<ul style="list-style-type: none">• Bespoke legal services• Hand it all over to lawyer to do from start to finish

4) Range of Legal Services



4) Types of Legal Work

- **Solicitor (investment)**
 - **Contracts**
 - **Policies, handbooks**
 - **Termination letters & releases**
 - **HR systems:**
 - Performance reviews
 - Onboarding and training
 - Morale and productivity check-ins

4) Types of Legal Work - Disputes

- Litigator/Barrister (cost of doing business)
- Workplaces full of messy human relationships
- Most expensive disputes:
 - Credibility-based
 - Human rights
 - Harassment claims
 - Subjective, adversarial terminations
- A lot of workplace stress, mental health and burnt out employees & managers from pandemic

5) Life of a Workplace Dispute



5) Life of a Workplace Dispute

- **Event happens (termination, harassment, discrimination, etc)**
- **Internal dispute resolutions**
 - **Grievances, complaint systems, meetings**
- **External dispute resolution - ie litigation**

5) Life of a Workplace Dispute

- **Litigation Steps:**

- Demand Letter/Email and settlement attempts

- Statement of Claim (court) / Application (tribunal) filed
- Statement of Defence / Response filed
- \$\$ Disclosure (Affidavit of Documents)
- Discoveries (court)
- Mediation / Settlement Negotiations

- Trial (court) / Hearing (tribunal)



6) Reducing Legal Costs

6) Reducing Legal Costs - Evidence

● What is Evidence?

- Written evidence key; verbal still counts, but not the same weight
- With the world of email, many matters are drowning in docs
- Employers usually have access to the most info on own server
- Each party is required to provide all documents relevant to matter
 - “Documents” includes emails, letters, videos, pictures, texts, etc
 - Not allowed to ambush the other side in a legal proceeding
 - If we want to rely on the evidence in a document, it must be disclosed (ie shared) with the other side ahead of time
 - No party is allowed to cherry pick and share only the good documents - everything relevant must be disclosed
 - *Particularly important to share with your lawyer & paralegal so she can do her job!*

6) Reducing Legal Costs - Preserve Evidence

- **Best Practices**

- *Preserve your evidence:*
 - Talk to IT asap
 - Stop auto trash cycles (video cameras, servers, VMs, email, etc)
 - Capture social media posts
 - Get digital folders going to make copies of docs
- Be organized & systematic when gathering your evidence

6) Reducing Legal Costs - Working with Legal Team

- **More Best Practices**

- Provide detailed chronologies where possible, cross-referenced to key docs
- Provide documents to lawyer in consistent manner, in way agreed upon in advance
- Let the lawyer/paralegal take the lead on how to organize, since they'll be using/presenting the info
- Want to minimize time lawyer spends on document management, so sync up efforts early on
- Ask lots of questions along the way

7) In the Trenches with a Litigation Paralegal



7) In the Trenches - Paralegal Pro Tips

- **Steps to Drafting an Affidavit of Documents (AOD):**
 1. Gather relevant documents
 2. Upload to shared folder and/or other agreed upon method, including any litigation software your lawyer may be using for larger cases
 3. Sort, format, rename and convert documents to PDF for simple matters (talk to us about metadata for more complex cases)
 4. Lawyer will review docs “due diligence” for privilege and relevance
 5. Create cover Page and index with a built in timeline
 6. Review index with client to make sure nothing is missing
 7. Combine all the documents into one final document
 8. Hyperlink the tabs for easy access
 9. Produce/share the AOD with the other side

7) In the Trenches - Modern Litigation

- **Digital vs Paper**

- Courts were forced to modernize overnight during pandemic
- Lots of digital proceedings now, but not all
- We organize digitally, but are prepared to print where necessary
- So start with digital organization first - if you're sending your lawyer a bunch of paper documents, their office needs to now scan and sort that, adding to your costs

7) In the Trenches - What NOT to Do

- DON'T:
 - Provide docs without overall chronology and/or context
 - Bypass paralegals/clerks who are actually doing all the work!
 - Do giant document dumps without client going through first to connect with claim/defence
 - Send duplicates
 - Send a billion emails with one attachment each
 - Have multiple cooks in the client kitchen
 - Email chains with mixed subjects, cut-off parts of conversation, irrelevant issues
 - Cherry pick evidence to “help” your case or deciding what is privileged without talking to lawyer
 - [if possible] Don't change mind, removing docs, adding docs late in the game and/or after finalized - forces index updates or redoing AODs

SpringLaw DIY / DWY Resources

- www.springlaw.ca/product/new-employer-toolkit
- www.springlaw.ca/product/workplace-law-bundle
- www.springlaw.ca/employment-contract-checklist
- www.springlaw.ca/product/so-youve-been-fired
- www.springlaw.ca/blog
- www.springlaw.ca/employers/free-employment-law-webinars

8) Next Steps/Key Takeaways



Next Steps/Key Takeaways

- Always a lot of proactive investments to make to avoid legal dispute fees in first place
- Consider your internal resources and preference for DIY, DWY, DFY approaches
- Focus on organized digital evidence

Questions?

To learn more about our team: <https://springlaw.ca/team/>

To connect with our legal team:

- Marnie Baizley - mbaizley@springlaw.ca
- Jessyca Greenwood - jgreenwood@springlaw.ca
- Lindsay Koruna - lkoruna@springlaw.ca
- Danielle Murray - dmurray@springlaw.ca
- Gaya Murti - gmurti@springlaw.ca
- Hilary Page - hpage@springlaw.ca
- Emily Siu - esiu@springlaw.ca
- Lisa Stam - lstam@springlaw.ca

Sign up for future **SpringForward Legal Updates**:
<https://springlaw.ca/employers/springforward-legal-updates/>

Sign up for our monthly **Newsletter**: www.springlaw.ca

THANK YOU!

