

BUSINESS & CAREERS

Should you upgrade to Microsoft Office 2010 now?



HI-TECH

**LUIGI
BENETTON**

You use it just about every day, and you suspect you'll upgrade to the latest version sooner or later.

Whether you do so sooner hinges on whether the changes and new features in Microsoft Office 2010 will make a difference in your law practice.

Faced with a changing world order in which Microsoft's dominance of the office software market continues to ebb, the Redmond, Wash.-based giant is going on the offensive to reclaim market share. It now competes with free office suites like OpenOffice.org and online alternatives like Google Docs, entering their markets with offerings designed to make "defectors" look again at Office, perhaps even luring them back to the full, installed package.

Microsoft's biggest competitor, though, may be prior versions of Office which, for many people, are good enough.

In the recently released Office 2010 for Windows (the Mac version will arrive in the second half of the year), Microsoft has not only kept the ribbon from Office 2007 but also put it in all other components of the Office suite, including Outlook.

Do you still use Office 2003 and wonder

what the ribbon is? "It's a sort of 'super toolbar' that sits at the top of the window," explains Matthew MacDonald, the Toronto-based author of "Excel 2010: The Missing Manual" and "Access 2010: The Missing Manual," both for the Pogue imprint of O'Reilly. "Most people find it eventually makes them more productive, but it takes some getting used to."

MacDonald didn't mention criticisms of Office's 2007 look. Microsoft did listen to those criticisms, particularly regarding the "disappearance" of the File menu in Office 2007, which led Microsoft to redo that part of the interface.

"There's a new 'backstage view' where you can take care of file management tasks like opening a recent file, saving or uploading a file, printing, and so on," says MacDonald.

Jason Brommet, Microsoft Canada's senior product manager for Office, explains the name. "If your Office document is your movie, Backstage is for the directors, sound crew and so forth."

It's also where Office keeps the metadata toolbox, and that irks Dominic Jaar. "I would have hoped Microsoft would understand that metadata is important, it should be up front," says the Office 2010 beta user and CEO of Montreal-based Ledjit Consulting Inc. "Now it's even further back."

Microsoft created new Office gadgetry

meant to help people handle media, like photos and videos, within a given Office document. "You can clip two minutes out of a ten-minute video inside Office instead of using a third-party tool," Brommet offers by way of example.

Outlook has become a hub of sorts, where people can monitor not just email but also Facebook, LinkedIn, Twitter and other social networks.

E-mail can now appear ordered by conversation, similar to threads used in Gmail or Mac Mail. This feature may help people deal with piles of email on a given topic in less time by helping them focus on said topic.

Jaar isn't too impressed with this effort, though. "Outlook organizes messages by subject, not a deeper analysis of the message," he says. "Conversations aren't ready for prime time."

Since large numbers of people work in online office suites like Google Docs, Microsoft also offers pared-down versions of its Office applications via the web. This marks a departure for Microsoft in that it will let people view and edit Office documents on computers that don't have Office installed, and it's providing this set of tools for free.

"The free Office Web Apps will meet the requirements of people who have modest collaboration needs," MacDonald says. "But in a professional environment, people usu-

ally choose something like SharePoint for document tracking, revisions, change management, workflow, and so on."

Another possible strike against Office web apps: they store files on the Internet rather than a person's computer. Canadian lawyers may be wary of web-based applications that make their data vulnerable to a U.S. *Patriot Act*-based search.

Jaar does use Google Docs for non-confidential information, "but unless the client agrees, I'm not comfortable suggesting people move to the cloud unless the cloud they use is in Canada, where at least they'll be compliant."

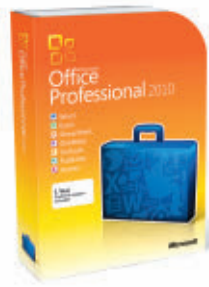
Whether Microsoft creates smartphone clients matters little. Third-party software developers have offered applications for reading and editing Office documents on handhelds since the early days of Palm, and such tools are still popular.

One ongoing criticism Office continues to suffer stems from its complexity. "There are no macro problems," Jaar says, "just little glitches that you can turn off. But the switches are hidden deep in the software, so you have to search in help and on forums to find them."

"It's the downside of having tons of features, unlike more user-friendly stuff that has fewer features."

To help anybody who has ever been stymied by the number of versions of Office Microsoft will offer, Brommet advocates

See **Upgrade** Page 22



Planning today for tomorrow's lawyers

DONALEE MOULTON

For the Nova Scotia Barristers' Society (NSBS), a focus on the practice of law is very much a focus on the future of law. At the society's recent annual meeting, lawyers explored how the legal profession is evolving to meet the changing needs of lawyers, their clients and the public.

That evolution had its roots to a great extent in the Futures Project, which the society launched in late 2008 to address questions surrounding long-term competence for the profession and to consider how the practice of law should adapt to the changing times. The initiative also generated Nova Scotia's first substantial research into public perceptions of the legal profession.

"It became clear there are some generational differences," said NSBS President Marjorie Hickey, a partner with McInnes Cooper in Halifax.

The Futures team identified key trends that are shaping the work and work-life of practising lawyers today. Those trends fall into four distinct categories: demographic, technology, justice and market.

Discerning those trends, and responding to them, is essential. "One of the biggest issues facing the profession is the speed with

which the practice is changing, both in terms of technological changes and in terms of the inter-generational dynamic that firms are experiencing. The ability to adapt to these changes and to see them as opportunities and not just challenges is a key to the future success of the profession," said Kim Turner, a managing partner with Pink Larkin in Halifax.

For example, this fall a "completely revamped" skills course will be put in place for new lawyers, noted Hickey. The changes, she pointed out, were made in direct response to feedback from younger members.

Younger members are looking to understand—and shape—the profession they are now calling home. For Jonathan Saumier, an associate at Burchells LLP in Halifax, there are key areas of importance. The first is public perception.

"It's about changing the focus from access to justice to access to service," said Saumier. "We're professionals who are part of a community. It's important we make an effort to be seen that way."

Saumier also points to the need for cultural sensitivity and diversity. "It's a duty we all share."

Senior lawyers may have an even greater responsibility in the eyes of their newer colleagues. "The collective knowledge of what it means to be a lawyer is not being

passed down," said Adam Panko, an associate with Stockton Maxwell & Elliott in Halifax. "First off, these young lawyers do not get the needed leisure time to develop their characters on their own. Consequently, they are horrifically flat."

"More to the point," he noted, "the older generation is too busy working these young lawyers for all the profit that they can that they have totally abandoned their long-standing role to nurture and develop the characters of the young lawyers."

With a shrinking talent pool to draw from, the pendulum is also swinging the other way. Balance is critical, said Turner. "In the past there was a feeling that lawyers would mould to the firm culture. Now more and more firms are being moulded by the new generation of lawyers. The key is to address these issues without the established generations feeling disrespected—or the younger generation feeling patronized."

That newer generation is often a more experienced one than its predecessors. Saumier noted that many lawyers today will not be exclusively shaped by the practice of law. "We're a generation that sees our legal career [as fluid]. For many of us, it is not our first and will not be our last [career]."

Which, of course, raises the


YURI ARCURS / DREAMSTIME.COM

Lawyers should work together to plan for the future of the legal profession.

issues of retention and recruitment that law societies, and firms, have been grappling with across the country. Engaging members of the profession is important and the earlier that engagement starts the better. "We use the bar admissions course to encourage young lawyers to be involved in the society," said Hickey.

To make them feel part of the profession, she added, it is important to show them how they fit within the profession. "One way to find common ground is to find common features. That includes ethics."

Ethics is one of the central themes in the society's new Continuing Professional Development project. A discussion paper

is expected to be released later this year, that will for the first time in the society's history, lay out mandatory professional development requirements.

In the meantime, the evolution of the legal profession in Nova Scotia continues unabated. Everyone, it seems, is finding their place where they can. NSBS, noted Panko, has launched a new group for black and aboriginal lawyers. "We meet a few times a year and eat great food together. Perhaps this is a small mitigation to all those young lawyers who suffer from stunted characters due to overwork and few positive examples from their elders.

"At any rate," he added, "this new [group] is still a great thing." ■

BUSINESS & CAREERS

Upgrading software inevitable

Upgrade

Continued From Page 21

lawyers get the Pro Plus package for its interaction between Office client applications and Microsoft's various servers (like Office Communicator) as well as the information rights management it affords (like defining policies around individual documents or e-mails).

Another server, SharePoint 2010, features Workspace (formerly known as Groove). This feature lets people create offline "workspaces" on their computers consisting of documents (and libraries) that reside in SharePoint.

People can also set up ad hoc workspaces and include collaborators outside a corporate network

without calling on IT or requesting a VPN for said outsiders.

Microsoft claims Workspace allows for "real-time" collaboration. The term evokes visions of Google Docs-like editing of a given document by two or more people at exactly the same time, but Jaar disagrees with that perception.

"Contrary to Google, you don't see the changes live," Jaar explains. "It's still like SharePoint, with locked documents. It isn't yet a true collaborative platform—it's a first-generation attempt."

Still, Jaar favours Office 2010, if for selfish reasons. "I hope everybody migrates to 2010 since it makes me sick to convert my documents to Office 2003 formats when I collaborate with my colleagues," he says. ■

Inquiries lure top lawyers

Inquiries

Continued From Page 20

procedures can make it a tough slog for lawyers involved in inquiries, particularly commission of inquiries, notes Sylvain Lussier, a Montreal lawyer with Osler, Hoskin & Harcourt LLP who was the Government of Canada's attorney before the Gomery Commission. While the findings of a commissioner cannot result in either penal or civil consequences for a witness, Lussier points out that it can lead to "collateral damage" or taint a person's reputation. Indeed, a good reputation for most people is a person's most highly prized attribute, notes the SCC in *Canada (Attorney General) v. Canada (Commission of Inquiry on the Blood System)*, [1997] 3 S.C.R. 440. With so much at stake, inquiries often end up adversarial, weighed down by an atmosphere more akin to an acrimonious trial than a fact-finding mission.

"The price that people pay is often too high but it seems that it's a necessary evil," remarked Lussier, who strongly recommends lawyers about to embark in a public inquiry to get some expert media coaching in order to avoid the pitfalls. "Due to the attention of the media, not only do you have to calculate the impression you are going to make on the commissioner, with your questions and interventions, you also have to calculate the impression you are going to make on television, on the media. So you end up having to weigh what is going to be less damaging for your client."

While conceding that it can be quite a challenge, Ruel urges commission counsel and law-

yers representing participants and witnesses to cooperate in order to avoid lengthy delays and interminable legal disputes. "From my perspective and having lived through it, in order for a commission of inquiry to function in a harmonious manner, all parties have to make concessions to avoid conflict," said Ruel. "There is great value to having constant dialogue between the parties to ensure procedural fairness."

“

[Inquiry] mandates are fascinating, the work is rewarding, and you end up working with la 'crème de la crème' as it's always the top lawyers who take part in inquiries.'

Lawyers also have to be aware of the importance of strategic planning, added Ruel. Lawyers must ask themselves fundamental questions such as if they are going to collaborate, how are they going to do so; what spin are they going to give to the evidence and testimony; how are they going to cross-examine and who is going to do it, all the while keeping in mind that in many public inquiries political considerations have to be considered.

"Working in public inquiries requires far more than just

legal preparation," said Ruel. "Strategic considerations are important. One has to understand what is at stake and equally important understand what's at stake for your clients."

But regardless of whether they act as commission counsel or represent either participants or witnesses, lawyers too must be prepared to pay a price, warns Cossette. Most cases before public inquiries are complex and extremely time-consuming. Lawyers therefore should ensure that they have enough time on their hands to be able to read, analyze, and understand the case just as they would in a "lengthy trial," added Cossette, who was counsel at the Gomery commission, deputy counsel to the Commission investigating the Concorde overpass collapse and represented Quebec's provincial police officers at the Poitras Commission.

Lussier takes it a step further. He says that lawyers should expect their practice to take a hit.

"It makes a big dent in your practice because it becomes your one file," said Lussier. "You cannot develop your practice. In fact, in some sense it can be damaging because whatever existing files you have you have to pass it on to your partners and you certainly can't take on new mandates."

Yet despite the challenges, neither Cossette, Lussier nor Ruel would even conceive of passing up the chance to work at a public inquiry. The mandates are fascinating, the work is rewarding, and you end up working with la "crème de la crème" as it's always the top lawyers who take part in inquiries," says Cossette. ■



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