

Lessons from a Virtual Lawyer



By Derek Blackadder

THE LABOUR RIGHTS LAW OFFICE in Coquitlam, BC, is the kind of union-side law office you might expect to spend some time in if you're the leader of a union local. It's small (read nimble) with a principal, an office administrator and two associates. And it's a model for how not just law firms but also unions might provide their services in years to come.

I've known Sebastien Anderson, Labour Rights' founder, for a few years now. Possibly many. I'm of an age where I lose track. I've known him episodically but intensely, I like to think. Sebastien has long had a soft spot for unions as well as for tech. He's integrated both these loves into his law practice and was the first BC lawyer to paperlessly present judicial review of an arbitrator's award. He comes to being a labour lawyer honestly, having made stops along the way as an activist and a union staffer. We've connected now and then, and even worked together on the odd event. His new virtual digs: labourrightslaw.com.

Take a peek. Get a feel. The experience is pretty amazing until you start thinking of what you're seeing as something you can potentially transfer to your union and what it does. Then it's beyond amazing. So much so, that I spent an hour on the phone with Sebastien just working through not what the firm does, but how it does it — and best of all, how the how transforms the what and possibly even the why.

The only real disappointment in this future-friendly enterprise is that Sebastien and associates Karlan Modeste and Sherry Shir don't wear their Star Fleet uniforms while presenting cases.

This really is a virtual office. True, Fatemeh Saidi holds the whole thing together from the above-mentioned business office in Coquitlam. That space is needed to deal with tribunals and arbitrators who are still paperbound (a large, but shrinking, majority). The lawyers themselves work from their homes. The nerve centre is a room in

Sebastien's house that's equipped with three 80-centimetre monitors. And a transporter pad. (Sorry, couldn't resist.)

Why does any of this make a difference? Access and cost, that's why. (The one impacts the other, of course.)

Access is quick and easy and not travel-dependent. Need a consult? Your local doesn't have a retainer somewhere? Surf in. Fill out Sebastien's intake form online. At the same time, upload any documents you find relevant.

Within 24 hours Sebastien assesses your issue and assigns the file to a lawyer. Use a credit card or your PayPal account to get a 30-minute consultation for \$28, tax included. Enjoy that consultation from the comfort of your own home using the firm's online conferencing facility. Disable your webcam and do the meeting naked if you want. (This, for me, is the key selling point.) From there your case prep goes forward using the same online facilities. Meatspace meetings are possible at any stage, using a rented-as-needed boardroom.

Behind the scenes, the tech-enhanced experience continues with the firm's lawyers prepared, when the venue allows, to actually present cases using digital tech rather than paper.

Here are at least three benefits this virtual office provides:

1. I can test out my thought that I, or one of my co-workers, has been screwed. And I can do it from the comfort of my own home. (Or better yet, from my employer's premises, using my employer's equipment and their internet access).
2. The reduced overhead means reduced fees. And reduced fees mean easier access for individual workers or for unions with small money and big problems. In 2013, before setting up Labour Rights, Sebastien was billing \$325 an hour — a more than reasonable rate for someone with his experience and skill. (Never thought I would say that about a lawyer,

even Sebastien. I must be giddy over this whole virtual services thing). Two years later, and even allowing for start-up costs, he's billing \$275.

3. Perhaps best of all, this virtual set-up means easy access for workers and unions who don't have the good fortune of being located a bus ride away from their lawyer's offices. Yes, if you're committed to having a face-to-face, always, or now and then, it can easily happen. But if you're not, Bob's your uncle. Sebastien's far-away clients in Victoria and Nelson, and wherever else, can access him as easily as his clients down the street do.

Auspiciously, the new mobility rules of the Canadian Federation of Law Societies mean that if you need a lawyer with particular expertise who resides in another province, they can work in yours for up to 100 days without having been called to your local bar. In the past, that mobility wouldn't mean anything to anyone but the biggest and wealthiest clients. Travel costs used to put that kind of expertise-shopping out of reach. But now you can sit in Moncton prepping a case with a lawyer in Coquitlam for a hearing next month in Calgary.

Sebastien also thinks that the virtual-law-office approach can actually improve the quality of case prep. Last-minute production by employer counsel no longer means a panicked morning on the day of a hearing. Sebastien can deal with multiple players in multiple locations the evening before, easily and all from the comfort of everyone's home.

Is the tech secure? It uses loads of encryption, is stable, established and well-tested, and it's all commercially available at a reasonable cost and with dependable after-sale support. As tempted as Sebastien must be on occasion, he keeps an eye on cutting-edge innovations but keeps his firm's tech reliable. He uses a multi-layered backup strategy to guard against the loss of any data,

and his online data storage is fully compliant with BC Law Society cloud-storage standards.

All of this is stuff that a geographically dispersed local union with a few hundred members could easily afford.

The lawyers' reactions? They love it. All the quality of life stuff you'd expect, especially as one is a parent. They enjoy work hours and flexible rules that traditional law firms rarely offer. Regular meatspace case meetings take place on Sebastien's deck and provide co-workers with needed social interaction.

The clients' reactions? New clients are virtual-friendly or they wouldn't be there. Established clients either jumped at the advantages, especially the no-travel meetings, from the get-go or took some time to test the waters. But all of them are on board now. Imagine a full-service consultation on your smartphone, complete with documents and everything else you would expect in a meatspace meeting with your lawyers,

save for the picture windows and the hourly rate. That's what gets them.

The downside? While the court and other tribunals are riding the wave, arbitrators, who are less well-resourced than more institutional, government-funded tribunals, are lagging far behind. My guess is that if they were more enthusiastic, arbitrators could both reduce their costs and improve the speed of hearings. But I'm likely wrong and just getting too caught up in my enthusiasm for what Labour Rights has done. Because as we all know in our bones, nothing can, or ever will, speed up the arbitration process.

In the course of my interview with Sebastien I was promised a tour of the server farm where all Labour Rights files are stored. But you know what? After the "client experience" tour of the firm's online face, being confronted with evidence that Labour Rights has a real existence out here in meatspace would take all the magic out of it.

Check out the Labour Rights site — especially if you're not looking for a lawyer. (Sorry, Sebastien, Fatemeh, Karlan and Sherry.) Why if not? So you can immerse yourself in how Labour Rights does its good work. Because how they do what they do is mebbe just mebbe the way your union could be offering services to members in many, many places; and how you could be building the union by bridging gaps that no longer need to be there.

Derek Blackadder's WebWork column about online resources for union activists appears in every issue of **Our Times**. Send your feedback and ideas for future topics to derek.blackadder@sympatico.ca.

Blackadder is co-ordinator of LabourStart Canada (labourstart.org/canada) and staff director with The Society of Energy Professionals, **IFPTE Local 160**.

Editor's Note: **Our Times** did NOT receive payment from the Labour Rights Law Office for this article. However, we are seriously thinking of going after them for a really big donation.



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