

Privacy Policy

Introduction

Edwards Family Law (EFL) recognizes the importance of privacy and the sensitivity of personal information. As lawyers we have a professional obligation to keep confidential all information we receive within a lawyer-client relationship. We are committed to protecting any personal information we hold. This Privacy Policy outlines how we manage your personal information and safeguard your privacy.

Please note that EFL reserves the right to modify or supplement this policy at any time, and that we regularly review and update our policies from time to time. Any changes to our Privacy Policy will be posted on our website and can be requested through Maureen Edwards.

Your Privacy Rights

Since January 1, 2004, all businesses engaged in commercial activities must comply with the *Personal Information Protection and Electronic Documents Act*, and the *Canadian Standards Association Model Code for the Protection of Personal Information*, which it incorporates. These obligations extend to lawyers and law offices. The Act gives you rights concerning the privacy of your personal information.

EFL is responsible for the personal information we collect and hold. To ensure this accountability, we have developed this Privacy Policy, and will train our staff about our policies and practices.

Consent

By submitting personal information to **EFL**, or its service providers and agents, you agree that we may collect, use and disclose such personal information in accordance with this privacy policy, and as permitted or required by law. Subject to legal and contractual requirements, you may refuse or withdraw your consent to certain of the identified purposes for which we collect information at any time by contacting Maureen Edwards (details below). If you provide **EFL**, or our service providers and agents, with personal information of another individual, you represent that you have all necessary authority and/or have obtained all necessary consents from such person to enable us to collect, use and disclose such personal information for the purposes set forth in this privacy policy.

Consent for the collection, use and/or disclosure of personal information may be obtained orally or in writing, and may be given or implied. In determining how we

obtain your consent, we will take into account the sensitivity of the personal information about you that we are collecting, using or disclosing.

What is Personal Information?

Personal information is information about an identifiable individual or information that allows an individual to be identified. It does not include name, business address or telephone number of an employee of an organization

Why Do We Collect Personal Information From You?

We collect personal information from our clients to:

- provide legal services to you in accordance with your instructions;
- fulfill legal duties;
- avoid conflicts of interest;
- in the course of providing legal services, share personal information to and from third parties, including opposing parties, parties sharing the same interests, opposing, foreign and other counsel and advisors, witnesses, decision makers and experts;
- provide information to you about developments in the law;
- advise you of upcoming firm events;
- develop and manage our knowledge-management precedent systems and databases;
- detect and protect **EFL** and other third parties against error, negligence, breach of contract, fraud, theft, and other illegal activity, and to comply with **EFL** policies and contractual obligations; and
- any other purpose to which you consent.

As lawyers we are also governed by the Law Society of Ontario's *Rules of Professional Conduct*. These Rules also requires the collection of some personal information from our clients. This also helps ensure that we are avoiding all conflicts of interest as far as possible.

We may also otherwise be legally required to collect personal information about our clients. For example, the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act* requires us to confirm the identity of all new clients.

If we did not collect and use your personal information, we could not provide you with any legal services.

What Personal Information Do We Collect?

The basic personal information that we require from each client includes a legal name, address, contact information such as telephone, cellular phone or email, and/or date of birth. In some cases we may be required to collect additional information as well. For example we may ask you for your source and amount of income if we choose to offer you a retainer on a block-fee or sliding-scale basis.

In the course of providing you with legal services we may collect or obtain additional personal information about you through court or other legal documents or from third parties involved in your legal matter. This information will vary from case to case.

How Do We Collect your Personal Information?

We may collect personal information directly from you at the start of a retainer and/or in the course of our representation of you.

Sometimes, we may also obtain information about you from other sources, for example:

- your insurance company;
- your real estate agent in a property transaction;
- government agency or registry;
- your accountant;
- your employer;
- other consultants, doctors or professionals obtained by you to assist with your concerns.

Use Of Your Personal Information

When we use your personal information to provide legal advice and services to you, including for billing purposes and any direct marketing activities by **EFL**, we will assume that you have consented to use, unless you specifically advise otherwise. If you tell us you no longer wish to receive information about our services or about new developments in the law, we will not send any further material.

EFL does not disclose your personal information to any third party to enable them to market their products without first obtaining express consent from you.

Disclosure Of Your Personal Information

From time to time, under certain circumstances, **EFL** may disclose your personal information. For example, we may disclose your personal information:

- when the legal services we are providing to you requires us give your information to third parties (for example to Immigration Canada in an immigration case) your consent will be implied, unless you tell us otherwise;
- when we are required or authorized by law to do so (e.g., if a court issues a summons or an order, or an arbitrator issues a summons or award);
- when you have consented to the disclosure;
- where it is necessary to establish or collect fees;
- if we engage a third party to provide administrative services to us (like computer back-up services or archival file storage). However, the third party will be bound by our Privacy Policy;
- if we engage expert witnesses on your behalf;
- if we retain other lawyers or other professionals on your behalf, or a person who, in the reasonable judgment of **EFL**, is providing or seeking the information as your agent;
- any third party or parties where you consent to such disclosures, or where disclosure is required or permitted by law;
- any other situation in which the disclosure is required and permitted by law.

Updating Personal Information

Since we use your personal information to provide legal services to you, it is important that the information be accurate and up-to-date. If any of your information changes during the course of the work we are doing for you, please inform us so that we can update our records.

Is My Personal Information Secure?

EFL takes all reasonable precautions to ensure your personal information is kept safe from loss, unauthorized access, modification or disclosure. This includes the following steps:

- our premises are secure;
- access to personal information stored electronically is restricted;

- we employ technological safeguards like security software to prevent hacking or unauthorized computer access;
- we use internal password and security policies;
- each lawyer has an obligation to maintain client confidentiality under the *Rules of Professional Conduct* of the Law Society of Ontario;
- where personal information is sent to a third party for processing, we make sure, through our contracts with them, that personal information is kept secure.

Privacy And Our Website

Our website, www.maureenedwardsfamilylaw.ca, may contain links to other sites which are not governed by the privacy policy. We may also collect personal information on our website. We collect only the information you give us voluntarily by sending us an email message, completing forms, or using the links contained on the website. **EFL** collects and uses your name, address, telephone number, email address, and other information you submit on or through the website for purposes for which you provided the personal information, to respond to your inquiries and applications for positions, and to provide you with updates and information that we think may be of interest to you. In providing **EFL** with personal information on or through the website, you consent to the collection and use of that information for these purposes.

Like most other commercial websites, we may monitor traffic patterns, site usage and related site information on our website in order to optimize our web service. We may provide aggregated information to third parties, but these statistics do not include identifiable personal information.

Communicating With Us

EFL does not guarantee the confidentiality of the content of any email transmission to or from **EFL** that may be facilitated by this website or otherwise. Please contact our lawyers before providing us with any confidential information.

You should also be aware that viewing this website or contacting **EFL** (including any lawyers, staff, students or volunteers) through this website, by email, telephone and/or fax does not create a lawyer-client relationship and does not mean that we are going to act for you. Persons do not become **EFL**'s clients unless and until we agree to act for you and confirm the same in a retainer agreement. Unless you are an existing client, information provided through this website, by email, telephone and/or fax will not be considered confidential, and no information should be sent to us without prior agreement.

Employment Inquiries

If you apply to **EFL** for a job, contract position, or volunteer position, we need to consider your personal information as part of our review process. We normally retain information from candidates after a decision has been made, unless you ask us not to retain the information. If we offer you a position, which you accept, the information will be retained in accordance with our procedures.

Requesting Access To My Personal Information

You may ask for access to any personal information we hold about you. Please contact your lawyer at **EFL** to obtain this information. **EFL** will provide you with access to your information within a reasonable period of time considering the urgency of the request and circumstances.

Please note that EFL is a paperless office and generally we do not maintain paper client files. Access to your information will generally be provided electronically, and/or you will be provided electronic copies of any information or documents you request.

For any questions or concerns with respect to your personal information, please contact Maureen Edwards at maureen@edwardsfl.ca.