

Privacy Policy and Terms of Use

PRIVACY POLICY

The Law Office of Kathleen Robichaud 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.

Your Privacy Rights

From 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 firms, including the The Law Office of Kathleen Robichaud. The *Act* gives you rights concerning the privacy of your personal information. You can view the *Act* at www.privcom.gc.ca.

The Law Office of Kathleen Robichaud is responsible for the personal information we collect and hold. To ensure this accountability, we have developed this policy.

Why Does The Law Office of Kathleen Robichaud Need Personal Information?

The Law Office of Kathleen Robichaud provides legal services to a wide range of clients. In the course of our business, we may also from time to time produce direct marketing materials concerning our services and developments in the law.

What personal information do we collect?

Personal information is any information that identifies you, or by which your identity could be deduced. Identifying information includes things like:

- your home and business address and phone numbers;
- your social insurance number and/or your driver's licence number;
- your date of birth and your full legal name;
- banking and income information is collected in some cases.

We also collect information that is relevant to your legal matter. This might include:

- the name of your spouse if relevant;
- names of businesses affiliated with your business;
- information about your employees;
- copies of agreements you have entered into and how much you have been paid or expect to be paid under the agreement;
- your goals and concerns in relation to your legal matter are also usually recorded by us in your file to help to provide better legal service to you;
- and any other personal information relevant to the legal services you have retained us to

provide.

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

How do we collect your personal information?

We collect information only by lawful and fair means and not in an unreasonably intrusive way. Wherever possible we collect your personal information directly from you, at the start of a retainer and in the course of our representation. Sometimes we may obtain information about you from other sources, for example:

- your insurance company;
- your real estate agent in a property transaction;
- your bank or financial institution;
- your financial advisor;
- a government agency or registry;
- your employer;
- your accountant; and/or
- your doctor or psychologist

Consent

In most cases, we shall ask you to specifically consent, if we collect, use, or disclose your personal information. Normally, we ask for your consent in writing, but in some circumstances, we may accept your oral consent. Sometimes, your consent may be implied through your conduct with us.

Use of Your Information

We use your personal information to provide legal advice and services to you, to administer our client billing databases, and to include you in any direct marketing activities. If you tell us that you no longer wish to receive information about our services, or about new developments in the law, we will not send any further material. We will not disclose your personal information to any third party to enable them to market their products and services.

The Law Office of Kathleen Robichaud does not use your Social Insurance Number as a way of identifying or organizing the information we hold about you.

Disclosure of your Personal Information

Under certain circumstances, The Law Office of Kathleen Robichaud will disclose your personal information;

- when we are required or authorized by law to do so, for example if a court issues a subpoena;
- when you have consented to the disclosure;
- when the legal services we are providing to you requires us to give your information to third parties (for example a lender in a real estate mortgage transaction or your financial statement to the other party or their lawyer in a family matter) your consent will be implied, unless you tell us otherwise;
- 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) and the third party is bound by our privacy policy;
- if we engage expert witnesses on your behalf;
- if we retain other law firms in other jurisdictions, on your behalf; and/or
- if the information is already publicly known.

Updating Your 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 during the course of the retainer, any of your information changes, please inform us so that we can make any necessary changes.

Is My Personal Information Secure?

The Law Office of Kathleen Robichaud takes all reasonable precautions to ensure that your personal information is kept safe from loss, unauthorized access, modification or disclosure.

Among the steps taken to protect your information are:

- premises security;
- restricted file access to personal information;
- deploying technological safeguards like security software and firewalls to prevent hacking or unauthorized computer access; and
- internal password and security policies.

Access to Your Personal Information

You may ask for access to any personal information we hold about you. Summary information is available on request. You will also receive regular reports on your file if you have an ongoing matter with us. More detailed requests, which require archive or other retrieval costs, may be subject to our normal professional and disbursement fees.

Correcting Errors

If The Law Office of Kathleen Robichaud holds information about you and you can establish that it is not accurate, complete and up-to-date, The Law Office of Kathleen Robichaud will take reasonable steps to correct it.

Can I be Denied Access to My Personal Information?

Your rights to access your personal information are not absolute. We may deny access when:

- denial of access is required or authorized by law (for example, when a record containing personal information about you is subject to a claim of legal professional privilege by one of our clients);
- information relates to existing or anticipated legal proceedings against you;
- when granting you access would have an unreasonable impact on other people's privacy;
- to protect our firm's rights and property; and/or
- where the request is frivolous or vexatious.

If we deny your request for access to, or refuse a request to correct information, we shall explain why.

Can I request anonymity?

Whenever it is legal and practicable, we may offer you the opportunity to deal with general inquiries without providing your name (for example, by accessing general information on our website). The *Proceeds of Crime (Money Laundering) and Terrorist Financing Act* requires us to confirm the identity of all new clients. This Act may also require us to disclose information to FINTRAC (Financial Transactions Reports Analysis Centre of Canada) in relation to certain large cash transactions.

Credit Bureaus

To help us make credit decisions about clients, prevent fraud, check the identity of new clients and prevent money laundering, we may on occasion, request information about you from the files of consumer reporting agencies.

Communicating with Us

E-mail, cellular telephones and facsimile transmissions are not 100% secure mediums, and you should be aware of this when contacting us to provide personal or confidential information.

Changes to this Privacy Policy

Since The Law Office of Kathleen Robichaud regularly reviews all of its policies and procedures, we may change our Privacy Policy from time to time.

Requests for Access

If you have any questions, or wish to access your personal information, please write to our Privacy Contact, Kathleen Robichaud, 5464 Old Mill Way, Manotick, Ontario, K4M 1C1 (613) 692-1020, facsimile (613) 692-3520.

If you are not satisfied with our response, the Privacy Commissioner of Canada can be reached at 112 Kent Street, Ottawa Ontario, K1A 1H3, 1-800-282-1376.

Employment Inquiries

If you apply to The Law Office of Kathleen Robichaud for a job, 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 job, which you accept, the information will be retained in accordance with our privacy procedures for employee records.

TERMS AND CONDITIONS OF USE

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Privacy Policy

The Law Office of Kathleen Robichaud is committed to respecting and protecting privacy and personal information. Please refer to our Privacy Policy in this regard.