



PRIVACY POLICY

Mitchell Rose Professional Corporation (“MRPC” or “we”) recognizes the importance of privacy and the sensitivity of personal information. Lawyers have professional obligations regarding the confidentiality of information we receive from our clients within a lawyer-client relationship. These obligations are regulated by our professional body, the Law Society of Ontario. We are committed to protecting the personal information we hold in accordance with law. This Privacy Policy outlines how we manage personal information and safeguard privacy.

Definitions

“Personal information” – Personal information means information about an identifiable individual, but does not include the name, title or business address or telephone number of an employee of an organization.

“PIPEDA” – All Canadian organizations engaged in commercial activities must comply with the Personal Information Protection and Electronic Documents Act (“PIPEDA”) and the Canadian Standards Association Model Code for the Protection of Personal Information incorporated by reference into PIPEDA. These obligations extend to lawyers, mediators, and to law and alternative dispute resolution (“ADR”) firms, including Mitchell Rose Professional Corporation.

Personal Information

MRPC provides legal and ADR services to a wide range of clients. In doing so, we may collect and use personal information. As well, MRPC may send information and marketing materials concerning developments in the law and our services to individuals.

Collecting Personal Information

We collect personal information fairly and in accordance with the law. Generally, we collect your personal information directly from you. Such collection may be done at the start of our relationship or during the course of our retainer. With respect to our institutional clients, we may collect information about your directors, officers, independent contractors and employees.

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

1. from a government agency or registry;
2. your website and other public sources of information;
3. other professionals who serve you;
4. other parties or witnesses in the context of litigation;
5. other parties or participants in the context of a mediation or arbitration; and
6. we may collect personal information from candidates for employment to assess qualifications.

Consent

In most cases, if we collect, use, or disclose your personal information, we will obtain your consent. Sometimes we will ask for your consent in writing, but in some cases, we may accept your oral consent. Sometimes your consent may be implied through your conduct with us or the nature of our retainer. Should you withdraw your consent for us to collect, use or disclose your personal information, it may impact on our ability to serve you and to maintain our relationship.

Use of Personal Information

We use your personal information to provide legal advice and other services to you, to administer our client (time and billing) databases, to build and to maintain our expertise and knowledge, and to include you in our information distribution and marketing activities. If you no longer wish to receive information about developments in the law or our services, you can ask us not to send any further material.

Disclosure of Personal Information

MRPC does not disclose your personal information to third parties to enable them to market their products and services.

Under certain circumstances we may disclose your personal information. Some examples are:

1. when you have consented to the disclosure;
2. when we are required or authorized by law to do so, including, for example, if a court issues a warrant or a subpoena;
3. in order to comply with the requirements of the Law Society of Ontario, the regulatory body that governs the practice of law in Ontario;
4. when the legal services we are providing to you require us to give your information to third parties (in which case your consent will be implied, unless you tell us otherwise at the outset of the retainer);
5. where it is necessary to collect fees or disbursements;
6. if we engage a third party to provide administrative services to us (including, but not limited to, computer services, archival file storage, or insurance) and the third party is bound by obligations regarding privacy that are consistent with this policy;
7. in the event of a merger by or growth of MRPC (in which case the third party will be bound by obligations regarding privacy that are consistent with this policy);

8. if we engage expert witnesses on your behalf; or
9. if we retain another law firm on your behalf in accordance with your instructions.

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. We may also periodically inquire of you whether your personal information is accurate and up to date.

Securing Personal Information

MRPC takes precautions to ensure that your personal information is kept safe from loss, unauthorized access, modification or disclosure. Among the steps taken to protect your personal information are:

1. premises security;
2. confidentiality policies as part of our professional obligations;
3. training for our staff;
4. deploying technological safeguards like security software and firewalls to prevent unauthorized computer access or “hacking”; and
5. internal password and security policies.

E-mail

You should be aware that e-mail is not an entirely secure medium, and you should be aware of this when contacting us to send personal or confidential information.

Accessing Personal Information

You may ask for access to personal information we hold about you. Detailed requests that require archive or other retrieval costs may be subject to our normal professional and disbursement fees. Your rights to access your personal information are not absolute. There are several situations where we may deny access. If we deny your request for access to, or refuse a request to correct personal information, we will provide a reason or reasons for doing so.

Credit Bureaus

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

Website

Our website contains links to other sites, which are not governed by this policy.

On our website, like most other commercial websites, we may monitor traffic patterns, site usage and related site information in order to optimize our web service. We may provide aggregated information to third parties, but these statistics do not include any identifiable personal information. MRPC does not use cookies or any electronic means to automatically collect personal information from you or your computer; however, web servers used by MRPC will automatically collect IP addresses and we may view our web server IP log from time to time to prevent fraudulent acts and possible network attacks.

Requests for Access

If you have any questions, or wish to access your personal information, please contact the lawyer with whom you normally deal or write to our Privacy Contact at:

Mitchell Rose Professional Corporation
Attn: Mitchell Rose
5000 Yonge Street, Suite 1901
Toronto, ON M2N 7E9
Tel: 416-227-3406
Fax: 416-628-3801

If you are not satisfied with our response, the Information and Privacy Commissioner of Ontario can be reached at:

2 Bloor St. E., Suite 1400
Toronto, ON M4W 1A8
416-326-3333
1-800-387-0073

Changes to this Privacy Policy

MRPC reviews all its policies and procedures and we may change this Privacy Policy from time to time.