



## Privacy Policy

Neff Law Office Professional Corporation knows how important your privacy is to you. Our relationship with you is founded on trust and we are committed to maintaining that trust.

For these reasons, we have created the following privacy policy. It confirms our dedication to protecting your privacy and maintaining the trust that you have placed in our law firm.

### A. An Overview

#### 1. What this Policy Covers

This Policy covers our treatment of the personal information we collect from you.

#### 2. How Personal Information is Used

We use your personal information to provide legal advice and services to you, to administer our client databases and to contact you when necessary. If you tell us that you do not wish us to contact you, we will honour that request.

#### 3. How Personal Information is Maintained

Our firm does not sell, barter, trade or give away your personal information to third parties. For example, we do not provide our client mailing lists to other law firms.

Our firm stores and maintains personal information in conformity with the requirements of the Personal Information Protection and Electronic Documents Act (the "Act") and the Model Code for the Protection of Personal Information (the "Code") created and approved by the Canadian Standards Association ("CSA").

#### 4. Purposes for Collection of Personal Information

Our firm collects personal information for the following limited purposes:

- (a) to establish and maintain client lists;
- (b) to represent you as our client; and
- (c) to establish and maintain mailing lists.

### B. Application of the Code

Our firm applies the ten principles of the Code as follows:

#### 1. Accountability

Our firm is responsible for the personal information collected and maintained by it and which is under its control. In order to fulfill this responsibility:

- (a) We have designated an official to be responsible for the day-to-day care and control of personal information;
- (b) Our lawyers oversee compliance with the terms of this Privacy Policy;
- (c) Our firm has taken the following measures to ensure compliance with this Privacy Policy:
  - (i) developing procedures to protect personal information;
  - (ii) developing procedures to receive and respond to complaints and inquiries;

- (iii) training our staff about our policies and practices respecting personal information; and
- (iv) developing and distributing information to our staff and the general public explaining our policies and procedures respecting personal information.

## 2. Identifying Purposes

Our firm is committed to openness to you regarding its collection and use of personal information. As discussed above, we collect and use personal information for the following limited purposes:

- (a) to establish and maintain client lists;
- (b) to represent clients; and
- (c) to establish and maintain mailing lists.

To demonstrate this openness, we require the consent of our clients and the consent of contacts prior to using your personal information for any purpose other than that for which it was originally collected.

Similarly, if you wish to be advised of the personal information that we have about you, you can contact us at the address set out in Section C below.

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.

As needed, we may obtain information about you or the deceased or a beneficiary from other sources, for example:

- your financial planner/accountant;
- from a government agency or registry;
- your real estate agent in a property transaction;
- your insurance company.

## 3. Consent

Consent to use information so that we can provide legal services is implied when you provide us with personal information about yourself or

third parties, such as estate beneficiaries' names and addresses, details of the assets of person when you are assisting as an attorney or as an executor, and other such information as required.

To this end, all our team members or agents are instructed to provide information about how personal information is used by us to all interested individuals who inquire. As well, we may periodically request written confirmation from you to ensure that the personal information collected and maintained by us is up-to-date and accurate.

Our firm will disclose personal information, without notice, only if required to do so by law or in the good faith belief that such action is necessary to:

- (a) conform to obligations imposed by law or statute;
- (b) meet an emergency need; and/or
- (c) as required pursuant to a criminal investigation.

## 4. Limiting Collection

Our firm restricts the collection of personal information only to that information that is necessary for the limited purposes noted above. We are committed to collecting personal information in a fair, open and lawful manner.

For this reason, our firm does not indiscriminately collect personal information. We collect personal information to fulfill the above-noted purposes only, and for no other purposes.

## 5. Limiting Use, Disclosure and Retention

*Use of Your Information* – We use your personal information to provide legal advice and services to you, to administer our client databases and to contact you when necessary. If you tell us that you do not wish us to contact you, we will honour that request.

Neff Law Office Professional Corporation does not disclose personal information to any third party for marketing purposes. For example, we do not provide our client mailing lists to other law firms.

*Disclosure of Personal Information* – Under certain circumstances, Neff Law Office Professional Corporation will disclose personal information:

- when we are required or authorized by law to do so;
- 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, in a court application for probate) 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 (for example, 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, on your behalf;
- if the information is already publicly known.

## **6. Accuracy**

Our firm is committed to maintaining accurate, complete and up-to-date personal information. If you are aware of changes to the personal information you have given to us, simply inform us of the changes and we will update our records accordingly.

You may check and correct your personal information by contacting our firm and the Privacy Officer assigned to oversee the day-to-day care and control of personal information by writing or e-mailing your request to the address set out in Section C below.

## **7. Safeguards**

Our firm has developed and implemented security safeguards appropriate to the sensitivity of the personal information kept by us. These security safeguards include:

- (a) physical security measures, such as alarm systems, locked cabinet storage and restricted access to areas where personal information is stored; and
- (b) internal security measures, including restricted computer access and confidentiality agreements.

We also ensure that any of our team members who deal with personal information are properly trained and are aware of the necessary and appropriate measures required to protect personal information.

Once it is no longer needed to meet the purposes for which it was collected, any personal information kept by us is disposed of or destroyed.

## **8. Openness**

Our firm makes information about its policies and practices respecting the collection and maintenance of personal information available to all interested parties.

We are pleased to answer any questions that you may have regarding the collection and maintenance of personal information. Please forward any questions in writing or email to the address set out in Section C below.

## **9. Individual Access**

You can also request access to your personal information held by us. However, we reserve the right to confirm the identity of the person seeking access to personal information before complying with any access requests. Please forward your access request in writing or email to the address set out in Section C below.

Upon request, we will inform you if we have any of your personal information in our care and control, as well as providing you with the details of such personal information. In responding to your request, our firm may charge you our normal professional and disbursement fees.

We are also committed to ensuring that the personal information that is collected and maintained by us is correct, accurate and complete.

As well, you can amend your personal information under our care and control. Where you can successfully demonstrate that an error in the accuracy or completeness of your personal information exists, we will amend your personal information appropriately.

If we are unable to provide you with access to all of the personal information we hold about you, then the reasons for the denial of access will be provided to you.

## **10. Challenging Compliance**

As noted above, our firm has designated a Privacy Officer who is responsible for the day-to-day care and control of personal information. This Privacy Officer will receive and respond to all information requests regarding our privacy policies or about your personal information under our care and control. Equally, if you wish to be added or removed from any of the lists Neff Law Office Professional Corporation maintains, please write or email to [privacy@nefflawoffice.com](mailto:privacy@nefflawoffice.com).

We investigate all complaints received by us and will respond in writing in a timely manner. If any complaint is found to be justified, then we will take appropriate measures to resolve the matter.

## **C. How To Add, Remove or Amend Your Personal Information**

If, at any time, you wish to amend your personal information with us or remove your name from our database, simply inform us in writing at the address below or by e-mail at [privacy@nefflawoffice.com](mailto:privacy@nefflawoffice.com).

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

### **Communicating with Us**

You should be aware that e-mail is not a 100% secure medium. Please be aware of this when contacting us to send personal or confidential information.

### **Changes to this Privacy Policy**

We may change our Privacy Policy from time to time upon review.

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