

CODE OF CONDUCT for CBA'S MEMBER DISCUSSION GROUP/LISTSERV

Participants in the CBA's Member Discussion Groups/Listservs are expected to conduct themselves in a courteous, civil and respectful manner, consistent with the CBA *Code of Professional Conduct*.

The discussion groups/listservs are provided and administered by CBA for the professional benefit of its members. The discussion groups/listservs are intended to provide an effective and active vehicle for member communications respecting professional interests, including matters of law, practice and procedure, legislative developments, and the like. Although membership in the discussion groups/listservs is based on CBA membership, the nature of Internet or e-mail traffic requires that these communications be treated as public and not confidential. These communications must accordingly reflect appropriate content and standards of professionalism.

By using CBA's Member Discussion Groups/Listservs, you agree that you have read and will follow this Code of Conduct.

Rules:

- For the Discussion Group, your last name and CBA ID number identify you as a user on the system. You are responsible for services that are obtained under that identity;
- The on-line services are meant to stimulate discussion – do not make personal attacks on others;
- Members can participate in either official language. However, translation is not provided;
- Use caution when discussing products. Information posted on the online groups/listservs is available for all to see, and comments are subject to defamation and competition law;
- Do not post commercial messages;
- Do not engage in persistent off-topic comments, postings or statements;
- Do not incite others to violate this Code of Conduct or to participate in unlawful activities;
- “Spamming” (the sending of unsolicited or junk e-mail on the Internet) is prohibited;
- Do not post any files or programs containing destructive features such as:
 - Viruses;
 - Trojan horses; or
 - Bots (programs that operate as [agents](#) for a user or other programs. On the Internet, the most ubiquitous bots are the programs, also called [spiders](#) or [crawlers](#), that access Web sites and gather their content for [search engine indexes](#));
- Do not publish, post, distribute or disseminate defamatory, abusive, profane, obscene, threatening or other unlawful materials or information;

- Do not utilize language that is not in keeping with the CBA Code of Conduct;
- Do not upload files or post messages that contain photos, software or other material protected by intellectual property laws, rights of privacy or publicity or any other applicable law, unless you own or control the rights thereto or have obtained all necessary consents;
- Do not post attachments on the Discussion Group;
- By posting material, the posting party represents and warrants that s/he owns copyright on such material or has received permission from the copyright owner. In addition, the posting party grants CBA and users of this discussion group/listserv the nonexclusive right and license to display, copy, publish, distribute, transmit, print and use such information or other material;
- Do not post messages that encourage or facilitate members to arrive at any agreement or understanding that, if carried into effect, would be likely to lessen competition to a significant extent among or between members in any market for legal services;
- Falsely impersonating anyone is forbidden.

Prohibited Conduct

The CBA reserves the right to terminate access to the online discussion group/listserv by any user who does not abide by this Member Discussion Group/Listsersv Code of Conduct, and to do so without prior notice.

The CBA also reserves the right to revoke a user's participation privileges in any CBA Discussion Group/Listsersv for any postings deemed by the CBA to be offensive or otherwise in contravention of the CBA Code of Professional Conduct, including but not limited to:

- Postings that may be libelous or defamatory;
- Postings that are threatening, injurious or which may constitute or further any criminal offence;
- Posting in furtherance of price-fixing or collusion among legal services providers, which may be in violation of competition law or any other offence under Canadian law;
- Postings that principally further selling or marketing;
- Postings that are inappropriate to the professional objectives of the discussion groups or listsersvs;
- Postings that could be harmful to the reputation of the CBA

Moderator

A National CBA Section discussion group may have a volunteer moderator, selected by the Executive Committee.

The moderator has the right in his or her sole discretion to edit or delete inappropriate postings on discussion groups. The moderator may bring any disputes to the attention of the CBA Executive Director or his designate, John D.V. Hoyles, and the relevant Branch President(s) for attention. , Members are encouraged to bring to the attention of the moderator or in the absence of a designated moderator, to the CBA Executive Director (or his designate), or the relevant Branch President(s), the existence of an offending posting.

The CBA does not pre-screen or filter member e-mails posted to the listserv. The CBA relies upon members to ensure that their listserv or discussion group submissions are appropriate.

Suspension of discussion group or listserv privileges

The CBA may, in its discretion, suspend or give a user notice of suspension of any user's privileges for breach of the rules and provide the user the opportunity to show good reason why privileges should not be suspended or reinstated as the case may be. A decision regarding the temporary or permanent suspension of a member's privileges shall be made by the CBA Executive Director, who acts in his/her discretion with such consultation with CBA staff and volunteers as she/he sees fit.

If the offending user disagrees with the decision of the Executive Director, then he/she shall have the right to have the decision reviewed, upon request in writing, by the Second Vice-President of the CBA or designate. The decision of the Second Vice-President is final.

Disclaimer:

The Member Discussion Groups/Listservs are provided as a service to CBA members. CBA will not be liable or responsible for the opinions and information posted on this site by CBA members or third parties. The opinions expressed in the Discussion Groups/Listservs do not necessarily represent the policies or views of the CBA. CBA shall not be liable for any damages whatsoever, including damages for indirect or consequential loss, or loss of use, data or profits, arising out of or in connection with the posting, availability, non-availability or use of any information or opinions.