

# Internet Newsletter for Lawyers

By Delia Venables

March/April 2005

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## Welsh Devolution and the Web by Marie Navarro

I am going to start with a bold statement: The Internet is a useless tool for Net surfers to grasp the legal aspects of the Welsh devolution settlement and its legal consequences.

You may find this hard to believe. Surely, the web can provide the solution to any query? However, the internet cannot give an accurate and full answer to these two vital questions: What can the Assembly do? and What law has it produced? So, what is going wrong?

### 1. The information is not all in one place

The Assembly's website at [www.wales.gov.uk](http://www.wales.gov.uk) does not provide all the legal information anyone would need about the enactments vesting powers in it or the full legislation it produces. For its secondary legislation made by statutory instruments, it provides links to the HMSO website at [www.hmso.gov.uk](http://www.hmso.gov.uk) which publishes the contents of its SIs. However the HMSO site only shows the general and some local SIs made by the Assembly and no other Welsh legislation. One can find all sorts of documents, such as drafts of legislation on the Assembly's website but the final text as in force is reproduced only on HMSO.

### 2. The legislation reproduced on several websites is incomplete

There are whole areas of law or types of legislation which are not reproduced on the internet at all. For example, the non-statutory instrument legislation made by the Assembly which includes such matters as schemes, directions, determinations and codes, is law in force which applies to Welsh citizens, but which is totally unknown to the public or professionals. Such non-SI secondary legislation is totally absent from the web.

Another problem is that for some types of legislation not all the pieces of legislation are reproduced. For example, not all local SIs are reproduced either on the Assembly or the HMSO sites. A full list of such current legislation is not reproduced anywhere on internet.

In five years of research on Welsh legislation I have never been able to find a complete list of SIs, whether general or local, in any one year. There are always gaps between numbers and I have no idea of what they are and why they are not reproduced in the HMSO list or anywhere else.

There is also a lack of a systematic approach to amendments or repeals made to previous SIs whether general or local. One has to rely on commercial databases for that. The accuracy of such databases is discussed below.

### 3. The information is not easily identifiable

Even if some law or legal texts are reproduced on the net, they are very difficult to find. Take the example of secondary legislation. The secondary legislation which applies to Wales is made either by central government in "retained legislation" or by the Assembly in "devolved legislation". Under many Acts, powers are in fact shared between central government and the Assembly.

Mostly, what the Assembly's website sets out in relation to the secondary legislation is only a list (incomplete) of Assembly SIs with links to the HMSO site. This is the nationwide official source of legislation produced in the UK, which has a Wales section. But what is missing from the Wales section is the second type of secondary legislation which applies to Wales: the secondary legislation applying to Wales made by central government under retained functions.

This information is mixed up with all the other SIs which apply to England only, England and Wales, Scottish SIs, Welsh SIs etc. Nowhere is there a list of SIs which apply to Wales whether they are made by central government or the Assembly.

One good thing is that Welsh SIs made by the Assembly have a W. reference number and the Scottish ones have a S. reference number; this helps to identify them as a separate source of legislation. However, the "England only" SIs have not been given an E. number to allow them to be separated from those of the England and Wales SIs which are relevant to Wales.

#### 4. The search engines are often defeated

Search engines scan documents looking for particular words required in a search query but if the words do not appear in the legal text, the search engine does not find them. This is the main problem in searching for the legislation relevant to Wales: most legislation applying to Wales does not indicate anywhere in the text that it does so, and also the words "Wales", "Welsh" or "Assembly" are simply not present.

Take the example of primary legislation applying to Wales. According to the Transfer of Function Order 1999, certain ministerial powers contained in 350 Acts are transferred to the Assembly. Therefore in relation to such Acts, if you type as your query the words "National Assembly for Wales" or even just "Assembly", nothing will come up in the results since what is written in the text of each of the 350 Acts is "Secretary of State" or "Minister".

The same problem, with added complications, occurs in new Acts, i.e. the ones made after July 1999. Such Acts use a very wide range of terminology such as "appropriate authority", "highway authority", "relevant national authority" and so on to mean the Assembly. If the new Act amends an act in the Transfer of Functions Orders following the principle described above, then all the times that the Act states "Secretary of State" it means the Assembly but these provisions will not show up in the search results. Very few sections use the term "Assembly" and in these cases the word "Secretary of State" means that the power is not devolved to the Assembly.

For secondary legislation made by central government for England and Wales, the custom is that the SI will say nothing specifically about Wales and will not have an extent section. Therefore most SIs made by central government which do apply to Wales will not appear in a search query looking for "Wales" anywhere in the text.

This technique of searching for "Wales" in the content of SIs has revealed that some of the SIs made by central government having "(England)" in their titles do not mean that they apply to England only; some of them are even made jointly with the Secretary of State for Wales.

#### 5. The information provided is not always reliable

This has to do with technical issues in the drafting of clauses in primary legislation vesting powers in the NAW. To ascertain whether a power is given to the Assembly or not is not an easy task and I have discovered that even very reliable databases such as LexisNexis are not totally accurate in their assessment of what legal provisions are vested in the Assembly.

Another main concern about the databases is that even if they provide a very good service showing the current legal

provisions in force, this is often only the case in relation to the English provisions; often, because of devolution, the laws in Wales remain the old provisions. But the old provisions do not appear on such databases any more. We have then to go back to the paper copies of the unamended legislation.

#### 6. The navigation and search results display of the Assembly website is difficult

The Assembly website is an immense source of information, but it is unworkable. The structure of the website is very complicated, now even split in two: the Parliamentary side of the Assembly and the Assembly Government each have their own area within a common website and there is no easy way to navigate both sides of the site. It is very easy to miss something.

In addition, the search engine provided by the site is very poor. The way the results are displayed is unreadable, not accurate and impossible to work out. What you need therefore is immense patience and a great deal of time to carry out the search - and at the end of this process, the link may not be working.

#### Will this change?

As I have tried to describe in this article, there are fundamental issues raised by the Welsh devolution settlement and the way information is provided by the internet. It is just not working well at the moment.

Possibly with time, the drafting of legislation will take into account the benefits of the internet and will reflect its requirements as well as helping those who have to read the law applying to Wales.

Perhaps, territorial extent sections will become systematic and will list the countries where they apply positively, e.g. "these regulations apply to England and Wales only", and will not state as now "these regulations do not apply to Scotland" where only a search for Scotland would pick this SI up (wrongly).

As to the information itself and its accessibility, the Cardiff Law School website "Wales Legislation Online" (see [www.wales-legislation.org.uk](http://www.wales-legislation.org.uk)) is trying to regroup under subject headings as much legislation applying to Wales as it can. Not only is all the primary legislation which give functions to the Assembly in one place, but it contains most of the secondary legislation made by central government which applies to Wales in Acts also giving powers to the Assembly. But we do not set out all the legislation relevant to Wales which do not give powers to the Assembly.

With the Law Society and the Assembly Government, we are trying to remedy the lack of publication of non-SI secondary legislation made by the Assembly.

It is to be hoped that in time these problems will be overcome and the internet will provide the most useful way of accessing all the information relating to the legislative aspects of devolution in Wales.

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## Where Next for Welsh Legislation on the Web? by Carolyn Kirby

Marie Navarro has given a graphic description of the problems facing legal practitioners trying to establish the legislative position on matters affecting their clients. This is a long standing problem, dating back to the establishment of the Assembly, but at last there is some light at the end of the tunnel.

The provisions of the Government of Wales Act 1998 require the Assembly to publish its legislative output and it could be argued that, in strictly technical terms, it does that. However, the publication is in such an obscure and complex format, and the legislative spread so limited, that the spirit of that requirement is sacrificed to the letter.

One can readily see how this has happened. There were pressures on the limited budget of the Assembly from the outset, and, in an order of priorities dictated by politicians and the public, the creation of a comprehensive website dealing with the intricacies of what most would view as esoteric details did not feature prominently. Staffing up the legal function of the Assembly was not done as rapidly as it might have been, and those who bore the brunt of the onslaught of additional and, for them, unaccustomed work had enough to do simply keeping abreast of the throughput, without having time to consider what would happen to the legislation once it left their desks.

The creation of a brand new legislature is a very rare event, and does not come with the benefit of an Owners Manual. It is therefore necessary for those responsible for the new system to make it up as they go along, and it inevitably takes some time to get it right. In the meantime, mistakes and omissions are inevitable. In the case of the Assembly, there is the further complication of the requirement to publish legislation in both English and Welsh, with neither language having priority over the other. This not only increases the complexity of the process, but inevitably introduces a delay. This in turn may lead to a temptation to introduce a raft of relatively minor provisions by means of non-statutory instrument legislation, to which the same rules do not apply. Unfortunately, neither do the same rules of publication apply to those forms of legislation, and thus over time the raft of unpublished non-statutory instrument legislation has grown to the point that it is not possible to discover the complete legislative position on a wide variety of subjects from the Assembly website.

Avid readers of this Newsletter will recall previous articles in which I have outlined the efforts being made by the Law Society to work with officials at the Assembly to remedy some of these problems (July/August 2001; [www.venables.co.uk/n0107welshlegis.htm](http://www.venables.co.uk/n0107welshlegis.htm)). David Lambert also wrote about the efforts made by Cardiff Law School to create a website which attempts to draw the threads of the Assembly legislation together (in so far as they are published), in particular introducing a subject matter index

and relating the legislative output of the Assembly to central government legislation affecting Wales (July/August 2002; [www.venables.co.uk/n0207welsh.htm](http://www.venables.co.uk/n0207welsh.htm)). The Assembly recently acknowledged the value of that website by agreeing to fund it for the next three years, but of course even that website can only be as comprehensive as the materials made available to it.

At last, however, the passage of time, the constant pressure from the Law Society and others and, no doubt, the implementation of the Freedom of Information Act have brought about a realisation at the Assembly that publication must in future be both comprehensive and timely. The proceedings of the Assembly are governed by various standing orders, of which Standing Order 32.1 states that:

*'The Assembly shall as soon as may be publish any subordinate legislation made or confirmed by the Assembly which is not otherwise published for sale under the Statutory Instruments Act 1046. Subordinate legislation made by the assembly which is not required to be made by statutory instrument shall be in such form as the Presiding Officer shall prescribe.'*

We now have reason to believe that the office of the Presiding Officer is prepared to issue a prescription in accordance with this standing order, that all legislation issued by the Assembly be in a standard form, following a numerical system to be overseen by one designated officer. It would follow that all Assembly officers would be instructed to identify all pieces of legislation made in the last five years which do not already appear on the website, so that they could be edited (to identify any non-legislative material) and coded onto the agreed system. They would then be told that any future legislation made otherwise than in the agreed format would not be binding.

We also have reason to believe that all the legislation on the new system will be channelled through to the Cardiff Law School website at [www.wales-legislation.org.uk](http://www.wales-legislation.org.uk) which will become the official portal for publication. If that system proves satisfactory, the current three year funding would become a permanent arrangement.

All of these suggestions for progress have to be agreed by the Welsh Assembly Government, but there is every reason for optimism that, at long last, the entire legislative output of the Assembly will be available in one place and presented in a form accessible to normal legal research rather than being restricted to those with the detection skills of Inspector Morse.

*Carolyn Kirby is the Law Society Council member for Mid and West Wales and was President of the Law Society of England and Wales 2002-2003. She has been involved with monitoring the setting up and the activities of the National Assembly for Wales on behalf of the Law Society since the devolution referendum in 1997. She is currently chairman of the Law Society's Wales committee. In real life she is Chairman of the Mental Health Review Tribunal for Wales. Email [Sxlawsoc@aol.com](mailto:Sxlawsoc@aol.com).*

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## Pro Bono on the Web by Graham Bucknall

The Solicitors Pro Bono Group (SPBG) is an independent, national charity which supports, encourages and enables lawyers to deliver pro bono legal advice to individuals and communities in need. It is not funded by the Law Society and relies on membership fees to provide its core funding.

The SPBG ([www.probonogroup.org.uk](http://www.probonogroup.org.uk)) tries to make it easy for lawyers to give their time freely, whether they are part of a large law firm's Corporate Social Responsibility programme, a sole practitioner or anywhere in between. It does this through a number of projects which all appear under the LawWorks banner – a programme launched by the Lord Chancellor in June 2000. These projects include LawWorks for Community Groups (which delivers non-contentious advice and assistance to small not-for-profits), LawWorks Clinics (the traditional view of pro bono when lawyers volunteer at an advice clinic), LawWorks Mediation (providing free mediation services) and LawWorks Students (which works with law students and law schools).

### LawWorks Web

In 2001 it was decided to use "new technology" to deliver pro bono help and thus, with the aid of a grant from the LCD (now DCA) and the Active Community unit of the Home Office, LawWorks Web was born. The aim was to allow lawyers to deliver legal help from their desktop, fitting their pro bono contribution into the pattern of their working day but with the flexibility to refuse any question at any time.

It is not available to members of the public directly but any advice agency such as a Citizens Advice Bureau can register. Registration and use is totally free of charge and does not have an upper limit or lower limit on usage.

When a member of the public visits an advice agency with a legal question which the agency feels unable to answer or on which they would like a further opinion, they log on to a secure website and enter enough information for the lawyer to be able to understand the situation. They then select an appropriate legal area from a drop down list and submit the question. No client details are needed. Should it be necessary for one or two documents to be attached, a check box is flagged and the documents sent to the SPBG either electronically, by fax or mail. These are converted to pdf files, attached to the question and then the question enters the system.

The advice agency receives an email confirming the question submission and the system will look in its database for appropriately qualified lawyers. An email goes to the first lawyer on the list indicating that a question is available and providing a link to it. By following the link and logging in, the lawyer can view the question and, at that stage, decide if s/he wishes to accept or reject it. If rejected, an email goes to the next lawyer on the list and so on until it has been accepted. The offer only remains with any one lawyer for 24 hours. After that time the system withdraws the offer and sends an email to the next lawyer on the list, hence removing the problem of lawyers on holiday, out of the office or just not responding.

Once the question is accepted the lawyer has three days to answer it. S/he enters the answer into the appropriate box and submits it. At this stage their details drop to the bottom of the lawyer list (ensuring a fair rota for receipt of questions) and an email goes to the originating advice agency informing them that the answer is available. By following the link they can view and print the answer.

The answer is provided anonymously – the agency cannot see which lawyer or firm provided the answer, so the lawyer can be sure that there will be no follow up calls or emails. Also, because the advice is given to the agency and not to the member of the public, there is no conflict of interest.

Security is maintained as the question is never emailed. All that is ever received is a link to a location.

This type of advice giving can suit many lawyers. It can fit within a busy day, can be rejected if time does not allow and is a single piece of advice with no follow ups. Lawyers can, at any time, make themselves unavailable for a fixed period of time and can see a list of all questions which have been offered and answered.

In addition to initial advice we also accept applications for in depth services which would require the client to meet a solicitor, receive advice and, possibly, be represented by them. Again, this can only be accessed through an advice agency. The applicant visits the agency and a form is completed. This gathers information about the person, details of the case and also financial information as we do not accept applications from those eligible for legal aid or from those who could reasonably afford legal fees.

When we receive the form and the relevant papers we have the case assessed by a senior solicitor and, if appropriate, we then find a volunteer solicitor to take the matter. This process currently exists as both a paper-based process and a fully automatic web based system.

The SPBG helps over 16,000 people a year through its various programmes, saving individuals and community groups millions of pounds in legal fees. All of this is operated by a staff of nine people, but we use computer systems as effectively as we can to provide high quality advice to as many as possible.

### Tsunami Disaster

Following the Tsunami disaster we have set up a national legal assistance helpline and can take details of cases from the relatives of victims or those affected in other ways. We have a very large number of lawyers and law firms who are happy to assist. Our helpline is open from 9:30 until 4:30 every weekday and anyone can contact us – we do not need a referral from an advice agency. The web site is at [www.tsunamilegalhelp.org.uk](http://www.tsunamilegalhelp.org.uk) and the phone number is 020-7090-7363. The phone is manned by lawyer volunteers who take contact details, an outline of the legal matter and any major insurance companies or banks involved. We then put the data on a secure online database to which our volunteer lawyers have access. When the case is accepted it is removed from the listing and the lawyer contacts the client directly setting up the usual lawyer-client relationship.

What is quite unique is that the whole development has cost nothing – the software was developed and hosted by Tribal Internet at no cost, law firms have sent us telephone operators for no charge and, of course, the lawyers have volunteered on a pro bono basis. There has also been a strong desire to share and the site carries resources for lawyers provided by various firms.

*Graham Bucknall is a LawWorks Manager at the Solicitors Pro Bono Group. He has worked there since 2001 and develops projects which use technology to aid pro bono legal work. Further pro bono volunteers are always welcome! Email [qb@probonogroup.org.uk](mailto:qb@probonogroup.org.uk).*

*See the web version of this article for Delia's note about the firms providing pro bono assistance through her website.*

## How to get into the Search Engines by Nicola Webb

Devising a search engine strategy is a key element in making your site heard above the online noise. Statistics show that 46% of people find a site through searching, with 20% from word of mouth. If people do not find your site within the first two pages of results returned (i.e. in the top 20 sites found) they will probably give up.

The latest research shows that the most popular search engines in the UK are MSN 42% (now owned by Microsoft who are investing heavily to make their share even bigger), Google 32%, Yahoo 26% and Freeserve 17%.

Search engine registration is typically not difficult. Most search engines have a link at the bottom of their page that reads something like "Add URL" or "Submit Site". All sites have easy to follow guides on how best to submit a URL, including warnings about spamming and tips on keywords.

Search engines consider keywords in the code as well as the relevancy of the text used on the page. Google considers link popularity i.e. the number of times a site is linked to by others. Getting listed can now take up to 3 months - or it may never happen. There are no guarantees with non-paid for site submissions.

It is a good idea to research the best terms for your site, and [searchenginewatch.com](http://searchenginewatch.com) provides a list of resources for this. It can also be useful to study your competitors' pages that rank highly in various search engines.

Search engine optimisation (getting the best ranking possible for your site) is more of an art than a science, because no search engine uses exactly the same method. However, here are some basic tips.

### Optimisation tips

Ensure that the **text** on your key pages (the home page and top level services pages) contains variations of your keywords in a meaningful way. Ensure you do not repeat these terms too often however. Not only will the page read strangely but you may be seen as 'spamming' and be dropped by the search engines.

The **title** should include your firm's name and a reference to what the site is about. You should probably not use more than 60 characters (5-10 words) in the title.

The meta name **description** provides the sentence about your site in the search engine listings. Although it should include important words, it should be as readable and enticing as possible, to encourage surfers to visit your site. This field should probably not be more than 150 characters.

The meta name **keywords** should be limited to about 50; using them in groups of 2-3 word phrases helps, each separated by a comma.

A good free site is [www.scrubtheweb.com](http://www.scrubtheweb.com). Their "Meta Tag Analyzer" will tell you what is wrong with your meta data, giving you character counts for your title, description and so on, and telling you how many times you are using certain words and risk being banned for spamming.

If you are using an external agency to submit your site, choose wisely. Many claim to be able to submit your site to 'thousands of search engines each month, automatically'. Not only are there not thousands of search engines worth considering but automatic and frequent re-submission is now frowned on by the search engines.

To choose an agency, consider asking them for a free verbal or written tutorial on their key optimisation tips. Ask for references and ring their key customers to find out how happy they are with their services.

### Directory Listings

Directories are search engines compiled by human editors. Yahoo! is the web's oldest major directory and still the most important. However, don't confuse the current £199 express commercial listing in Yahoo! with a paid-for inclusion. Paying that fee gets you considered for inclusion by their editorial team within 7 days but it does not guarantee a listing. Many B2B businesses are turning to forms of paid-for inclusions to get good rankings.

[www.overture.com](http://www.overture.com) operates the 'Sponsored match' paid-for listings for Yahoo and also supplies ad listings to most other search engines, including MSN, Lycos, Altavista and Wanadoo. Google operates its own AdWords scheme.

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## Information Technology Transactions; Legal and Commercial Strategies from Sweet & Maxwell, by Duncan Cornell Card, edited by Mark O'Conor

The book discusses how to plan and structure a transaction, examines the negotiations leading up to the transaction, details the documentation required, goes through the implementation of the agreement, details how to manage project risk and addresses the ongoing management of the relationship. This how-to guide takes you chronologically through each stage of a transaction, so you gain a detailed understanding of how to complete an IT project. The cost is £99 or 147 euros.

Go to [www.sweetandmaxwell.thomson.com](http://www.sweetandmaxwell.thomson.com) to order your copy today or call 020 7449 1111 for more information.

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## Death & Taxes, from Lawskills Consultancy & Training

*A residential course, 4 - 8 April 2005, at The Wessex Management Centre, Winchester (over 30 CPD points)*

Gill Steel of LawSkills (see [www.lawskills.co.uk](http://www.lawskills.co.uk)) offers the practitioner new to this discipline a unique chance to join a small group being taught by senior, highly regarded people in the industry. This course will provide effective initial training in the fields of Wills, Elderly Client matters, Intestate Succession, Probate, Trusts & Tax. Speakers include Nick Beetham, Title Research, Keith Biggs, former Probate Registrar, Helen Clarke, Law Society Council member for Probate Section, Tom Dumont, 11 New Square, Professor Lesley King, College of Law, Wyn Melville-Jones, Lawbase Legal Systems and Geoffrey Shindler, Halliwells LLP and Vice President of STEP.

For more details, phone 01962 776442, email [Gill.Steel@lawskills.co.uk](mailto:Gill.Steel@lawskills.co.uk) or look for further details on the site.

In terms of paying for inclusions, it is probably only worth considering MSN, Google and Yahoo, which are the most popular UK search engines. In each case, ensure you are only getting listings on the UK versions of their sites. Accessing the .com (US) versions of their sites and competing with a global audience for search terms is unnecessarily expensive (unless you operate globally).

All the search engines have pages explaining their adwords process. In principle, you tend to pay per click through (cost-per-click or CPC) according to the popularity of the search term and (with Google, for example) you can set a daily/annual budget which determines the number of times your ad will be shown each day and the click throughs you will receive.

For example (and hypothetically – I haven't checked the cost) if the cost (i.e. popularity) of the term 'solicitors Swindon' is judged to be 50 pence per click and you want to limit your annual spend (the ads run for 365 days per annum, you cannot choose set dates) to £500, Google will allow you 1,000 clicks pa (or an average of 2.7 per day). Once you've had your 2.7 click throughs, the software will automatically remove your advert from appearing on the search result pages for this term. This is why the adverts listed appear to change over the course of the day. In addition, Google ads will also change position (rank) based on factors including relevancy of the text, CPC and click through rate. If the text in an ad is considered irrelevant by users, they won't click on it and it will move down the page. This makes choosing the correct keywords for your allotted 95 characters (title and description) crucial.

The search engines all state that they have fraud detection elements in place, for example, to ensure that a competitor doesn't repeatedly click on your listing, just to exhaust your allotted clicks for the day.

### Commercial Directories

Apart from the search engine-based directories, there are an increasing number of commercial, referral types of directories. Most of these will charge for a listing. Before deciding to proceed with any paid-for directory, you should spend time investigating their claims. Many of these directories swallow up the first 10-20 listings for common search terms. Check which commercial directories do this for your favoured search terms and then assess the value of advertising with them.

Three of the most widely used legal online directories are the Law Society's [Solicitors-Online](#), the Legal Services Commission's [CLS Direct](#) site and Waterlow's [Solicitors](#).

There are many referral sites for areas like conveyancing and personal injury. Searching on these keywords brings up an overwhelming list, which is a mixture of individual law firms with branded sites aimed at the consumer and sites that operate a panel system of law firms nationally, to whom they refer enquiries. Not surprisingly, this market is very competitive and the referral/panel sites are spending significant amounts on sponsored listings to ensure they get the best rankings. Perhaps the best known for conveyancing and accidents respectively are the following:

[movinghouseconveyancing.com](#), [easier2move.co.uk](#), [conveyancing.inuk.com](#), [conveyancing-cms.co.uk](#) and [reallymoving.com](#)

[accidentsdirect.com](#), [toclaim.co.uk](#), [claimsupermarket.com](#) and [accidentlinedirect.co.uk](#) (Accident Line is the only personal injury referral scheme endorsed by the Law Society and publicised on their site).

You generally need to pay to become part of the panel and you are usually required to adhere to their rigorous protocols and their fee scales. Most also operate a referral fee policy. Easier2Move is fairly typical, charging the law firm a £125 referral fee for each case, which it must disclose to the client and cannot add to the client's bill.

Opinions vary about the value of referral sites. Some firms seem to receive a good number of enquiries although all would admit that the margins involved are tight and that the firm needs to be resourced and equipped in the right way in order to make worthwhile profits from these prices. Others query the volume and quality of enquiries received and, because of the low margins, prefer to remain independent.

Before deciding on advertising with any of these commercial directories, you should take the following steps:

- \* Ask to see validated visitor statistics (the number of hits is far less important than the number of visits).
- \* Ask for figures of how many contacts are passed on to each member of the panel.
- \* Ring several of their key customers to find out how happy they are with the quantity and quality of enquiries received.
- \* Compare prices charged with those of competitors; you may well be able to negotiate on rates.
- \* Ask about the directory/referrer's own promotional plans. Conduct your own searches on their site using relevant keywords to see if they follow their own medicine.

### Link popularity

Google, in particular, ranks sites on the number of links other websites have to yours. To check your links, go to [www.linkpopularity.com](#), enter your URL and click on the links displayed to see what sites link to yours. Then compare this with that of your key competitors' sites.

You could embark on a link request programme with relevant but non-competing commercial websites. Most sites will only consider a reciprocal link, so you will need to create a useful links page to add their links to your site. It is also advisable to publish a general disclaimer statement on your site about the content of any linked sites.

### Conclusion

The single most important piece of advice on search engine rankings comes back to "content is king". Providing a site with useful and relevant content will help it rise to the top. That said, getting good rankings is increasingly difficult for all sites and paying for listings is probably the only way to ensure this. However, before you decide how much to spend and who to spend it with, it is worth trying to assess what percentage of your new instructions come from the web. Perhaps you could get fee-earners to ask that question (and record the answers) for a few months when they get a new enquiry or open a new file.

Do not confuse those who have genuinely searched from scratch (eg 'solicitors Swindon') with those who searched by your firm's name. The latter is not a true search engine-generated enquiry. For most B2B businesses, much less than 10% of your business will come via 'cold searching' so do not worry too much about how well you are ranked for cold search terms. Instead, focus on ensuring that you rank well when your name is searched for (including variations and misspellings of the name).

*Nicola Webb is the founder of Implementor, a marketing consultancy focusing on the professions (see [www.implementor.biz](#). Email [Nicola@implementor.biz](mailto:Nicola@implementor.biz)).*

## The Design & Development Process of a Second Generation Website

by Karen Rock Monnick

**5RB** (at 5 Raymond Buildings) is a leading set of barristers specialising in all areas of media and entertainment law, defamation and freedom of expression.

The first website set up for 5RB was very good for its time; it provided users with history, member profiles, an overview of our work and news. However, with the advances in technology and user expectation, it had become out-dated and static and, in particular, we were not able to update the site ourselves. Even more importantly, once a visitor had read the information on the website, there was little reason for him/her to return, save perhaps to consult contact details or barrister profiles. We needed to clarify what was required to draw users to the site, to hold their interest and provide them with something of real value.

From the information we gathered internally and the clients we consulted, we developed a set of requirements:

- \* The look and feel of the site must reflect our chambers style, differentiating us from other chambers
- \* We need a comprehensive content management system that offers a major research resource for our web visitors and is fast and easy to use
- \* It has to be easy for us to update quickly and remotely
- \* We need a search engine within the site
- \* We need website statistics
- \* Key portals and search engines must return our site.

The design consultants and website developers we chose were AtelierWorks (Ian Chilvers, [www.atelierworks.co.uk](http://www.atelierworks.co.uk)) and Nasstar Ltd (Charles Black, [www.nasstar.com](http://www.nasstar.com)).

Choosing a separate design firm and web developer requires additional project management and involvement especially at the planning stage but we believe it was worthwhile. We spent 75-80% of our budget on planning and refining the functional specification before development began. This stage of the project is crucial. Within chambers we had a small committee to implement the site.

We decided to keep the design simple, present everything in black and white, use typography to emphasise key points

*The Law Management Section of the Law Society has produced an "Internet Toolkit" written by Rupert Kendrick.*

## Managing Internet Risk

by Rupert Kendrick

A story in *The Times*, 1 February 2005, carried a headline 'Lesbian wins unfair dismissal case over e-mails to her lover'. The story was about an employee who was dismissed for allegedly sending and receiving over 300 messages, some of which were sexually explicit or contained bad language. She won her claim for unfair dismissal. Why? Because "the employee had been given no prior warning that her behavior warranted criticism and undoubtedly if she had been, she would have stopped," according to the tribunal chairman.

The need to formulate and enforce clear policies for the proper use and management of all Internet technologies has never been more important, particularly with the arrival of the Companies (Audit, Investigations and Community Enterprise) Act 2004 relating to corporate governance.

and to punctuate the text with pictures of the barristers. The result is a fresh and uncluttered design which communicates an authoritative and distinctive message.



The new site at [www.5RB.com](http://www.5RB.com)

We always knew that getting members of chambers to contribute to the website on a consistent basis was going to be our biggest challenge. Everyone in chambers is responsible for contributing to the website. We have initiated a rota-based Editorial Committee composed of two silks and two juniors who are responsible for maintaining the 'voice' of chambers, proofing copy and making it active on the site.

So far, there are over 300 case reports on the site covering Media and Defamation, Privacy and Data Protection, Freedom of Information, Sports Law, Intellectual Property and other areas. The case reports include very recent ones and in many cases, copies of the judgments are appended. You can also register on the site for email briefings with monthly round-ups of key issues and new cases.

We have found our clients to be our greatest champions. The more the clients tell us how useful the site is and the more the website statistics tell us visitors are coming more often and staying for longer periods of time, the more we know we have achieved our goal.

*Karen Rock Monnick is Marketing Consultant to 5RB, [www.5RB.com](http://www.5RB.com). Email [apai43@dsl.pipex.com](mailto:apai43@dsl.pipex.com).*

Clear policies are required in areas of Internet technology that are both disparate, yet closely linked. It is unlikely that any firm's Internet technology is under proper management control, unless there are policies in place governing:

- \* use of e-mail;
- \* use of the world wide web;
- \* monitoring of employees' use of Internet technology;
- \* management of its web site;
- \* provision of services electronically;
- \* management of its data;
- \* management of disaster recovery and business continuity;
- \* management of mobile technologies.

How does a firm create policies for such a diverse range of issues and how can a policy sensibly be devised which is tailored to the needs of a particular practice, large or small? This problem confronted me when completing my book, *Managing Cyber-Risks* (Law Society Publishing 2002). How could I draft template policies as examples for a wide range of different firms? The answer was – I couldn't.

I therefore broke down Internet technology into a series of protocols. Of those above, four appear in the book, and the others I have added, to complete an "Internet Toolkit" – a series of protocols containing key features. Not all of these will apply to every firm, so, to convert the protocol into a formal policy, the firm will need to select the relevant features for inclusion.

Below is an extract from the **protocol on monitoring employees' use of the Internet in the workplace**.

The protocol should specify the firm's code of conduct in writing in relation to monitoring and be made available to all personnel using Internet technologies:

- \* specifying whether or not internal and external electronic business communications are being monitored;
- \* recording impact assessments performed for the purposes of justifying monitoring activities;
- \* acknowledging the employees' right to privacy;
- \* expressing clearly the purpose of the intended monitoring;
- \* explaining why monitoring is a justified and proportionate response;
- \* identifying the technological monitoring steps being taken;
- \* identifying the business communications being monitored;
- \* identifying who is responsible for implementation;
- \* identifying who will have access to collected data;
- \* providing assurances as to the lawful use of data;
- \* identifying procedures for challenge by the data subject;
- \* identifying disciplinary measures for non-compliance;
- \* requiring the relevant personnel to provide written acknowledgment of the requirement to comply with the protocol; and/or
- \* securing the freely given consent by the relevant personnel to monitoring.

#### **Legal Compliance**

Data Protection Act 1998; Regulation of Investigatory Powers Act 2000; Telecommunications (Lawful Business Practices) (Interception of Communications) Regulations 2000; Part 3 of the Information Commissioner's Code of Practice The Use of Personal Data in Employer/Employee Relationships; Human Rights Act 1998

#### **Technology Reference**

[www.waterfordtechnologies.com](http://www.waterfordtechnologies.com)

#### **Case Reference**

Halford –v–United Kingdom (1997 IRLR 471)

The legal references enable the law to be checked in more detail. The technology reference is simply an example of 'where to look next' (not a recommendation as such).

There are 8 Protocols available so far (the topics listed above) with more to come. These are available to members of the Law Management Section of the Law Society.

*Rupert Kendrick is a solicitor and legal IT journalist. He specialises in Internet risk management and is Editor of Managing Risk published by Web4Law Ltd, [www.web4law.co.uk](http://www.web4law.co.uk). Email [RupertKendrick@aol.com](mailto:RupertKendrick@aol.com).*

*Note from Delia: The LMS was set up in 1998 to help firms manage their practices efficiently. It provides practical guidance, information and support on the full range of practice management disciplines including HR, finance, marketing, IT, business development, client care, quality and risk. The cost of membership is £110 for a sole practitioner, £130 for an individual solicitor or £315 for corporate membership. This is a worthwhile investment for all firms. See the LMS website at [lms.lawsociety.org.uk](http://lms.lawsociety.org.uk) for more details.*

## **What's New in Legal Publishing** *by Ann Hemming*

### **Factors Leading to Change in Legal Information Publishing**

The Freedom of Information Act is now in force. It is still too early to say how this will affect our legal system and legal publishing, but in terms of primary sources of law there are changes on the way in both the interpretation of legislation and the established case law precedent system. FOI has the potential to extend Pepper v Hart challenges as more of the background documents from the government become available. In addition FOI policies have already led to a big increase in the government's electronic publishing. This will make transcripts of judgments much more widely available and, as we move away from the traditional selective publishing of case law into complete availability, this will affect not only legal publishing but also potentially the legal system itself.

From the legal publishers' point of view, the greater availability of free resources is likely to make the publishing of priced legal resources (particularly primary law and current awareness resources) more complicated.

Clementi and the opening up of the legal market pose a different challenge. MDPs and "Tesco law" operations are likely to require very different information resources to those traditionally provided by our publishers.

Changes in the legal education market are also having an effect on publishing as E-learning systems mature.

Another influence is the increased demands placed on law firms for sophisticated risk management systems and compliance training.

The impact of technology on legal business is moving from the back office into client facing services. As Richard Susskind predicted, law firms and barristers are now providing highly sophisticated online resources to clients and as a marketing tool on the internet. In effect, they have become publishers themselves.

Clients too have become more demanding and they often expect to be able to access a law firm's own information resources. Multiple extranet provision and maintenance is an increasing overhead for law firms; will publishers finally move into providing "collaboration spaces" as Richard Susskind predicted some years ago? The government is also looking at collaboration online as a way of improving service delivery, such as with the PISCES initiative.

*This informative and thought provoking article continues online - see [www.venables.co.uk/n0503bil.htm](http://www.venables.co.uk/n0503bil.htm).*

*In the article, Ann covers recent developments in legal publishing, including software acquisitions on the one hand and divestments of some parts of the publishers' empires on the other. She also describes developments in primary legislation, case law, commentary, current awareness and journals. She continues with issues and market trends for the future including integration of traditional publishing with software development, changes in arrangements with authors, globalisation and outsourcing of some publishing activities, risk management and the learning market.*

*Ann Hemming is Information Manager of Hugh James Solicitors, [www.hughjames.com](http://www.hughjames.com) and also Chair of the Legal Information Group of the British and Irish Association of Law Librarians, BIALL, [www.biall.org.uk](http://www.biall.org.uk). Email [ann.hemming@hughjames.com](mailto:ann.hemming@hughjames.com).*

## Nominet, Domain Names and the Law by Willie Black

Nominet is now a well-established, professionally-operated national top level domain name registry, run on a not-for-profit, but commercially sensible basis, with very strong support from industry, users, the legal profession and government. Ten years ago, however, few had heard of the terms "Internet", "World Wide Web" or "Domain Name". The internet pioneers had just emerged from the restrictive telecommunications regime of the previous decades where you could only transmit what the government allowed you to, and were moving out into unknown territory, particularly with respect to the legal aspects of the new medium. It was likened to the Wild West, with few Sheriffs to be seen.

Trading companies were beginning to see the commercial possibilities of the Web but so also were the pornographers and crooks. There was a growing demand for meaningful and marketable internet addresses: .com names were being used for US companies and were also available outside the US, but .co.uk names were difficult to come by due to the obscure process for obtaining them.

I had recently taken over as the volunteer responsible for .uk. In principle there was no problem with taking a commercial view of the management of .uk, but in practice I soon realised that there was an enormous amount of mutual suspicion within the industry and many conflicting "visions" as to how .uk should be run and who should run it.

But why a legal approach? Is it not just a simple technical matter to run a domain name registry? In theory, yes, it is a straightforward technical task: you keep the domain name together with some details on who has registered it and who should pay, and make sure that the name "resolves" to an actual service when asked for by an internet user. Actually, the technical issues turned out not to be so simple, partly because of the many millions of domain names and partly because of the requirement to keep it all working "24/7". Making any technical change at Nominet is like changing the engines on an airliner while it is still flying at 30,000 feet.

However, the deepest complexities arose from legal considerations. From late 1995, we spent many hours with lawyers (of various flavours) both listening to their opinions (agreeing with some and disagreeing with others) and convincing them that the so-called "Nominet model" was legally and commercially viable.

In this article I discuss three particular legal questions which arose when establishing Nominet UK as manager of the .uk country-code Top Level Domain.

### Where does Nominet derive its authority from?

This is the first question asked by lawyers, politicians and government officials alike! At the heart of the answer is the significance of the .uk suffix to the domain names. "UK" is a two-character code from the International Standard ISO 3166. It is clear that .uk is something uniquely bound up with the national interest. Some argue that managing the .uk top-level domain amounts to a monopoly. I leave that argument to economists, given that nobody *has* to use a domain name to trade on the internet, nor is it *required* to use .uk. The generics .com, .biz, etc., and many of the 200 other country codes are available. But I do accept the "unique national interest" argument.

Who, then should be allowed to own and manage this entity? It was clear in 1995 that the government did not wish to take this on board; nor does it do so today. It was also clear that none of the commercial internet players would allow any competitor to take over .uk with the potential of a favoured place in the market. The prevailing political thinking is that businesses have to fall into one of three

camp: they have to be in an open, competitive framework; be regulated by an Ofxxx; or, be run within a government department or agency. Nominet apparently could not fit into any of these. I like to think, therefore, that Nominet is a good example of the "fourth way". The "unique national resource" needs to be owned or entrusted for the benefit of the ultimate consumers whilst remaining in the private sector. It needs to be efficient and costs kept low.

The solution was clear: Nominet was created as a company limited by guarantee. The "guarantorship" was open to all who had an interest in being part of the governance, as quasi-trustees of the .uk resource. As anticipated, the majority of guarantors are ISPs, but also large-scale brand owners have taken a role. The guarantors have a strong economic interest in Nominet performing efficiently and cheaply: the more Nominet does for them and the cheaper the prices, the more competitive they can be with their own services. But at the same time, it was agreed that Nominet should only carry out tasks which need to be done centrally and not in the open competitive market. It appears that the management of other "common good" resources might be moving this way, for example, the National Air Traffic Service comes to mind; but I am personally dubious at the way the scarce 3G radio spectrum was auctioned off to the benefit of the Treasury and the cost of the end-consumer.

In conclusion to the first question, Nominet really derives its authority not from legislation or government fiat, but from its openness, its guarantors acting in a trustee-like mode, its efficiency and cheapness, and its very limited field of operation. It has proven to be a robust and stable structure.

### What is the legal nature of a domain name registration?

Is a domain name some kind of property? Do the rights to a domain name follow from some other qualification, for example, a trademark? Is a domain name registration a form of lease or right to use (for a fixed or unlimited time)? We concluded that Nominet had no legal basis for conferring any kind of property right to a domain name nor was any legislation conceived to do so. Also Nominet did not have a big "bag" of domain names to sell or lease to others. The conclusion was that a domain name registration was a service offered by the registry to the registrant (with some involvement of their ISP). Applicants could choose any unregistered name (within the syntactic constraints of the system) and ask Nominet to record themselves as registrants. It would be the registrant's responsibility for use of the domain name and any infringements which might arise from that use.

Two complications arose from this: termination of the service and contractual agency.

Initially the registration service contract did not incorporate a clause specifying the duration of the service. Registration was therefore in perpetuity, as long as the fees were paid and the other conditions adhered to. There was also a provision for re-assignment: transfer from one registrant to another. This was needed to allow for business takeovers and re-organizations; legitimate trading in useful or memorable names; and also acquisition by the successful party in a dispute over a name. These two provisions quickly gave rise to "domain name warehousing". Simple warehousing was not seen as a particular problem. Indeed, it was argued that it was pro-competitive in that a clear market would emerge where the more desirable names could command a higher price without the registry itself being accused of monopolistic pricing. The downside came from the blurred line between the warehousing of "generic" names and the incorporation into domain names of the trading names or trademarks (registered or otherwise) of others, known as cybersquatting.

The termination clause was also silent on what happened on the death of an individual registrant or the dissolution of

a corporation. Particularly for the latter, we were faced with the *bona vacantia* provisions of the Companies Act. After much pondering the Treasury Solicitor deemed that a registration in the name of a dissolved company should be considered *bona vacantia* and deemed it their duty to "sell on" such names at as high a value for the public purse as possible. This situation gave rise to several complaints and became quite difficult to manage.

People who register domain names usually want to use them for web hosting or e-mail. From the arguments about the "unique" role of Nominet discussed earlier, it was considered important for Nominet only to provide the registration services and *not* supply web hosting or e-mail services for end users. Nominet's guarantors (members) were intended to be the primary mechanism for these auxiliary services. On request of a customer, they would set up their own services and also assist the registrant in dealing with Nominet for their chosen domain names. In order to provide technical mechanisms to make entries and modification to the register, and to pay Nominet's fees, each member was required to enter into a separate contract with Nominet. In doing so, they became known as tag holders, referring to the unique tag recorded in the register against the domain names managed for their customers.

It was then necessary to determine if the tag holders were agents of Nominet or agents of the registrant. We quickly concluded the latter. Nominet did not feel it right to inhibit or restrict the flexibility of an open, competitive market by overly constraining the actions of a set of agents. Besides, the majority of the relationships between Nominet members and their customers concerned other services: the domain name fee was so low as to be insignificant in most cases.

So the contractual nexus became that of three contracts: between the registrant and agent; between the registrant and Nominet; and between the agents and Nominet. Nominet had no role to play in the first, and for the second, registrants were reliant on advice from their agents. But many ISPs, being of a more technical bent, did not always appreciate their role as their customer's agent. Registrants have disputes with their agents about their competence, service provision, etc. They come to Nominet and, under their contract with Nominet, ask for their agent to be replaced by another. The first agent then claims that the customer has not fulfilled their obligation (usually by not paying) and refuses to allow a replacement agent citing that the customer had contractually agreed not to do so. Some registrants complained to their MPs when faced with Nominet's refusal to interfere in what it considered to be another's contract. Legal advice soon made it clear that the registrant's contract with Nominet was the only one which Nominet had to consider and the registrant now always has the right to force a change of agent.

Nominet has clarified the above issues in several revisions of its Terms & Conditions. The duration of the registration is now two years with the right to enter into a further contract. Termination occurs on the death of an individual or the dissolution of a body corporate (allowing some time for the executors of an individual to transfer or otherwise deal with the registration). Agency is clearly spelled out and the text has been re-written in "plain English".

#### **What is Nominet going to do to stop cybersquatting?**

Warehousing of generic domain names is not tortuous or criminal; but names can certainly be registered which infringe others' rights. Before establishing Nominet, I discussed widely the role Nominet should play in dealing with such foreseen abuse. All our instincts and limited experience of other top level domains suggested that restricting registrants *a priori* would be more of a hindrance to the expansion of e-commerce and general internet adoption than a benefit. Any pre-registration "examination" of rights would be prohibitively expensive, could not easily

be done exhaustively and registrants would simply turn to *.com*, which had no such conditions. At an early seminar a trademark attorney cautioned strongly against creating another Trade Mark Registry.

It was felt that the law already had adequate provision for the proprietors of rights to take appropriate action against those who might infringe these rights in the form of a domain name. The many ways in which (trademark) names can be incorporated into domain names and the wide variety of web site content which can be associated with them means that only the owner of such rights can properly determine the exact nature of the infringement. In reality the material pointed to by the domain name has to be inspected and other evidence reviewed to see if it is an infringement or a perfectly legal clash, for example, Apple records, computers and growers is a commonly cited example. Tribute and protest sites incorporating the name of the subject of the tribute or protest were also an issue: is the use of *ilovexxx.co.uk* or *xxxsucks.co.uk* an infringement of the name xxx or merely part of a free-speech reference to it? After all of the above considerations, Nominet did not feel that it had the legal standing, authority or power to adjudicate. Although, in the early days, some rights holders and their lawyers tried to browbeat Nominet into such a role, we resisted and court hearings vindicated this approach.

But we were not content just to walk away from the problem. We felt that there was a public duty to help and that this was a key core function which the registry could facilitate without overstepping its own constitutional position. Nominet's first "Dispute Resolution Service" was created and Nominet's contract with the registrant modified to provide for a review by an independent expert on a challenge by another interested party. The first service gained us valuable experience in this new area of alternative dispute resolution. It helped us feed our experience into the creation of the Universal Dispute Resolution Service used by the generic top-level domains such as *.com*. However, the UDRP failed to incorporate our valuable mediation phase at the beginning of the dispute. Mediation today leads to successful resolution in over one third of the cases. The DRS has been amended at least twice since the initial offering. Online submissions of correspondence and computer assisted management of the cases is a key feature of the current service. Nominet has established a respected team of independent experts, has clarified the situation with tribute and protest sites and has generally made the Nominet DRS into one of the world's best. It is interesting to note that with the pervasiveness of the internet in business, the understanding and use of domain name dispute resolution has become, in less than 10 years, a key skill for all Intellectual Property lawyers.

In summary and from the admirable position of hindsight, I have outlined what I perceived to be the major legal issues surrounding the establishment of Nominet and the domain name registration business. Ten years is not a long time, but we are a lot more certain now of the legal basis for domain name registration.

*Dr Willie Black was educated as a mathematician and in the 1970s joined the Department of Nuclear Physics at Oxford where he programmed computers to communicate with each other. A decade later he became Programme Director of the Joint Academic Network. During that time, he served on and chaired numerous international committees on computer networking, managed JANET's transition to the Internet and, as a result, became responsible for the *.uk* domain. He began setting up Nominet UK in 1995 and oversaw its growth from 3 to 130 staff and from 25,000 domains to over 4 million. He left Nominet in December 2004 to develop his consultancy business, Broomfield Associates. He can be contacted for advice on domain names and Internet matters at wb@broomfield-associates.co.uk.*

## What Exactly is .NET?

*A series of contributions from legal software suppliers compiled by Delia Venables*

*Please see the web version of the newsletter for further contributions, [www.venables.co.uk/n0503bil.htm](http://www.venables.co.uk/n0503bil.htm).*

Laserform, [www.laserform.co.uk](http://www.laserform.co.uk)  
John Cass, [john.cass@laserform.co.uk](mailto:john.cass@laserform.co.uk)

.NET belongs to Microsoft, who define it as a "strategy to connect information, systems, people and devices through software". The idea is to avoid duplication of effort by providing information through "web services" over the internet. A web service is a piece of computer software which provides information or functions to other computer software. An example could be a list of Land Registries with their full contact details, ideally maintained by the Land Registry itself and available to people through any computer software which can connect to their web service using XML, the standard for this kind of communication.

There would then be no need for any solicitor in the UK to keep and maintain their own list of Land Registries. Extend this idea to Local Authority information, Court information, all kinds of legal information and the amount of work that could be saved across the UK is enormous, as well as giving a much reduced probability of error.

Linetime, [www.linetime.co.uk](http://www.linetime.co.uk)  
Phil Snee, [phils@linetime.co.uk](mailto:phils@linetime.co.uk)

.NET is the latest development environment promoted by Microsoft as the "future". At the root of .NET is a "common layer" that understands different programming languages. This means that disparate and different systems will be able to talk to each other.

It is an all embracing technology that will harness the power of the web to allow facilities to be shared. This will avoid the duplication of common functions and services. As well as avoiding unnecessary work it will invoke standardisation as a natural by-product. People developing in .NET are joining a global "club" that will allow the members to share their features and functions. Any organisation not belonging to that club will lose out in the long term.

DeadMan's Handle, [www.deadmanshandle.com](http://www.deadmanshandle.com)  
John Brazier, [jb@proproco.co.uk](mailto:jb@proproco.co.uk)

.NET is Microsoft's new BIG IDEA: to link all systems, data and devices via web services. This will provide an integrated approach to all business solutions via these services, which are based on open industry standards. To this end, Microsoft has totally redeveloped all its software development tools under the .NET banner, and even created a new programming language (C#).

The benefits will be open standards-based business solutions, which can be developed more quickly, can be easily reusable, should scale better and should be more secure and maintainable. So, for example, it should be much easier to link your MS Office systems to, say, your customer database. This is according to Microsoft.

From a software developer's point of view, it could be argued that this is a Microsoft attempt to drive out other software tool vendors from the market and to stop the incursions of other languages such as Java. And, of course, everyone must go out and re-buy all the Microsoft software development tools. So far, the biggest result of this initiative has been the spawning of a large industry solely for the retraining of software programmers.

ConveyanceLink, [www.conveyancelink.com](http://www.conveyancelink.com)  
Martin MacDuff, [martin@conveyancelink.com](mailto:martin@conveyancelink.com)

.NET will undoubtedly be the platform on which all future programs will be written. .NET is a technology which allows the sharing of information across different programs, networks, operating systems etc with enhanced security.

It offers numerous advantages to software developers as well as end users as it will save duplication of entry across different programs. For example a firm's accounts package from 'provider A' would communicate and share information with a case management program from 'provider B'. Over the next 2 - 3 years if you do not have a .NET offering you will not have a marketable product.

.NET technology will offer end users a greater level of product flexibility and stability, greater compatibility between 'competitor' programs and integration with other standard business products which contain business critical tools.

Pilgrim Systems, [www.pilgrimsystems.com](http://www.pilgrimsystems.com)  
Robin Boyle [robinb@pilgrimsystems.com](mailto:robinb@pilgrimsystems.com)

.NET is a Microsoft Web-service based solution that lets you adapt, distribute, and use data when and where it is needed. This lets businesses share more services and information with clients, employees and partners, and to do so securely and efficiently. Software applications will use Web services to share information through the Internet, regardless of the operating system or back-end software being used. Services can be developed in collaboration with other partners, thus sharing both costs and benefits.

Web Services allow the Internet to host both data and applications. Users can have access to their information through the Internet from any device, any time, anywhere. In summary .NET is a virtual passport to data - it saves the need for multiple entry visas, reduces the need and cost of learning multiple languages, opens new vistas for revenue, and guarantees a secure, speedy journey.

Mountain Software, [www.mountainsoftware.co.uk](http://www.mountainsoftware.co.uk)  
Andrew Toner, [atoner@mountainsoftware.co.uk](mailto:atoner@mountainsoftware.co.uk)

Software developers all have their own preferred languages and styles which means that getting two pieces of software to talk to each other can be difficult. Microsoft's .NET framework gets around this by providing a standard method of communication between software packages, whilst allowing the developer to choose their own language to create the software.

This new technology will have a major impact on solicitors and their use of IT in the coming years. For example, whilst away from the office, a Fee Earner will be able to post time spent on a case directly into the firm's practice management software using a handheld computer. Another example would be when a firm instructs counsel, the solicitors practice would be able to send case information directly from the practice management software into the barristers chambers management software, and vice versa.

Many new devices, from PDAs to Smart Phones, are .NET ready and provide easy access to data from remote locations. For solicitors who are predominantly away from the office, .NET will provide a level of access to their information that has, until now, been very difficult.

*There are 15 other contributions from suppliers containing different views of this topic in the web version of the newsletter - see [www.venables.co.uk/n0503bil.htm](http://www.venables.co.uk/n0503bil.htm).*

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## **Justis - A New Year, a New Look!**

The first quarter of 2005 is marked by change with the re-launch of the Justis user interface with an all new look. Although the service functionality will remain the same, several improvements have been made to the appearance of the service to enhance the user experience.

New product literature, screenshots and additional information regarding the new look Justis service will be available soon.

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