

Internet Newsletter for Lawyers

By Delia Venables

July/August 2005

Main stories on other pages...

Lawyers and Electronic Signatures
by Stephen Mason 3

How Barristers use the Internet
by Martin Poulter 5

Property Law Website
by Gary Webber 6

Black Lawyers Directory
by Debo Nwauzu 6

Free Personal Injury Resources on the Internet
by Lee McIlwaine 7

News....
Westlaw and ICLR
New Site for Civil Appeals 8

Solicitors and Marketing Sites - A Response!
By Martin Davies 9

The Story of First Law
by Anthony Armitage 10

Trials for Scottish Schools
by Anthony Kinahan 11

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EU Law and the Europa Website

By Sue Pettit

The European Union has a good record for making its information available on the web for free. Europa europa.eu.int is a vast umbrella site which attempts to provide a co-ordinated front for the information provided by the institutions and bodies of the EU.

A browse through the English version of the Europa Web site soon gives a sense of the size of the operation. The work, and cost, involved in making Europa simultaneously available in up to 20 official languages of the EU does not bear thinking about. However, the cost of providing the same information in print is even more alarming, so there is an understandable pressure on the EU to develop robust electronic provision of information.

Beneath the top level of Europa it soon becomes obvious that each of the institutions has developed its own materials which reflect that institution's needs and purpose. This has led to some duplication of material, for example, the tracking of the decision-making process is covered in depth by both the Parliament and the Commission.

The Europa website seeks to meet the needs of a variety of different audiences; from school children to lawyers. The entry point for most lawyers will be EUR-Lex europa.eu.int/eur-lex/lex/en/index.htm which aims to offer "direct, easy access free of charge to the biggest documentary holdings existing on EU law".

An ambitious programme started in 2004 to merge the EUR-Lex site (which has always been free) with the CELEX database europa.eu.int/celex/htm/celex_en.htm (which was previously only available on a subscription basis). Once all the planned functions are available this will be a wonderful resource but there is still work to be done. A certain amount of slippage is unsurprising since CELEX contains material dating back to the setting up of the European Coal and Steel Community in 1951 and is said to contain 1,400,000 documents in a number of languages.

The CELEX database was closed in December 2004 and no new material is being added to it. However, it is still available and can be used for pre-2005 material during EUR-Lex downtime. More importantly, National Implementing Measures can be viewed. This is the category of material conspicuously absent in EUR-Lex, though the intention is to load it soon. Watch out for the release of NAT-Lex, due in September, which will provide a common search template for the Member States' legislative databases.

An introduction to EUR-Lex

Starting at the main page, as above, you will see the following main sections:

Official Journal (OJ): This provides the previous 10 days' issues of OJ L and C series, plus an archive back to 1998, all in pdf. Texts published in the OJ, including those prior to 1998, can also be accessed by OJ reference or document number via a search form.

Collections: These are listed at the left hand side of the web page:

- * Treaties: Original and consolidated versions, in all official languages
- * Legislation in force: The 'Directory of Community legislation in force' gives a classified arrangement of legislation in force, with links to the full text that is available in varying formats: html, tiff, pdf. The subject structure mirrors the areas of responsibility of the Directorates General (DGs) of the Commission. If you get lost, you can try the 'Simple Search' facility! The Directory also contains Consolidated texts of measures that have been amended many times. There is no way of predicting whether a specific consolidation has been prepared but one of the FAQs details how to access one direct. A separate link on this page leads to 'Community legislation in force on 1 May 2004' in the nine languages of the states that joined on that date.

* Preparatory Acts: COM documents since 1999 are the only documents available so far, but it is intended to add texts from other institutions and bodies documenting the various stages of the legislative or budgetary process.

* Forthcoming collections (ie highlighted on the web page but not yet available) include International agreements, Case-law and Parliamentary questions.

Functionality: A Simple Search and an Advanced Search are listed, but only the Simple Search is available so far. This provides options to search the full database with key words or controlled vocabulary, by document number, by date, and by type of material.

Language Bar: A language tool bar at the top right hand of the page makes it easy to compare texts in different languages. In addition, a split screen option can be used when viewing individual documents.

Beneath the language bar is an inconspicuous set of options: Site map; LexAlert - not yet active, but this will provide tailored document alerts; FAQ; Help; Contacts; and a Links section, described later.

Quick links: These are highlighted links shown at the left hand side of the page which will probably vary over time but at present link to the Budget of the European Union and the institutions' registers: Registers of documents exist for the Commission, Council and Parliament.

Constitution: The Treaty establishing a Constitution for Europe, OJ C 310 of 16 December 2004, is given the prime position in the centre of the main page.

News: This section, towards the bottom of the middle section of the page, provides links to various sources of news and current information: Dossiers by topics; Selection of new documents; Enlargement: Community legislation in force on 1 May 2004 (in the nine new official languages), and Newsletter, with progress in EUR-Lex's construction.

Links: The main section of links, reached from the bar just under the language bar, include these:

* TED – tenders (OJ S); the CELEX service, the Decision-making process databases OJIL and Prelex; Documents of the institutions and bodies of the Union, including Court of Justice of the European Communities.

* Court of Justice of the European Communities (Curia), at www.curia.eu.int/en/transitpage.htm. The Web site of the European Court of Justice and Court of First Instance has Opinions of Advocates General and Judgments and Orders since 1997. Judgments are loaded the day they are delivered, in the language of the case, with other language versions added as and when they become available. The Diary lists hearings scheduled in the following 4 weeks.

The Curia Web site is also showing the effects of the redesign of EUR-Lex. There is a recommendation to use the Search form rather than the Numerical access for very recent decisions. The "Proceedings", a weekly summary of judgments etc, has not been loaded since early 2004 but is due to be replaced by a "Judicial proceedings" section.

Other areas within Europa

Apart from EUR-Lex, there are other areas within the Europa site that provide sectoral or specific information of use to lawyers. Commentary on policy is available on most of the Commission's DG sites, together with legislation in

that area and/or decisions not available in EUR-Lex. Some examples are given in the web version of this article, see www.venables.co.uk/n0507europe.htm.

Commercial providers

EUR-Lex is already offering a good service, and one that is free. What role is there for commercial providers? The answer, as ever, is familiarity with the service, functionality, added value and customer support. Consistent format, search strategy and linking between a publisher's UK and EU material will always be a strong reason to subscribe.

However, a look at the way commercial providers coped with the upheaval in EUR-Lex is instructive. In a test for currency of information which I carried out in early March 2005, Lawtel EU gained top marks and lived up to their claim of next day indexing of cases and legislation. Westlaw EU came second, with case information and legislation available a few days after publication in the OJ.

Justis CELEX and LexisNexis Professional EU were hit by the cessation of CELEX. Licensees had been promised a new EUR-Lex datafeed but until this started in early March, these products contained no 2005 material. The publishers were in a difficult position but no obvious warnings or explanations were given when you logged in.

All the publishers have plans for the future:

Justis has redesigned Justis.com, but the main EU product is still called Justis CELEX. There are plans to enhance the searchability of EU material, and have EU information experts monitor content and add value to the raw data.

Westlaw are working to provide more integration between their EU and UK sections.

Lawtel EU has already added value to the service by launching a legislative calendar that acts as an alerter for forthcoming implementation dates.

Are lawyers' needs being met?

A straw-poll of information professionals in law firms confirmed that most of their EU information needs were being met by EUR-Lex and the other sites on Europa. Some reported using commercial services as well, and one commented that her lawyers preferred to use Lawtel EU rather than EUR-Lex.

Overall, the verdict has to be that EUR-Lex could become the exemplar official legal Web site: comprehensive, straightforward to search and free. Here's hoping that the delays in its construction are quickly overcome.

Sue Pettit is Subject Librarian for Law at the University of Bristol and has been exploring the Internet's potential in education and communications since its earliest days. She is the founder listowner of lis-law, the Jiscmail list for UK legal information professionals, a section editor of SOSIG Law gateway and author of RDN-VTS Internet for Lawyers virtual tutorial. In June 2005, she was presented with the Wildy-BIALL Law Librarian of the Year award. Email sue.pettit@bristol.ac.uk.

Stop Press: The progress (or lack of it) on the ratification process of the Constitution is graphically displayed at europa.eu.int/constitution/ratification_en.htm.

The UK takes over the Presidency of the EU on July 1st. The official website for this is at www.eu2005.gov.uk.

Lawyers and Electronic Signatures by Stephen Mason

This article outlines the forms that an electronic signature can take, considers the most popular form of electronic signature that is used by lawyers, and offers some thoughts on the future use of electronic signatures in practice.

The forms of an electronic signature

Most of us use electronic signatures every day. In the same way as manuscript signatures function to prove the intent of the signing party, so electronic signatures function to authenticate the sender. Electronic signatures affect lawyers just as much as they apply to clients. Below are the different types of electronic signature that are in use today:

i) The most widely used form of electronic signature is the act of typing your name into a document, as illustrated by the case of *Hall v Cognos Ltd* (Hull Industrial Tribunal 1803325/97). Cognos employed Mr Hall as a sales executive, and he was reimbursed for his expenses in accordance with the relevant policy, that stated all expenses over six months old would not be paid. He did not submit a claim on time. Mr Hall subsequently exchanged a number of e-mails between Keith Schroeder (his line manager) and Sarah McGoun from personnel, when in one response he eventually asked if the late submission was "OK with you?" and his line manager said, "Yes, it is OK." The e-mails were signed "Sarah" and "Keith" respectively.

He inflated the claim, and he was dismissed without payment. The contract of employment stated that amendments or variations had to be in writing and signed by the parties to be effective. At issue was whether the exchange of e-mails between Mr Hall and his line manager varied the contract. It was determined that the printed version of the e-mail was in writing and signed, and constituted a variation of the contract, although the printed version was merely a copy of the original version in electronic format. This decision demonstrates that a signature typed into an electronic document is acceptable as a form of electronic signature. While this decision cannot be considered to be of any significance in terms of legal precedent, nevertheless it demonstrates that a signature typed into an electronic document is acceptable as a form of electronic signature. The line manager intended Mr Hall to act upon the exchange of e-mails, and Mr Hall relied upon the assurance made by the line manager. The inclusion of an employee from the personnel department in the negotiations served to reinforce the authority of the line manager to offer the variation of the contract of employment.

ii) The second most popular form of electronic signature is when a person clicks the 'I accept' icon to confirm that they wish to enter a contract when buying goods or services electronically. The signing party demonstrates their intention to enter the contract by clicking the icon. The Law Commission in paragraph 3.37 of their paper "Electronic Commerce: Formal Requirements in Commercial Transactions Advice from the Law Commission" December 2001, suggested that this form of signature is the technological equivalent of a manuscript signature using a cross, which must be right. This analysis is also in keeping with the decisions made by judges over the past two hundred years regarding the form that a manuscript signature may take. In English law, the validity of the signature depends on the function it performs, not necessarily the form a signature takes. Even if the act of clicking on an icon to order goods or services is deemed to be less secure than that provided by a manuscript signature, it does not follow that the reliability of the signature will affect its validity.

iii) The use of a biodynamic version of a manuscript signature, which uses a special pen and pad to measure and record the actions of the person as they sign. This creates a digital version of the manuscript signature. The file can then be attached to documents in electronic format.

iv) The scanned manuscript signature, used to send out marketing letters. The manuscript signature is scanned and transformed into digital format, which can then be attached to an electronic document.

v) The digital signature. A very simple explanation as to how it works, is as follows: a digital signature can comprise three elements, a key pair (a private key and a public key) and a certificate, which is usually issued by a third party such as a certification authority. When an electronic message is signed with a digital signature, the private key is used to associate a value with the message using an algorithm. The computer undertakes this task. The value, the message and a certificate, linking the key to the named person or entity, is then sent to the recipient. The recipient uses the public key to check the value is correct by 'unlocking' the value created by the algorithm. A computer undertakes the entire operation. The only action required of the human being (in theory) is to cause the computer to associate the digital signature to the message.

The reader will readily note the problem that affects every form of electronic signature: *the recipient does not know whether the signature was affixed to the e-mail or document by the person whose signature it purports to be.* This is the central conundrum of all forms of electronic signature, even the digital signature.

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- > Fed up with the resulting inbox full of junk?
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The dedicated internet service provider for lawyers

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Lawyers Online "Email Protection" service blocks 98% of spam with an industry-leading low false-positive rate, also eliminating viruses, worms and other unwanted content and threats.

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Email us at info@lawyersonline.co.uk, call on 0870 777 8980, or visit Lawyers Online at www.lawyersonline.co.uk

The role of electronic signatures in legal practice

It has almost become the norm for both solicitors and barristers to communicate between each other and between themselves and clients by way of e-mail. This has increased the speed at which a client is kept up-to-date. Solicitors send agreements to clients electronically, altering the document until the client is satisfied with the finished product. Barristers send an opinion or advice as an attachment to an e-mail, just as they might add supplementary questions by e-mail to instructing solicitors, who will then forward the e-mail on to the client. In every instance, the signature used by every party in the process is the name typed at the end of the e-mail.

Electronic signatures and e-conveyancing

Any form of electronic signature can be valid, but it does not mean that reliance on a particular type is necessarily prudent. As a result, it seems likely that the digital signature will be the form of electronic signature upon which e-conveyancing will be based. If this is the case, then a decision needs to be made as to whether to adopt one of two models:

i) A public key infrastructure (PKI), a term used to describe the various players that provide digital signatures. This comprises a registration authority, that register the user; a key generating authority that generates the cryptographic key pair (private and public keys), and a certificate authority, that will provide a certificate, linking the keys with the identity of the user. If the Land Registry adopts this approach, the law firm will be required to buy a key pair and a certificate from a certification authority (usually annually). The certificate acts to bind their identity to their key, for the benefit of the recipient.

ii) A closed community, where each law firm has a shared key with the Land Registry, which the Land Registry (or a third party on behalf of the Land Registry) issues a key pair and certificate to the law firm. When the law firm communicates with the Land Registry electronically, the Land Registry will accept the instructions from the law firm when the digital signature is used.

The Land Registry is keen to discuss the issues relating to this matter, and have taken numerous steps to engage the legal community in the discussion. Whichever model is used by the Land Registry, law firms will have to invest in much higher levels of security than they have hitherto employed, and they will also have to manage, store and retain the keys for significant periods of time. In addition, they will also need to buy additional insurance to cover the risks of unauthorized use of their digital signatures.

Electronic billing for law firms

It would be interesting to know how many firms are using technology to send out bills to clients. Many readers will be familiar with the well-known case of *Goodman v J Eban Ltd* [1954] 1 QB 550, in which it was correctly decided that a stamp could act to signify a solicitor's signature on a bill. As Leigh Ellis demonstrates in his 'Practice Note' (*e-Signature Law Journal*, Volume 1 Number 2 91 – 92), signing a bill electronically is now a sound and perfectly acceptable use of technology. For example, Kaltons use the technology provided by Adobe Acrobat to send out bills to clients. A bill is exported from the time recording database into Adobe Acrobat pdf, and a partner uses the digital signature facility to sign the bill with a digital signature. This is not the only type of technology that is capable of performing the same function, but it is a good use of the Adobe Acrobat software.

Current technology

The digital signature technology, the subject of so much discussion during the turn of the century, has failed to take off because of its complexity, cost and the additional burden of maintaining the keys from year to year. In addition, it does not serve any additional function than a name typed in an e-mail or the click of the 'I accept' icon. Millions of contracts are entered every day by way of the 'I accept' icon or the typed signature, and there are very few cases in which either of these forms of electronic signature are challenged. The issue for the replying party is to ensure they have the ability to prove the use of the signature to a sufficient degree that they can rely on it.

Of greater interest to lawyers is how to provide for the confidentiality of the contents of an e-mail or documents attached to an e-mail. Cryptographic products are rather too complex for most organizations, and lawyers, because of their cost and complexity, have not bought many of the products that have been brought to market. A present, a law firm or barrister will either offer a client the option of having all correspondence encrypted when it is sent electronically, or may simply state that they do not provide for the encryption of documents sent electronically. Invariably, the vast majority of clients are not in a position to support encryption themselves, and so decline any offer to encrypt in any event. However, lawyers might consider re-assessing their position with respect to providing for the confidentiality of documents sent electronically by such products as that sold by Argelcom Limited (see www.argelcom.com) and by Security and Standards (www.secstan.co.uk).

Conclusion

The majority of lawyers use electronic signatures in their daily business, and the courts are now encouraging the use of e-mail, as demonstrated by a new 'E-mail Protocol' that sets out how parties may communicate by e-mail on a number of matters with the Chancery Division of the High Court of Justice at the Royal Courts of Justice. It applies with effect from 18 April 2005. The types of documents which can be sent by e-mail are skeleton arguments, chronologies, reading lists, lists of issues, lists of authorities and lists of the persons involved in the facts of the case sent in advance of a hearing.

In addition, solicitors and barrister specializing in criminal matters are encouraged to take up the offer of the CJIT (Criminal Justice Information Technology) secure e-mail system (see www.cjit.gov.uk).

Two points appear to stand clear in the use of networked communications by lawyers. Firstly, the voluntary use of complex digital signatures has not taken off, and probably never will do without some form of compulsion.

Secondly, lawyers should reconsider the use of cryptography to provide for the confidentiality of the documents they send to clients. The technology is reaching maturity, in that some products are now very easy to use.

*Stephen Mason is a barrister with an interest in authentication and identity as it affects our use of information technology. He is the author of *Electronic Signatures in Law* (LexisNexis Butterworths, 2003), *Networked communications and compliance with the law* (xpl publications, 5th edn, 2005) and the editor of the *e-Signature Law Journal*.*

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How Barristers use the Internet by Martin Poulter

According to data from the Bar Council, there are around 11,000 practising barristers in England and Wales operating from around 350 chambers or are sole practitioners. Gone are the days when the Bar was considered to be technically in the equivalent of the Dark Ages and most barristers have now grasped the new opportunities available to chambers and clerks to aid and enhance the services that they provide to professional clients using the Internet.

Fees and Diary Management is now carried out on sophisticated computer systems, with barristers able to access their diary and fee information direct through the Internet, whether from a laptop or mobile phone with GPRS services. Barristers' clerks can manage work more efficiently as a result which helps with the profitability of being in practice.

The clerks can calculate the fees for work done more accurately as the barrister is able to communicate with chambers by email, which speeds up the way that chambers operates and reacts to request to information from instructing solicitors or professional clients.

The advent of Graduated Fees in Crime and Family Law, in particular, has increased the need for new operating systems in chambers. The calculations of fees for work done under the Graduated Fees schemes are effectively calculated by powerful computers in chambers. However, the fees are only accurate if the barrister provides all the data necessary.

With the Internet, barristers have now access to their diary and fees information around the clock, and download emails from chambers and professional clients to powerful mobile phones via Internet connections. The downside to that is that no-one can escape for long – holidays and time away from chambers is full of interruptions for the busy practitioner by phone, but particularly, the need to check email messages.

There are currently two main Diary and Fee systems available for barristers: Mountain Software's Meridian, www.meridian-law.co.uk and Formation's Inquisitalaw www.inquisita.com. The Meridian system has been developed over many years, and now uses Internet connections to provide direct contact to and from users, with users able to synchronise listing information from the Court Service using the menu driven programmes. Inquisitalaw is browser based software which provides similar Diary and Fees Management integrated systems, but has a different "feel" and uses the same functionality that web users are used to.

The Internet has changed the way that chambers operate in many ways, but the most important change is that the professional and lay client has much more information available about a chambers or individual members of chambers at the touch of a button. This has led to a gradual change in the way that clerks and practice managers work – gone are the days when a clerk recommended a particular barrister to a solicitor, without any real evidence that the barrister was the best person for that matter.

Chambers Websites

Now it is essential that each chambers has a good website, containing sufficient detailed information so that both the professional and lay client can see at a glance the skills available and the services offered by chambers.

Essex Court Chambers, www.essexcourt.net, is typical of the straight forward approach taken by many chambers to provide the information in a simple style and is one of the chambers who have moved away from a traditional printed chambers brochure in favour of a website.

However, many chambers have not spent nearly enough time on their websites and have only provided what is effectively just a contact information page. Clients need to know what is the individual member of chambers' main area of expertise, and in particular, what are the cases that they have been involved in or reported in.

There are some problems with those practitioners that do not have a lot of court work and are therefore not in reported matters regularly. But the clever clerk or marketing manager will describe the member of chambers in such a way that the barrister's skills are still obvious to the reader.

Many chambers now provide CV's for individual members of chambers as PDF's which can be downloaded and read offline. It is important that chambers regularly update such information, otherwise the CV can quickly become dated, and less relevant.

Many chambers have now dispensed with the traditional tool of the trade – the brochure – in favour of a good, effective, and well managed website. The cost of printing a brochure, and the limited shelf life that they have, has meant that money spent on a good website makes much better use of the marketing budget.

E-Mail

E-mail has changed the way that many chambers operate. Some chambers will be using the new Meridian upgrade, which will allow clerks to e-mail or send text messages to barristers direct from within the Diary management system, to alert them to court listing information.

E-mail marketing is now one of the ways in which chambers promote themselves: e-mail bulletins can be used to target clients to show that barristers have expertise in particular areas of legal work. The printed newsletter or bulletin may still be useful but a targeted e-mail can go straight to the people who will be most interested in the content.

E-fax

E-Fax technology is used in many chambers to allow faxed information to be sent via the Internet, including data scanned into computers in chambers – brief and accompanying papers – to be transmitted as a Fax to the barrister. (See www.efax.com). This has saved chambers considerable sums spent previously on couriers taking papers to barristers at home to enable them to prepare for a forthcoming hearing.

There are drawbacks with the increased reliance on new technology: some clerks are reporting that they have less contact with the barristers they manage and only see them occasionally. This has also led to complaints by barristers that the clerks or practice managers are not doing proper Business Development work – regular practice meetings with members of chambers that have been a feature of good clerking in the past. With the increased use of technology, clerking has often become less personal.

Clerks complain too that the Internet has robbed them of some of their ability to direct work from a solicitor to a needy member of chambers, since solicitors have probably already done their research on the Internet and have decided who they want for the case.

Virus Guard

Most chambers will have had virus problems, and in some cases, serious ones. Any chambers that does not have virus protection and spam filtering is taking a serious risk.

Most chambers that have Internet access have policies that give them powers to deal with staff and barristers that download information onto computers which are considered "distasteful" or have dangerous content. Some chambers have sacked members of staff in recent times for breaches of such policies, but most chambers now accept that both barristers and staff are going to use the Internet connection in chambers for personal use, from time to time.

The Future

Chambers have grasped the new technology available well after a slow start compared with solicitors firms. The slow development was due to cost originally, but most chambers now seem to accept that a new and up to date computer system, full internet access and a comprehensive website are essential ingredients for a successful chambers.

Martin Poulter is the Director of Chambers People, a specialist consultancy providing staff recruitment services to the Bar and advice to barristers' chambers on structures, management, training, fee recovery and support services, including website content (www.chamberspeople.co.uk). Martin is also currently working with several chambers on business development in addition to the staff services provided. Email martin@chamberspeople.co.uk.

A Barrister's Site

Property Law Website by Gary Webber

I have been running the Property Law Website for 7 years - see www.propertylawuk.net.

The main feature of the site is a monthly update. Each month I provide a summary of all the new cases, statutes or statutory instruments that have come up in that month. There are also other contributors who provide material on specialist topics, eg planning. My aim is to provide the essence of the case and a key quote from the judgment. Wherever possible, references to cases, statutes, statutory instruments and other documents are linked to the actual document when available free on the internet. When a new update is added, material from the previous month is added to the "Update Library", arranged according to topic, sub-topic etc. A drop down menu from the top of the page makes it easy to find the section you are looking for. The Library now contains a vast amount of material and is, I hope, an extremely useful research tool for practitioners. Other information on the site includes a courses page, a list of mediators and a detailed links page. All the information on the site is currently free.

There have always been two objectives: (i) to market my services, initially as a barrister and more recently as a mediator and property law trainer and (ii) one day to make some money out of the site itself. The first objective has certainly been fulfilled. I am still working on the second.

When I initially started up the site, I was a practising barrister. The site has always been viewed by solicitors with a range of interests and also by members of the public with property disputes, usually boundary disputes! Both have contacted me. I have taken the referrals from solicitors

willingly. Considering how to deal with contacts from members of the public (many of whom just want free advice) has been more complicated. However, a number of these contacts have in fact led to cases. I would refer the enquiry to a solicitor I knew in the area of the dispute.

A couple of years ago I had my fortysomething desire for something a bit different. I gave up practise as a barrister and re-invented myself as a mediator and property law trainer. It has taken time to build up the mediation but the site has definitely helped and I have received a good number of enquiries from solicitors directly as a result of the site. It has proved even more useful with the training. In particular, when there has been a major new change in the law, such as the reforms to Part II of the 1954 Act last year, I described the changes on the site and then advertised some courses. These have all proved successful. I have also built up a good amount of inhouse training work from solicitors who regularly visit the site and read the updates.

Currently the site receives over 14,000 unique visits a month and nearly 2,000 people have registered to receive notification of new updates. It scores well in the search engines, in particular Google against a number of search criteria. I have not done anything specific to attain these search ratings other than constantly add to the site.

In summary, I have no doubt that a simple but clearly laid out site, packed with information that is regularly updated, can be extremely successful in marketing a practice. The problem is having the will and the time to keep it going. I have certainly invested an enormous amount of time in the site, which most practitioners could not justify. Many barristers' chambers have information on the law on their sites but few have the amount of detail that I provide.

However, as I have said above, I have always had it in mind that the site should provide some measure of income and I am currently working on turning it into a subscription service. There are obviously a number of issues I have to consider in particular - how much of the site should be subject to the subscription service and how much should continue to be free? And, how much should I charge?

The site has been built up with the idea that if there are enough people using the site regularly for free at least a proportion will pay for it when the time comes. If I make a fortune I will let you know.

Gary Webber, email gw@propertylawuk.net.

Black Lawyers Directory by Debo Nwauzu

In May 2004, I attended the first ever Black Women Global Conference at the UNESCO building in Paris. I was dazzled by the breadth of the fabulously talented black women ranging from the first black female senator from Brazil, an American running an organisations with turnover in excess of \$300m, British Dames, Dutch business women and an African Minister and diplomat to the really beautiful but amazingly slender Naomi Campbell.

It was easy to just enjoy the event, soak in Paris, go home and forget all about it but I wanted something to remember it by... and then the idea of the Directory came to me. Well, it has taken over a year, but by the end of this summer, the Black Lawyers Directory (BLD) will be launched at www.onlineBLD.com.

Continued on page 11.....

Free Personal Injury Resources on the Internet by Lee McIlwaine

There is a surprising amount of good authoritative information waiting to be harnessed on the internet by any practitioner interested in Personal Injury work.

The Association of Personal Injury Lawyers (APIL) site is at www.apil.com. This is worth the membership fee alone. The web site is a treasure trove of information ranging from briefing notes to old copies of the bi monthly magazine PI focus. It contains a page with links to a significant number of other sites which can assist the PI lawyer. For me however, the web forum over which Helen Blundell, APIL's Head of Legal Affairs, presides is the jewel in the crown. Here members can post messages, ask for assistance and share thoughts with other members on line. If you save the links you will invariably find that you can rapidly build a picture of what is going on and keep a very valuable resource of information for future reference. As one contributor member Mr Richard Penn, said, "I would just like to say how helpful and informative I find the forum. Quite apart from the numerous suggestions for solving legal and procedural dilemmas, it is reassuring to know that we are not alone in our struggles".

Often some of the country's leading lawyers can be found posting answers to your question. Do not worry if it appears that someone has not got a reply address; you can always click on the person's name and send a private message.

The next site to bookmark is www.hmccourts-service.gov.uk. This site is for me the best free site of day to day practical application for a typical PI lawyer. The site provides access to numerous court service guides, cases of significance and contact details for all courts. The best for my money is the online forms section. All Court forms for the County Court can be found here and can be downloaded. If you have the right software it is a simple task to save the forms and fill them in and then save this completed for use in a precedent bank. The beauty of this is that the forms are always bang up to date and free. So if you're paying for forms on a disk, at the next renewal time, look at this site!

Now you know how it is, someone's pinched your white book and you need to look at a certain rule. Well the Department of Constitutional Affairs, at www.dca.gov.uk, provides the rules on line as well as a lot of other interesting information (do you know how much judges earn?).

I quite often have to deal with disputes about traffic lights and roundabouts. The Government has put the Highway Code on line at www.highwaycode.gov.uk. There you can download all the information and cut and paste it into your letters to explain to those jolly nice people in the insurance claims department why your client is in the right and their insured isn't and they ought to send the cheque pronto!

Now especially if you work for clients who may be remote from your office and who have had a "prang" in another county it may be the case you need to establish contact with the Police, Hospital, Ambulance or Coroner service. www.police.uk and www.nhs.uk provide links to all relevant forces, hospitals and trusts. For local authorities, www.direct.gov.uk will enable you to quickly identify which authority would have responsibility for a stretch of road and much else besides.

For those wise lawyers who prefer not to get entangled in MIB work, the MIDIS site is a potential goldmine. On first telephone contact, armed with the registration number of the car concerned, it is possible at www.midis.org.uk to check if there is in force a certificate of insurance. If it is, they will email you the insurance information and if not, you can access all the MIB information at www.mib.org.uk. This site not only has the rules of the schemes but downloadable forms which again can minimize your paper stock and ensure your using the correct form for the case in issue.

If you are concerned with employers liability claims, you will find www.companieshouse.gov.uk to be a superb resource which enables you to check the registered office of a firm and its trading status and allows you to order company information. The equivalent for sole traders can be found at www.insolvency.gov.uk. I remember well coming home from an undefended case for a firm and typing in the name of the defendant to see the firm had spent literally years pursuing a bankrupt! They will not make that mistake again.

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Westlaw UK now provides Weekly Law Reports and Industrial Cases Reports

Following an agreement with ICLR, **Westlaw UK** has added 23,000 more **Weekly Law Reports** (WLRs) and **2,800** more **Industrial Cases Reports** (ICRs) to the existing archive of over 130,000 case reports and transcripts online.

With an archive now stretching back to 1953 for the WLRs and 1972 for the ICRs, this major content addition cements Westlaw UK's position as the UK's premier aggregator of primary law materials. Along with the Official Law Reports, already part of Westlaw UK, the WLRs sit at the top of the judicial hierarchy of law report citation.

Access to both the WLRs and the ICRs are included in a Westlaw UK subscription.

For more information, visit Westlaw UK, call 0800 028 2200 or e-mail enquiries@westlaw.co.uk.

The HSE is now putting much more information into the public domain and www.hse-databases.co.uk will give you access to a public register of convictions. This can be helpful if your client thinks HSE was involved and was convicted or is not certain. It can help you to get an idea if the defendant firm is a persistent offender.

The government's site www.direct.gov.uk is very useful. The site gives access to all state benefits available and the corresponding eligibility criteria. This site also enables you to download forms for completion. At the time of writing this article the industrial benefits link is down. But having saved this document from the site, it is a painless exercise to send to the client on new instruction an application pack as a value added extra to the service. Many of our clients have appreciated the assistance.

To see how members of the public can dispense with the need for a solicitor all together, you may want to look at the site www.cica.gov.uk. This provides a resource to enable online submission of criminal compensation claims and

ready access to forms for downloading and completion and all the rules for the scheme. I found it invaluable at my last practice especially when dealing with cases where the client was more than capable of submitting an application and was unwilling to pay for me to do so.

Finally, www.hcwttoolbox.co.uk is worth a visit if you want an interest or Ogden calculator for working on special damages calculations. Again, it is free. I have recently downloaded this myself and I wish I had done so long ago.

Lee is a consultant solicitor to Accident Solicitors Direct and Fellow of the College of Personal Injury Law. He has over 20 years experience of both sides of Personal Injury work. He has contributed to the National Occupational Standards for Legal advice initiative, the Journal of Personal Injury Law and Legal Technology insider (LTi) and is a regular contributor to the APIL web forum.

Email lee@injurysolicitors.co.uk.

News from the legal publishers and news of interesting new websites.....

New licensing deal with Westlaw UK marks ICLR's 140th Anniversary by Katy Adelson

The stated objective of The Incorporated Council of Law Reporting's (ICLR) founding fathers was to ensure significant court cases achieved accurate "publication, in a convenient form". With this year marking 140 years of reporting excellence for the ICLR, it has used this celebratory year to take another significant step in its mission to make court reports more accessible. In the Council's determination to harness the best that web-based databases can offer, the ICLR, together with Justis Publishing Limited (formerly Context) have agreed to publish the entire series of prestigious Weekly Law Reports and Industrial Cases Reports on Sweet & Maxwell's Westlaw UK service, www.westlaw.co.uk.

This is in addition to The Law Reports, which are already available on Westlaw UK, and will add over 23,000 law reports to the service. This will make life a lot easier for legal practitioners and users of the service with all of the ICLR's law reports being available in one place and subject to Westlaw UK's powerful search engine. For users of Westlaw UK, the licensing deal offers significant benefits - combining these reports with Sweet & Maxwell's own highly regarded series of 130,000 law reports and transcripts will now provide users with seamless access to the full breadth of information on Westlaw UK. Users will no longer have to jump from one site to another so the time taken to research all of the most authoritative law reports will be slashed.

Along with The Law Reports, The Weekly Law Reports sit at the very top of the judicial hierarchy of law report citation. Such is the Weekly Law Reports' prestige that they are sold in over 100 countries, with local editions published in countries such as India, China, Bangladesh and Pakistan. Combining the Weekly Law Reports with Westlaw UK technology should keep them ahead of the pack for another 140 years.

The Weekly Law Reports and Industrial Case Reports are available now on Westlaw UK - www.westlaw.co.uk.

Katy Adelson is Marketing Manager, Sweet & Maxwell - Legal Online. Email katy.adelson@thomson.com.

New Site for Civil Appeals by Peter Farr

A new website has been launched for the Court of Appeal (Civil Division), designed to provide online information and services for civil appeals: www.civilappeals.gov.uk.

Lord Justice Brooke, Vice-President of the Court of Appeal (Civil Division), says: "The new website is designed to help people find out more about the work of the civil Court of Appeal, whatever their interest - whether as a party, lawyer, journalist, law student or interested member of the public. We are conscious that the workings of the appeal court are not always apparent - for example we explain the court fees and the time limits involved in making a civil appeal amongst the many answers to questions on the site".

"We also have links to a database of the most interesting and significant cases recently determined by the court. And we have some details about the Appeal Judges who will be sitting on cases. We hope that people will find it of use."

The information on the site includes:

- * An interactive guide to routes of appeal, to help litigants and practitioners identify the correct court for their appeal;
- * A link to the most recent judgments of the Court;
- * A link to the BAILII site which publishes all the Court's substantive judgments when they are available in written form and also contains most of these going back to 1996;
- * Lists of leading cases published in the 2002-3 and 2003-4 Reviews of the Court, with links to the text of the judgments;
- * Links to Civil Procedure rules and practice directions;
- * The Daily List for the Court (of cases coming before it);
- * Information on the judges and senior staff of the Court;
- * Contact details for the Court of Appeal (Civil Division) and information about the Civil Appeals office.

Peter Farr is Chief Public Information Officer for the Lord Chief Justice. Email peter.farr@judiciary.gsi.gov.uk.

Solicitors and Legal Marketing Sites

*A response from Martin Davies
of LAW on the WEB*

As Delia finished typing her front page piece on the failure of legal marketing sites to attract work for law firms in the last issue, I could almost hear her saying to herself "That should get some response", and it has, but probably not as much as she might have thought. Her research is right - the majority of legal marketing sites do not work - but that is not to say that all legal marketing sites do not work.

Just like any other form of advertising you need to look at what you are actually getting for your money. You need to look beyond the promises of huge numbers of referrals, the claims to "millions of hits every week" and the pressure to subscribe now for your postcode area before someone else does. In short - do your own research! There are a few legal marketing sites which do actually produce results and have satisfied panel solicitors and mine is one of them.

LAW on the WEB, www.lawontheweb.co.uk, is 6 years old. Our first panel was for personal injury and medical negligence claims. We built it up by encouraging firms to work with us initially at no cost to themselves, and then after 3 months we asked them if they wanted to stay at a small annual fee. In the second year we increased the fee and still they all stayed with us, and in the third year one firm approached us and asked if they could take all our referrals at an agreed monthly fee. That firm have now handled all our personal injury and medical negligence claims for the last 2 years. Not only do we produce potential claims for them, but we screen the claims, removing the time-wasters.

Our second panel was our motoring panel, and just today I was telephoned by a law firm out of the blue asking if they could become a panel law firm. They had found us at the top of the search engines for such terms as "motoring law" and "road traffic law", and found our panel solicitors details at the top when looking for "motoring solicitor Bath" or "North West" for example.

We offer our panel solicitors a lot more than just direct referrals. As an established legal information website with hundreds of pages of free and useful information, our pages on most topics come close to the top of the search engines. Therefore the individual law firm profile pages that we offer to our panel solicitors, which link from our site to theirs, will automatically enhance their own website presence with the search engines, and with some thought and effort we can also ensure that the individual law firm pages on our site cover most of the major search terms that people use. This way we can get much broader and better search engine coverage than an individual law firm's website. The bigger and better we become, the better the coverage we get, and the more clients we get for our panel solicitors. It has taken us 6 years to achieve this enviable position.

We currently attract around 20,000 unique individual users every week, which puts us at about 1,000,000 readers every year. There are probably no other legal marketing sites that can offer that sort of verifiable readership.

For the first 6 months we charged our motoring panel solicitors nothing, and then we set a very modest first year fee, which we doubled in the second year and still all the panel members stayed with us. We have just set this year's fees with a small increase and only one of the 22 firms have indicated they will be leaving us.

Not only do we pass on clients who are looking for legal advice and representation, but we also offer our panel the

chance to earn themselves some direct payments from us for taking pre-paid telephone enquiries. We obtain payment from the client, plus details of the exact nature of their query, and then get one of the panel to ring them and give them up to 20 minutes of advice on that particular problem. In 18 months we have given panel firms back more than £12,500. In addition, a high percentage of those readers who are willing to pay for initial telephone advice go on to pay for some form of further advice and/or representation.

We have been so pleased by the success of the motoring panel, that we have now started work on a family law panel. We are still in the early stages of this and currently charge our panel law firms nothing, but we have a similar pre-paid telephone advice scheme up and running successfully, as well as profiling all the law firms on the site. We are also talking with our existing law firms and some new firms about expanding our panels to cover employment, wills & probate, and landlord & tenant, where we think there is a market for online-led advice.

There are several reasons why LAW on the WEB works when other legal marketing sites do not. The first is that we are not really a legal marketing site. Our panels have grown out of the need we have to pass our readers on to firms that we can trust to provide sound legal advice. We provide a huge array of legal information and guidance both on the site and also by being willing to answer our readers' questions and queries, which we do for nothing. This attracts and retains readers, and inspires confidence and trust in our services and the solicitors that we work with. In the last 5 years we have answered more than 20,000 general questions and in the last 3 years, over 10,000 motoring questions. In replies we promote our panels and our telephone advice schemes, where appropriate.

Our second asset is our readership. We have built up our readership numbers steadily over the years, and the people who visit our site are all in the market for some kind of legal advice or guidance.

Thirdly, we offer our panel solicitors a lot more than simple referrals. They are named and featured on our site, which promotes them and their own website and results in direct contact often being made; we pay them to answer telephone queries, and, as a solicitor I can weed out the rubbish and the time-wasters.

And there is the final point. I am a solicitor. I spent a long time in practice and also spent a lot of time trying to promote the law firms that I worked with, so I know what it is like from their point of view. We make no rash promises. There is no hard sell. We let our site do the talking for us.

*Martin Davies is Managing Director of LAW on the WEB UK Ltd, www.lawontheweb.co.uk.
Email martin@lawontheweb.co.uk.*

Special Summer Offer

You will find a leaflet about Sweet & Maxwell's Encyclopedia of E-Commerce with this newsletter. If you order it before July 31st 2005 you will receive a 20% "summer Savings" discount. More details on this - and other - discounts on www.sweetandmaxwell.thomson.com/summersavings.

SharePoint Volunteers please!

I need articles from people who have installed Intranets and Portals for their firm - particularly Microsoft SharePoint Portal Server but other products as well. Please contact me!

The Story of First Law by Anthony Armitage

The idea behind First Law was simple and grew in my mind as I went about my everyday practice back in the late 1990s. As a commercial property lawyer working in the City during the recession I had to learn the art of haggling for almost every new instruction I received. Clients expected me to show some competitive advantage which gave them a reason to choose me in preference to anyone else. This often came down to offering the lowest price, but I knew it wasn't as simple as that.

Clients would also ask me to recommend other lawyers who specialised in different areas. The first question was nearly always who is good and then the discussion would turn to price. It struck me that every client should ask these questions before they instruct a lawyer. But where could clients get such independent advice? Obviously a practising solicitor would not be able to recommend anyone outside his or her own firm, unless perhaps it involved a legal discipline that the firm did not practice in. Even then, the advice would be limited by the extent of that solicitor's personal knowledge. Legal directories tended to focus at the top end of the market and none offered information on price.

So I conceived First Law as a specialist independent advisor to clients. Instead of relying on ad hoc recommendations and incomplete information, clients would be able to use First Law to help them select the most appropriate lawyers at the best price.

We started off by building an interactive website. The concept was to create an online exchange where clients could post their instruction and firms could bid for the work. The fact that we were doing this on the web was in some ways incidental. We were offering a completely new service. However, back in 2000, amid all the hype about Y2K and dot coms, it was difficult for some commentators to distinguish between the substance of our service and the medium through which it was supplied.

Our big breakthrough came in 2001 when the new in-house lawyer at the General Medical Council made a speculative enquiry about our tendering expertise. The GMC was seeking lawyers to advise on the conduct of formal complaints against doctors. We won the work and 15 law firms submitted their tenders in a pre-specified electronic form via the website. This ensured uniformity of presentation and enabled easy comparison among the submissions. Glossy brochures, the hallmark of many so-called beauty parades, were not allowed and paperwork was kept to a minimum. Mills & Reeve and Addleshaws won the work.

It was then that we realised our service could most easily be described as legal tendering. The website underwent a facelift and we began to standardise our tender processes. It became apparent, though, that a lot of the documentation we were using could not be integrated into our existing online systems without a major rebuild. We did not want to lessen the gradient of our steep learning curve at that time so we decided to continue with our research and development using offline methods, while maintaining email as our main form of communication. So for the next three years the website acted more as our shop window and a means for clients and law firms to verify who we were.

Like any business we had to market to win new work. Our challenge was to target clients who were already contemplating a panel review or a tender exercise, rather than indiscriminate mass marketing. We did this by monitoring tender notices issued by public sector

organisations in trade journals and we soon built up a client base of local authorities, regulators and universities.

We found that law firms were always willing to participate in tenders that we were involved in because, for them also, it was a very effective form of targeted marketing. The only wasted costs in an unsuccessful tender are the resources put into preparing the tender submission and a major benefit was the feedback they received which could help them to perform better in a future tender.

After running about 100 formal tender exercises, we have worked with over 200 different law firms on a wide range of legal instructions. We judge the success of a tender not simply by the outcome but also by ongoing performance. For example, Eversheds, Trowers & Hamlins, Collyer-Bristow, Hewitsons, Sharpe Pritchard, Matthew Arnold & Baldwin and Field Fisher Waterhouse have all won tenders with significant retainers that provided both the law firm with a steady cash flow and profitable business and the client with a reliable service within budget.

Our experience over the last five years has enabled us to put together a tool kit of tender documentation. It is designed to be of universal application and it includes what we consider to be the best elements of every tender we have ever conducted.

Looking to the future, First Law is campaigning to standardise the way that in-house lawyers manage outsourced legal work. We have built a brand new online version of the tool kit that will contain detailed pricing and service information about law firms as well as key tender documentation. The information that law firms submit online is password protected and can only be viewed by authorised members of each firm and by verified in-house lawyers. Law firms who are members of the Scheme will not be able to view each others' listings, thereby avoiding the disclosure of confidential and commercially sensitive information to competitors. In-house lawyers will use the database to identify those practices that they wish to invite to tender and instruct for new work.

We are calling the new service an Accreditation Scheme, as at its core it comprises the classification of credentials, implicit in the dictionary definition of this term. The hope is that the Scheme will save firms marketing time and resources as an entry on the database will provide immediately accessible and comprehensive practice information, pricing and service levels to a target audience of in-house lawyers.

Law firms can register their interest in the First Law Accreditation Scheme and find further information on our site, at www.firstlaw.co.uk.

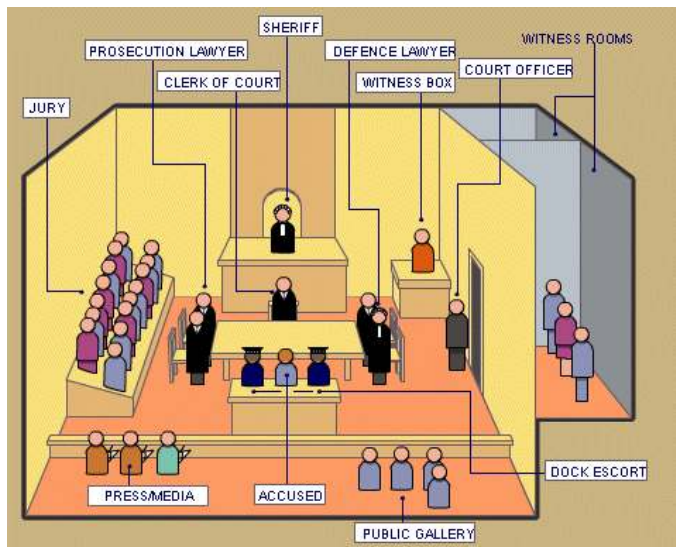
Anthony Armitage is a solicitor. He trained and practiced at Allen & Overy for eight years and was a partner at Davies Arnold Cooper. Anthony founded First Law in 1999 and is its managing director. He is also the former Vice Chairman of the Law Society Commerce and Industry Group and is current Chairman of the In-House Lawyers' Association. Email aa@firstlaw.co.uk.

And if you have a site of your own.....

Link popularity, www.linkpopularity.com, is a site which will give you a quick way to see how many sites link to your site from Google, MSN, Yahoo and Altavista. This is useful information if you are trying to get the search engines to notice your site - how many sites link to a site is one of the things most search engines look at, these days.

Trials for Scottish Schools by Anthony Kinahan

"MiniTrial", at www.minitrial.org.uk, is an initiative by Scottish lawyers to help schools learn more about the Scottish legal system by conducting their own realistic mock trials. The case materials are all made available through the internet.



The site also features a unique interactive court scene which illustrates who does what in a Scottish criminal court. Visitors can download all the materials that they require to conduct a simulated court case lasting for approximately two double periods - just under 3 hours. At present, the site offers cases based mostly on what actually happens in the Sheriff Court which is roughly equivalent in jurisdiction to an English Crown Court. Teachers assign roles to their students for trials involving (1) assault to severe injury and (2) possession of drugs with intent to supply. The pupils conduct their own trials and return their own verdicts.

At a time when citizenship and social responsibility is being emphasised in schools these materials provide a welcome way of stimulating awareness of the working of the judicial process through role play. Teachers can download free of charge all the materials needed. Arrangements can also be made to have the case materials adapted to the area in which they are teaching, using local names and places, and then posted on the site for ease of access and distribution. The materials have already been adapted for five different local authorities in Scotland. There have also been nine all-day MiniTrial events on Saturdays involving hundreds of pupils and using real courtrooms in Kilmarnock, Edinburgh, Paisley Dundee and Ayr. More events are being planned.

A substantial amount of the work in writing and creating MiniTrials has been done by Sandy Wylie QC, recently elevated to the College of Justice (Scotland's High Court) where he sits as Lord Kinclaven. Until his appointment as a judge, Sandy was also a member of the Scottish Council of Law Reporting, a charitable body whose role is to publish Scotland's "official" series of law reports, Session Cases. (See www.scottishlawreports.org.uk).

All readers of this piece will also be familiar with the case of *Donoghue v. Stevenson* 1932 SC (HL) 31 although perhaps not so many will be aware that the case arrived in the House of Lords from Scotland. The Scottish Council of Law Reporting (SCLR) have been active in developing materials on their website about this seminal case.

The most recent development on the SCLR site has been the posting of materials for the first civil mock trial - entitled *The Paisley Snail MiniTrial*. This is a "remixed" version of that famous case - based on the original facts but incorporating some aspects of more modern Scottish Court of Session procedure and a little bit of artistic licence in relation to some specially created "new materials".

The facts of the original case were simple. On 26th August 1928 Mrs May Donoghue was in the Wellmeadow Café in Paisley with a friend who bought her a drink. Mrs Donoghue had consumed part of a bottle of ginger beer - as part of an ice-cream float. At that point all was well. However, when the rest of the bottle was poured into her glass out floated what appeared to be the rotting remains of a decomposing snail. That caused May Donoghue to feel very unwell - or so she claimed. She sued the manufacturer of the ginger beer - David Stevenson - and after much legal argument the House of Lords held that in principle she had a good claim as a matter of law.

Unfortunately, the original case never proceeded to a trial so no-one knows what might have actually happened if the case had gone ahead. This remix MiniTrial builds on the actual facts and invites students, in a properly structured "court setting", to argue the case. Sandy Wylie has written all the materials that teachers will need to conduct the MiniTrial and has indicated some of the issues that students might debate. All the papers and instructions needed are on the site and may be quickly downloaded in PDF format.

For the latest internet developments in relation to the Paisley Snail, visit thepaisleysnail.blogspot.com. "The Wellmeadow Café" is intended as a new meeting place for all those interested in Scots Law and Education.

With over 20 years of experience in the Sweet & Maxwell group, mostly at Board level, Anthony Kinahan has worked as a publishing consultant since 1998. One of his clients is The Scottish Council of Law Reporting. email anthony.kinahan@btopenworld.com.

Black Lawyers Directory (BLD), continued from page 6

The overriding objective is to highlight, promote and champion diversity within the legal profession and also to create a dynamic forum of information, career development and network opportunity where associations can be formed and information shared.

I hope that the Directory can be an effective tool for all organisations when formulating or reviewing their Equality and Diversity/Anti-Discrimination policies especially on recruitment and the diversity of the lawyers or organisation they instruct or intend to instruct. It will also be an important tool and mechanism for lawyers, legal recruiters, job seekers, the public and those interested in pursuing careers in the law both within the UK and internationally.

BLD will profile, free of charge, all individual black and ethnic minority lawyers and all organisations with at least one black and ethnic minority lawyer. Other lawyers who subscribe to and support BLD's aims and objectives will also be profiled.

So far, the site is just a holding page with the aims and objectives but you can download a "flyer" and registration forms for lawyers, organisations and service providers.

Debo Nwauzu is a solicitor and a member of the Law Management Section. She is a director of Totally Management Ltd which owns BLD, www.onlineBLD.com. Email debo@onlineBLD.com.

Lawtel's Legislative Calendar - Delivering the law of the future...

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And, just to remind you, we have given our Justis service a fresh new look and enhanced usability. For further information or to download an electronic version of our new Quickstart Guide, visit Justis at www.justis.com.

Encyclopedia of E-Commerce from Sweet & Maxwell

Editors: Simon Stokes and Robert Carolina

The Encyclopedia of E-Commerce Law deals with all the most important aspects of e-commerce and its legal implications. The work examines taxation, consumer and regulatory law, data protection ISP liability, domain names and intellectual property. It provides a review of law and regulation in a number of important jurisdictions including the US and the EU.

- Keeps you ahead of the game with essential and relevant information on an area that is undergoing substantial change and development.
- Examines the impact of the law in areas like the Electronic Communications Act, the EU Electronic Commerce Directive and the Brussels and Rome Conventions.
- Contains practical commentary.

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Special Summer Offer! If you order before July 31st 2005 you will receive a 20% discount. You can see more details on this - and other - discounts on Sweet & Maxwell's site www.sweetandmaxwell.thomson.com/summersavings.

Drafting and Negotiating Computer Contracts from Tottel Publishing

by Rachel Burnett and Paul Klinger

A carefully negotiated and drafted IT contract is essential to avoid the costly pitfalls that can so easily arise in computer and IT agreements. This new book will provide you with a vital safeguard to ensure you avoid those pitfalls. Covering a wide variety of IT contracts, each chapter provides an outline of the structure and contents of the contract, followed by sample clauses and drafting notes and key-point checklists. Uniquely, this enables you to develop a contract from scratch by focusing on key points and producing a skeleton draft before a fully worked draft.

Of the first edition, John Yates, *Computers and the Law*, said "An essential text...recommended without hesitation".

The first edition of this guide was hugely popular. Now the authors have extensively revised, updated and expanded the guidance it contains, including new chapters covering agreements for Application Service Provision, website development and support agreements, e-commerce agreements and leasing arrangements.

To order *Drafting and Negotiating Computer Contracts Second Edition* on a 30-day no risk free trial, call Direct Sales on 01235 465500 or email direct.orders@marston.co.uk or order online at www.tottelpublishing.com/computercontracts.html.