

# Internet Newsletter for Lawyers: Barristers' Extra

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## Managing a Modern Chambers

by Martin Griffiths



*A traditional doorway may belie the nature of the organisation within*

Information technology has dramatically changed our lives over the last 10 years. It has changed the way in which we communicate and the speed with which we do so. It has changed the means by which we obtain news and information generally, the method by which we buy goods and services and it is changing the way in which we obtain our entertainment.

Yet the underlying things that we do have not changed. We still communicate with other people, get the sports results, find information and articles that once would have been sourced from a physical library in a building, manage our money, book holidays and listen to music.

What has changed is the way we do these things.

Take banks for example. Internet banking now enables us to pay bills, transfer money and apply for loans from the comfort of our own homes, at any time of day or night. The core service provided by the bank (looking after our money) has not changed a great deal but the way it delivers the service, using IT, has changed dramatically.

### Changes at the Bar

Of all the professions, perhaps the Bar is one of the least affected by developments in IT particularly as oral advocacy remains the core of the service that it provides. But what of the chambers themselves? To what extent has IT changed the way in which chambers operate and are managed?

It is probably safe to assume that all chambers use one or other of the two standard software packages for running diaries and for recording billing fees: Mountain Software, [www.mountainsoftware.co.uk](http://www.mountainsoftware.co.uk) (previously Meridian) or Inquisita [www.inquisita.com](http://www.inquisita.com). Apart from that, the use of IT varies dramatically from chambers to chambers, usually depending on the investment that each chambers has made, or the investment that the individual barristers are prepared to make.

All chambers now have email. For some this may still only be one mailbox for the whole chambers, accessed by a dial up connection, but it is far more common now for chambers of any reasonable size to be fully networked with each barrister and member of staff having their own mailbox which they can also access remotely.

A networked chambers will probably enable members to view their centrally-held electronic chambers diary and individual barristers may be permitted to make their own entries. They would not, however, be able to amend case bookings entered by the clerks — a necessary security precaution to prevent unintentional amendments or deletions which could lead to disaster.

Direct dial telephone numbers and voice mail are also common, but it is interesting to note the different approaches that chambers adopt in publicising both email addresses and phone numbers. Email addresses will often appear on chambers websites, less commonly will DDI numbers, leaving the dissemination of that information to the barrister or their clerk. With business cards being more accepted by members of the Bar, it is now usual for such contact details to be printed on the cards. Blackberrys or similar devices are a useful, even necessary tool, for senior staff, but they are not commonly used by barristers.

One of the challenging IT issues for chambers is that of central purchasing and control. While staff will all have the same or similar computers, members of chambers will usually purchase their own equipment, giving rise to a wide variety of standards and specifications. A more critical issue is the extent to which chambers can effectively maintain the integrity of their systems with regard to virus protection, firewalls, use of the internet etc. It is relatively simply to protect the servers and the network, but more difficult, if not almost impossible, to police the use of systems and software on the PCs or laptops when these are purchased for individual practitioners and where the chambers has no control over the machine or the data introduced into it.

Email and voice mail have changed the way in which some of the functions of the barrister's business are conducted. Leaving aside the obvious benefit of emailing documents to clients, opponents and courts, thereby removing the delays inherent in couriers, post or DX, the way messages are left has been transformed. The handwritten note left in the pigeon hole or oral message relayed over the phone by a clerk to a barrister at the end of the court day has given way to clear and efficient messages left in a mailbox. These can be accessed by the individual barrister and acted upon without the need to return to chambers. As well as being more convenient for the barrister, the service to clients has improved immeasurably.

One development in Bar IT that has had mixed success is the remote server facility first developed and provided by a company called Freedom. Unfortunately Freedom failed, but Mountain has now come in to the market with its own "remote" service which is so far highly successful. This outsourcing service does away with the need for chambers to purchase an expensive server and the need to maintain it themselves, with all the security functions which are necessary these days. Instead of doing it themselves, and having to be expert in all these IT and security topics, chambers link, via ADSL lines, to a large off-site server

which runs all the software that chambers need and stores and protects all its data. Chambers just pay a licence fee to use the service.

### Areas still to be tackled

The one major area in which the Bar has made little or no progress is that of time recording and electronic billing.

Almost all chambers still rely on barristers filling out paper time sheets or completing proforma templates held on the chambers network. While at best these can be emailed to clerks for processing, scanned and attached to the case record for future reference, the data cannot be integrated with the fee records other than by cutting and pasting or by retyping the information. Electronic time recording is unheard of.

Fee notes can be sent to solicitors by email but chambers do not have integrated case management systems where they, the instructing solicitor and the client have electronic access to the one case file. This would be of particular benefit in the volume end of the market where there is a high throughput of fairly routine, standard fee cases, for example motor insurance claims or run-of-the-mill CPS work, where cost margins are critical. Periodically proposals for electronic billing crop up in the criminal justice system, but none has yet been progressed. At the very least, it would make sense if a system were developed to enable the Bar to submit fee notes electronically for all publicly-funded work.

It could be said that the limiting factor for the Bar in using IT in the management of chambers is the extent to which software has been developed to do more than manage diaries and fees. This is true of the programs offered by all software providers working with the Bar.

Take customer relationship management (CRM) as an example. Different chambers use different CRM software as add-ons to the primary case records, either using them in parallel and therefore entering the same data twice, or periodically synchronising the two databases. A variety of different software is being used for this function: Hardwicke Building, for example, use Act! from Sage [www.sage.co.uk](http://www.sage.co.uk), while 39 Essex Street use Filemaker, [www.filemaker.com](http://www.filemaker.com). Both Meridian and InQuisita have software under development which promises to do all this and much more with the data held within the fee system. Time will tell. In the meantime, most clerks will tell you that while they can get lots of data out of their systems, much of it does not come out in a format that provides really useful information.

The Bar is a small profession and therefore chambers represent a relatively small IT market. For their own commercial imperatives IT developers and providers must in the first place play to the most common denominator and design systems that can be used in most sets. Of course there is a wide variation in what, say, a commercial set will want from its IT and what a specialist criminal chambers will need. It is only then that the larger, more affluent chambers can invest in the development of more sophisticated, perhaps tailor-made programs. But there is much that could be done, by chambers and developers alike, to improve processes, cut out cost in the processes and use information to greater effect.

### Virtual chambers

Most of the developments above describe relatively small changes in the way that a chambers is run but there are also opportunities to re-engineer the whole operating process and to gain great benefits from efficiency and

economies. An example of this can be seen in the "virtual chambers", of which Clerksroom, [www.clerksroom.co.uk](http://www.clerksroom.co.uk), based in Taunton, is a key example.

Clerksroom does not provide facilities such as desk space and conference rooms for barristers; instead it uses IT and its case management system to carry out as many processes as possible in the booking and management of cases. When a solicitor calls to book a case, a clerk immediately enters the details onto the system and by the time the phone call is completed the solicitor will have received an automatically generated email conforming all the details of the booking. Apart from anything else, this enables the solicitor to check that all the details of the booking from case name to date and location of the hearing are correct, thus removing an element of risk from the booking process. The barrister involved is also told of the booking by email. Details of all subsequent activity on the case such as fees agreed and papers received and despatched to the barrister, are recorded on the case record. These can be viewed by both barrister and clerks and having this information to hand generally removes the need, and therefore cost, of phone calls between the two.

As far as possible the papers that make up the briefs and instructions submitted to barristers at Clerksroom are scanned and forwarded to the barrister by email, again reducing the cost of forwarding the documents by post or DX. Firms of solicitors that regularly instruct Clerksroom will frequently submit a booking request to the chambers through the chambers' website, again reducing the cost for the solicitor, reducing the time occupied by both solicitor and chambers in dealing with the booking and reducing the risk of error.

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Note - this article is also part of the new e-book and course (allowing the user to gain 5 hours CPD) **Changing Practice for Barristers**, written and published by Nick Holmes and Delia Venables. The e-book contains sections on changing IT, changing practice management, marketing online, providing legal resources online and changing libraries. It costs £40 plus VAT for the single user version or £100 plus VAT for a chambers licence, allowing 5 people to gain the 5 hours CPD. The course is carried out entirely online.

For more information or to purchase the course online, see [www.infolaw.co.uk/ebooks/legalweb.htm](http://www.infolaw.co.uk/ebooks/legalweb.htm). (Please note that it can *only* be purchased from there).

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