

Good grief

David Grief, Senior Clerk at Essex Court Chambers, shares his views on how to manage the Chambers/solicitor firm relationship

Although most barristers and solicitors start on the same educational path, once the career choice is made, there is little cultural match between the “barrister”, a self-employed individual but a member of a common structure called “Chambers”, with the increasingly corporate-styled “solicitor”. Yet there is a strong connection between the two sides of the profession, and none more so than when working together for the good of the end client.

The Middle East is an excellent example of where the separate strands of the English legal profession have worked positively for advancing

business communities and strengthening international trade.

The unique structure of the DIFC, and other independent statutory bodies, provides an opportunity for the English Bar to provide complementary advisory services and develop relationships with indigenous and foreign law firms in the area. Where English law is dominant, English barristers will be in demand. Local commerce, and both foreign and local lawyers, rely to a huge extent on the Bar to develop their understanding of the English system, allowing them to act more effectively for their clients. This is equally true



(Right) The Dubai Financial Centre is an important development in the structure of the UAE's legal systems, which has been recognised by US and British firms



for other jurisdictions, mainly the Commonwealth, where English law prevails. It is unsurprising, therefore, that commercial chambers have been quick to recognise the importance of developments such as the DIFC.

We have the law on our side in Dubai, but do we have to have our feet on the ground in terms of developing relationships? Many US and UK law firms continue to storm into Dubai and other parts of the Middle East, setting up resident offices or forming associations with local law firms.

Relationships between the Bar and lawyers on the ground can be nurtured without our having a permanent physical presence, as long as the challenges of maintaining such a relationship are met. These challenges include ensuring time-sensitive responses, effective communication (in the right language) and an appreciation of local customs and culture. It is also crucial to keep abreast of regulatory developments and change through key contacts. The strategic moves of the big firms, as well as the less public developments of individual clients with strong Middle Eastern practices, also need to be tracked. A good relationship with any client is based on the identification of mutual interests and the ability to spot opportunities for each other when

swimming in the same pond. It is about keeping your eyes open and your ear to the ground so that you can add value through anticipation and knowledge. Developments in technology also assist in the maintenance of long-distance relationships. I witnessed a recent video link between DIFC Courts Chief Justice Sir Anthony Evans and the Lord Mayor of London who was on a visit to Dubai. London's Lord Mayor may have been in Dubai but the DIFC Chief Justice was actually physically sitting in a conference room in London!

A key part of my role as Senior Clerk is to be a buffer zone between barrister and client. In law firms there is usually no such intermediary. The clerk has to balance the external demands of the client solicitor with the internal wants of the barrister. To keep everyone satisfied requires a high degree of tact and often subtle but decisive mediation. Looking after the client relationship takes on many forms and sometimes it is the smallest detail that has the greatest impact. For example, establishing good relations with court officials can reap dividends. When problems occur, it always helps to have the administrators on your side.

Although most work comes to us because of the reputation of individual barristers, profiling

the standing of the set as a whole also needs to be considered. For this reason, you will find me at lunch with journalists, conference organisers and researchers of the legal directories to ensure that the profile of Essex Court Chambers is maintained and that the external messaging is correct.

Other relationship-enhancement elements of my role include investing time in market research to better understand the client, and identifying and setting up networking opportunities. These range from hospitality events that encourage social networking to training courses for clients to give added value to the relationship.

Finally, it is the clerk who deals with incoming enquiries, negotiates the fees, and advises on who is the best counsel for the job. In effect, he does all the administration relating to the management of both the client relationship and the actual day-to-day running of the case. There also has to be a measure of respect developed, so that when the barrister of choice is unavailable, the relationship-savvy clerk will be trusted to provide solutions and propose other barristers to meet the client's requirements.

Effective management of the Chambers/solicitor relationship is about being on the same side to meet the objectives of the end client. For the barrister, it is recognising that the solicitor is entrusting you with their client. For the solicitor, it is respecting the value a barrister has to add and the benefits to the client of multinational teams and co-counselling. My role as a clerk, the "man in the middle", is to help maintain relationships on a chambers-wide level. The regular review of processes to ensure communication helps keep the association between Chambers, the client and solicitor firms as strong as possible. ●

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