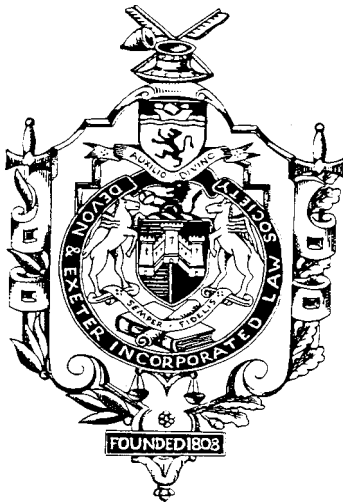


Devon & Exeter Incorporated Law Society

NEWSLETTER ONLINE EDITION



MARCH 2003

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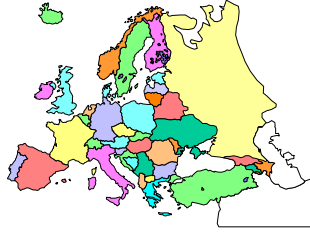
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Under the President's Chef's Hat

REMEMBER

DELS can provide
Personal
Introductions
to Lawyers in
Mainland
Europe



Ring Monique on 01392 411585

UNDER THE PRESIDENT'S HAT

The first three months of the year are usually quiet ones but like the swan whilst your President might have been appearing to sail along serenely, his feet have been paddling furiously out of sight.



The stalwart work which Pat Nettleton has been doing to try and publicise DELS part in creating and running the Small Claims Mediation Scheme finally bore fruit resulting in excellent articles in the Western Morning News and in the Express & Echo, a flurry of radio interviews at the end of January and even a brief television appearance. I was asked by Carlton to provide them with a mock mediation in to which two members of my staff were reluctantly press ganged on condition that their faces were not shown. The interviewer encouraged me to give a full explanation of the Scheme and gave me the opportunity that I had been needing to publicly commend those members of our Society who have laboured on a pro bono basis to make this Scheme a success. Unfortunately, as so often happens, my interview was shortened so severely that virtually the whole of my explanation was omitted. Nonetheless, despite the fact that I was not able to get the whole picture across I do not think the presentation has done the Society any harm. I have to say that the sight of myself on television has convinced me that I should not give up the day job!

The main County Court Mediation Scheme will be announced on the 10th of March and will swing into action more or less immediately. Those of our small claims members who have done three mornings mediations will be deemed to be qualified for the larger fee paying scheme. I am still waiting to hear about funding for the Small

Claims Scheme, I expect to meet Baroness Scotland on the 10th of March on the occasion of the launch of the main scheme and hope to encourage her to ensure funding. You might like to know that Truro County Court are now thinking up of setting up a similar scheme and I attended a meeting with Cornwall Law Society and District Judge Adams early in February.

I have also accompanied Michael Cosgrave to Barcelona at the beginning of February to attend the Federation of European Bars Annual Meeting in that city. We were, as ever, warmly received and I have been asked to go there again to address the Barcelona Bar on – guess what – mediation! There is also a strong probability that Verona will want to join with us in looking at mediation in their jurisdiction as well as the ongoing interest expressed by Rennes.

We are particularly fortunate in having Carolyn Kirby as the principal speaker at my dinner at Saunton Sands on the 7th of March. It is a great honour to have the President as our principal guest, particularly one who is so effective and committed to the future of our profession.

Finally, Judge Overend will be the principal speaker at the AGM. All civil litigators should if possible attend that meeting to learn how he intends to run the mediation scheme so there are no nasty surprises for those of us who are directed by the Court to consider mediation.

I close with my heartfelt thanks to all members of all committees who worked so hard during the year, to those members who have supported me in some of my more harebrained schemes and to wish Jeremy Howell all the best for the future as he takes over the reins next month.

I will remain actively engaged with the Society, particularly on the mediation side where I very much hope all our hard work will be rewarded with success and Devon & Exeter Law Society will have the benefit of the recognition by the authorities, the profession and members of the public that our forward looking and innovative actions will bring benefits to not only the Courts but also to the professions and the general public both locally and beyond our county boundaries.

Jeremy Ferguson

GUIDELINES FOR ASSESSMENT OF COSTS IN CIVIL LITIGATION

In the past, the setting of guideline rates for the various grades of fee-earner was a matter of consultation between the local Law Society and the presiding Judge. On 6 November 2002, Judge Overend set out the following recoverable rates for the various grades: -

Grade A (Solicitors with over 8 years post qualification experience, including at least 8 years litigation experience) - **£150.00** per hour.

Grade B (Solicitors and Legal Executives with over 4 years post qualification experience, including at least 4 years litigation experience) - **£130.00** per hour.

Grade C (Other Solicitors and Legal Executives and Fee-Earners of equivalent experience) - **£105.00** per hour.

Grade D (Trainee Solicitors, Paralegals and other Fee-Earners) - **£85.00** per hour.

These rates were published with the caveat that they were susceptible to change (at almost any time) centrally by the Lord Chancellor's Department.

The Court Service then provided on their website, on 22 November 2002, some fresh "guideline rates" for the whole country. The guideline recoverable rates for Devon, Cornwall and Exeter for the various grades of fee earner are now:

Grade A: £150.00 per hour

Grade B: £135.00 per hour

Grade C: £115.00 per hour

Grade D: £85.00 per hour

If anyone would like to visit the website they can on www.courtservice.gov.uk

David Turner
Litigation & Costs Liaison Sub-Committee

REMINDER

THE SHIPMAN INQUIRY

Combined meeting with the Devon & Exeter Medical Society is on Friday 21 March at the Exeter Golf & Country Club

The speakers are:

Richard Lissack Q.C. and Harriet Jerram of 35 Essex Street Chambers.

Both have been closely involved in the inquiry

If you missed the booking form in the last Newsletter do call us on 01392 411585

DELS NEW MEMBERS

We Welcome

Robert Allin, *Finn & Busby, Bude*
M Javid Asharaf, *Beers, kingsbridge*
Stephen Ashby, *Bevan Ashford, Exeter*
Rachel Atherton, *Stones, Exeter*
Graham Baker, *Bevan Ashford, Exeter*
Robert Beer, *Stones, Exeter*
Deborah Blagg, *Michelmores, Exeter*
Vivien Bradshaw, *Shirley May Yard, Sidmouth*
Julian Cann, *Hartnells, Exeter*
Rachel Carter, *Michelmores, Exeter*
Raymond Checkley,
Furse Sanders & Taylor, South Molton
Gemma Cleave, *Peter Peter & Wright, Holsworthy*
Anthony Cockayne, *Michelmores, Exeter*
Rachel Cook, *Foot Anstey Sargent, Exeter*
Nicki Cozens, *Gowmans, Paignton*
Karen Duffy, *Bevan Ashford, Exeter*
Catherine Dunn, *Michelmores, Exeter*
Gillian Dyde, *Tozers, Exeter*
Frances Edwards, *Ford Simey, Exeter*
Susan Ellingham, *Hartnells, Exeter*
Nicole Evans, *Bevan Ashford, Exeter*
Terry Falcão, *Ford Simey, Exeter*
Catherine Flemming, *Michelmores, Exeter*
Anna Foster, *Michelmores, Exeter*
Elizabeth Gibson, *Bevan Ashford, Exeter*
Eleanor Green, *Woolcombe Beer Watts, Exeter*
Fiona Griffin, *Stones, Exeter*
Jonathan Hall, *Foot Anstey Sargent, Exeter*
Kay Harding, *Karen O'Neill & Co, Newton Abbot*
Alastair Hargreaves, *Foot Anstey Sargent, Exeter*
David Harvey, *Ford Simey, Exeter*
Lucinda Haywood, *Walker Law Associates, Exeter*

Trevor Hellowell, *Exeter*
 Linda Hewitt, *Trowers & Hamlins, Exeter*
 Richard Hiscoke, *Bevan Ashford, Exeter*
 Ben Howels, *Michelmores, Exeter*
 Tracee Huey-Smith, *Eastleys, Paignton*
 Steven Hughes, *Stones, Exeter*
 Susan Jackaman – Hall, *Everyys, Exeter*
 Pam Johns, *Coodes, Holsworthy*
 Nicholas Johnson, *Foot Anstey Sargent, Exeter*
 James McIntosh, *Ford Simey, Exmouth*
 Marlene Naumann, *Foot Anstey Sargent, Exeter*
 Lynn Onyett, *Stones, Exeter*
 Elisabeth Osborne, *Bevan Ashford, Exeter*
 Andrew Pay, *Bevan Ashford, Exeter*
 Mark Pierce, *Boyce Hatton, Torquay*
 Clare Philbrock, *Ford Simey, Exmouth*
 Karen Phillips, *Stones, Exeter*
 Siân Phillips, *Foot Anstey Sargent, Exeter*
 Veena Phull, *Ford Simey, Exeter*
 Samantha Pucci, *Stones, Exeter*
 Penelope Randles, *Michelmores, Exeter*
 Mark Richardson, *Stephens & Scown, Exeter*
 Claire Reynolds, *Hooper & Wollen, Torquay*
 Jan Ritchie, *Hartnells, Exeter*
 Joanne Robson, *Shirley May Yard, Sidmouth*
 Timothy Shardlow, *Shirley May Yard, Sidmouth*
 Graham Simm, *Stones, Exeter*
 David Smith, *Stephens & Scown, Exeter*
 David Smith, *Over Taylor Biggs, Exeter*
 Elga Smith, *Stones, Exeter*
 Jane Smith, *Triggs Read & Dart, Barnstaple*
 John Stephens, *Michelmores, Exeter*
 Daniel Stevens, *Stones, Exeter*
 David Vaughan – Birch, *Boyce Hatton, Torquay*
 Claire Wardman, *Walker Law Associates, Exeter*
 Jonathan Wharmby, *Hooper & Wollen, Torquay*
 Lawrence Wilde, *Ford Simey, Exeter*
 Dean Willdigg, *Scott Richards, Dawlish*
 Lucy Wright, *Ford Simey, Exmouth*

The Society's membership now stands at a record 805.



Need someone to listen to *your* problems for a change?

Professional worries or Personal problems

the Solicitors' Assistance Scheme is there to help solicitors

The Solicitors' Assistance Scheme –the SAS – offers a lifeline to solicitors with problems by providing a fellow practitioner who will listen and help.

Don't delay – an early call could make all the difference

**If you would like to contact a scheme member call
 Susannah Lewis at The Law Society in confidence on
 Tel. 020 7320 5795**

THE GREAT DEBATE

Due to circumstances beyond our control, this event that was to have taken place on 25 April has been postponed. We hope to announce revised details for an Autumn date soon.

EUROPEAN LAWYERS' MEETING RENNES 2003

An invitation to Rennes

DELS members are warmly invited to take part in this year's meeting of European Lawyers hosted by the Rennes Bar. Delegates from the twin Bars of Erlangen and Leuven will also be attending. The dates are Thursday 8 to Sunday 11 May 2003. The event begins with a Reception at the Guildhall.

On the Friday the topic for discussion will be on Employment Law: in particular participants from each Bar will be asked to perform a mock trial based on a dismissal case. You will be offered accommodation with a French lawyer or at local hotels if you prefer.

Social activities are planned on the Saturday including sightseeing on the coast of Brittany. For those of you who are football fans, there is a match in the evening Rennes v Strasbourg.

This is an excellent opportunity to foster both professional and social links with lawyers from European jurisdictions.

If you would like to attend and/or contribute to DELS presentation, please contact Monique on 01392 411585 for further details.

Sir John Harvey-Jones MBE Business – Yesterday, Today and Tomorrow

The Institute of Financial Services are presenting a lecture on 9 April at the Riviera Centre, Torquay.

Non-Members of the IFS are welcome to attend for a ticket price of £15. If interested contact Martin Garner on 01227 818696

UNDER THE PRESIDENT'S CHEF'S HAT



ROASTED PARSNIPS (BY REQUEST)

Ingredients: Parsnips, Butter, Runny Honey

Method

Top and tail the parsnips and peel them, halve them lengthways and cut out the hardcore with a sharp knife.

Par-boil the parsnips in salted water for two or three minutes only, drain and remove.

Place the parsnips in a suitable roasting dish, add a knob of butter to each parsnip followed by a drizzle of runny honey.

Roast in the oven for fifteen minutes, gas mark 7 and serve.

PHEASANT WITH CIDER & CALVADOS

Ingredients: 1 Brace of Pheasants, 4oz of Butter, 4oz Smoked Streaky Bacon, 1 / 2 Onions, 2 Stalks of Celery, 2 Carrots, Glass of Calvados, 1pt Dry Cider, 2 Eating Apples, ½ pt Double Cream
½ pt Orange Juice, 1 Deep Casserole or Frying Pan with Lid

Method

Wash and dry the pheasants, take off any remaining trace of feathers, salt and pepper them lightly. Melt 3 oz of butter in your casserole/lidded pan until golden brown all over. Remove and put to one side. Into the same pan put 4 oz chopped streaky bacon, one or two chopped white onions, one/two chopped stalks of celery, one/two chopped carrots. Fry the bacon, onion, celery and carrots in the casserole contents adding more butter if required (an ounce should be enough). After the bacon, onion etc. are brown return the pheasants to the pot and stir around to mix the vegetables then add one glass of calvados, one pint dry cider, two eating apples cored and chopped (if the liquid does not go halfway up the pan add sufficient until it does). Place in pre-heated oven 190 degrees for forty-five minutes.

After forty-five minutes remove the pheasants from the liquor, remove the legs and breasts and put in a serving dish to keep warm. Chop up the carcasses and return to the liquor in the pan. Add one half pint orange juice and simmer fast for fifteen minutes with the lid off allowing the liquid to thicken slightly. Then strain the liquor into a saucepan, add half pint double cream, warm through, pour over the pheasant meat and serve.

N.B. I find that adding about one to two pints of water to the cooking pan containing the carcasses and the cooked vegetables and simmering that for about an hour produces a marvellous stock which can be used in gravies, soups etc. If you cannot be bothered just throw the sieved vegetables and carcasses away.

This recipe freezes extremely well and is just as good reheated.

