

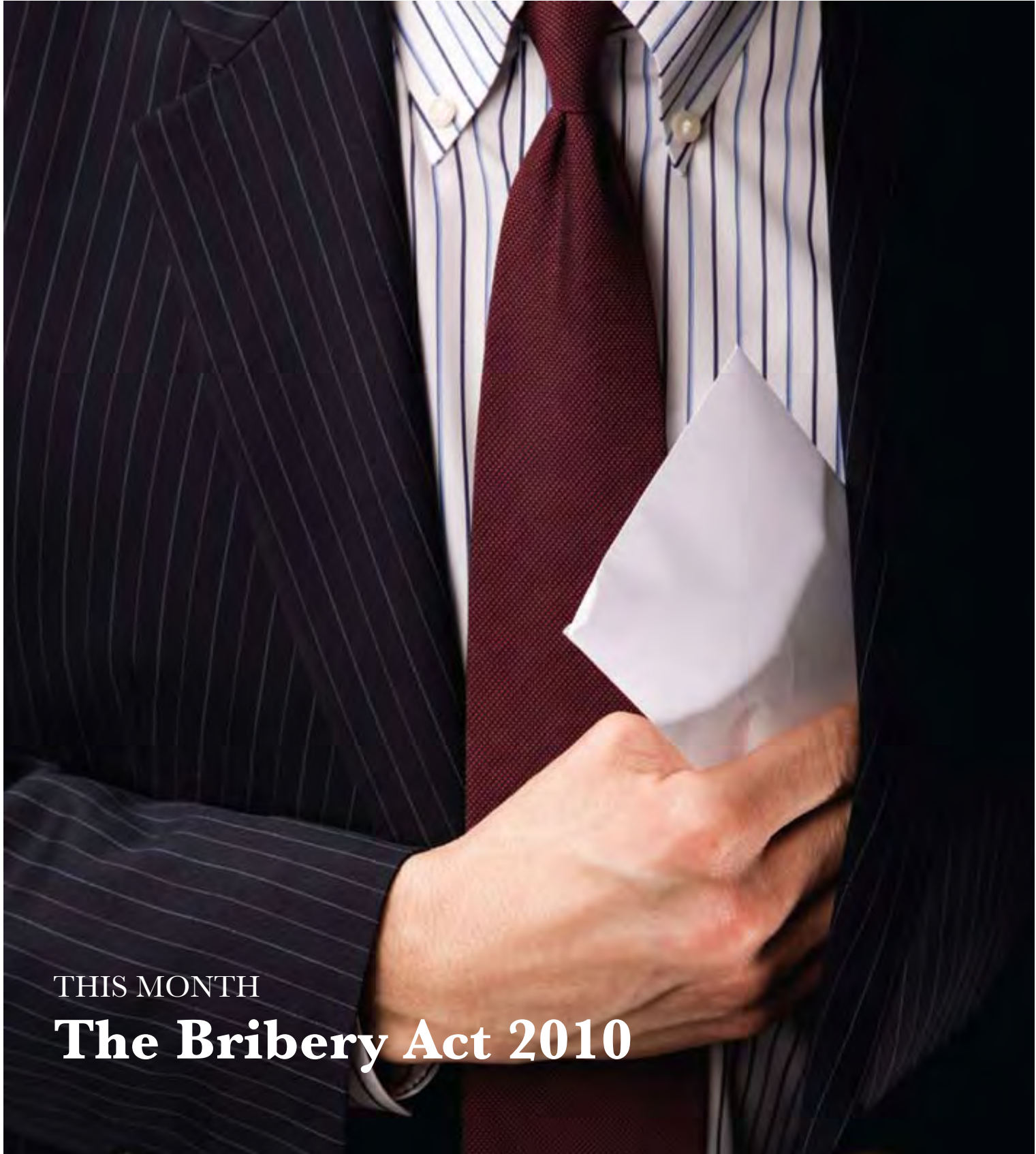
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The Bribery Act 2010

GSPLE trainee solicitors at the Brown-Mosten International Client Consultation Competition

Orlagh McMurray of P J McGrory & Company, Solicitors, Belfast and Kathryn Stelfox of Stelfox Solicitors, Limavady, won the regional heat of the Client Consultation Competition organised by the Law Society in March 2011.

The trainee solicitors, who both attended the Graduate School of Professional Legal Education, University of Ulster, participated in the Brown-Mosten International Client Consultation Competition which was held in Maastricht University, The Netherlands from the 6-9 April 2011 and believe it was an invaluable experience.

The ICCC provides an opportunity for law students to learn and practice interviewing and counselling skills. The topic this year was "Professional Responsibility & Ethics in the Law Office." Teams had to recognise, clarify and respond to any moral or ethical issues which arose during the interviews.

In the weeks leading up to the competition lecturers from the GSPLE helped us with our preparation and we realised this was an opportunity to expand upon the skills we had already developed during our time at the Graduate School. Mr Paul Mageean, Director and Mrs Anne Brown, Senior Lecturer accompanied us to Maastricht as team coaches.

The Faculty of Law at Maastricht University was an excellent venue as it was right in the heart of the city enabling us to experience

an authentic inner city campus. The city itself is very picturesque with its cobbled streets, bustling squares and numerous cafes.

There were 20 teams of law students from all over the world who took part in the competition:- Canada, USA, Jamaica, Puerto Rico, The Netherlands, Republic of Ireland, Wales, Scotland, England, Finland, Nigeria, Ukraine, Russia, India, Sri Lanka, Cambodia, Malaysia, Australia and New Zealand.

On the first day a seminar and workshop was held entitled "Lawyer-client relations: should it be part of every law qualification?". During this seminar American and Dutch academics and practitioners debated this topic and the teams were encouraged to interact.

The competition proper began the following day. The teams were split so that each panel of judges would see five teams per day. Teams of two people from each country interviewed an actor "client" for 35 minutes in front of a panel of three judges. The judges were mainly legal practitioners and academics who were either local or involved in the organisation of the competition.

We had to establish the beginning of an effective professional relationship and working atmosphere from the outset. The special nature of a solicitor-client relationship had to be outlined in a courteous, sensitive and professional manner. In other words we had to ensure we broached the topics of fees, confidentiality, mutual obligations and rights, methods of contact, duration and plan of interview.

The judges assess how you deal with the emotions of different clients, and how you obtain the relevant information from them regardless of how they present. For example, the client on the first day was extremely angry because he had just discovered his solicitor acted on his behalf where there was a conflict of interest. However on the second day the client was reluctant to speak as he was a relatively new lawyer to our jurisdiction

worried about problems concerning client funds.

Teams had to elicit relevant information from the client so that a reasonably complete and reliable description of the problem could be developed and relayed back to the client to show our understanding of same.

This is an area where approaches varied quite substantially from one country to another. The USA team for example took a holistic approach, wanting to know basically everything about a client before proceeding with their case. On the other hand Sri Lankan and Malaysian teams indicated that the profession in their countries believed it to be discourteous to ask too many questions during an initial consultation.

The judges also assessed how we managed the client's expectations whilst understanding their goals. We scored highly for being able to modify and develop this understanding fully, taking into account the emotional aspects of the problems. We had to demonstrate that we could analyse the problems with creativity from both legal and non-legal perspectives.

The ICCC is not a test of specific legal knowledge as obviously the law varies quite a bit between the different jurisdictions that were competing. We just had to ensure that the legal advice we gave was accurate and appropriate to the situation. We could also suggest non-legal courses of action if it was considered appropriate.

An emphasis of the ICCC is for teams to develop an appropriate balance in dealing with the legal and emotional needs of the client. Therefore we were assessed on how we assisted our client in making an informed choice taking legal, economic, social and psychological consequences into account.

We wanted our client to leave with a feeling of reasonable confidence and understanding, appropriate reassurance and a clear sense of what is expected of him and us as his

solicitors. We believe we worked well as a team in ensuring we achieved this aim.

After the interview there was a ten minute post consultation period where we discussed the interview with each other in front of the panel. There were certain ethical issues we chose not to go into detail about in front of our clients due to their emotional state but the post consultation allowed us to demonstrate to the panel that we had identified them. We had to set out a plan of action as to what should be done next and how the ethical issues should be handled.

We were given feedback for fifteen minutes after each interview. The judges commended us for our practical solutions to the problems and also our requests for documentation to support our client's cases. We were told our interviews were engaging, that we asked lots of relevant questions and that we gave very balanced advice.

Unfortunately we did not reach the finals, Jamaica took the crown, but we consider the experience to have been invaluable. We have both been conducting client interviews in our offices for nearly two years now but the few days we had at the ICCC gave us an opportunity to absorb the opinions and techniques of different students from around the world.

In addition to the interviewing skills we have developed it has also enhanced our awareness of potential ethical and moral issues that may arise and the challenge they may pose to our profession.

We were also able to avail of advice from legal practitioners and academics who advocate the concept that learning about solicitor-client interviews should be an integral component to your legal training.

The ICCC is not only a great forum in which to develop your interviewing skills but it is also a great place to meet other law students from many different countries. The ICCC Committee organised a Students' Dinner, Cultural Evening and Awards Dinner which were all great opportunities to socialise with the other teams. Every country even had to perform a song or dance at the Cultural evening and Kathryn silenced the entire room with her stunning rendition of "She Moved through the Fair."

The best part of the experience was gaining lots of new friends and getting their contact details for the future. We were also able to see a beautiful city and experience its unique culture. We would encourage any law students to participate in the Brown-Mosten ICCC as if we could do it again we would in a heartbeat!

From left: Anne Brown, senior lecturer with Kathryn Stelfox and Orlagh McMurray.



Trainee solicitors stateside bound



From left: Carla Rogers, John Leckey, Chief Coroner and Keith Dunn.

Two trainees from Graduate School of Magee are about to embark on a trip of a lifetime after securing placements in public interest law offices in the United States.

Keith Dunn from Coleraine and Carla Rogers from Derry were among the five GSPLE trainees shortlisted to appear before the Senior Coroner for Northern Ireland, Mr John Leckey, in Mays Chambers in Belfast.

Their appearance before Mr Leckey was the final stage of a Public Interest Law competition organised by the Graduate School, explains Paul Mageean, Director of the GSPLE.

“All trainee solicitors were tasked with playing the role of a solicitor approached for assistance by a mother of a young woman who had died in custody. The fictitious case required them to interview the client, draft correspondence, research the issues and take part in a pre-inquest hearing. The five best trainees selected from this week-long exercise then appeared

before Mr Leckey when they again made arguments related to the same case.

“Mr Leckey selected Keith and Carla as the two best advocates appearing before him, although he acknowledged that it had been a difficult decision as the standard of advocacy from all five finalists was very high.”

Keith and Carla, who graduated from Queen's University Belfast and Trinity College Dublin respectively, will take up their short placements in the United States in May and June.

Keith, who is currently serving his apprenticeship with Hillary Carmichael Solicitors in Derry, will do his US placement with the Legal Defense Fund of the NAACP in New York. Carla, who is apprenticed to the Law Centre in Derry will complete her placement with the Equal Justice Initiative in Montgomery, Alabama.

Congratulating Keith and Carla on their success, Paul Mageean, said they had both worked tremendously hard to get these placements and thoroughly deserved them.

“I am sure they will learn a great deal from this experience,” he said. Mr Mageean also thanked the Senior Coroner Mr Leckey for his assistance with the competition and Atlantic Philanthropies for funding the placement programme.

The Graduate Law School at Magee provides full-time training to law graduates who have apprenticeship places in solicitors' practices. Its opening in March 2009 marked a significant milestone in the development in professional legal education in the North West. The Graduate School has its own dedicated space at the Magee campus with customised interactive and recording facilities. The School has recruited a team of experienced legal professionals on an associate basis to deliver the core subjects of the course and give trainee solicitors the benefit of their professional experience. It also ensures a tangible link between the Graduate School and ongoing developments in practice.

Note: Carla Rogers is the author of a Law Centre article in relation to this trip which can be read at pages 42 & 43 of this issue of The Writ.