

Welcome to our first newsletter of 2017! It's been a busy first quarter and we can expect more of the same together with change, which we must adapt to. We hope you enjoy Alan's article and we look forward to the journey ahead.

### **A Tale of Sheep, Goats, Foxes and Dinosaurs**

I'm writing this on 29<sup>th</sup> March 2017, and the only thing that we can be certain about for the next two years or more is that things will be uncertain. So what can you do to make the best of it, as a family, or a small business, and what can we do to help you?

Things have also changed radically in the court system. There are far fewer courts and fewer court staff, legal aid has disappeared, and procedure keeps changing. Litigants have to do a lot more work, yet the costs you can get back have been slashed. It is a new world.

And with a new landscape, like the earth after the asteroid, this is no place for dinosaurs. This piece is aimed at helping you pick the lawyers who will help you to survive. Sheep, goats and foxes survive – dinosaurs don't - so how can you tell them apart?

#### **The Sheep, the Goats, the Foxes and the Dinosaurs**

**The Sheep** are big companies, the Government and its quangos, and the rich, and their lawyers. They can afford to carry on much as before and have hardly noticed a change.

**The Goats** are smaller businesses, landlords and tenants, and the rest of the population. They use **Foxes** to help them – smaller specialised lawyers and other agencies who adapt rapidly to change. They have noticed very significant increases in cost and in the time taken to deal with their legal cases. So they have to be canny and resourceful, and will be the heroes of this article.

**The Dinosaurs** used to be either Sheep or Goats, or their lawyers. They didn't notice the change in the legal environment until it was too late, if at all, and so are trying to carry on as if nothing had changed, with disastrous consequences. They can't cope with the changes and are infuriated with the way in which the Foxes run rings round them. The lawyers have gone out of business.

#### **What to look for in a Fox**



In the new world there are many new markers to help pick out those in the know:

- *They are light on their feet* – ready to adapt to changes quickly. Just because they always did something one way doesn't mean that it's the best way now.

- *They keep up to date* – there are frequent changes in the law and procedure, and in the court decisions that follow them. You have to be ahead of the crowd to win.
- *Winning matters* – you want a lawyer who will win for you.
- *They keep an open mind* – there are lots of different ways of doing things. If one way doesn't work they pick another.
- *Payment by the hour is on the way out* – clients much prefer fixed fees, or payment in stages, so they offer this when possible.
- *They know the shortcuts* – nobody wants to go all the way to trial. They know how to get summary judgment, or get the defence struck out, or most importantly, a good offer.
- *They specialise* – nobody knows everything well enough to be really good at it. And being really good matters.
- *They get it right first time* – you can't afford to do things twice.
- *They don't carry passengers* – they have a few experts plus a flexible team of contacts to call on when they need them. Why should you pay for all the extras that you don't need?
- *They're friendly* – this is the key to being a small business. They get on well with their clients, with the courts, and with other lawyers. They don't waste time with histrionics – they get to the point and get things done.
- *And they remember that they're lawyers* – they advise you, they do the business, but at the end of the day it's your life, and your business, and they let you make the decisions and call the shots when it matters.

I can't tell you everything. This is only a short article, and besides, I have a living to make, so come to me, and the Team, to learn more. But remember, this is the new reality. And if you ignore it you are likely to go the same way as the dinosaurs. Which is not a good idea, on the whole.

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