

# murray stable

## **CLIENT CARE STATEMENT**

The Murray Stable is committed to providing a high quality service. The purpose of this document is to set out the level of service that you can expect from the stable and its members.

These terms are not intended to be prescriptive and it will of course be open to you to specify particular requirements, for example in respect of any matter of urgency. Similarly, it will be open to Counsel to advise you in any case that other commitments will make it impossible to comply with this statement so you can make an informed decision as to whether or not this is acceptable to you and your client. The principal purpose of this statement is therefore to ensure there is an accurate flow of useful information to you.

Any complaints or concerns in respect of matters here stated should in the first instance be taken up with Iain Murray.

### **Working hours**

From 27<sup>th</sup> August 2007, the office hours of the stable will be 8.30am to 5.30pm Monday to Thursday and 8.30am to 5pm Friday. Emergency contact details are available in the Scottish Law Directory (the "White Book").

### **Acknowledgements**

All papers and instructions sent by LP, DX, mail, fax, or hand delivery to the stable (including papers sent to counsel c/o the Murray Stable) will be acknowledged by return of post. We would welcome the opportunity to make such acknowledgments by e-mail and will do this where a particular address is stipulated in the letter of instruction. This will not apply to papers delivered directly to counsel or to counsel's box unless an acknowledgement is specifically requested. Instructing agents are accordingly recommended to deliver any important papers to the stable rather than directly to counsel except by prior arrangement.

## **Telephone calls and email**

All telephone calls to the stable will be answered within four rings or will default to voicemail. All voicemail will be picked up and dealt with within 20 minutes of receipt.

Each member of staff within the stable has a personal email address which is monitored continuously (in their absence, by another member of staff). All e-mail will be picked up and dealt with within 20 minutes of receipt.

## **Instructions: sent directly to counsel who are members of the stable**

All counsel who are present in Parliament House check their box daily. If they are not so present, the stable will check their boxes for them. Papers should not be sent to counsel at their home addresses except by prior arrangement. All counsel who are members of the stable will check their email and text messages at least daily on working days.

## **Instructions: diaries**

All instructions for any appearance or consultation will be entered into counsel's diaries on the date of receipt. Agents will immediately be advised of any conflict or prior commitment which would prevent counsel from accepting such instructions.

The stable will be developing an electronic diary system over the next few months. As this comes online it should be possible to make a preliminary check as to the availability of counsel online but availability should always be checked with the stable in case there are commitments which have not yet entered the system.

## **Written work**

As indicated it is open to agents to specify in respect of any instruction what the timescale for a response will be and it will be the responsibility of the stable, in consultation with the advocate instructed, to advise of any difficulty arising in complying with that.

Unless the stable or counsel indicates to the contrary, however, agents should expect:

- Written opinions or notes within 28 days of instruction;
- Pleadings within 14 days of instruction; and
- Incidental procedure such as specifications of documents within 14 days of instruction.

If written work is required to be completed in a shorter time, it should be prominently marked on the envelope or letter of instruction as "URGENT". If it needs immediate attention, this should be prominently marked on the envelope.

All members of the stable have e-mail addresses and all written work will be forwarded to agents by e-mail in the first instance where an e-mail address has been given. Unless otherwise indicated this will be followed by a hard copy.

### **Clashes of commitments**

Because advocates carry out all their work personally and cannot always predict with certainty their other professional responsibilities, which include a professional obligation to give precedence to instructions to appear in court, instructions are accepted on the basis that counsel may be unavoidably prevented, sometimes at short notice, from attending to particular work.

If counsel identifies a clash of commitments which is likely to prevent attendance at any hearing or meeting, or compliance with agreed timetables, either counsel or the stable will warn the agent as soon as possible and will, if desired, suggest the names of other counsel (including, where appropriate, counsel in other stables) who are willing and able to take over the instructions. Counsel will co-operate so far as possible with any other advocate who takes over. In no circumstances, however, will instructions be passed to any other advocate without the express agreement of the instructing person.

## **Fees**

Agents are welcome to ask for a fee quotation in respect of any piece of work as instructed. The Stable encourages prior agreement as to fees. Such inquiries should be addressed to Iain Murray in the first instance. Sometimes it will not be possible to provide such a quotation without sight of the papers or other further information. Where this is the case agents will be advised during the working day of receipt. In other cases agents will either be advised of the fee quote or be notified that counsel is unavailable to discuss the matter with Iain Murray in which case an indication will be given as to when the quotation is available. The stable also welcomes more general inquiries about the likely amount of fees, which will depend on a number of factors including the seniority of counsel, urgency and value of the work in question, degree of responsibility and of specialised knowledge required, and expected time taken.

## **Rendering of fees**

When work has been completed, stable members undertake that fees will be rendered within 30 days. If this is not possible for any reason the stable will advise the nature of the difficulty and the anticipated timescale for the fee being rendered.

All fee queries after work has been done will continue to be dealt with under the 2002 Scheme or the Direct Access Standard Terms of Instruction, as appropriate.

## **Feedback**

The stable very much welcomes feedback of all kinds from those with whom it has done business. This should be addressed to Iain Murray. The stable will introduce a regular sample survey of instructing agents to gather feedback on the work of counsel and also on stable administration. We will contact those who have given us feedback, whether informally or through surveys, to inform them of any action taken on points raised by them.

## **Complaints**

Complaints about the stable, a member of staff, or the service provided, should be made in the first place to Iain Murray.