

## Clerksroom Direct – Explained

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### **The Public Access conundrum facing most chambers.**

The rule change in 2004 created the opportunity for barristers to work directly with the public. In 11 years we have seen the increase in the number of public access instructions rise year on year but very few chambers have designed and built procedures to manage the specific challenges that are part of the package when dealing with public access clients who don't have the support of a solicitor. Most barristers and clerks are unaware of the amount of time that has already been spent with the client getting the enquiry and paperwork ready to instruct the barrister. Our research indicates that on average it takes 15 times longer to take the initial instructions and requirements from a public access client than it does a solicitor. Our research over the past 2 years also indicates that the average conversion rate (from initial enquiry to card payment) is approximately 50%. Therefore, the amount of time a clerk spends on dealing with public access enquiries as against the normal solicitor enquiry is 30 times more. Our research indicates this time is on average 1 hour per converted enquiry, taking into account non-conversions.

We believe the poor take up or wish to promote public access barristers has historically been low because of these real and problematic issues. The challenges facing all chambers in today's environment all relate to providing better client care and better systems with a limited budget. The solution must therefore be specialism, automation and innovation.

### **What is Clerksroom Direct?**

Clerksroom Direct is a new company established to provide a central resource for all barristers, chambers and clerks wishing to deal directly with the public, to promote public access work. Clerksroom Direct is an online portal connecting members of the public & business people with public access barristers. The portal automates many of the regulatory requirements for barristers. The portal is supported by our dedicated staff who discuss new matters with potential clients and try to find relevant solutions. A solution is finding the appropriately experienced barrister available to undertake the work who has registered their specific expertise within the portal.

Marketing public access barristers in the competitive legal services market via any channel is inherently expensive and requires collaboration in our view. By working together, we have the opportunity to generate more enquiries and establish a funded marketing plan that is sustainable in the longer term. Clerksroom Direct is free to use and has been created to provide a solution to every chambers, all clerks, all public access trained barristers and the more people use the service, the larger the marketing budget becomes.

Barristers, chambers and clerks can use our services free of charge and have the opportunity to recover 10% of the fees themselves by becoming a marketing partner or to offer a reduction to the client. i.e. the client will be asked to pay 10% or 20% depending on the view of the chambers involved.

## **The role of our staff**

Our staff are experienced barristers' clerks who take calls and attempt to convert them into paying work. This requires our team to spend time discussing with clients their specific needs, following up potential leads and obtaining relevant information to help the barrister and client to establish if the matter is appropriate for public access. Our staff will contact barristers registered within the portal, clerks and the clients to establish the most appropriate course of action. Our staff will assist in the agreement of fees between the client and the barrister and take a card payment to confirm the arrangement. Our staff notify the barrister and his clerk where we have been notified there is a clerk assisting the barrister. (The clerk's name and email address are recorded in the portal under clerk's name and CC email address). Once a card payment has been made by the client for the barrister's agreed fee, notification is made to the client, barrister and their clerk with a request that they proceed to carry out the agreed work. Clerksroom Direct will hold the "payment of an agreed fee" until we have been notified that the work has been completed. . Upon completion, the barrister or their clerk notifies Clerksroom Direct through the portal's "work completed" button that the work is complete and payment can be made. The barrister or their clerk issues an invoice for the full agreed fee to Clerksroom Direct by email and the fees are paid within 48 hours by BACS to the barrister or the chambers as requested. The agreed fee is paid in full. We do not charge the barrister, chambers or clerk anything for our service. Barristers are paid 100% of the fees they quote.

## **What is the benefit of using Clerksroom Direct rather than keeping it in-house?**

Clerksroom Direct was designed and established to focus specifically on streamlining the issues relating to public access instructions. We started with a blank sheet of paper and built a system that is designed to create a Rolls Royce service for clients wishing to take advantage of the savings that can be obtained by working directly with a barrister.

The staff employed by Clerksroom Direct Ltd have a clear mandate to focus on the needs of the public access client and they are not distracted by other pressures in a chambers environment. Put simply, they are there to generate work for you.

*This benefits you because:*

- (1) You do not pay anything for our service.
- (2) Our dedicated staff who assist with the initial discussions, fee negotiations, communications between all parties and conversion of enquiries to pre-paid fees saves your staff a considerable amount of time.
- (3) We take card payments for all agreed fees so you can focus on the client and the work required in the knowledge that the fees are pre-paid and on account before you start any work.
- (4) We produce a draft client care letter setting out the work required and the basis of the fees proposed by the barrister to be paid by the client.
- (5) We make payment to the barrister of all agreed fees within 48 hours of completion.
- (6) We have a clear marketing plan to promote barristers within the portal and it is fully funded by the administration fees paid by the client, not the barrister.

## **Isn't the barrister paying twice?**

No. You pay nothing towards the costs of operating Clerksroom Direct. Our fees are paid by the client and you pay your own chambers and clerks in the normal way out of the fees paid to you.

### **How does Clerksroom Direct get paid?**

Our business model is very simple. We market to potential clients, discuss their needs and establish if they are likely to proceed to instruct a barrister. We obtain quotes from barristers for the specific requirement. We charge clients 20% in addition to the barrister's fee quoted to cover our operating, development and marketing costs. i.e the additional work required to manage and promote barristers to public access clients and the time required dealing with non-conversions.

If a barrister attempts to quote fees outside of the portal, we will not be reimbursed our costs for generating the enquiry and the associated costs for managing that enquiry. We are therefore unable to re-invest that fee into future marketing. All barristers using the portal must ensure the client is aware of the full fee, not simply their fee. For the avoidance of doubt, the fee is 120% of the barristers fee quote in most circumstances unless the marketing partner has agreed to waive their fees where it becomes 110% of the fee quoted by the Barrister.

### **What happens when a client wants further work done?**

Clients wishing to work further with a barrister once initial work has been completed, simply log into their account or call our helpline and provide further details of the work required and the specific barrister they wish to continue using.

### **Barristers quoting fees directly.**

All fees must be quoted within the portal to ensure the client is provided with the full and clear fee breakdown, not simply the barristers fee. If fees are quoted outside the portal and our fees are not included, they will become the liability of the barrister and we will have no option other than to invoice the barrister for our fees upon conclusion. Putting all fee quotes through the portal or via our helpline will ensure this does not become an issue. If in doubt, please speak to one of our dedicated staff who will deal with the fee quote and confirm in writing with the client.

Stephen Ward  
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Clerksroom Direct Ltd  
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