



From the President

Dear Members,

The AGM, held at Queen Margaret’s School at Escrick Park in April, was the commencement of my year as President of the Society and I do hope that those attending the AGM, and the Reception that followed, enjoyed the location. We were blessed with a warm and beautiful spring evening which allowed us to enjoy the terrace and very attractive grounds. My thanks to the catering staff at the School and to Bradshaws, both of whom cared for us to a very high standard that evening. It was an enormous pleasure to welcome members and their partners and friends to the Reception and I am honoured to be the Society’s President, and indeed the first woman to take on this role, which I will perform to the best of my ability.



Outgoing President, Andrew Faulkes with Jenni Bartram

Dropped in at the deep end seemed the order of the day, when within a week I found myself seated next to the National President at the Local Authority Solicitors’ Dinner at York University. I had to lift my “legopolitic” (nothing to do with those irritating little plastic bricks you always walked on bare footed in ones’ children’s early years!) knowledge to new levels but, on happily discovering he was a good friend of Roger Dixon’s, we found a much safer topic of conversation! Seriously, I had a fascinating conversation with Robert Heslett, who, coming from our region, shares many of the interests we all have practising in Yorkshire. His account of viewing legal systems in Vietnam and the Far East was equally as interesting as the tales of daily battle on behalf of the National Law Society in government circles. This was a very happy evening and it was eye opening to see how the Group had a large and thriving element of young solicitors competing for its awards that evening and involved in the event.

I have since then attended the Presidents and Secretaries Conference at Chancery Lane in mid May and had the benefit of speaking to Presidents from varying parts of the country to discuss the running of their Local Law Societies and exchanging notes on their activities. On the whole, I think the way we are running the YLS is efficient and good value for money for our members, and we are incredibly fortunate on the education front with the support we receive from the College of Law at York.

The message from the Law Society was one of “how can we be more relevant to our members in the country and to Local Law Societies in particular”. A new Protocol for how the National Society relates to the Local Law Societies had been circulated beforehand, which to me seemed a declaration of current interaction rather than any new actions. It was put to the meeting and carried and can no doubt be viewed on the web by now for anyone interested.

The coming changes in the profession were discussed, including ABS and De-regulation as at October 2011, and these are obviously areas where the National Society will wish to be as flexible as possible, which may not be a view shared by all its members. Elizabeth France, Chair of Legal Ombudsman, assured us that the new system would have lawyer participation and training and be lawyer friendly, but the proof of that will remain to be seen in practise. Charles Plant (a former partner in Slaughter and May I believe), Chair of the Solicitors’ Regulation Authority, spoke at length on codified rules to be produced shortly for discussion for both traditional and ABS firms for next year, which we will be looking at very carefully when produced.

One gem from the President involved the last government’s recent independent survey of the Solicitors’ Profession which, to their surprise, came back with the following information:-

- 95% of Solicitors performed the client’s work to their satisfaction;
 - 95% were professional in their approach
 - 94% were considered approachable;
 - 89% of Solicitors provide the client/solicitor relationship the client wanted and expected.
- So we must be doing something right!

Well, we now have a new government, await another budget, and even more change within the Profession, but as is often said “there is nothing to fear but fear itself”. On that note, I will let you read the more exciting parts of this newsletter. Plus ca change!

My Best Wishes

Jenni

YLS Ball 2010 - New Date - 24th September 2010

Due to strong competition from both the World Cup(!) and the start of the holiday season, the President, Jenni Bartram, and her committee, have decided to postpone this year’s Yorkshire Law Society Ball. The new date will be Friday, 24th September 2010 and the venue will remain the beautiful and historic St Williams College. We are all committed to making this a fun and lively evening and look forward to your continuing support of this event. Please contact Jenni Bartram or her team, Sharon Richardson (s.richardson@crombiewilkinson.co.uk) or Belinda Poulter (b.poulter@crombiewilkinson.co.uk) as soon as possible to reserve your tickets, or a table.

Inside this issue:

MDA SearchFlow - Assessing Flood Risk	2
Dr John Shannon (1917—2010)	3
Legal Sector Alliance	3
The Legislative Law Review	3
SRA Consultation Alerts	3
Wine Club	4
Discounted Offer for Members	4
York Legal Walk 2010	4
Annual Dinner 2010	4



New service from MDA SearchFlow will allow law firms to assess flood risk quickly, easily and accurately during conveyancing



Easy-to-use Flood Checker tool will immediately show whether a property is at risk from flooding

MDA SearchFlow (www.searchflow.co.uk), the UK's largest property search information provider, has launched a new Flood Checker service, a property-specific assessment of flood risk, based on geography, geology and insurability. The new service, which will be launched in conjunction with Landmark Information Group, will give law firms a quick and easy way of identifying whether a client's residential or commercial property is likely to be at risk of flooding, so that a more detailed flood report can be ordered when selecting their other due diligence reports, if necessary.

"Unfortunately, flooding has now become a regular event in the UK, and it isn't just rivers anymore – its drains, streets, and car parks, as well," says David Kempster, Marketing Director, MDA SearchFlow. **"Not only do businesses risk losing millions of pounds in disruption and clean up, but flood risk also now affects insurability and lending decisions for homeowners as well. For all of these reasons, our Flood Checker service will provide an important first step towards avoiding all of the stress, heartache and expense related to flooding."**

According to the Environment Agency, around 5 million people, in 2 million properties, live in flood risk areas in England and Wales. With an increase in severe weather events and instability associated with climate change, the problem now extends beyond just rivers, as the land, buildings and surrounding environment now also play an important role as well.

Based on the latest detailed flood modeling, the Flood Checker service from MDA SearchFlow will let law firms know – quickly and easily – whether their client's property is likely to be at significant risk. If so, it will make a recommendation to consider a more detailed Flood Search in addition to the standard environmental due diligence. This innovative service will be included in MDA SearchFlow's automatic relevancy checks and delivers the result at the property address level.

MDA SearchFlow has gathered all of the most well-known providers of flood reporting under one umbrella, with comprehensive offerings from market leaders Landmark, Argyll Environmental and Groundsure. As such, in the event that a more detailed Flood Report is needed, law firms will be given a wide choice of reporting options from a new dedicated Flood Search section. To make the process even easier, the relevant flood risk information will be presented automatically, depending on whether the property selected is a commercial or residential property.

Whilst a standard Environmental Search is no doubt an essential tool for compliance with the Law Society's Warning Card on Contaminated Land, it does not give the same vital detail on flood risk that these new flood searches can now provide. Groundwater, surface flooding and pluvial flood risk data, together with insurability ratings based on claims histories and updated modeling, are now key features of more detailed flood reports.

Even a perceived risk of flooding can sometimes cause problems for homeowners and businesses alike, as insurance can be difficult to obtain in some cases, which means that some lenders could be reluctant to provide a mortgage on the property. Unfortunately, this threat is likely to become even stronger as severe weather continues to affect those in potentially risky areas, which in turn may lead to stricter lending criteria, such as higher deposits or retentions.

"With the reality of flood damage now all too familiar to many homeowners in the UK, lenders are understandably becoming increasingly concerned about the security of their assets, with insurability and property value being major issues," David Kempster adds. **"In addition to making businesses and homeowners aware of any potential flood risk to their property, the Flood Checker service will also help law firms to pre-empt any potential lending and insurance issues that could arise from a flood risk, as well."**

As part of its work in this area, MDA SearchFlow has retained its role as a corporate supporter of the "Know Your Flood Risk" campaign (www.knowyourfloodrisk.org.uk), a new campaign that aims to raise awareness of the subject and the potential risks. As a collective voice, Know Your Flood Risk and its members aim to increase the profile of flooding and ensure the public and commercial environment are not only aware of the risks they face, but also how to mitigate them.

www.searchflow.co.uk

Tel: 0870 787 7625





Dr John Shannon (1917 - 2010)

John Shannon was born on 28th September 1917 in Castlegate York. In 1935 he commenced a 5 year Articles of clerkship to Henry Cooper Scott of Munby & Scott of Blake Street. He took his Law Society finals at the outbreak of war in June 1940. After service in the Royal Navy as Captain of a minesweeper based off the north of Scotland, he qualified as a Solicitor in October 1944. After discharge in 1946, he returned to York and became a partner in Munby & Scott in 1948, with whom he remained until his retirement in 1985. A general practitioner of "the old school", he acted for York University during its formative years and also the College of Ripon and York St John. He became a member of the Yorkshire Law Society in 1947, was Honorary Secretary for a total of 29 years, and President for the year 1974-75.

Alongside his legal career, he lived a very full civic life. Amongst others, he was a City Councillor, Sheriff of York in the Coronation year, a Magistrate and, perhaps most importantly, Chairman of York Civic Trust for 38 years. As such, he had a profound influence on the preservation of the City he loved and where he was proud to be a Solicitor.

Legal Sector Alliance (David Hyams of Ware & Kay)

The Legal Sector Alliance (LSA) is an inclusive movement of law firms and organisations committed to working collaboratively to take action on climate change by reducing their carbon footprint and adopting environmentally sustainable practices. Their philosophy is that a greater impact can be achieved through collaborative action and the sharing of knowledge and experience than could otherwise be achieved by firms individually.

In order to do this the LSA had developed 6 principles which members sign up to commit to. These are:

- Measure, manage and reduce the impact of their operations
- Work with external stakeholders to reduce their indirect impact
- Integrate awareness of climate change across their business
- Advise clients on the opportunities and obligations arising from and under climate change law
- Work collaboratively to engage in the public debate on climate change and to develop, apply and promote best practise across the sector
- Report on their progress and be accountable

174 firms have now committed to these principles and agreed to report back to the LSA on their progress every year. This means that the LSA now represents more than a quarter of solicitors in private practice in England and Wales. The LSA had developed a number of resources to help firms in their commitment to the 6 principles. These include a list of "quick wins" which can easily be adopted to reduce your carbon footprint and save money at the same time.

Ware & Kay LLP joined the LSA in May 2009. Joining has provided us with the guidance and support we needed to ensure the measures we had already taken to reduce our environmental impact were not futile and that we continue to make reductions in our carbon footprint. If you would like to talk to us about our experiences since joining the LSA, please contact David Hyams on 01904 716000. The next LSA Regional Forum in Yorkshire is being held at Ware & Kay in York on 29th September 2010. The regional forums provide both members and those thinking about joining the LSA, the opportunity to speak to other firms about their experiences and to exchange ideas. If you would like to learn more about the benefits of joining the LSA then this is the ideal opportunity to do so.

For more information please visit www.legalsectoralliance.com or contact Micael Johnstone, Project Manager of the Legal Sector Alliance at Micael.Johnstone@LawSociety.org.uk.

The Legislative Law Review - Christopher Dickinson

The Legislative Law Review boldly declares on its homepage, www.legislativelawreview.com, that it gives YOU a voice in the legislative process. It is the ambitious project of Leeds law graduate, Christopher Dickinson, who wants the website to increase public participation in the passage of legislation through parliament.

He anticipates that the law review will work in two ways. In the first instance, it will publish short articles, typically only a few hundred words, from within the legal community, focusing on the quality and effect of a bill, or arguing for the introduction of new legislation where existing law has become outdated. The review will then publish articles submitted in response to the initial article, in order to build an accurate picture of the legal debate surrounding the bill. The second way will be to attach a forum thread to the article, encouraging the public to comment on both the bill and the conclusions the articles reach. This allows the law review to determine the level of public support for the bill.

Dickinson suggests that publishing short articles rather than considering the entire bill or area of law keeps analysis concise and allows the public to read about the law without becoming confused or disinterested by pages and pages of complex legal analysis, much of which they may feel is irrelevant to their lives. The Legislative Law Review will generate current debate rather than examine in hindsight, intending that it will be able to communicate the legal and public opinion of legislation to the Houses of Parliament in time for all concerns and conclusions to be incorporated into the final act.

The key to the success of the Legislative Law Review will be the submission of articles. It invites submission of articles from the legal profession, whether you are a young lawyer looking to make a mark, or an established lawyer concerned with the quality of the law you have to work with in this country. The Legislative Law Review is working to become the place, outside parliament itself, of course, to debate legislation in this country and Dickinson hopes the review will gain national significance, becoming "the main mechanism for lawyers to bring poor proposed legislation to public attention and for the public to respond in a way that parliament will have to listen to."

Articles should be submitted in word format to mail@legislativelawreview.com

Solicitors Regulation Authority - Consultation alerts

Architecture of change: the SRA's new Handbook

This consultation introduces the SRA's proposals for a draft new Handbook of regulatory requirements. It is the first stage in the SRA's transformation from their current approach to regulation to one that is outcomes focused and risk based. It is important that members of the solicitors' profession and other stakeholders engage with the SRA in the development of their new Handbook—and provide feedback. The deadline for submission of consultation responses is **20 August 2010**. Visit: www.sra.org.uk/consultations.

Outcomes-focused regulation

The SRA is transforming its approach to regulation for the benefit of consumers, to take effect in October 2011. The SRA recognises that significant reform of their traditional approach is necessary if they are to be a fit-for-purpose regulator in the new legal landscape brought in by the Legal Services Act 2007. They have published a consultation paper setting out the timetable for implementing OFR, and how they will deliver it. The deadline for submission of responses is **27 July 2010**. Visit www.sra.org.uk/consultations.



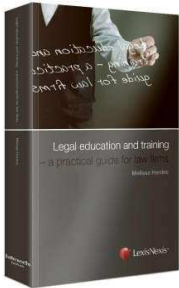
YLS Wine Club

Due to a disappointing turnout for the March meeting, we will not now be holding a meeting in September. However our pre-Christmas meeting will still be going ahead at 7.00pm on Monday 6th December at Bedern Hall. This remains a popular event, with an excellent seasonal buffet prepared on the premises by Bedern Hall's own caterers, Time and Place, and being a great opportunity to stock up with fine wines in preparation for the festive season.



We shall be changing our routine next year to having just two tasting meetings, one being the pre-Christmas meeting in December and the other in June and with an emphasis on wines for summer drinking. As ever, there is no charge for membership nor any requirement to attend a particular number of meetings or to buy any wine. We simply charge those attending any particular meeting what is needed to cover costs. If you would like to go onto our mailing list so that you can be advised of forthcoming meetings, please contact Stephen Thorn at Drivers' Malton Office sgt@malton-drivers-solicitors.co.uk telephone (01653) 600075

Discounted Offer for Members



Legal Education & Training - A Practical Guide for Law Firms, has just been published by LexisNexis Butterworths, which is offering a **20% discount to YLS members**. Written by Melissa Hardee of Hardee Consulting (former Training Principal at CMS Cameron McKenna and LPC Course Director at City University), the book is a practical guide for partners, managers, directors, fee earners and training professionals in law firms, large or small, on how to approach training and make the most of the firm's investment in training, whether or not the firm has an established training function.

The book explains what firms need to know about the regulatory framework for legal education and training in England, Wales and Scotland, and the regulatory responsibilities which the framework imposes on firms, as well as individuals within firms, in particular, training principals. It also focuses on the importance of training as a way of achieving the firm's business strategy, covering the structure, ownership and management (including financial management, this chapter having been contributed by Robert Mowbray of Taylor Mowbray) of the training function within a firm, and the different types of training a firm should invest in to meet its needs. It provides a guide for fee earners on designing and delivering effective training themselves, as well as covering issues such as how to go about sourcing external trainers, e-learning, and making the most of the flexibilities in the new Legal Practice course.

For more information on this and other discounted offers available to YLS members, go to www.yorkshirelawociety.org.uk - Benefits of Membership - Discounted Offers.

York Legal Walk 2010

The North East Legal Support Trust is raising money for hard pressed legal advice and support charities in the area, from South Yorkshire to Northumberland. These agencies help to facilitate access to justice for the poorest and most disadvantaged members of society. The York Walk is to be held on Thursday, 30th September 2010 (Walks in Leeds, Sheffield and Hull will also be taking place on the same evening). Registration takes place from 5.00-6.00pm at the College of Law, where the walk starts, and then follows a scenic 10km route around the area. The walk is open to all members of the local legal community and not for profit sector, as well as family and friends. There is no limit on the number of members in a team, although all team members (except children) will need to collect sponsorship. There will also be a party at a venue (yet to be confirmed) at the end of the Walk. Any enquiries should be directed to: enquiries@nelst.org.uk. (website: <http://www.accesstojusticefoundation.org.uk/regional-trusts/northeast>)

The Annual Dinner - 19th November 2009

This year's Annual Dinner will be held on Friday, 19th November, where the President of the Society's principal guest speaker will be Baroness Hale. Baroness Hale (born in Yorkshire and with strong links to the County), is a British legal academic, barrister, judge and a Justice of the Supreme Court of the United Kingdom. In 2004 she joined the House of Lords as a Lord of Appeal in Ordinary. She was the only woman ever to have been appointed to this position. She served as a Law Lord until 2009 when she, along with the other Law Lords, transferred to the new Supreme Court. She remains the most senior female judge in the history of the United Kingdom.



Once again, the Dinner will be held at the historic Merchant Adventurers' Hall, York, in the presence of the Lord Mayor and the Sheriff of York, together with the President's other guests from the professional community. Dress is black tie and a drinks reception will commence at 7.00pm, with dinner at 7.30pm.

We hope members will once again show their support for this event. Tickets will be on sale from September (price to be confirmed). For further information, or to register your interest, please contact Jane Radcliffe, Honorary Dinner Secretary, at Pattinson Brewer, 1 Bridge Street, York YO1 6WD (DX: 61565 YORK), Tel: 01904 680022, E: jradcliffe@pattinsonbrewer.co.uk.

Dear Member

I hope you have enjoyed this issue of the YLS Newsletter.

Please remember to visit our website from time to time to keep up to date with news and events. I would also like to remind you that advertising for any job vacancies within your firm can be placed free of charge on the website Situations Vacant page.

As always, I am keen to receive any feedback and suggestions for items to include in future issues of the Newsletter and/or on the website and would be very pleased to hear from you.

Best wishes,

Kathryn

Kathryn Cripwell,
Administrator
1 Hall Close, Wheldrake,
York YO19 6GB
Phone: 01904 449747
E-mail: kcyls@tiscali.co.uk
Mobile: 07768 683841