

A Day in the Life of an Advocate

8.00am to 9.30am

I arrive at the Advocates Library in Edinburgh just after 8am. Already some of my fellow advocates are working away and many others will soon arrive. Unlike barristers in England, advocates do not work in chambers. Instead we are fortunate enough to be based in the Advocates Library: it has a wonderful atmosphere and is unsurpassed in Scotland as a law library. Because advocates are self-employed, there is a lot of flexibility about when we start and finish work each day. Personally I like to begin work bright and early! The first thing I do is to set up my laptop, check my e-mails, and look over my diary. This morning I have to appear in court for a brief debate on a procedural aspect of a case. I have already prepared for the appearance but have a fresh look over the papers.

9.30am to 10am

First I put on my wig and gown: along with a black suit, this is essential court dress for an advocate. The wig is not, as many people suspect, uncomfortable! I then gather together all my papers and go to the main Hall of Parliament House. Both the Advocates Library and the Court of Session (the supreme civil court in Scotland) are situated in Parliament House. Advocates and solicitors can often be seen pacing up and down the Hall discussing cases. An advocate's work does not come directly from a client but rather through the solicitor consulted by the client. Today I meet in the Hall with the solicitor who has instructed me to appear in court for her client this morning and we have a chat about the case. We have both already checked the court rolls (there is a notice board in Parliament House which indicates in which court, and before which judge, all of today's business will be heard), and so go now to the appropriate court. I meet with my opponent (another advocate), and we discuss our respective positions.

10.00am to 11.30am

The judge comes onto the bench around 10 am. There are a number of brief matters for the judge to deal with before ours, and also some others after. The first two matters don't take too long and then it is our turn. My opponent explains what his client wishes and I explain the reasons why that is opposed. The judge is able to decide then and there what should properly be done. The solicitor and I discuss the outcome, and then she returns to her office, and I go to the Ladies Gown Room to put away my wig and gown.

11.30am to 1pm

By this time the mail will have arrived and been distributed, and so I check my box. All advocates are allocated a wooden box: each box has a brass plate with the advocate's name on it. These are effectively our pigeonholes, in which mail and messages are left for our attention. In my box this morning is a request from a firm of solicitors for an opinion on a legal issue concerning one of their clients. I will have to research the point thoroughly before drafting the opinion. There is also information about a forthcoming seminar. We must undertake a certain amount of continuing professional development each year, for example, by attending relevant seminars. For the rest of the morning, I settle down to continue the drafting of some court pleadings: in this case a summons to initiate an action for a solicitor's client, in

respect of an injury the latter sustained at work. Drafting court pleadings is an important part of an advocate's work.

1.00pm to 1.30pm

I stop for a sandwich. Lunch is a chance to chat with some of my fellow advocates. Sometimes, people will also discuss complications which have arisen in a case, or an interesting legal point.

1.30pm to 4.15pm

In the afternoon I complete the summons I had been drafting. I send it to the solicitor who had instructed me. I also return to the solicitor meantime the various papers which he had sent to enable me to draft the summons. In this case these papers included copies of statements about how the accident happened, and medical reports. In the course of the afternoon I have also responded to some e-mails, and discussed with another solicitor by telephone a question which has suddenly arisen in another case in which I am instructed. My clerk has also been in touch with me to confirm whether I would be able to appear in court in respect of a new matter later on in the week – the relevant papers will be sent up tomorrow for my attention. All advocates are members of a particular stable, and each stable has its own clerk. Amongst other things, the clerks keep the diaries for all the members of their stable, and liaise with solicitors about our availability for court appearances and consultations.

4.15pm to 4.45pm

I go along to speak to my clerk (who is based in another part of Parliament House). I check my diary for tomorrow. I then discuss with my clerk what would be an appropriate fee for the court appearance this morning, and for drafting the summons which I have just sent out. I record on a special form the relevant details of the case, the work carried out, and the fee to be charged. This form is passed to a central body for the Faculty of Advocates which draws up all the fee notes and sends these out to the solicitors. Another consequence of advocates being self-employed is that we are responsible for arranging for fees to be rendered for our work, and also for keeping records for income tax and VAT, and rendering income tax and VAT returns.

4.45pm

I now head for home – taking with me some case papers. In the evening I want to finish preparing for a consultation the next day, where I am to meet with a solicitor and his client and discuss developments in a case. I also have some essential administration to do every night – noting the work I have completed and new instructions I have received that day, and keeping my records up to date in respect of the fees which I have passed for rendering. The hours are often long in this job – but it is a job which is always rewarding and challenging.

Career Progression

Studied law, graduating LL.B (Hons), and gained Diploma in Legal Practice at the University of Glasgow. Undertook a Bar Traineeship (lasting one year) in the Litigation Department of a firm of Edinburgh solicitors. Completed the nine-month period of devilling (training) at the Bar. Called to the Bar, and began practice as an advocate, in 2001.