



The Law Society

Disclosure - the risks after Digicel and Hedrich

4.00-4.30pm - Registration & refreshments 4.30-6.30pm - Seminar.
2 hours CPD

The courts are adopting a more rigorous approach to disclosure under Part 31 CPR. Disclosure increasingly means electronic disclosure, so the subject sits at the cross-roads of two subjects - the rules and the technology.

2008 brought three important cases involving e-disclosure. In Digicel, a party was forced to redo much of its disclosure and to co-operate as to the scope of further disclosure. Abela re-iterated the duty to co-operate and emphasised the requirement to bring an informed technical understanding to the court in the absence of agreement. In Hedrich, a solicitor narrowly beat off a wasted costs order for his disclosure failures.

Disclosure is often the biggest single costs element in cases of all sizes. Judges are increasingly aware of the need to contain the costs within proportionate bounds, of the power which the rules give them to achieve this, and of the technical solutions which are available. Solicitors who practice litigation have a professional duty to understand both the rules and the technical implications which arise in handling electronic documents proportionately.

Why attend?

Understand the new expectations from the courts as to disclosure, the problems inherent in electronic document collections of whatever size, and the solutions which exist to help with them.

The session will include:

- The formal disclosure obligations as applied to electronic documents
- Documents and the Practice Direction to Part 31 CPR
- The management and discretionary powers of the court
- The Case Management Conference - preparation and tactics
- The resources, tools and services to help with e-Disclosure
- Examples of e-disclosure applications
- The professional implications - the scope of the duty and risk management factors
- The implications of the Digicel, Hedrich and Abela cases of 2008
- Data exchange
- Future developments, including the proposed new Technology Questionnaire and Practice Direction
- Implications of Lord Justice Jackson's Review of Litigation Costs

Who should attend?

Litigation practitioners, those responsible for practice development and practice management and Practice Direction in law firms; in-house lawyers responsible for litigation readiness and instructing outside lawyers.

Speaker

Chris Dale qualified as a solicitor in 1980 after reading History at Oxford. In 1993, he became a consultant working with lawyers and with suppliers on e-Disclosure projects. His primary focus is on training and education aimed at raising awareness of the time and costs savings which e-disclosure brings, on the commercial and tactical advantages of being ready for litigation, and on what should be done in anticipation of disputes.

He runs the e-Disclosure Information Project which both reports on and influences developments in e-disclosure for corporate clients, lawyers, suppliers and judges. He is a member of Senior Master Whitaker's drafting committee working on the new Technology Questionnaire and a proposed e-disclosure Practice Direction. He writes and talks widely on the subject, internationally as well as in the UK. His web site and blog are the primary source of objective information on e-Disclosure in the UK and he is a respected authority in other common jurisdictions which require disclosure of documents.

Chris was previously a developer of litigation software and is an expert in conversion of data between litigation systems. Before that, he was a litigation partner in a London firm of solicitors

Chris Dale contact details: Telephone: 01865 463033 Email: chrisdale@chrisdalelawyersupport.co.uk

Web www.chrisdalelawyersupport.co.uk Blog: <http://chrisdale.wordpress.com>

Dates and locations

| | | |
|--------------------|------------|--|
| Monday 09 March | London | The Law Society, 113 Chancery Lane WC2A 1PL |
| Wednesday 11 March | Nottingham | Crowne Plaza, Wollaton Street, Nottingham NG1 5RH |
| Wednesday 22 April | Liverpool | Marriott Hotel, 1 Queen Square, Liverpool, L1 1RH |
| Thursday 23 April | Birmingham | Radisson SAS, 12 Holloway Circus, Birmingham, B1 1BT |
| Tuesday 28 April | Cardiff | The Law Society, Capital Tower, Greyfriars Road, Cardiff, CF10 3AG |
| Tuesday 16 June | Newcastle | Thistle Hotel, Neville Street, Newcastle Upon Tyne, NE1 5DF |
| Wednesday 17 June | Sheffield | Sheffield Law Society, 8 Campo Lane, Sheffield, S1 2ES |



www.lawsociety.org.uk/events





The Law Society

Disclosure - the risks after Digicel and Hedrich

You can complete this form online at www.lawsociety.org.uk/events or fill in the form below.
Please complete this form in BLOCK CAPITALS and return with payment to: Events Team (Room 1.01),
The Law Society, 113 Chancery Lane, London WC2A 1PL or DX 56 Lon/Chancery Ln
Tel : 020 7316 5700 / Fax: 020 7316 5667

Firm/Organisation: _____

Address: _____

Postcode: _____

DX address: _____

Delegate

Title: _____ First Name: _____ Surname: _____

Position: _____ Email Address: _____

Tel No: _____ Fax No: _____

I would like to attend the following seminar (tick one date/location)

- | | | |
|---|------------|--|
| <input type="checkbox"/> Monday 09 March | London | The Law Society, 113 Chancery Lane WC2A 1PL |
| <input type="checkbox"/> Wednesday 11 March | Nottingham | Crowne Plaza, Wollaton Street, Nottingham NG1 5RH |
| <input type="checkbox"/> Wednesday 22 April | Liverpool | Marriott Hotel, 1 Queen Square, Liverpool, L1 1RH |
| <input type="checkbox"/> Thursday 23 April | Birmingham | Radisson SAS, 12 Holloway Circus, Birmingham, B1 1BT |
| <input type="checkbox"/> Tuesday 28 April | Cardiff | The Law Society, Capital Tower, Greyfriars Road, Cardiff, CF10 3AG |
| <input type="checkbox"/> Tuesday 16 June | Newcastle | Thistle Hotel, Neville Street, Newcastle Upon Tyne, NE1 5DF |
| <input type="checkbox"/> Wednesday 17 June | Sheffield | Sheffield Law Society, 8 Campo Lane, Sheffield, S1 2ES |

If you are booking within two weeks of the seminar, please email to ensure there are places available: seminars@lawsociety.org.uk

Registration fee

£125 + VAT = £143.75 per delegate

_____ No. of delegate/s

Trainees - 10% discount £112.50 + VAT = £129.37 per delegate

_____ No. of delegate/s

Students - 30 % discount £87.50 + VAT = £100.62 per delegate
(please bring your ISIC card to the event)

_____ No. of delegate/s

£ _____ Total payment

Cheques payable to The Law Society

Office Use:

MK03 / LB101 /
X74EDI

Terms and Conditions

- Event documentation will be distributed on the day.
- The Law Society reserves the right to amend or cancel this event. Should the event be cancelled a full refund of the registration fee will be made. The Law Society can accept no further liability if the event is cancelled, including no liability for any expenses incurred as a result of cancellation.
- If you have any special dietary requirements you must give us written notice at least 10 working days before the event and a supplement may be payable.
- Full payment is required unless you give written notice of cancellation at least 10 working days before the event, in which case you will be refunded the

registration fee less an administration charge of £25 + VAT.

- You may substitute a colleague without charge, provided you confirm in writing who the substitute will be before the day of the event.
- The delegate and the firm/organisation are jointly and severally liable for payment of the fees due.
- The Law Society can accept no liability for any loss suffered by any person acting or refraining from action as a result of the material delivered during or in connection with the event.
- Acceptance by the Law Society of your booking will give rise to a legally binding contract between us on these terms and conditions.

EXCLUSIVE SPONSORS




www.lawsociety.org.uk/events

