

# **EXTRACTS**

The “One Day in Court Training”  
A Practical Course That is Hands On

(You Can Print This Extract Out)

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# The “One Day in Court” Training Course

This short course was designed to help a person break into law and has, over the years, helped thousands to do just that.

Unlike our other courses this one is not distance learning. You will be trained on location within the environs of the civil High Court in London. You will also receive a training manual that will add to your knowledge.

Even though you will be given the above mentioned training manual after your ‘day in court’ it will be the work sheets given to you on the day that will form the back bone of the days programme in the High Court.

Below are extracts from the course. On the court training day your instructor will hand you work assignment sheets and in addition to your work sheets he will also give on site instructions.

Working in small groups (never on your own) you will be asked to carry out various tasks as though you were representing a firm of lawyers. The tasks will take you all over the Royal Courts and will give you hands on experience of working in law.

The first extract below is a **work sheet**, it outlines assignments you will be asked to carry out at the Royal Courts of Justice.

The second extract we have included is some of the **reading material** you will be provided after your court training day.

sample from work sheet

## OUT DOOR CLERK DAY SHEET

Date: 04.May.06

Solicitors: Blake Edwards & Co

Time: am & pm

Solicitor: Jo Mitcham

Counsel: Locate

Court: Royal Courts of Justice

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### General Instructions Re: Various Clients

- |    |                        |     |
|----|------------------------|-----|
| 1/ | Assisting Counsel      | [ ] |
| 2/ | Statement Taking       | [ ] |
| 3/ | Filing Documents       | [ ] |
| 4/ | Conference in Chambers | [ ] |
| 5/ | Other                  | [ ] |

Main Objectives	Things to do or remember
<b>File and lodge docs</b>	<b>1/ Re: Smith v Smith; pay fee for Notice of Motion at fees room. Cheque enc. Then lodge Notice at Crown Office.</b>
	<b>2/ Re: Jones v Cote; collect order issued in court 38</b>
	<b>3/ Re: ... not included in this extract</b>
	<b>4/ Re: ... not included in this extract</b>
	<b>5/ Re: ... not included in this extract</b>
	<b>6/ Re: ... not included in this extract</b>
	<b>7/ Re: Ade v Salter lodge Contact Application at Children's section – Principal Registry</b>

## sample from reading material

19 Our course starts **AT THE LAWYERS**

20 On arriving at the lawyer's office inform the receptionist of your name and who you're 'clerking for'(state the name of the lawyer who booked you and the case name).

21 If the case is a civil dispute and the lawyer is there at the time, he or she will normally spend a few minutes going over the history and background of the case.

22 Don't be surprised if the speed and delivery of this so called background to the case is fast and furious. Lawyers are often very busy and under a lot of pressure, especially those involved in Legal Aid work...

## ON THE WAY TO COURT

29 You are now ready to set off to complete your assignment. Between the lawyers office and the court house there are a couple of things you need to make sure that you accomplish. The first thing is, you must 'make sure that you know what is required of you'. The journey to the court is not the time to be doing the crossword, planning your holiday or day dreaming. Your assignment should be clear in your head, because sometimes the minute you step through the court house doors things will happen in a rush and it will be easy to make mistakes.

### ACTION

Read page 2 of your CM-BL1 and highlight the words 'make sure you know what is required of you'.

30 This is one of the important principles of good clerking and you should have it firmly imbedded in your mind. The reason being that when

a lawyer sends you off on an assignment he or she wants to feel confident that he/she can entrust their clients' welfare into your hands. A particular assignment may seem inconsequential yet in fact may carry a heavy penalty if not carried out properly and in accordance with the lawyer's instructions. We will look at a set of instructions in a little while.

31 After making sure of your instructions, summarize and detail them onto your Paralegal/Clerk Day Sheet. We will look at one later.

32 The second thing you should accomplish before arriving at the court, is make sure you know what the case is all about. To do this you will need to read the following documents from the client's case file:- a/ Brief To Counsel, b/ Client's Affidavit/Statement of Truth, c/ Witness Statements.

## MEANINGS

**Counsel:** Another word for a Barrister.

**Brief to Counsel:** Lawyers instructions to Counsel, detailing the case explaining what needs to be accomplished at court on the day of the hearing.

**Affidavit/Statement of Truth:** A sworn statement.

## SUMMARIZE

Paragraphs 29 - 32 onto page 2 of your CM-BL1.

33 You may be wondering why Counsel would want to ask you questions about the case. One reason is that sometimes the Counsel in attendance may have just been given the case the previous day and therefore may know very little about the background and lead-up to the hearing. In such a situation, Counsel would be looking to the clerk to provide additional information to what was provided in Counsel's brief.

34 Looking over your instructions and reading up on the case is usually done on the way to court; i.e. on the bus or the train. This is something you must get used to. Although you may be able to obtain the case file the night before you will soon learn that it does not make good practice.

35 Earlier, we mentioned the need for you to make sure you know what is required of you. This is done by reading carefully over your instructions, and then, after you have done that, to detail your instructions and requirements onto the Paralegal/Clerk Day Sheet...

## SUMMARIZE

Paragraphs 70 and 71 onto page 10 of your CM-BL1.

### Note taking at Civil Trials

72 Finally your case is called, you and your client follow Counsel into the courtroom and your client sits down beside you. Again you wonder to yourself 'as it's my first time in court, what things should I include in my notes?'

73 The first thing you must always remember to do is to note down the actual time the hearing starts...

81 Often, the end of the hearing will take your client by surprise. The Judge's order makes little sense to them. Have they won or lost? Let your client know that Counsel will explain the Judge's order outside the courtroom.

82 Sometimes, even after a conference with Counsel the client may still not fully understand what has happened and the implications of the Judge's order.

83 After Counsel has said goodbye ask your client if everything is clear. If not try and re-explain and also make a note to let the lawyer know that the client could do with a letter explaining things in full detail...