



Transferring solicitors

AUTHORS



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Silk Date: 2019
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Call Date: 2020
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We welcome applications from solicitors who are transferring to the Bar. Two of our newest tenants, Marcus and Francesca, are former solicitors. Below, they reflect on the transition and explain why they chose to join Fountain Court.

Why did you decide to transfer to the Bar?

FR: I enjoyed being a solicitor-advocate but I didn't get to spend much time in court. So, I took a year out of practice to work as the judicial assistant to Lord Hodge, the Deputy President of the UK Supreme Court. In that role, I attended hearings every week and saw oral and written advocacy from some of the most accomplished barristers in the UK. I was inspired by what I had seen and decided to transfer to the Bar.

MF: Like Francesca, the main attraction of the Bar for me was the prospect of doing much more advocacy. However, it also offered the opportunity to take control of my career. As a self-employed barrister, you make all the important decisions for yourself, from what kinds of work you want to do and how you want to work. That autonomy makes it so much easier to combine an interesting job with all the other things I want to do with my life.

How did you choose a Chambers?

MF: I was looking for somewhere which could offer the very best of the commercial disputes work which I had enjoyed as a solicitor together with an environment in which I could see myself spending

the rest of my career. I had worked with some members of Fountain Court and had been struck by how friendly they were, as well as being some of the most highly-regarded practitioners at the Bar. It made picking a set a straightforward choice.

FR: Having instructed a range of counsel as a solicitor, I knew which sets did the kind of work I was interested in, i.e., major commercial litigation and arbitration. I had also seen some of their silks in action at the Supreme Court, including Fountain Court's Head of Chambers, Bankim Thanki. But it was really through mini-pupillages that I was able to work out which set was the best fit for me. I enjoyed the laid-back and unstuffy atmosphere at Fountain Court and I was pleased to see so many women in senior positions, including the Head of Pupillage, Rosalind Phelps. At Chambers tea, I met a great mix of people, who were all very happy to chat to me over a slice of cake. I knew then that I would fit right in.

Has your experience as a solicitor been useful at the Bar?

FR: Undoubtedly. I was able to hit the ground running because I was already familiar with the Civil Procedure Rules, the various court guides and the White Book, and I had reviewed lots of pleadings and other court documents as a disputes associate. It has also helped to have a grounding in debt and equity transactions from my non-contentious seats as a trainee. But the key advantage has been understanding what solicitors are looking for from counsel, what their clients are looking

for from them, and how I can make their lives easier in the way that I present my work.

MF: The fact that I am able to see my cases from a solicitor's viewpoint has been very useful: the parts of the litigation/arbitration process on which barristers focus are quite different from those that keep solicitors busy, but it is important to understand the whole picture. To give just one example, I'm often now asked to provide advice on evidence, where you try to identify any potential holes in your client's case and suggest how they can be filled. That process would be much harder if I hadn't had first-hand experience as a solicitor of interviewing witnesses and tracking down relevant documents.

Are you glad you moved to the Bar?

MF: It's been the best decision of my career so far. The quality of the work available, even in the first years of commercial practice, is incredibly high and Fountain Court has been a great place in which to do it. If advocacy appeals to you, I'd strongly suggest trying a mini-pupillage and seeing for yourself whether it is a career you might enjoy.

FR: Definitely. Since joining Fountain Court, I have been involved in some genuinely fascinating cases and, as Marcus says, the quality of work is second-to-none. As a tenant, there are plenty of opportunities to take on your own cases and build up your advocacy experience, whilst being led on larger matters by senior members of Chambers. It's also great to have control over your own diary, the type of work you choose to take on, and where, when and how you work!

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