

# Let's put the ABSolutely into fabulous

None of the law abiding and kind readers of this article would ever own up to doing such a thing. My defence is that my crime is now statute barred and in any event I was at the time below the age of criminal responsibility. All the same I have to confess that in the distant past I would occasionally kick an ants' nest while on a wooded walk and watch the occupants' subsequent frenetic activity as they rushed to repair the damage. If I returned a day later I would find the nest completely reinstated and ready for the next juvenile boot.

Now, a few decades on, the solicitors' profession – at least for the majority of us who scrape a living in the arid legal soil outside the hallowed precincts of the commercial centres in the big cities – is going through the equivalent of that wanton ants' nest destruction.

ABS are upon us (alternative business structures, for those of you in the Greater Snoring Law Society – in case the news has not yet reached you). Welcome to the brave new world of HOLPs and HOFALumps (heads of legal practice and heads of finance and administration - the new positions introduced by the Legal Services Act and now more often known as COLPs and COFAS, as the SRA has decided to call them; ok, I added the lump). You may think the whole thing is ABSurd and you may want to ABSent yourself from all future involvement in the things, but you cannot escape them.

They will be with you if you ABSeil down mountains, crouch on Cromer pier trying to catch crABS, sit in a bar drinking your ABSinthe or chew kebABS on a Greek Island (in short whatever grABS you). (Enough of this, it is giving me a headache. Please get on with the article. Ed.)

Alternative business structures are here to stay – at least until the ants' nest is kicked again. The word on the street is gloom and doom, with predictions in some quarters that most high street solicitors' firms will disappear or be ABSorbed into some conglomerate so that we entirely lose our identities – as has happened to many

opticians, estate agents and undertakers. Then there is the fear that the gentlemen from Sicily will arrive in their stretch limos, white shoes and broad brimmed hats and buy up firms, reduce solicitors to terrified minions and defraud the country of what little is left of its wealth.

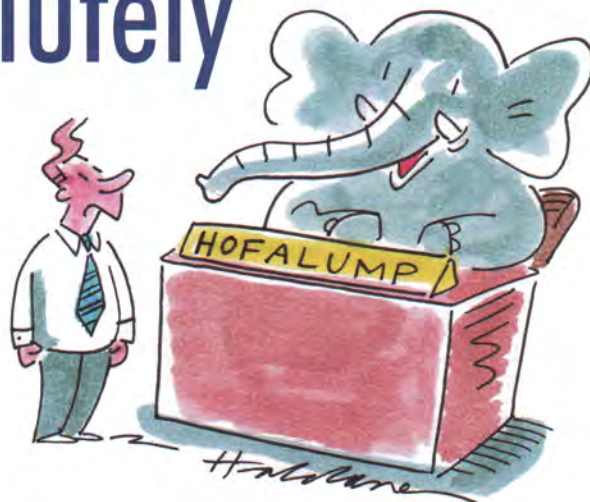
For virtually my whole career as a solicitor there have been threats to our profession – or at least to the way we run our businesses. Each time, the prophets of doom pronounced that the end was nigh. Remember the abolition of scale fees for conveyancing? And the day that gave birth to licensed conveyancers? And the abolition of legal aid for personal injury cases? And all the current nonsense that the government is trying to push through – which seems a sure-fire certainty to end in tears – as much for the public as for our profession?

## Beat the boots

The problem with solicitors is that they do not cooperate like ants: if I had kicked a solicitors' nest all those years ago I would have gone back a day later to find that several different nests had been built in different sizes and designs. I would also have found some solicitors trying to undermine the foundations of nearby nests, while considerable effort had been put into building a court nest where most of the inhabitants were arguing over their rights and how unfair it all was. In the meantime the boots of Tesco law would be clomping closer through the wood.

We do not have to love each other. We certainly do not have to love the Solicitors Regulation Authority or even the Law Society (though it is more lovable than many think. As a council member, I am of course completely unbiased).

But what we need to do collectively and individually is raise the public profile of our profession. How? We will have to be what my father used to describe as 'sh\*t hot' (with no real apology for the profanity



– these are tough times). The solicitors who thrive will do so because they excel – at whatever they do. In my experience the solicitors who stand out from the crowd are the ones about whom others say: "I will go to Miss X because she done good for my mate," or: "I hate the bastard. He gave my solicitor the run around. But I will use him next time."

I don't know what a bushel is but far too many of us do because we hide our lights under them. Over the years I have developed enormous respect for the many solicitors I have grown to know well, but to a man (or a woman) our collective failing is in getting the message out to a sceptical public that we are the bees' (or even ants') knees.

So – let's appoint our HOLPs and HOFAs and go out and wow the high street. The choice is ours. We can either resign ourselves to stacking shelves at Tesco or we can eventually take over Tesco and have their executives writing out our wills in perfect copperplate handwriting (while standing at high-angled desks and dipping their quills into pots of ink).

But first we must rebuild the solicitors' nest. We can all play our part in enhancing our profession's reputation by injecting Aptitude, Brilliance and Superexcellence (ABS for short) into all our activities.

For thoughts on enhancing our professional lives, check the online version of this article at [www.solicitorsjournal.com/tales](http://www.solicitorsjournal.com/tales).



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