

## BARRISTERS ON ACTIVE SERVICE IN ENGLAND

The following resolution of the General Council of the English Bar appeared in the "*Times*" for October 12, 1939. The object of preserving the practice of barristers who are engaged in public service is one that well deserves consideration by the Canadian profession. The resolutions as published read as follows:—

1. That every barrister remaining in practice should make it a point of honour:—

(a) to do what he can to ensure that every serving barrister shall get back his practice when he is able to resume work at the Bar;

(b) meanwhile, so far as is reasonably practicable, to do any work for any serving barrister which is entrusted to him, whether or not he has been in the same chambers, or whether he is senior or junior, on such terms as to sharing fees as they shall agree, and, in default of any agreement, sharing the fees equally, other than the clerk's fees, which should go to the clerk of the barrister who does the work.

The above applies both to King's counsel and junior counsel, but so that no King's counsel may do work for a junior counsel, nor junior counsel for a King's counsel:—

(c) that any barrister doing work for a serving barrister should after his signature to pleadings or other documents add the words "for (A. B.) absent on war service", and if holding a brief shall state to the Court that he is holding it in the absence of (A. B.) on war service.

2. That a serving barrister shall be entitled to send or have sent on his behalf to every professional client a notice with a covering letter in a form which has been approved by the Bar Council and the Law Society, indicating (if he is in a position to do so) the name or names of any barrister or barristers with whom he has made actual arrangements to do his work when possible.

3. That on his return to practice a serving barrister shall be entitled to notify those who, prior to his departure, had been his professional clients that he has returned to practice at a given address.

4. That it shall be a point of honour to inform a solicitor who has delivered or is proposing to deliver a brief or instructions for a serving barrister of the effect of this resolution, and to invite him in delivering or transferring the brief or instructions to add to the name of the barrister selected by him (whether or not one of those named pursuant to paragraph 2) the words "in the absence of (A. B.) on war service."

5. That any barrister to whom a brief or instructions may be delivered in circumstances to which the foregoing paragraphs apply (even if the name of the serving barrister is not endorsed upon them) shall make it a point of honour where reasonably practicable to accept the papers and to do the work and to account to the serving barrister for an agreed proportion of the fee when paid, in the absence of agreement, for half the fee.