

INSTRUCTING COUNSEL, 101

I remember when I was an articulated clerk in early 1980's how flummoxed I felt when my principal gave me instructions for the first time to brief Counsel. We were running a huge MVA matter (as it was then called) and I didn't really have a clue where to start.

I slowly thumbed my way through lever arch files of paper, wondering which documents would most interest Counsel. I flagged them, laboriously pulled them out, marking the place from which each document had come, photocopied them and dutifully replaced each document in its original file. The exercise took hours of mindless and menial work which, quite frankly, was absolutely boring. Yes, I learnt a bit about the case, but the greater issue was the amount of time that I spent doing the most boring job in the world. Inevitably, my time also cost the client a lot of money.

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