

Help Continues for Flood Victims

Eighteen months after the city's devastating floods, Burnetts continues to offer free legal advice to local flood victims.

Expert advice is being provided by Alex McKnight an Associate Solicitor who specialises in litigation. He has been providing a free, hour-long legal session to people who are still frustrated by the very firms they have paid for help – namely their builders and insurance companies.

Like hundreds of other local householders it was almost 12 months before Burnetts' Managing Partner, Tom Leach was able to move back into his home near Warwick Rd.

Tom said "I was very lucky with my builder, but I can understand the upset and stress some of my neighbours have felt. I'm sure some are wondering what they can do to have shoddy work rectified or to push along the insurance company. Our intention is to give some much needed reassurance about their legal position."

One hour's free legal advice is available to anyone who is still suffering as a result of last year's floods. For further information or to book an appointment, call Alex McKnight on 01228 552222.



Alex McKnight

Better Access for Clients

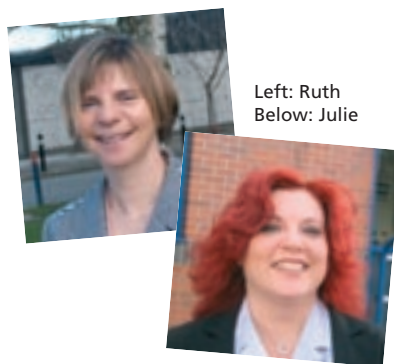
In March, the Medical Law team of Burnetts moved from the city's Victoria Place to purpose-built offices at Rosehill. The move has allowed the team to double in size and has made practical improvements for clients.

As well as needing more offices for specialist lawyers, the extra space also means there is room to store the huge volume of paperwork which supports each client's case. Most importantly, the Rosehill office is fully accessible to disabled clients.

Since the move, two new lawyers have joined the team: Ruth Keenleyside, who lives near Kendal has more than a decade's experience working in clinical negligence and is one of only three lawyers in Cumbria who

have been accredited by the charity Action against Medical Accidents (AvMA).

Julie McCallion is one of a new generation of solicitors, coming to law later in life. A former medico-legal researcher with Doughty Street Chambers, she has moved to Cumbria from Cambridgeshire to pursue her new career with Burnetts' Medical Law department.



Left: Ruth
Below: Julie

Burnetts' Agricultural Support



The summer months see the region's programme of agricultural events getting into full swing. As a keen supporter of farming communities in Cumbria and Northumberland, Burnetts has long provided sponsorship for these shows. The Cumberland Farmers' Point to Point and the Northumberland County Show have already taken place. Burnetts will also be a sponsor of these Cumbrian agricultural events:

Cumberland County Show	15th July
Penrith Show	22nd July
Dalston Show	12th August
Skelton Horticultural & Agricultural Show	19th August



www.sindair-design.co.uk 01539 737913

A biannual update for Burnetts' private clients - July 2006

SELL NOW or Pay Later...



The arrival of Home Information Packs (HIPs) next year will have a huge impact on the housing market and significantly affect the cost of selling your home.

Burnetts' conveyancing expert, Mike Wood is advising clients who are thinking about moving next year to get their houses on the market sooner, rather than later.

From June 2007, it will be illegal to put a house up for sale without a HIP. The HIP will include information like Local Authority searches and a Home Condition Report so buyers can access all the information about their potential purchase at the outset.

Whilst there is little doubt, HIPs are on their way, the government has yet to publish a definitive timetable or many of the scheme's details. The aim of HIPs is to remove obstacles which might cause a sale to fall through later in the process, but says Mike, whilst it's good news for buyers, it's going to be an added burden for sellers.

He said "A lot of people will be disappointed that they will have to pay for a HIP report which may make it more difficult for them to sell. The government estimates that the cost of a HIP will be £750 - £800 but most people in the industry agree it's more likely to be around £1,100. If you're considering moving next year, you would be well advised to do it now. As well as saving on the costs, you will also avoid being subject to all the uncertainty while the new system settles down."

Burnetts is already developing its HIPs service and will confirm details once the government finalises its requirements.

For further information on conveyancing or advice on HIPs, contact Mike Wood on 01228 552222.



Mike Wood & the conveyancing team

Inside

- Grandparents' rights
- Help for flood victims
- The truth about legal expenses insurance
- Better access for clients

Inheritance Planning

Very few of us will need to sell £9million worth of jewellery to pay death duties like the family of Princess Margaret. Nonetheless, as house values rise quicker than the tax man's inheritance tax threshold, more of us are now paying the tax once reserved for the rich.

Good inheritance tax planning is becoming increasingly important. An equity release scheme is one option sometimes considered to reduce the amount of your estate which will go to the Treasury.

With an equity release arrangement, you realise some of the cash value of your home, by borrowing the money and using your house as security. You can spend this money or give it away to family members or whatever you want. You don't make any repayments, but when you die the loan is paid back from your estate. This reduces the overall value of your assets, lessening (or removing) your inheritance tax liability.

An equity release scheme is not suitable for everybody so it's important to discuss all your options with your financial adviser or your solicitor before you enter into any arrangements.

For further information on inheritance tax planning, contact Martyn Wrightson on 01228 552222.



Hope for Excluded Grandparents

Over the last few months, Burnetts' childcare lawyers have been campaigning for grandparents who are missing out on their grandchildren.

As well as joining the Grandparents' Association, the firm has instigated several newspaper and radio features to highlight grandparents' rights. The message has been that help is available to frustrated grandparents.

The Grandparents' Association estimates there are more than one million grandparents in the UK being denied contact with their grandchildren.

Some are missing out because the ex-partner of their child won't allow access. Some grandparents have real concerns about how drug or alcohol use is putting their grandchild at risk. Meanwhile, one in every hundred children lives with a grandparent and there may be fears about what will happen when a parent returns.

Burnetts is the only solicitors' practice in North Cumbria, and one of only four in the county, to sign up to the Grandparents' Association's Lawyers' List. Lynn Chesterman, Chief Executive, of The Grandparents' Association said "Too often we hear the problems grandparents face when they seek help from solicitors not experienced in working with extended families. For this reason, The Grandparents' Association established its Lawyers' List and we are delighted that Burnetts Solicitors support the charity and those grandparents in a difficult situation."

Simon Mortimer, Partner has led the campaign and recognizes that grandparents can feel powerless.

He said "When relationships break down, grandparents are often forgotten, despite the special contribution they make to children's lives. At Burnetts we have seen a steady increase over the last twelve months in grandparents seeking legal advice about their grandchildren. Commonly, issues like lack of contact have been worsened by concerns over drug or alcohol abuse.



"When relationships break down, grandparents are often forgotten..."

Simon Mortimer

Fortunately, we have been able to help many grandparents resume their relationship with their grandchildren. In some cases, we have secured residence orders for our clients to ensure their grandchildren can live safely with them."

Along with colleague Malvena Godridge, Simon has a recognized specialism in childcare-related law as a member of the Law Society's Children's panel.



Further information about the Grandparents Association can be found at www.grandparents-association.org.uk or through their national helpline on 0845 4349585.

Grandparents seeking legal advice can contact Simon or Malvena on 01228 552222. For grandparents on low incomes, Legal Aid may be available to help with legal costs.

FREE HELP SHEETS

Burnetts has produced two help sheets especially for grandparents. **Contact: A guide for Grandparents and Parental Responsibility Orders for Grandparents** are available for free from Simon or Malvena on 01228 552222 or by email: ash@burnetts.co.uk



THE TRUTH about legal expenses insurance



Many of us now have legal expenses insurance through our home contents insurance policies, but we might not be getting the best legal support. The

insurance industry has been heavily criticized by organisations like the Financial Ombudsman Service and the Equal Opportunities Commission for being less than open with clients about their rights when choosing a solicitor. Many will work hard to convince clients to use their own panel of solicitors.

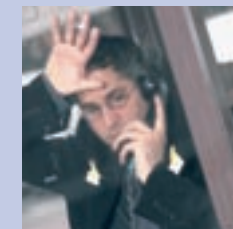
The wording of some policies means that insurance companies can insist on the use of their panel solicitor at the beginning of the legal process. However, once formal court proceedings start, you are free to use a solicitor of your choice.

Unfortunately, says personal injury lawyer Sue Chappell, that can mean clients are being bullied into using a lawyer miles away and having to settle for an impersonal telephone service.

Sue is worried that some clients are being short-changed by not being made fully

aware of their legal right to choose. She said "We recently had a client who was told she could not use a solicitor of her choice and had to use one in Manchester without the relevant area of expertise. I have also heard of insurance companies being almost aggressive in insisting clients use their panel solicitor. Many people only check they have legal expenses insurance cover as part of their policy when they come to make a claim. I would urge people to check their household policies to see exactly what their policy does cover."

Further information about legal expenses insurance can be found at <http://www.lawsociety.org.uk/choosingandusing/payingforservices/expensesinsurance.law>



Clients are being bullied into using a lawyer miles away...



Civil Partnerships

Just six months after the first civil partnerships took place, proceedings for the first dissolution have already started.

Amy Fallows, one of Burnetts' divorce lawyers is again warning gay couples thinking of forming a civil partnership to look into the legal and financial consequences of registering their partnership before they go ahead.

The Civil Partnership Act came into force on Monday 5th December to provide same-sex couples who register their partnership with the equivalent rights and responsibilities of married couples. Amy is warning couples that although there may not be a formal ceremony with a vow of "all that I have I give to you", the signing of a partnership registration has the same financial implications.

She said "The Act has brought fairness for same-sex couples in terms of tax allowances, next of kin arrangements or their rights on the death of one partner. However, the Act also affects the dissolution of partnerships. Partners will have the same rights as divorcing couples - each will be able to make claims for maintenance or a share of a pension. Importantly, the forming of a civil partnership revokes any previously written will which could inadvertently leave children from a previous relationship without provision."

Meanwhile, the government has published its consultation document on co-habitants' rights in heterosexual couples. New legislation is expected to follow next year.

Amy Fallows has produced a free advisory flyer for same-sex couples considering civil partnerships. For a copy of the flyer or advice on civil partnerships, contact Amy on 01228 552222 or at ajf@burnetts.co.uk

Amy Fallows

