

TAXATION

14-3-84

ARGUMENT RAISED

BY ALLAN MCGOWILL (MR LIED  
+ MR PALMER) WHEREBY LEGALLY AIDED  
SOLICITOR SHOULD BORE EXPENSES  
OF AFFIDAVITS REQUIRED BY  
NON LEGALLY AIDED PURSUER.

THE AUDITOR WAS OF THE  
OPINION THAT AFFIDAVITS WERE  
A NECESSARY BY-PRODUCT OF PROCEEDS  
OF THE PURSUER

END

SM/CB

BUSINESS ACCOUNT

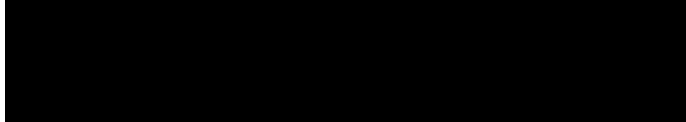
Incurred by

THE LAW SOCIETY OF SCOTLAND,  
41 Drumsheugh Gardens, Edinburgh

to

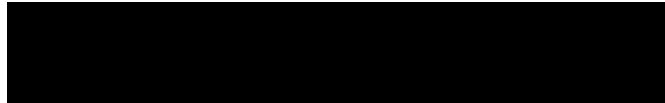
ALLAN McDOUGALL & CO., S.S.C.,  
10 Alva Street, Edinburgh

in causa.



PURSUER

BL against AL



DEFENDER

Legal Aid Ref No 37/12/104566/80(Defender)  
Legal Aid Code 00876

1980

Oct 17

Attendance with you on your call discussing the divorce Summons which has been served upon you noting that you do not wish to defend same on the merits confirming the proposals we would put to your husband's agents (engaged 1 hour)

11 00

Making three copies of service copy Summons (6 sheets)

5 40

22

Agency entering appearance

1 00

Writing Pursuer's Agents advising of our instructions confirming the steps we intend to take once the case calls, putting forward our Client's proposals to allow action to proceed on the basis that she is granted custody with aliment at £10 per week requesting their instructions 2pp

3 50

100

~~29~~ 90

30				
Oct	22	Agency enrolling motion to sist the cause	1	00
Nov	3	Writing Pursuer's Agents advising we are taking instructions		50
	5	Attendance with you on your call noting that you are prepared to allow your Husband access but not residential access taking your instructions to apply as soon as possible for interim custody taking details of your precognition and thereafter assisting you in completed emergency legal aid papers (engaged 1 hour)	11	00
		Framing your supplementary precognition (1 sheets)	2	25
		Extending with two copies		90
		Agency completing application for emergency certificate	1	00
		Extending with two copies		90
	10	Framing Legal Aid Application	2	25
		Extending with two copies		90
		Framing Legal Aid Memorandum	2	25
		Extending with two copies		90
		Writing you that we understand from our Penicuik branch office that you wished to apply for Legal Aid for a motion for interim custody of your son enclosing Legal Aid Papers for completion and returns as soon as possible	1	75
	11	Attendance at telephone with you noting your requirements in connection with your housing difficulties	1	00
		Writing Pursuer's Agents that we have now had a meeting with our Client that she is opposed to allowing residential access but is quite happy that weekly access should continue at present that she feels that in view of the childs severe handicap her husband would beunable to cope with him over night	1	75

1 75

49 25

49 2

Nov

11

Writing Director of Housing confirming our instructions to act for Mrs Lannie in an action of divorce currently before the Court of Session that she has a handicapped child requesting they give consideration to their application for re-housing

1 75

14

Perusing completed Legal Aid Papers received from you

3 00

Writing Secretary enclosing Legal Aid Application discussing with regard to the requirement for an emergency certificate in that the local authority will not entertain her application for alternative housing accommodation until she has an order for interim custody requesting to hear from them (2 pages)

3 50

Writing Pursuer's Agents with intimation copy

1 75

Making further copy of original precognition of Pursuer and witness (5 sheets)

2 50

20

Writing Pursuer's Agents that agreement seems to be possible requesting they arrange to have the appropriate Joint Minute prepared

1 75

Dec

2

Perusing emergency Legal Aid Certificate received

1 50

Perusing Joint Minute received from Pursuer's Agents

3 00

Writing them acknowledging same returning same duly approved requesting principals for signature in early course

50

16

Writing Pursuer's Agents acknowledging Joint Minute

50

Making three copies (2 sheets)

1 80

1981

Jan

5

Writing Secretary returning papers for the full application to proceed

50

8

Attendance with you on your call going over the Joint Minute and noting your approval to same and having same signed

5 50

76 8

26 8

Jan 9

Writing Pursuer's Agents returning Joint Minute duly signed

50

15

Writing Pursuer's Agents noting the motion they intend to enroll

50

Feb 2

Writing you that we have heard from your Husband's Solicitors that they require an affidavit to deal with the welfare of the child of the marriage requesting you advise whether yourself or a relative is prepared to assist

AFFIDAVITS REQUIRED BY PURSUER. FUND NOT LARG

1

75

18

Writing Pursuer's Edinburgh Agents enquiring whether they are now in a position to lodge affidavits

SHOULD BE CHARGED AGAINST PURSUER.

50

28

Writing you referring to our letter in connection with the affidavits and requesting your instructions

50

23

Writing Pursuer's Agents advising we are taking instructions

50

27

Writing you that we have received yet a further reminder from your Husband's Solicitors with regard to the productions of an affidavit in connection with Paul advising that if it is easier we could arrange with you to give the necessary statement at our Dalkeith Office and requesting to hear from you

1

75

Mar 3

Attendance with you on your call taking details for your supplementary precognition dealing with your up-to-date accommodation circumstances and the welfare of your child

5

50

Framing our precognition

2

20

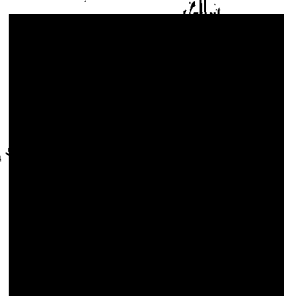
Extending with two copies

90

Writing Defender's Agents advising we have obtained the necessary details from our Client to prepare an affidavit that we are in the course of preparing same discussing with regard to the outstanding matters in connection with the distribution of the furnishings and effects from the former matrimonial home requesting they take their Client's instructions (2 pages)

3

50



94

Handwritten scribbles

94/95

14-80

17-47  
COSTAHS

ar	9	Framing affidavit of Defender (2 pages)	7	00
		Extending with two copies	1	80
	17	Attendance with you on your call going over affidavits and having same completed advising you on the further procedure and when we would expect decree to be granted	5	50
		Paid notary's fee	6	50
		Vat thereon		97
		Writing Pursuer's local Agents enclosing affidavit		50
	19	Writing Pursuer's Edinburgh Agents in reply that we understand that the affidavit has been forwarded direct to the Correspondents requesting they advise when the Minute for Decree has been lodged and when decree of divorce is finally granted	1	75
	25	Writing Pursuer's local Agents in reply that we take it they will have by now received our Client's signed affidavit		50
April	7	Writing Pursuer's Agents noting the up-to-date position		50
	24	Attendance at telephone with you when you enquired whether decree is being granted	1	00
		Attendance at telephone with you thereafter advising of the up-to-date position	1	00
May	4	Writing Pursuer's Agents enquiring whether decree is granted		50
June	1	Writing them a reminder		50
	2	Attendance at telephone with Pursuer's local Agents when they advised the Court had been unwilling to grant decree without a further affidavit with regard to the welfare of the child	1	00
	5	Writing you that we understand from the Solicitor that is acting on behalf of your Husband that the Court refused to grant Decree without the benefit of a further affidavit regarding the custody and welfare of your son requesting you make arrangements for a further witness to call	1	75

118/35

01  
June 12

Attendance at telephone with Pursuer's Agents noting the up-to-date position with regard to affidavits on custody

1 00

Attendance at telephone with you when you advised that your mother would be an additional witness suggesting she contact your Husband's Agents in giving details

1 00

Oct 1

Writing Pursuer's Agents that we note that we have not yet heard from them that we assume Decree will have been granted requesting they confirm to us the position that we were advised in April that they were lodging the Minute for Decree

1 75

6

Procuring and booking Interlocutor

1 50

Writing you that your Husband Agents have now confirmed that Decree of Divorce has been granted that they apologise for not informing us earlier enclosing copy Interlocutor and returning your productions

1 75

Copy Interlocutor enclosed

50

Framing Stage 4 Report

1 00

Extending with copies

70

Writing Law Society with a note of our charges

50

Add 30% Increase to Fees from 7 Jan 1980

7/47

127 95  
38 37

Add Posts and Incidents @ 12%

166 3  
19 95

Add Outlays

186 2  
7 4

193 71

✓

2  
2