



E. Robert Williams American Inn of Court Visits Inns of Courts in England and Ireland and Criminal and Civil Courts of Ireland

By Alan M. Gordon, Esq., Michael J. O’rourke, Esq. And M. Allison Hunnicutt, Esq.

A fifteen member delegation including six lawyers, two Judges and family members representing the E. Robert Williams American Inn of Court of Jacksonville embarked on an eight day visit of the English Inn of Courts in London and the Kings Inn of Ireland in Dublin from April 20 through April 29, 2013. The delegation was also the guest of the Criminal and Civil courts of Ireland and attended lectures by English barristers as part of a continuing legal education program on comparative law approved by The Florida Bar. After the formal visits to various courts the delegation took a two day tour of southern Ireland before returning home.

The travelers included Fourth Judicial Circuit Judge Karen Cole, Workers’ Compensation Judge Neil Pitts and his wife Meri, Inn President and mediator Alan Gordon and his wife Karen and daughter Allison, attorney M. Allison Hunnicutt and her father John Hunnicutt, attorney George Rotchford and his sister Patricia Rotchford Simkus, attorney Michael Crumpler and his wife Deborah, attorney Michael O’Rourke and his wife Susan and attorney Holley Akers.

In Great Britain there are four Inns of Courts and in Ireland there is one Inn of Court. Many of these Inns have been in existence for centuries and consist of associations of barristers and solicitors who own their own buildings called “Inns” that have professional accommodations, law libraries and dining facilities. The American Inns of Court concept was imported from Great Britain by Chief Justice Warren Burger in the 1970s in an attempt to improve the civility professionalism of the American practice of law and relationships with various courts. Inns in the United States do not own buildings but they provide education and collegiality among Judges, lawyers, mediators and law students and they foster excellence in professionalism, ethics, civility and legal skills. The E. Robert Williams American Inn of Court received its charter in 2008 and is the only Inn of Court in Florida devoted exclusively to the Workers’ Compensation practice.

After the transatlantic flight to London the group had no scheduled first day activity and used that time to visit nearby sites and acclimate to the eight hour time difference. The weather was mostly sunny with no rain. Although the group planned for the well documented wet English weather there was

hardly a drop of rain during our stay in England and Ireland, and for the most part we encountered delightful “sweater” weather that turned unseasonably warm mid-day for most of the trip. Some of the sites the group visited during the first day were the Kensington Palace and gardens, the British Museum, the Victoria and Albert Museum and, of course, several local pubs where members of the group took to their own method of curing their jet lag. Allison Hunnicutt and Judge and Meri Pitts immediately hopped on the Tube and headed to London Bridge to watch her law partner and friend Giselle Carson, who was running the London Marathon that day. Amazingly, Allison was able to spot Giselle among 37,000 runners.

The next morning we had our first CLE session with Barrister Peter Susman QC. The term QC means a barrister who has the designation “Queens Counsel” and has received his or her “silk” from the crown, and is a high designation reserved for very accomplished barristers. Peter was both informative and humorous and shared with us many stories of practicing law in Great Britain, including his trial before a Scottish Judge where the rules of practice in Scotland appear confusing at best even to the long time Scottish barristers and judges. Peter was presented a Plaque by Inn President Alan Gordon bestow-



Mike Crumpler, Alan Gordon, Camilla McAleese (Under Treasurer of the Kings Inn-Dublin), Mike O’Rourke, George Rotchford



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ing on him an Honorary Membership in the Williams Inn and he was invited to be an honored guest of the E. Robert Williams Inn upon his next visit to the states.

We then embarked for a day long tour including Buckingham Palace where we witnessed the changing of the Queen's Guard, the King's Guard on horseback performing a 42-canon salute to Queen Elizabeth in honor of her birthday, and Westminster Abbey where we were literally inches away from above ground vaults, burial sites and caskets containing English icons like Chaucer, Gladstone, Dickens, Sir Isaac Newton, Samuel and Ben Johnson (the latter Johnson being the only person buried standing up in the Abbey) to name but a few. We then went by Parliament and saw Big Ben and our British guide pointed out—with a touch of irony—a statue of George Washington, albeit quite a bit smaller than the other famous statues nearby of Cromwell and Churchill. Since it was said that Washington would never again stand on English soil after the American Revolution, our guide indicated that several of the locals had the Washington statue erected so they could then place English soil under the General's feet.

We then walked the edge of the Thames River and viewed London Bridge and the Tower Bridge then visited the Tower of London. The history of the Tower of London is not for the faint hearted as we learned of the various methods of torture used there over the centuries; including being "drawn and quartered" which some of us were surprised to learn did not include horses pulling bodies apart. Rather, it was a method of removing one's "insides" slowly in order to obtain maximum pain while still alive. It was here we heard the story of Sir Thomas More, a lawyer and councilor and member of the Lincoln's Inn who refused to validate Henry VIII's various marriages

and his new church. We saw the site of his execution and the spike on the Bridge where More's head would be placed for weeks after his execution. It was a stirring account of a lawyer standing up for what he believed in, and for our group, was quite a moving account of British history. We then saw the Crown Jewels and other British ceremonial artifacts that are kept under very tight security in the Tower.

The next morning, we met our tour guide Tom Hooper in the Holborn section of London for what was billed as the "legal-illegal" walking tour of London and the four Inns. The Holborn area is the hub of the legal section of London. Tom himself was a barrister and a member of Grey's Inn, but became a registered "blue badge" tour guide specializing in legal related tours. We strolled through the exquisitely manicured Lincoln Inn's gardens and beautiful brick and stone buildings where we envisioned Sir Thomas More making his ill-fated but principled stand against King Henry VIII. We learned to spot a flying buttress and observed architecture changes by each century as one building led to another in an organized maze. We visited the Grey's Inn where Sir Henry Bacon was a member, and learned he had great influence with Queen Elizabeth I, hence making this Inn very influential during her reign.

We ended up in the Middle and Inner Temple Inns and saw the famous "Temple Church" (as seen in the movie *The Da Vinci Code* based on the book by Author Dan Brown). The Inner Temple dates back to the time of King Henry II and his Knights Templar; and these Inns have had many famous members, including, among others, former Prime Minister Clement Atlee who defeated Winston Churchill in 1945. It was during the Atlee administration that the British Workers' Compensation laws were significantly improved. We then had lunch at one of the more famous Pubs in the midst of solicitors and barristers also refreshing themselves mid-day and

who practiced in the nearby courts.

That afternoon we visited an ongoing civil trial across the River Thames at a civil courthouse that was challenging to find. Here we observed several barristers in action—all wearing wigs—including Tim Owen QC, who was also a Queens Counsel and the step brother of Judge Pitts. This was the second jury trial (the first ending in a hung jury) of three high ranking executives of a computer company accused by the Crown of fraud. We observed the Prosecutor's tedious cross examination of one witness (the supposed whistleblower) for hours, and the barrister was so methodical in his approach that one of our members was led to say that no wonder the first jury "hung themselves."

After the trial we were invited to a dinner



Traveling Delegation in front of the Irish Criminal Court-Dublin



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at a well-known restaurant in the Holborn section on the other side of the river for some planned CLE and to meet Tim and the two other QC barristers (one was a former Member of Parliament) who represented the other two executives. Although theoretically all of the Barristers represented different clients and different interests, all three joked and teased each other as if they were close brothers. We were quite impressed with such camaraderie, since this was a serious trial, and one in which a long jail sentence for each of their clients hung in the balance if there was an adverse decision by the jury.

This CLE and dinner was most enlightening. We learned that solicitors secure the cases from the clients and if there is a trial it is the solicitors who make the referral to the barristers to try the case in court. Discovery is the job of the solicitors and one barrister mused that if he lost the trial it was always the fault of the solicitor who failed to provide adequate evidence. The wearing of wigs at trials is undergoing some change; some judges are no longer requiring lawyers to wear them at trial. Generally, the higher the court the bigger the wig that the judge would wear, thus the term “big wigs”.

We also learned that Tim is a part time judge and occasionally presides over cases in the Cayman Islands. The session was quite impressive and we were afforded unique and personal insight to the English practice of law that few American lawyers have had the opportunity to experience.¹ Again, as had been the Inn’s practice with Peter Susman, a plaque was presented to Tim Owen by Inn President Alan Gordon making him an honorary member of the Inn.

The next day was a free day for the group. Several persons again visited nearby museums. Some travelers went up to the very top of St. Paul’s Cathedral and the Shard Building—two of the highest points in London. Some travelers took in the theatre and saw plays that rivaled ones on Broadway. Others awoke before dawn and took the bullet train under the “Chunnel” and had a day-long guided tour of Paris, with visits to the Louvre, Eiffel Tower and a boat ride on the scenic River Seine. Others simply caught up on their sleep and took in what they had not visited.

On Thursday, the delegation left London and flew to Dublin. We were greeted at the Dublin airport by our Irish Guide Shawn McSweeney. On the way to our hotel we could see in the distance both the Jameson Irish Whiskey Distillery and the Guinness Brewery—welcome to Ireland! We went by the stately campus of Trinity College and crossed the River Liffey and learned more than we wanted to about the lore of the statue of Molly Malone on Grafton Street. While most travelers took in the Irish food and pub life around our hotel that evening,



A wig worn by one of the Big Wigs. Photo by Alan Gordon

several travelers visited the theater where “Wild Thing” was playing—the story of English Actor Oliver Reed who settled in Ireland. The Irish people lived up to their billing as some of the friendliest people on earth.

Friday was one of the busiest days and nights of our trip and also one of the most rewarding. As a guest of the Irish Civil and Criminal courts, the delegation was escorted through the courts by the Administrator with the help of several court research assistants who proudly told the group about the history of the buildings, how one achieves Barrister status in Ireland and how the courts operate. We had both morning tea and later lunch with several judges in their beautiful conference room overlooking the city. Perhaps the highlight of the live trials was a bail hearing. Normally quite mundane, this hearing concerned an alleged IRA terrorist accused of murder. Since most of us thought that the IRA had made peace in Ireland, we asked one of the judges about this issue at lunch. Much to our surprise we learned from the judge that there are still small “elements” of the IRA in the northern part of the city and the local police (the “Garda”) still have a few cases with IRA participants. Before we left we witnessed a live session of the Irish Supreme Court.

At 5:00 p.m. sharp, we traveled to the Honorable Society of King’s Inn to meet the Under Treasurer for a spe-



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cial tour, and to join her later for dinner (called “Easter Dinner” for the “Easter” term) with all the members in the Great Hall. The Kings Inn is the oldest institution of legal education in Ireland dating back to 1541 when the society was granted property for its formation by King Henry VIII. After our tour of the library that contained both works from the sixteenth century and Irish students busily studying the law, we were escorted to the outer room (including a robe room) of the Great Hall for wine and cheese. The lawyers and judges in our group were allowed to wear robes in the same manner as the barrister members of the Inn. It was quite a thrill for us. At about 6:00 p.m., a robed man appeared ringing a large bell signifying that dinner was about to be served and we were to take our places in the Great Hall.

Our table in the Great Hall had a small sign saying: “American Lawyers.” After we were seated, the officers and special dignitaries of the Inn came into the room and we all stood up as they were seated on a stage at the front of the Great Hall. Several of these dignitaries were on the Irish Supreme Court that we had just seen a few hours before. Many large drawings of distinguished members, portraits of former Presidents and some important depicted legal events appeared on the walls throughout the Great Hall. It was an incredible venue. Dinner was served in courses with Irish lamb being the featured entree along with an abundant amount of wine. Although we politely passed, a special brand of snuff was provided to all members at the end of the meal. While the many events of this day and night made for a long session, we thoroughly enjoyed our visit to the Irish courts and the Kings Inn experience to the point we will never forget that Friday in Dublin and the incredible courtesies and graciousness of our hosts.

The next two days were spent touring southern Ireland on a tour bus with Shawn at the helm enlightening us at every turn with Irish history and lore. For the most part, the CLE activity was over and we could literally sit back and just enjoy this leg of the trip. We visited Cork City, and a few miles east the port of Cobh where we toured the Irish Heritage Museum. Cobh was the last port that the *Titanic* sailed from, and not too far from Cobh, the *Lusitania* sank with many survivors from that ship making Cork their home. We stayed in well-appointed hotels in the quaint towns of Killarney and Limerick, toured the beautiful Dingle Peninsula and saw the misty Blasket Islands off the western Irish coast. We were provided with a lesson in century old sheep reproduction “technology” and property rights of sheep offspring when we inquired of our guide what the painted stripes on the male and female sheep were that were so abundant in the Irish countryside. The group also engaged

in a limerick contest to celebrate our stay in the scenic town of Limerick.

The last night in Ireland was a dinner at Bunratty Castle—a famous Irish castle that dates back to the 13th century. In keeping with the tradition of medieval dining, we were issued only a knife to eat our meal of ribs, soup, chicken, vegetables and delicious homemade Irish salt bread. However, eating dinner with just a knife was made much easier when our delegation was served unlimited amounts of “mead,” a mixture of wine and honey, and by the wait staff who doubled as singers and entertainers throughout the evening. It was a fabulous way to say good-bye to Ireland as the next day we left Shannon Airport very early for our transatlantic flight home.

Though it sounds cliché, for the lawyers and judges in the group this was literally the trip of a life time. Learning about the origins of our common law and observing the places in which our profession originated was simply incredible. Although there are many differences in the legal practices of lawyers and the methods Judges utilize in their courtrooms of the United States, England and Ireland, we were all struck by the civility that the English and Irish Barristers have toward one another, and especially to the court, and the court to the legal profession. It is the civility and respect for the process of the law that the American Inn of Courts has tried to emulate in this country. All the American lawyers and judges who made this trip will remember this point vividly. To witness that special connection with barristers and judges in England and Ireland and to hear real life accounts from these accomplished professionals about their multi-century legal system was worth the trip.

Alan M. Gordon is a Mediator for the Judges of Compensation Claims – Jacksonville and the Division of Administrative Hearings of the State of Florida. He has been in that position for over ten years. He is a Martindale-Hubbell A-V rated attorney and the President of the E. Robert Williams Inn of Court for Term 2012-2013.

Michael J. O'Rourke is a former Navy JAG LCDR and is a solo practitioner in Jacksonville. He has been handling workers' compensation cases since 1992 and is one of the founders of the E. Robert Williams American Inn of Court.

M. Allison Hunnicutt is a past president and one of the founders of the E. Robert Williams Inn of Court and a partner at Marks Gray, P.A. in Jacksonville. She practices in the areas of workers' compensation, employment law and the defense of insurance agents and agencies.

Endnote:

1 There is no special workers compensation court in England or Ireland. Claims against an employer are brought about in the same courts as any tort action. However, there is special insurance for workplace accidents employers must secure.