

Short Minutes Transcript: Missed Deadlines - Don't Leave it Until the Last Minute

Missed deadlines and expiry dates are simple errors that can have a big impact on your client and legal practice. These errors are not usually a result of a lack of legal knowledge, but a failure in process or a lack of process.

In a recent Lawcover claim the client entered into a contract for purchase of a property with a cooling off period. The client was unable to finance and instructed the solicitor to rescind the contract one day before the expiry of the cooling off period. The solicitor sought to implement the instructions however a system crash occurred and the notice of rescission was not received by the vendor until 17 minutes after the cut off time. The vendor refused to extend the time and sued the purchaser for the shortfall on resale. The purchaser sought indemnity from the solicitor. This type of claim occurs with alarming frequency.

In a busy legal practice, deadlines are an everyday occurrence and clear systems will help solicitors to plan in advance, manage their time, and minimise the risk of a missed deadline.

Effective systems include:

- The creation of alerts and diary reminders for looming deadlines
- Factoring in a buffer of time in case of the unexpected
- Maintaining appropriate computer systems to help minimise technical difficulties when submitting electronic documents
- Ongoing training and supervision of staff, and
- Not leaving things until the last minute

I'm Melissa Fenton