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Welcome to our January Ewire

We like to keep you up to date with ideas and information that will help you gain the maximum advantage from working with us.

Our Ewires will be sent to you regularly to keep you in touch with the latest legal news and we hope you will find these bulletins interesting.

In this edition, we look at the potential impact of proposals to raise the monetary threshold for small claims.

We examine the latest pension news, including an announcement on the future of the state pension and which pensions are most suitable for charities. We also review the issues surrounding break clauses in lease agreements, the need to have appropriate succession plans in place and why an app is no replacement for professional legal advice for divorcing couples.

Finally we advise on the new Tribunal payment limits, before concluding with a look at the recognition afforded to our employment team by *Chambers UK 2013*.

If you would like further information on any of the issues reported here, please [contact us](#).

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Give Credit at your Peril! How Changes to the Small Claims Process Threaten your Cash Flow

The civil justice system and the small claims track are set to enter a new era in April when the government's proposals to reform civil litigation take effect. The proposals set out in Lord Justice Jackson's report into civil litigation intend to introduce a quicker, fairer and more cost-effective litigation environment.

However, one of the proposals which has caused some tension is the raising of the claim limit from £5,000 to £10,000 for the small claims track. Litigation Partner James Robertson scrutinises the plan and highlights how it may threaten SMEs' cash flows.



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Pensions in the News: One



BBC Radio recently asked Pensions Partner Jennie Kreser for her wise counsel in light of the latest announcement on the future of the state pension.

Click [here](#) to listen to her astute commentary.

Jennie Kreser can be contacted on +44 (0)20 7749 2700 or jik@silvermansherliker.co.uk

Pensions in the News: Two

Which Pension Schemes are Most Suited for Charities?

A Liverpool-based homeless charity, People Can, has gone into administration because of pension deficits of an estimated £17 million.

The collapse highlights the difficulties many charities face in funding the defined benefit (DB) pension schemes they offer to employees. Pensions Partner Jennie Kreser warns charities should avoid DB schemes and switch to regime-based schemes instead.



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Break Clauses – Tenants Beware!



In the current downturn, it is increasingly common for tenants to require the ability to break their lease prior to the end of its term, as this will provide them with valuable flexibility and the right to walk away from their lease obligations should their business falter.

The break may be exercisable on a fixed date or dates (usually an anniversary of the term commencement date), or it may be a “rolling break” exercisable after an agreed fixed period, which means it can be exercised on any day after a certain date. In either case, the lease should prescribe a minimum period of notice which the tenant must serve on the landlord, usually three or six months.

Property Partner Philip Otvos explains the ramifications.

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Securing your Business Succession: Do you have a Company Will?

Many Directors are understandably focused on the immediate and short-term needs of their companies. However, in order to help protect the financial and legal security of your business, both now and in the future, you need to have appropriate succession plans in place.

Silverman Sherliker works closely with financial adviser James Carter, of specialists *Company Wills*, as James explains...



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“And Now There’s Even an App for Divorce”

The Department of Work and Pensions (DWP) has introduced a new



divorce app as part of a £20 million scheme to help couples going through separation and divorce.

Ministers are hoping the divorce app will help couples deal with acrimonious separations amicably by providing the 300,000 families undergoing separation every year in Britain with free online advice.

But can you really entrust your family future to an app? Family Partner Stala Charalambous and Trainee Solicitor Lina Isaac explain the limitations...

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Employment Law One: In the News

With racing pundit John McCririck to take legal action against former employer Channel 4 and production company IMG Sports Media, citing age discrimination, Nicholas Lakeland of Silverman Sherliker comments on the case.

▶▶ [Click here to watch the video...](#)



Employment News Two: Chambers UK Recognises Top Talent



We are delighted to announce that Nicholas Lakeland and his team have been recognised by *Chambers UK 2013* as being among the top specialists in employment law.

Nick comments: "This is very much recognition of the work we do across the whole team, and I am grateful to both my colleagues and clients for their contribution and support".

Well done to Nick, Martin Donoghue and Victoria Russell.

Employment Law Three: Revised Tribunal Payment Limits from 1 February

The latest limits on payments in relation to judgments made by the Employment Tribunals have been released, with rises in the upper levels of compensation for unfair dismissal.

Trainee Solicitor Emily Rowley sets out the facts and figures.

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What's on your Mind?



Is there any particular topic or area of law (business, private client or family matters) that you would like to see us focus on in a future edition of Ewire?

Please contact the Editor, Robert MacGinn, with your requests and suggestions: rm@silvermansherliker.co.uk.

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