

CM Murray Partnership & LLP Practice

About Us

Leading Specialists in Partnership and LLP Law

CM Murray LLP is a leading specialist partnership and employment law firm based in London. The breadth and depth of the Firm’s partnership and LLP law practice encompasses the 360-degree life cycle of partnership businesses, offering both contentious and non-contentious partnership law advice.

The Firm is ranked by the legal directories as Tier 1 and Band 1 for Partnership Law and enjoys a market-leading reputation for advising professional and financial services firms and individual senior equity partners on sensitive, complex and cross-border partnership issues.

We have the largest, and probably also one of the most high-profile teams of specialist partnership law experts in the UK – many of whom are recognised as thought leaders in the field with in-depth commercial understanding of partnership businesses and the issues affecting individual partners.

Our Clients

Our highly knowledgeable and commercially focused team offers a full suite of partnership and corporate law advice to professional and financial services firms, and individual senior equity partners in a variety of sectors, including:

- UK, US and international law firms
- Audit, tax and accountancy practices
- Architects
- Real estate consultants
- Engineers
- Recruitment consultants
- Actuaries
- Management consultants
- Patent/trademark attorneys
- Insurance/reinsurance brokers/underwriters
- Private equity houses
- Hedge funds
- Investment managers

Professional Practices Alliance

We are a founding member of the Professional Practices Alliance (PPA), a multi-disciplinary collaboration between leading independent firms, advising professional services firms on partnership and employment law, partner remuneration, strategy, tax, accountancy and regulatory issues. The PPA is highly regarded as a leading “think tank” on partnership issues and holds a regular programme of seminars and events for clients. The collaboration enables us to provide our clients with seamless, joined up thinking and commercial advice when it comes to a host of issues affecting professional practices.

Our Expertise

Partnership Advisory

We advise clients on the full range of non-contentious partnership matters, including:

Establishing and Structuring Professional Services Firms

We advise our clients on the optimum legal structure for their professional services business in the UK. The chosen structure has a huge impact on the business' competitive advantage; we help our clients to evaluate their structure options and the impact on any existing international structure. We also advise clients on structuring their international networks and associations, including through a Swiss Verein or limited company by guarantee structure or through contractual association/referral arrangements.

Internal Reorganisations

When market conditions, industry practice, organisational culture and tax rules change, the effectiveness of a corporate, partnership or LLP structure should also be re-evaluated to ensure that a professional services firm's strategic goals will continue to be met in the future within their existing structure. We help our clients to appraise alternative structure options and plan and implement re-structuring projects; our partnership experts are highly experienced in conversion of partnerships and companies to LLPs and conversion of LLPs to companies.

Mergers, Acquisitions and Disposals of Partnerships and LLPs

M&A involving professional services firm partnerships or LLPs are often highly sensitive and a complex process requiring the careful handling of competing interests between different partners or partner groups, as well as a thorough knowledge of the nuances of managing a transaction involving a partnership or LLP and associated professional regulatory matters. Our partnership lawyers have a wealth of experience in advising on UK and international partnership mergers in various sectors. Our lawyers can expertly guide you through the preparatory steps to ensure a successful merger, securing partner buy-in and approval of the transaction, dealing with and protecting the firm against dissenting partners and overcoming and avoiding potential deal breakers.

Partnership Agreements and Partner Policies

Our extensive experience of resolving partnership disputes provides us with a unique insight into the common issues resulting from inadequate constitutional arrangements. We regularly produce bespoke partnership and LLP agreements and partner policies to provide our clients with a constitutional and governance structure which achieves their strategic goals and helps to avoid common legal and practical pitfalls.

Partner Remuneration Structures and Succession Planning

Our partnership expertise combined with a deep knowledge of market practice on remuneration structures and succession issues in various professions and in all sizes and shapes of partnerships (including founder led firms) means we are well placed to advise on what are often very difficult and sensitive remuneration and partner succession matters. We also advise firms and partners on partner annuity schemes and goodwill mechanisms.

SRA Authorisation

We regularly advise law firms on regulatory issues and the process for authorisation by the Solicitors Regulation Authority (SRA). Our clients are often international law firms seeking to establish a presence in England and Wales, or new or existing law firms seeking authorisation as a Licensed Body (also known as an “Alternative Business Structure” or “ABS”) or Recognised Body.

Preventing, Managing and Resolving Partner Disputes

Partner Behavioural and Conduct Investigations and Training

We have market-leading expertise in advising firms and partners on allegations of partner wrongdoing, including sexual harassment, bullying and financial misconduct. We advise on the design and conduct of complex and sensitive partner investigations and disciplinary procedures. Many of the partnership issues on which we advise are multi-jurisdictional and multi-disciplinary. Our international strength and depth in this area allow us to bring together and lead teams of overseas lawyers and regulatory, criminal law and PR advisers to provide integrated, rapid advice for our partnership and LLP clients investigating or facing alleged partner wrongdoing. We also act as the independent investigator in law firm and other professional services partner investigations.

We provide specialist partner behavioural training on bullying and harassment issues to firms and their partners around the world, which uniquely integrates partnership law, discrimination and regulatory issues, and real-life scenarios, into live, interactive online or in person partner training sessions.

Partner Underperformance

The failure of senior management to address chronic partner underperformance can be one of the most significant causes of partner dissent and mass exodus, undermining the firm’s financial stability and negatively impacting the culture of the firm. We have extensive experience in advising firms on the effective design and conduct of partner performance processes, and the handling of individual underperforming partner reviews and exits, in line with best practice, to minimise the risk to the firm and senior management of potential partnership and statutory claims by the underperforming partner.

We also advise partners facing underperformance concerns to help them understand and respond effectively to those concerns, to raise any grounds to legitimately challenge them (such as unlawful discrimination and whistleblowing detriment), and to place them in the best possible legal and negotiating position with their firm in their particular circumstances.

Partner Wellbeing and Discrimination

There is an increasing focus on the wellbeing of partners and employees in professional services firms, including in the context of mental wellbeing issues such as stress and anxiety caused by work pressures, and other non-work-related health conditions which may have an impact on a partner’s ability to perform their role.

We have significant experience in advising firms on handling situations where a partner may be suffering from a health condition impacting their work, may need time off or adjustments to be

made and where they may need to rely on a long-term income protection insurance benefit. We also advise individual partners who may be facing difficulties at work arising from health concerns, on engaging with their firm, and on the strategic and practical options available to them in the long and short term. We bring our experience of both partnership duties and obligations, analysis of the relevant documentation and of disability discrimination law in the UK to help firms and partners to find pragmatic and realistic solutions to what are often incredibly difficult and sensitive issues.

We also provide training to partners to help them to manage mental health and wellbeing issues in their firms, including in relation to other partners, and employees for whom they are responsible.

Eradicating Unlawful Discrimination and Harassment

Diversity and inclusion, and the eradication of unlawful discrimination and harassment, are at the top of the agenda of law firms and other professional services firms. It is essential for firms to have a 360-degree approach within their partnerships, that ensures up-to-date partner policies and procedures are in place and reinforced regularly, to raise awareness of the importance of diversity and inclusion and expected partner behaviours; encourages and supports reporting of discrimination and harassment issues; effectively investigates and resolves discrimination and harassment complaints; focuses too on the pipeline and succession issues to the partnership and is led from the top by senior leadership of the firm who support and model the firm's diversity and inclusion values.

We have a leading reputation for advising firms and partners on harassment and discrimination issues, and in related litigation. Notably, in 2019, our Managing Partner, Clare Murray, was called to give expert evidence to the House of Commons Women and Equalities Select Committee in its enquiry into sexual harassment in the workplace. She was then appointed as Specialist Adviser to the Select Committee in its enquiry and recommendations for legislative change.

Partner Exits

We advise firms and partners in relation to partner exits, including the associated legal rights (including statutory, contractual and implied rights), obligations and risks when a partner voluntarily or is forcibly required to exit or retire from the partnership.

Where the exit involves a legal dispute between the parties, we provide pragmatic, strategic and tactical advice, always balancing the legal risks against the best commercial outcome, and sensitively guiding clients through what can be an extremely stressful and volatile situation.

Partner Team Moves

When key partners and their teams exit a partnership, the business often suffers significant and potentially irreversible damage to its reputation, succession plan, working capital and future income streams. We help partnerships to implement effective contractual protections and measures designed to prevent such risks so far as possible and minimise the damage that can be caused.

We also advise firms who are considering acquiring teams, to help them understand and manage the common pitfalls and missteps, and the potential risks and liabilities, that they and the team they are acquiring are likely to face.

We frequently advise exiting partner(s), who may be contemplating a team move, on their legal duties and obligations, the risks of and potential sanctions for a team move (including the immediate and often unexpected risk of their capital, current and other partner balances being withheld, and profit share being forfeited) and, most importantly, on how these matters are often resolved in the real world.

Partner Restrictive Covenants

Partner and LLP member restrictive covenants are governed by a separate body of partnership law, under which partners are treated as being more akin to the vendor of a business interest than an employee. It is important, therefore, that partners understand that restrictive covenants which would not perhaps be enforceable against them if they were employees may, nevertheless, be potentially enforceable against them as partners or LLP members.

We are renowned for our specialist expertise in advising on and, where necessary, litigating partner restrictive covenant issues, including non-competition, non-solicitation and non-dealing with clients provisions, non-solicitation of colleagues, waiting lounge and team moves prohibitions. We help partners to understand the implications, extent and enforceability of their duties and restrictions as a former partner. We have significant experience in advising exiting and former partners in relation to the tactical handling of such restrictions, defending claims and reaching a negotiated resolution with their outgoing firm.

Contractual restrictions on former partners are crucial to protecting the goodwill and reputation of a business and we work with partnerships to ensure that such restrictions are up to date, effective and enforceable.

Whistleblowing by LLP Members

We have extensive experience in advising firms and partners in relation to whistleblowing issues in litigation by LLP members. Our expertise and interest in this area is also reflected by our pro bono work in public interest whistleblowing litigation.

In 2014, we successfully represented the intervener and leading whistleblowing charity, Public Concern at Work (now Protect), in the Supreme Court in the case of ***Clyde & Co LLP and another v Bates van Winkelhof***, which determined that LLP members, such as solicitors, accountants and other professionals, are entitled to statutory whistleblowing protections at work if they blow the whistle on alleged wrongdoing.

We also successfully represented the same intervener in the Court of Appeal in the leading whistleblowing cases of ***Chesterton Global Ltd & Anor v Nurmohamed & Anor [2017]*** on the issue of the meaning of making disclosures “*in the public interest*” and in ***Day v Lewisham & Greenwich NHS Trust & Health Education England (2017)*** in relation to whistleblowing protections for junior doctors vis-à-vis their training body Health Education England.

CM Murray LLP Partnership Practice – 2020/21: A Year in Review

1. Significant Appointments: Sarah Chilton was appointed to the Management Committee of the Association of Partnership Practitioners (APP); and Zulon Begum was appointed as an officer of the Law Firm Management Committee of the International Bar Association (IBA).

2. Rapid growth of our non-contentious partnership practice: Following the appointment of Zulon Begum as a partner in Summer 2018 and Wendy Chung as a senior associate in October 2019), we have substantially expanded our non-contentious partnership practice, resulting in a number of significant new mandates from professional services firms, including law firms, over the last 12 months, assisting with:

- Setting up and structuring new partnerships for overseas law firms.
- Reviewing and extensive rewriting of professional services firm LLP agreements.
- Undertaking full constitutional and partner remuneration reviews for professional partnerships.
- Advising on corporate and regulatory structure changes, such as conversion of law firms to Alternative Business Structures.

3. Notable contentious partnership work over the last 12 months includes:

- Advising many professional services firms and accused partners on investigations into allegations of partner misconduct, including sexual harassment and bullying, and allegations of dishonesty and wrongdoing.
- Advising many acquiring firms, as well as partner teams, on partner team moves, restrictive covenants and associated potential litigation.
- Advising on, and defending, restrictive covenant litigation against professional services partners who have moved and are seeking to challenge the restrictions from their former firms.
- Advising private equity fund partners on restrictive covenants, including in relation to injunctive relief and significant issues relating to forfeiture of financial interests, including coordinating advice across multiple jurisdictions and various complex corporate structures, and frequent negotiation of successful commercial and confidential resolutions.
- Providing extensive, bespoke training to law firms, both in the UK and globally, on partner behaviour issues.

4. New Partner Appointment: On 1 January 2021 employment and partnership law specialist, Emma Bartlett, joined CM Murray LLP. Emma has particular expertise in advising LLPs and members within private equity and financial services.

5. Professional Practices Alliance (PPA): We continue to be very actively involved in the successful Professional Practices Alliance, with Maurice Turnor Gardner LLP, accountancy firm Buzzacott LLP, partner remuneration specialist David Shufflebotham of PEP-UP Consulting, and law firm management consultant Rob Millard of Cambridge Strategy Group. The Alliance continues to be a pre-eminent thought leader in partnership issues affecting professional practices and their partners.

6. Top Rankings in the Legal Directories: We are proud to be ranked Tier 1 and Band 1 for Partnership Law in both Legal 500 and Chambers.

“CM Murray LLP is a specialist UK partnership firm, with ‘one of the legal world’s strongest offerings in this area’.”

“CM Murray LLP’s ‘deep expertise in both partnership and employment law’, makes it well-placed to handle complex and sensitive matters for clients.”

“Although it has traditionally focused on contentious partnership issues, the firm is also developing a strong reputation for its advisory work for professional services firms.”

“...CM Murray is the leading niche partnership and employment litigation practice.”

Legal 500

Firm Ranking: Tier 1 - Partnership

Hall of Fame: [Clare Murray](#)

“Clare Murray is now head and shoulders above her peers and is the go-to lawyer for individuals and businesses.”

Leading Individual: [Sarah Chilton](#)

“Sarah Chilton is exceptional. Very easy to deal with. Gives straightforward and practical advice. You trust the advice you are being given and it is well thought through and practical.”

Next Generation Partner: [Zulon Begum](#)

“Zulon Begum has assisted us with restructuring our LLP, which for many members is an emotional challenge as much as a legal one. Her experience and empathy with such challenges is first-rate.”

“Zulon Begum jointly leads the department with Sarah Chilton, who assists LLPs, individual partners and members with issues involving partner wrongdoing and misconduct; these are also areas that founding partner Clare Murray also excels in.”

Other Key Lawyers: [Clare Murray](#); [David Fisher](#); [Merrill April](#)

“David Fisher is another standout practitioner, with experience of partner team moves and the cross-border enforcement of restrictive covenants.”

Chambers and Partners

Firm Ranking: Band 1 – Partnership

“Extensive, expert coverage of partnership matters with particular emphasis on contentious work. Key strengths in the legal and financial services spheres and long experience advising UK and US firms on individual and team moves, restrictive covenants and whistle-blowing cases. Active on cross-jurisdictional work and especially praised for its handling of partner discrimination issues. Notable expertise in representing individual partners during exit negotiations and investigations into allegations of misconduct.”

“Market commentators hail CM Murray as “clearly one of the leading firms in senior executive and partnership law.”

“Another source says the team is “excellent” and provides “superb advice and client support.”

Partnership – Contentious (UK-wide)

Star Individual: [Clare Murray](#)

“The “absolutely outstanding” Clare Murray is hailed as “the best in the business” for contentious partnership matters. She advises on cross-border disputes and investigations concerning partnerships, including cases concerning allegations of discrimination and restrictive covenant issues. According to one interviewee, “she is extremely able, clear and straightforward, and she knows the field inside out.”

Band 2: [Sarah Chilton](#)

“Interviewees praise “sensational lawyer” Sarah Chilton for being “very strong on partnership and very strategic.” Triple qualified in England and Wales, Scotland and Northern Ireland, her expertise includes cases concerning alleged sexual harassment and discrimination as well as partner exit negotiations and related disputes.”

Band 3: [David Fisher](#)

“Market commentators note that David Fisher is “exactly who you want to fight your corner.” Sources also acknowledge him as a “very sensible tactician.” He advises individual partners on highly sensitive and contentious matters, such as harassment allegations and breaches of LLP agreements. He also handles matters surrounding team moves.”

Partnership – Non-Contentious (UK-wide)

Band 3: [Clare Murray](#)

Up and Coming: [Zulon Begum](#)

“Zulon Begum assists professional services firms from the legal and financial sectors with partnership restructuring and amendments to LLP agreements. She also advises on the non-contentious aspects of sensitive issues such as partner exits. A source reports: “Zulon has provided wise counsel during difficult negotiations, focuses on the needs of her clients and has always been responsive.”

Notable Practitioners: [Clare Murray](#); [David Fisher](#); [Sarah Chilton](#); [Zulon Begum](#)

Our Team



Clare Murray
Managing Partner



Sarah Chilton
Partner



Zulon Begum
Partner



Beth Hale
Partner and General Counsel



David Fisher
Partner



Merrill April
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Emma Bartlett
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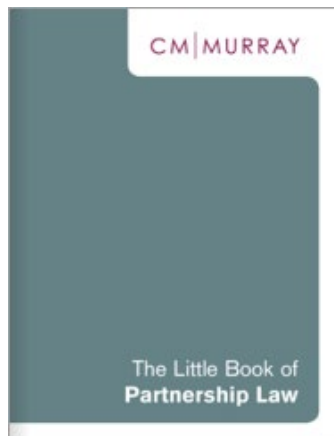
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Useful Links



24 August 2020
**Mergers in the Time of
Coronavirus and Beyond**
Sarah Chilton
Zulon Begum



2 September 2020
**Managing and Responding to
Partner Exits - Part One: the
Firm's Perspective**
Wonu Sanda
Wendy Chung

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