

Curriculum Vitae of Emma Gaudern

Location and contact details

Emma Gaudern is managing director of EMG Solicitors Limited, Abbey House, Abbeywoods Business Park, Durham, DH1 5TH. Her direct dial telephone number is 0191 731 4612 and her email address is emma.gaudern@emgsolicitors.com.

Training and experience

Emma trained at Addleshaw Booth & Co (now Addleshaw Goddard) and qualified as a solicitor in 1999. Upon qualification she specialised in general private client practice. Emma joined Pannone & Partners in Manchester in 2002, when she first began to undertake an element of Court of Protection work. She joined Alexander Harris in Altrincham in 2004 in order to work with clients who were conducting compensation claims, or who required advice post-settlement. She began to act as deputy for clients and advise lay deputies. She also became a trustee of trusts that hold compensation for both capacitated and incapacitated individuals.

Emma joined DWF LLP in 2006 and continued to undertake this type of work. In 2008 she was first approached to comment on behalf of defendants in relation to the Court of Protection costs being claimed by claimants. Emma now regularly undertakes work of this nature.

Emma relocated to the North East in April 2010 and joined BHP Law LLP in order to focus specifically on Court of Protection and post settlement work. In 2014 she felt that the time was right to open her own niche practice specialising in Court of Protection, trusts and private client work. Emma is joined by a team of dedicated individuals who each focus upon this area.

Current workload

Emma works with the solicitors and barristers involved in a claim to ensure that the Court of Protection or trust costs specified in the schedule of loss are properly quantified. This is still a significantly under-exploited aspect of a case, and can leave a claimant seriously under-compensated in respect of these costs, if they are not properly ascertained.

Emma acts deputy for approximately 50 clients and is trustee of around a further 15 trusts of compensation. Her deputyships range from children with cerebral palsy occasioned via birth injury, through to children and adults who have been injured in road traffic accidents. She also represents various adults who have been injured in accidents at work.

Emma acts as professional health and welfare deputy (most deputyships relate to property and affairs rather than health and welfare matters) for one client. She was one of the first professional health and welfare deputies to be appointed in the UK.

Emma's trusteeships consist of working with family members as co-trustee for incapacitated adults, as well as acting with various adults who have capacity but who are vulnerable or who wish to protect their benefits. She is also trustee of a number of trusts for minors.

Emma's broad range of experience across different types of case mean that she is well placed to work with all types of clients and their families, in a sensitive manner that is supportive of their needs and abilities. Emma manages well in excess of £60m for her clients in total, with values of individual estates ranging from £250,000 to £4m and over.

Where necessary, Emma acts as litigation friend to individuals who are incapacitated. This predominantly involves acting on behalf of claimants in compensation claims who lack capacity, as well as parties to a divorce who are unable to conduct the divorce or ancillary relief proceedings themselves.

Emma is also regularly instructed by defendants in compensation claims and asked to assess the Court of Protection costs claimed, to make sure they are fair and reasonable.

Training provided

Emma has spoken on the subject of deputyships and trusteeships for APIL, UKABIF, NABIF, Headway and COPPA, as well as providing in house training for various companies.