



Personal Injury Law Specialist Accreditation Assessment Requirements 2010

These notes should be read in conjunction with the Guide to Application and Assessment. They will assist practitioners interested in becoming accredited in Personal Injury Law to understand and prepare for the assessment process.

Included are:

- A** The performance standard which is the benchmark for competent practice in this area and the performance criteria which form the basis for the assessment
- B** A list of the core skills and areas of knowledge
- C** The methods and dates of assessment which applicants are required to undertake

A. PERFORMANCE STANDARD

Standard of Accredited Specialist

The Standard of an Accredited Specialist in Personal Injury Law is that of a '**specialty competent practitioner**' in the core skills and practical capabilities in their selected area of practice, as assessed against the spectrum of capability of all practitioners in that area of practice. This standard is to be distinguished from the idea that the Scheme requires the highest technical legal knowledge across all aspects of the selected area of practice.

B. CORE SKILLS/CAPABILITIES AND KNOWLEDGE AREAS

Practitioners wishing to be accredited in Personal Injury Law should be able to:

- Display knowledge of the law and procedure which underpins the performance of tasks in this area of practice; and
- Demonstrate the core skills and capabilities to the level of the performance standard

B. 1 CORE SKILLS AND PRACTICAL CAPABILITIES

1. Fulfils duty to the client by:

1.1 Conducting cases efficiently, effectively and expeditiously

The specialist personal injury solicitor:

- Takes the initiative to promote the client's case
- Is commercially responsible and guards against wasteful procedures and over-servicing
- Develops and maintains efficient and disciplined office procedures, including an efficient diary system for pleadings and time limitations
- Is sympathetic, objective, professional and courteous
- Advises clients of any applicable restrictions and recovery of costs
- Discusses and enters into a fee agreement
- Explains the need to certify that the claim or defence has reasonable prospects of success, and the consequences if a claim is wrongly certified

1.2 Helping the client to gain a realistic understanding of the case

The specialist personal injury solicitor:

- Regularly provides realistic advice in relation to the assessment and likely outcome of the claim
- Explains the basis on which damages or compensation are assessed, the likely range of damages or compensation, the impact of discount rates, and where applicable the statutory restrictions contained in the *Motor Accidents Compensation Act 1999*, *Workers Compensation Act*, *Civil Liability Act 2002*, *Workplace Injury Management and Workers Compensation Act 1981*
- In CTP claims, explains where applicable the effects of the *Motor Accidents Compensation Act 1999*, the procedures for medical and claims assessment, requirements for early notification of the claim and the availability of early payment of treatment expenses and care and payments in cases of financial hardship
- Advises on the availability of structured settlements, where appropriate
- Advises on the availability of ADR mechanisms e.g. arbitration, mediation, CARS assessments
- Advises in relation to the issues on liability
- Advises on the implications of Offers of Compromise in relation to costs and the principles for awarding interest
- Warns of the risks of litigation

- Advises client of the implications of settlement and the impact settlement may have on Centrelink and/or Workers Compensation entitlements
- Advises on Health Insurance Commission / Medicare Australia legislation and medical refunds

2. Obtains instructions/facts/evidence by

2.1 Eliciting information from the client

The specialist personal injury solicitor:

- Has the ability to communicate with clients of all walks of life to elicit all relevant details relating to liability, damages or compensation
- Is guided by knowledge of the common law principles of negligence, causation and the relevant statutes and time limitations
- When appropriate, identifies available defences and considers admissions of liability, grounds for privilege, third party proceedings and cross claims
- Obtains relevant details of the client's pre-incident life, education, work history etc, the consequences of the injuries and the changes which the injuries have had on the client's life i.e. the development of a "before and after" picture of the client
- Combines a professional attitude with objectivity, tolerance and thoroughness in obtaining information and evidence

2.2 Obtaining evidence on liability

When gathering supporting information and evidence, the specialist personal injury solicitor:

- Demonstrates knowledge of the appropriate sources e.g. Police reports
- Obtains factual reports and transcripts
- Takes statements from all relevant witnesses as expediently as possible
- Where deemed appropriate, engages experts and ensures reports of experts comply with requirements as set out in *Makita v Sprowles* and the Expert's Code of Conduct
- Where necessary attends the scene of the accident, as expediently as possible

2.3 Obtaining appropriate medical evidence

The specialist personal injury solicitor:

- Obtains medical information from hospitals, the ambulance services, treating doctors and seeks opinion from qualified medico-legal experts
- If necessary, conducts an investigation of previous medical history
- Obtains details of the likely cost of any future treatment and care
- Updates this information in response to regular monitoring of the progress of the medical condition by treating doctors or other health professionals, including rehabilitation programs
- Is familiar with medical terms, technology and the medical experts who are available to give medical opinions
- Ensures that the medical experts address the important questions of evidence e.g. causation
- Where appropriate, qualifies a suitably qualified occupational therapist to assess the client's needs
- Ensures medical and non-medical experts certify as required by Schedule 7 of Uniform Civil Procedure Rules (UCPR)

2.4 **Obtaining evidence of loss and damage**

The specialist personal injury solicitor:

- Quantifies or tests the claims for loss and damage by developing and contrasting a picture of the claimant's post-accident life, including future possibilities, with a "most likely to have been" picture of the claimant's pre-accident expectations and reasonable prospects
- When appropriate, obtains details of employment history, income, ability, duties, prospects for promotion, redundancy and retirement, personnel records, professional qualifications and references, academic records, etc
- If necessary, engages and qualifies an appropriate expert to assess past and future economic loss
- Where appropriate, arranges surveillance of plaintiff/applicant/claimant

2.5 **Using procedures to obtain additional facts/evidence**

To obtain additional facts/evidence the specialist personal injury solicitor:

- Uses initiative and a knowledge of formal and informal procedures including:
 - Discovery before action; searches; *Freedom of Information Act* to obtain hospital and other government records
 - Subpoenas to produce documents; interlocutory proceedings, e.g, discovery, interrogatories and notices to admit facts
 - Understands the various MACA Guidelines

3. **Develops plan by**

3.1 **Assessing liability**

The specialist personal injury solicitor:

- Analyses the strengths and weaknesses of the client's case in the light of the available facts and the current law
- Considers the identity of the correct defendant, the probable evidence of the opponents, expert reports, probable defences, the possibility of third party proceedings and the likely availability, demeanor and credibility of all parties and witnesses
- Assesses the likelihood of success
- Certifies as to reasonable prospects of success, where applicable

3.2 **Assessing compensation**

When assessing likely compensation the specialist personal injury solicitor:

- Adopts a realistic approach to the quantification of heads of damage and the calculation of entitlements to workers compensation and applies a knowledge of common law principles and legislation
- Reviews precedents
- Considers questions of insurance and the other party's ability to pay
- Evaluates the strength and extent of the medical evidence, based on knowledge of medical terminology and investigative procedures
- Considers obligations and entitlements to provide and receive rehabilitation services
- Considers the likely availability, demeanor and credibility of all parties and witnesses
- Considers statutory limits of the *Workers Compensation Act, Motor Accident, and Civil Liability Act 2002* and *Trade Practices Act*
- Understands the assessment of 'a most extreme case' and whole person impairment

3.3 Determining the appropriate tribunal

When determining the appropriate tribunal the specialist personal injury solicitor applies the principles regarding:

- The nature and quantum of causes of action
- The appropriate jurisdiction
- The advantages and disadvantages of various tribunals, including alternative dispute resolution, Claims Assessment and Resolution Service (CARS) assessments
- The prerequisites to obtaining an exemption from CARS
- Use of Medical Assessment Service (MAS) to adjudicate medical disputes in CTP cases

3.4 Considering tactics

The specialist personal injury solicitor:

- Determines when to proceed with, defer or attempt to settle a claim
- Understands the commercial reality and assesses the strengths and weaknesses of the evidence on both liability and damage
- If appropriate, uses any of the following to advance the client's position
 - Expedited hearings
 - Split trials on liability and damages
 - Interlocutory proceedings
 - Offers of compromise
 - Requiring experts to be available for cross-examination
 - Seeking agreement on the quantum of various heads of damage
 - Application for arbitration hearings
 - Choice of venue
 - Early service of medical reports
 - Decide whether to proceed with a MAS assessment or review as to the degree of whole person impairment or to delay assessment
 - Application for Special and General assessment by CARS in cases

3.5 Advising the client on a course of action

The specialist personal injury solicitor:

- Advises the client on possible courses of action, including alternative dispute resolution, need to compromise, settlement options; and the likely duration, cost and outcome of litigation
- Considers joining other parties to the proceedings and time limitations
- Remains objective and realistic
- Decides final strategy in consultation with the client
- Advises the client in relation to CARS and MAS

4. Implements plan by

4.1 Preparing or scrutinising documents

The specialist personal injury solicitor:

- Accurately prepares all necessary documentation in accordance with the rules of court, common law and statutory provisions
- Ensures that documents reflect the client's instructions or the terms of any agreement
- Draws pleadings which identify all relevant parties and disclose proper causes of action, heads of damage or defense
- If required, prepares documents for the appointment of tutor/next friend
- Prepares applications for assessment by CARS and MAS

4.2 Briefing counsel

The specialist personal injury solicitor:

- Considers whether briefing counsel is appropriate
- Briefs counsel who is skilled in the appropriate field in appropriate cases
- Takes an active role in liaison between the client and counsel
- Monitors the presentation of the case
- Does not abdicate to counsel responsibility for preparing the case and advising the client

4.3 Reviewing evidence

The specialist personal injury solicitor regularly:

- Reviews the file to ensure the preservation of evidence and updates evidence of loss
- Considers the opponent's material
- Reviews which reports will be used and which experts should be called as witnesses or be required for cross-examination

4.4 Calculating special damages

The specialist personal injury solicitor:

- Obtains particulars of and calculates the total of out-of-pocket expenses
- Considers whether out-of-pocket expenses are reasonable and necessary and arise out of the injury
- Applies relevant and up to date principles and statutory provisions to the calculation of all heads of special damages, for example, principles relevant to the assessment of domestic assistance and care
- Considers and calculates entitlement to interest, for example, social security refund formula
- Checks what medical expenses have been paid by the insurer
- Checks which medical accounts remain unpaid
- Checks workers compensation refunds and other possible refunds

4.5 Assessing general damages/Non Economic Loss

When assessing damages the specialist personal injury solicitor:

- Applies common law principles, statutory restrictions and comparable verdicts

4.6 Assessing future loss

The specialist personal injury solicitor:

- Considers and calculates the various heads of damages in relation to future loss, including loss of income, loss of opportunity, medical and rehabilitation costs, the value of care provided voluntarily and/or commercially, the recurring costs of special equipment, home and transport modifications
- Applies the appropriate discount rates and actuarial tables and takes into account adverse contingencies, the vicissitudes of life and life expectancy, and deferrals of loss

4.7 Negotiating settlement

The specialist personal injury solicitor:

- Demonstrates an appreciation of when and how to negotiate
- Considers the likely escalation of damages
- Understands the advantages/disadvantages of acceptance/rejection of offer of compromise
- Assesses the known attitude and likely approach of the other parties and the strength of the opponent's case
- In appropriate cases, considers structured settlements
- Advises client on social security implications
- Advises client on HIC / Medicare requirements
- Advises client of solicitor/client and party/party costs
- Advises the client as to the effect of arbitration awards and CARS assessments

4.8 Preparing and conducting hearing

The specialist personal injury solicitor:

- Marshals the evidence
- Issues subpoenas
- Confers adequately with counsel
- Determines availability of witnesses
- Ensures adequate representation with counsel at hearing
- Ensures efficient and considerate calling of witnesses
- Keeps the client informed
- Advises the client on prospects of appeal/re-hearing

4.9 Finalising matter

The specialist personal injury solicitor:

- Ensures all court documents, terms of settlement and forms of judgment are properly prepared and filed
- Seeks court approval when necessary
- Notifies proper authorities, including Centrelink and HIC / Medicare
- Advises the client of relevant dates, for example, payment of interest, re-hearing or appeal, and any other arrangements which need to be made
- Takes steps to ensure that verdict or settlement monies are paid promptly
- Records instructions with regard to finalisation of the claims
- Pays all outstanding accounts/expenses
- Prepares final accounts and complies with proper accounting procedure
- Where appropriate promptly prepares and sends assessment of costs
- Claims interest on outstanding judgments when not paid within time

B. 2 KNOWLEDGE AREAS

Candidates will be expected to display a working knowledge of all the following core areas:

1. CTP claims
2. Civil and Public Liability cases
3. Workplace Injury Damages
4. Medical Negligence cases

1. CTP Claims

The specialist personal injury solicitor has an in-depth knowledge of the *Motor Accidents Compensation Act* (Motor Accidents Compensation and Assessment Guidelines) and the associated guidelines. The specialist injury practitioner:

- Advises the client about and carefully monitors time frames e.g. 6 months to lodge a claim form
- Complies with all statutory provisions concerning the lodgment of the claim form and the provision of all relevant particulars to the insurer
- Advises the client about liability
- Considers whether the claim is exempt from CARS
- Considers the level of compensation and advises the client in respect of settlement
- Determines whether there is a dispute as to percentage of whole person impairment (WPI)
- Obtains opinions in support of a WPI assessment and arranges for WPI to be assessed by MAS if the insurer fails to concede that the injuries constitute a greater than 10% WPI and the solicitor is of the view the claimant may have a WPI of greater than 10%
- Considers MAS assessments and potential for review
- Marshals evidence for CARS application and assessment
- Prepares written submissions for CARS
- Complies with directions given by CARS assessors
- Considers the prospects of commencing court proceedings post CARS and advises client as to potential cost penalties
- Has an understanding of Claims Handling Guidelines, AMA 4th Edition and MAA Impairment Assessment Guidelines
- Has detailed knowledge of the Claims Assessment Guidelines and Medical Assessment Guidelines
- Is aware of the operation and availability of the Lifetime Care & Support Scheme (LTCS)

2. CIVIL AND PUBLIC LIABILITY

The specialist personal injury solicitor:

- Is aware of the applicable common law principles with respect to occupier's liability, together with the provisions and the ambit of operation of the *Civil Liability Act 2002* (NSW) [CLA]
- Is familiar with leading cases on occupier's and public authorities liability, including road authorities, and the statutory modification of common law principles
- Determines the areas of investigation to garner evidence to mount or meet a claim for damages
- Evaluates medical information to advise the prospective Plaintiff or Defendant as to legal costs limitations under the *Legal Profession Act (2004)* and implications for costs recovery by the prospective Plaintiff
- Evaluates medical, lay and expert evidence to assess the solicitor's obligations in signing a Certificate under s. 347 of the *Legal Profession Act 2004* (NSW)
- Advises clients as to prospects of success, associated risks and judicial interpretation (particularly by the NSW Court of Appeal) of similar claims
- Obtains instructions to proceed with or defend claims and obtains appropriate expert evidence to support or meet claims

3. WORK INJURY DAMAGES

The specialist personal injury solicitor is aware of:

- The heads of damages available
- Thresholds
- Procedural requirements
- *Workers Compensation Act 1987*
- *Workplace Injury Management and Workers Compensation Act 1998*
- Workers Compensation Commission Rules 2003
- *Law Reform (Miscellaneous Provisions) Act 1946*
- WorkCover Claims Handling Guidelines

4. MEDICAL NEGLIGENCE

The specialist personal injury solicitor:

- Is familiar with the applicable common law principles with respect to medical negligence for both informed consent and treatment error claims, particularly together with sections 5O, 5P and 5D(3) of the *Civil Liability Act 2002* (NSW), the *Trade Practices Act 1974* (Cth) and the *Fair Trading Act*
- Is familiar with leading cases on medical negligence and the statutory modification of common law principles
- Is familiar with the the general provisions of the CLA regarding breach of duty, causation and damage
- Is able to access medical records from public and private hospitals, medical practitioners (under State and Federal Privacy legislation) and is aware of pre trial discovery provisions under UCPR
- Is familiar with Supreme and District Court practice notes and rules concerning professional (medical) negligence matters including expert witness briefing protocols
- Determines the areas of investigation to garner expert evidence on breach, causation and damage to mount or meet a claim for damages
- Evaluates medical information to advise the prospective Plaintiff or Defendant as to legal costs limitations under the *Legal Profession Act 2004* and implications for costs recovery by the prospective Plaintiff
- Evaluates medical lay and expert evidence to assess solicitor's obligations in signing Certificate under s. 347 of the *Legal Profession Act 2004*
- Advises clients as to prospects of success, associated risks and judicial interpretation of similar claims

B.2.1 General Core knowledge

COMMON LAW PRINCIPLES

Common law principles as modified by statute:

1. Liability in negligence

1.1 The duty of care

- General principles for establishing a duty of care, particularly in novel cases
- Variations to common law principles in statutes relating to product liability, CTP claims, public liability, and workplace injuries, and medical negligence claims

1.2 Breach of duty and the standard of care

The standard of care - general principles; issues of foreseeability; probability and magnitude of risk etc; professional standards, including the relevance of common practice; and circumstances reducing the standard of care

Proof of negligence - general principles and the onus of proof; contributory negligence; res ipsa loquitur

1.3 Damage

Causation of damage - general principles and tests of causation; intervening actions

Remoteness of damage - general principles

2. Liability in public nuisance

3. Liability in assault and battery, excluded from the Civil Liability Act

4. Liability in contract

5. Defences

5.1 Voluntary assumption of risk

5.2 Contributory negligence

5.3 Intoxication

5.4 Disclaimers and exclusion of liability (see also *Trade Practices Act Part V Division 2*)

5.5 “Inevitable accident”/blameless accidents

5.6 Fraud and misleading statements and conduct

5.7 Illegality

5.8 Failure to mitigate loss

6. Assessment of damages

6.1 Special damages

- Medical expenses; loss of income; modified accommodation; care and respite care; transport, cost of equipment and aids and increased costs of holidays

6.2 General damages (Non-economic loss)

- Pain and suffering; loss of amenity and enjoyment of life; loss of expectation of life; disfigurement, plus modifications contained; plus statutory modifications

6.3 Future economic loss

- General principles
- Use of actuarial tables including deferred calculations and life expectancy tables

6.4 Particular issues

- Voluntary care; interest on awards; overlap with other claims; contributory negligence of claimant or third party; statutory limitations.
- Cost of funds management

6.5 Compensation to relatives claims

- Loss of expectation of financial support
- Loss of domestic services
- Apportionment of damages

7. Choice of Law

Choice of law rules applicable in interstate and international accidents

8. Time limitations

8.1 Common law principles as to when cause of action arises, e.g., with the onset of disease

8.2 Statutory limitations and notice provisions

COURT PROCEEDINGS

1. Case Management
 - Commencement of proceedings (including consideration of appropriate jurisdiction and bars to litigation)
 - DCM (Differential Case Management)
 - Serving originating process
 - Defences
 - Timetables
 - Statements of particulars
 - Applicable Practice notes
 - Professional negligence lists
 - Pre-trial conferences/status conferences/call overs
 - Arbitration hearings and mediations
 - Service medical reports/experts' reports
 - Conciliation

2. Defence of proceedings
 - Appearances and defences
 - Third Party Notices
 - Cross claims
 - Specific pleadings

3. Interlocutory procedures
 - Discovery
 - Interrogatories
 - Subpoenas

4. Pre-trial procedures
 - Service of medical and/or experts' reports
 - Preparation of chronologies
 - Preparation of schedules of out-of-pocket expenses and medical reports
 - Agreements on heads of damages
 - Compulsory settlement conferences

5. Special procedures in cases of legally disabled
 - Tutor documents
 - Appointment of trustee
 - Settlement of claims for "legally" disabled
 - Appointment of Protective Commissioner and/or other fund managers

6. Settlement procedures
 - Pre-trial conferences/issues and listings conferences/final conferences
 - Mediation
 - Preparation of terms of settlement/orders for judgment
 - Authorities to receive
 - Written instructions

7. Procedures for judgment
 - Obtaining default judgment
 - Preparing terms of settlement and orders for judgment

8. Re-hearing/appeals
 - Leave to appeal from interlocutory judgments
 - Leave to appeal from District Court and Workers Compensation decisions
 - Requests for re-hearing from arbitrations
 - Appeals to Court of Appeal from District Court and Supreme Court
 - Applications for leave to appeal to the High Court

B.2.2 Core Legislation

Assessment tasks may refer to the following legislation. Those statutes marked with a double asterisk (**) will be relevant only to workers compensation practice. All legislation is enacted in New South Wales unless otherwise indicated.

1. *Civil Liability Act 2002*
2. *Civil Procedure Act 2005* and Uniform Civil Procedure Code 2005
3. *Motor Accidents Compensation Act 1999* as amended additional Legislation
4. *Commonwealth Employees Rehabilitation and Compensation Act 1988***
5. *Compensation to Relatives Act 1897*
6. *Construction Safety Act 1976* and regulations**
7. *Dust Diseases Tribunal Act 1989***
8. Dust Diseases Tribunal (Standard Presumption-Appportionment) Order 2005
9. *Employees Liability Act 1991*
10. *Factories Shops and Industries Act 1927***
11. *Law Reform (Miscellaneous Provisions) Act 1944*
 - Part 2 survival of actions on the death of plaintiff or defendant, limitations on damages
 - Part 3 nervous shock claims. (Note Schedule 1, clause 11 of the *Civil Liability Act 2002* in respect of Part 3)
12. *Law Reform (Miscellaneous Provisions) Act 1946*
 - Section 5: proceedings against and contributions between joint and several tortfeasors
13. *Law Reform (Miscellaneous Provisions) Act 1965*
14. *Law Reform (Vicarious Liability) Act 1983* (as amended)
15. *Legal Profession Act 2004*
16. *Limitations Act 1969*
17. *Trade Practices Act 1974*
 - a. Section 68 B
 - b. Part VA liability for products
18. *Transport Administration Act 1988*, section 121
19. *Arbitration (Civil Actions) Act 1983*
20. *Workplace Injury Management and Workers Compensation Act 1998*

B.2.2 Non-Core Legislation

Candidates should also be aware of the general provisions of these Acts but assessment tasks may not directly refer to them.

1. *Animals Act 1977*
2. *Civil Aviation (Carriers Liability) Act 1959 (Cth)*
3. *Health Care Liability Act 2001*
4. *Dangerous Goods Act 1975 and regulations*
5. *Companion Animals Act 1998*
6. *Crimes (Administration of Sentences) Act 1999 as amended*
7. *27. Victims Support and Rehabilitation Act 1996 24. Sporting Injuries Insurance Act 1978*
8. *Occupational Health & Safety Act 2000***
9. *Service and Execution of Process Act 1901*

C. METHODS OF ASSESSMENT

MOCK FILE

Candidates will be given a mock file and will be required to complete specific tasks, which may include instigating inquiries, preparing pleadings, drafting a letter of advice including a detailed assessment of liability and damages. The mock file will assess the candidate's ability to deal with more complex issues. Candidates will choose from one of the following core areas:

DEFENDANT/INSURER

1. Motor Accident
2. Public Liability
3. Work Injury Damages
4. Medical Negligence

PLAINTIFF/CLAIMANT

1. Motor Accident
2. Public Liability
3. Work Injury Damages
4. Medical Negligence

Please nominate the area of your choice on the application for accreditation (FORM 1).

Distribution Date: Wednesday, 26 May 2010
Return Date: Wednesday, 16 June 2010

Assessment criteria

In your response you will be assessed on the following performance criteria. You will be required to perform each criterion to the level of the performance standard.

- (A) Ability to identify relevant issues from a given fact situation
- (B) Ability to provide practical, clear and accurate advice
- (C) Depth of knowledge of the law and skill in applying that knowledge to the given fact situation
- (D) Knowledge of procedural rules and practices
- (E) Accurate practical advice, that is comprehensive and set out in a logical manner

WRITTEN EXAMINATION

In 2010 the Personal Injury Law Written Exam will consist of:

Part A, comprising 2 (unseen) problem questions, i.e. hypothetical cases, in which candidates will be asked to advise the parties on matters such as possible causes of action, possible defences, appropriate jurisdiction, relevant legislation. The cases will cover the core areas of motor accidents, industrial accidents and civil liability generally.

Part B, comprising 20 out of a pool of 60-80 questions which will be issued to candidates approximately two weeks in advance of the examination. The questions will require short answers ranging from a few lines to a maximum of half a page. These questions will examine basic knowledge and understanding of legal principles and statutes, the calculation of damages including use of actuarial tables, and medical terminology.

The examination will be a 3 hour **closed book** exam, plus reading time.

Date: Saturday, 31 July 2010
Venue: College of Law, 2 Chandos St, St Leonards

Assessment criteria

In your response you will be assessed on the following performance criteria. You will be required to perform each criterion to the level of the performance standard.

- (A) Identify correct and accurate knowledge of law
- (B) Ability to identify relevant issues given the fact situation
- (C) Ability to provide concise and clear advice
- (D) Use of clear English expression

PEER INTERVIEW

Candidates will be interviewed by a panel of two assessors, in which they will be questioned as to how they would deal with a typical professional situation in order to assess the applicant's understanding of the area, their ability to plan and to communicate ideas as well as their capacity to run matters efficiently and any office/file management issues. Assessment may include any of the performance standards, and refer to work presented in the mock file.

Date: Sunday, 1 August 2010
Venue: College of Law, 2 Chandos St, St Leonards

Applicants will be notified of the time in mid July.

Assessment criteria:

In your response you will be assessed on the following performance criteria. You will be required to perform each criterion to the level of the performance standard.

- (A) Presentation
- (B) Acknowledgement of areas in mock files
- (C) Ability to defend your position
- (D) Demonstrate knowledge and understanding
- (E) Ethics; demonstrate an understanding of your professional standards

PERSONAL INJURY LAW ADVISORY COMMITTEE 2010

Steven Akerman	<i>Sowden Akerman</i>
Belinda Cassidy	<i>Motor Accidents Authority</i>
Paul Curtis	<i>Paul A Curtis & Co</i>
Tom Goudkamp (Chair)	<i>Stacks/Goudkamp</i>
Con Ktenas	<i>Steve Masselos & Co</i>
Michael Lee	<i>Moray & Agnew</i>
Paul Macken	<i>Leigh Virtue & Associates</i>
Bill Madden	<i>Slater & Gordon</i>