



A period of supervised legal practice is Condition 2 on practising certificates issued by The Law Society of New South Wales:

2. Supervised Legal Practice (Statutory Condition)

The holder must engage in supervised legal practice only, until the holder has completed the period of supervised legal practice required under the Legal Profession Act 2004.

The statutory condition is contained at s. 53 Legal Profession Act 2004 and defined in Section 4.

A person may make an application to amend their practising certificate if they have completed the required period of supervised practice.

HOW TO MAKE YOUR APPLICATION:

- Complete the Statutory Declaration in these Guidelines
- Annexe a letter to the Statutory Declaration from your supervisor/s confirming the period of supervision

The Society recommends that you submit your application as soon as your period of supervised legal practice is completed, even if you intend to continue to practise as an employee, in order to avoid problems in obtaining certification from the appropriate supervisor at a later date.

APPLICATION PROCESS

Standard Applications

If your application satisfies the statutory criteria, you will be notified by letter within 7 to 10 days if the application is approved.

Non-Standard Applications

If your application does not satisfy the statutory criteria or there are other issues affecting the application, it will be referred to the Licensing Committee for consideration. These applications include, but are not limited to:

- reductions in the period of supervised legal practice
- consideration of periods of overseas practice
- the supervisor is not qualified, available or willing to provide confirmation of supervision
- Professional Standards Department considerations.

The Committee meets on a monthly basis. You may submit a covering letter with the Statutory Declaration, if necessary, outlining the circumstances.

Such applications must be submitted by the lodgement date shown below in order to be considered at the next scheduled meeting. Applications received after the lodgement date shown below will be considered at the meeting after the next scheduled meeting.

2011 LICENSING COMMITTEE TIMETABLE

LODGEMENT DATES	MEETING DATES
10 January	24 January
14 February	28 February
7 March	21 March
11 April	27 April (Wednesday)
16 May	30 May
14 June (Tuesday)	27 June
11 July	25 July
8 August	22 August
5 September	19 September
17 October	31 October
7 November	21 November
5 December	15 December (Thursday)

Application and Enquiries to:

POST	EMAIL	FAX	PHONE
Law Society Registry 170 Phillip Street Sydney NSW 2000 or DX 362 Sydney	sue.williamson@lawsociety.com.au	(02) 9926 0257 <i>From overseas:</i> +61 2 9926 0257	(02) 9926 0241 <i>From overseas:</i> +61 2 9926 0156

INFORMATION

1. Period of Supervised Legal Practice

If you completed a practical legal training course prior to admission, the required period of supervised legal practice is a period or periods equivalent to 2 years* supervised legal practice.

The supervised legal practice can be completed by:

- (a) one period of supervised legal practice, worked on a full-time basis, that is equal to the required period worked out on a full-time basis, or
- (b) one period of supervised legal practice, worked on a part-time basis, that is equivalent to the required period worked out on a full-time basis, or
- (c) two or more periods of supervised legal practice, worked on either or both of those bases, that together are equal or equivalent to the required period.

Please Note:

- public holidays during a relevant period are to be included as days of supervised legal practice, whether or not you engaged in legal practice on those days, and
- normal periods of leave taken during a relevant period are to be included as periods of supervised legal practice.

**Note: If you completed a form of practical legal training prior to admission other than a practical legal training course (eg Articles), you are required to undertake 18 months of supervised legal practice.*

2. Supervision

You must have been supervised by an eligible person throughout the required period of supervised legal practice.

Supervised legal practice means legal practice by a person who is an Australian legal practitioner:

(a) as an **employee** of, or other person working under supervision in, a **law practice**, where:

- (i) at least one partner, legal practitioner director or other employee of the law practice is an Australian legal practitioner who holds an unrestricted practising certificate, and
- (ii) the person engages in legal practice under the supervision of an Australian legal practitioner referred to in subparagraph (i);

OR

(b) as a **partner** in a **law firm**, where:

- (i) at least one other partner is an Australian legal practitioner who holds an unrestricted practising certificate, and
- (ii) the person engages in legal practice under the supervision of an Australian legal practitioner referred to in subparagraph (i);

OR

(c) as an **employee** of, or other person working under supervision in, a **corporate** or **government** body where the person engages in legal practice under the supervision of a person who

- holds an unrestricted practising certificate, or
- holds, or is eligible to hold, an Australian practising certificate, and that person has completed the period of supervised legal practice set out in s.53(1)(a) or (b) of the Legal Profession Act, or the equivalent provision of a corresponding law;

OR

(d) as an **employee** of any person who is **not an Australian legal practitioner** where the person engages in legal practice under the supervision of a person who

- holds an unrestricted practising certificate, or

- holds, or is eligible to hold, an Australian practising certificate, and that person has completed the period of supervised legal practice set out in s.53(1)(a) or (b) of the Legal Profession Act, or the equivalent provision of a corresponding law.

Supervision may be provided by more than one supervisor, either concurrently or consecutively provided there is supervision over the total period of Supervised Legal practice.



STATUTORY DECLARATION PERIOD OF SUPERVISED LEGAL PRACTICE

Law Society ID No. (if known) _____

OATHS ACT 1900, NSW, EIGHTH SCHEDULE

I, (insert your full name)

of (address)

....., Legal Practitioner,

do solemnly and sincerely declare that:

1. I am an Australian legal practitioner under the Legal Profession Act 2004;
2. My first Australian practising certificate was granted on(insert date).
3. I have completed (tick ONE box only):

a course in practical legal training prior to admission and have completed 2 years of supervised legal practice in accordance with sections 53(1)(b) Legal Profession Act 2004;

OR

Articles of Clerkship prior to admission and have completed 18 months of supervised legal practice in accordance with s. 53(1)(a) Legal Profession Act 2004.

4. I have engaged in supervised legal practice as an employee/ partner of the following employer/law firms under the supervision of the Australian legal practitioner indicated:

Employer/Firm	Date		Supervisor
	From	To	
	From	To	
	From	To	
	From	To	

5. The period of supervised legal practice was completed (tick ONE box only):

on a full-time basis;

OR

on a part-time basis, or included a period that was part-time, as follows:

Employer/Firm	Number of hours worked per WEEK

6. The supervisor/s named in paragraph 4 held an unrestricted Australian practising certificate during the period of my supervision and annexed to this Statutory Declaration is an original letter/s signed by the supervisor/s verifying the contents of this Statutory Declaration.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1900.

Declared atin New South Wales,

on..... 20.....,

.....

Signature of Declarant

Before Me (Witness's Signature)

Witnesses Full Name(please Print)

Qualification of Witness:.....

[Justice of the Peace, Solicitor, other (specify)]

Note - Print J.P. registration number, if applicable.



Annexure to Statutory Declaration LETTER FROM SUPERVISOR

RE:
(insert name of practitioner who has been supervised – PLEASE PRINT)

1. The above-named practitioner has completed a period of supervised legal practice from(insert date) until(insert date) under my supervision.

2. The employment was (tick ONE box only):

on a full-time basis;

OR

on a part-time basis (or included a period on a part-time basis). The part-time work consisted of hours per week forweeks.

3. I was the holder of a current unrestricted Australian practising certificate at all times during the period of supervision.

Signed..... (Supervisor's Signature)

Full Name (Please Print)

Employer/Firm name

Date