



THE LAW SOCIETY
OF NEW SOUTH WALES

The Law Society of New South Wales

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GUIDELINES FOR ACCREDITATION AND CERTIFICATION OF COMPLETION OF THE PRACTICE MANAGEMENT COURSE FOR 35+ PARTNER FIRMS

The Council of the Law Society has resolved that firms with 35 or more partners can apply to the Law Society for accreditation of the supplementary subjects that are carried out by the firm as part of the compulsory practice management course that solicitors must complete before becoming partners.

These guidelines describe the minimum requirements that firms must satisfy in order to have in-house subjects accredited and the procedures to advise the Society of the completion of the practice management course by solicitors.

The program for practitioners in firms of 35+ partners is divided into two segments. The first is the core segment of the program composed of subjects which must be undertaken with an accredited provider. The Financial Management Research Centre (FMRC Legal) and the College of Law are the only providers accredited to conduct the core segment for firms with 35+ partners. The second is the supplementary segment, composed of subjects which may be conducted by firms.

The core segment of the program focuses on *Professional Conduct Issues*. Firms may **not** be accredited to provide this segment of the program, although firms are encouraged to conduct training in these subjects. A list of the subjects taught in the core segment is set out in Appendix 1.

The supplementary segment of the program includes instruction in management, personal matters, financial management and professional indemnity insurance (for those firms who do not insure through LawCover P/L in New South Wales). Any or all of these subjects may be conducted by the firm. Supplementary subjects for which a firm is not accredited must be completed through FMRC Legal or the College of Law.

The subjects do not need to be completed in any particular sequence.

These guidelines are in two parts. Part A describes the procedures and policy for accrediting a firm's subjects. Part B describes the procedures to certify that a firm's solicitors have satisfied the requirement to complete the compulsory practice management course.

Part A: Accreditation of Firm Subjects

A firm's application may be for accreditation of any or all of the subjects listed below. Each subject must include the topics as listed beneath each subject heading (indicated by a):

The application must describe:

- the content of the subject
- the qualifications of the instructors
- the method of instruction

The minimum length of each subject is indicated next to the subject title.

MANAGEMENT MODULE

Quality and Risk Management: 1.5 hours

- Strategies to reduce risk
- Quality Management
- File/Case Management
- Client Maintenance

Partnership Agreement, Exit and Entry: 1.5 hours

- A discussion of subjective and objective performance
- Maintaining your personal performance
- Benefiting from partner peer reviews
- Equity Issues - exit and entry

Managing Time and the Planning Process: 2 hours

- Personal strategic objectives - how to achieve them
- Professional objectives
- Maximising daily potential
- Eliminating time wasters

Maintaining Partnership Relations: 1.5 hours

- Personalities in partnership
- A psychologist's view of appropriate partnership behaviour

PERSONAL MODULE

Stress Management: 1.5 hours

- Lifestyle management strategies for home and work

Staff Management, Motivation and Industrial Relations Issues: 1.5 hours

- Employing people
- Maximising the performance of staff
- Motivating people
- Running a successful team
- EEO implications

FINANCIAL MANAGEMENT MODULE

Financial Mechanics: 2 hours

- Cashflow management
- Interpretation of financial statements
- The budgeting process

Pricing Legal Services: 1.5 hours

- Selling professional fees
- Determining the cost of production
- What are clients saying about legal fees and billing format
- Billing methods and restrictions

PROFESSIONAL LIABILITY MODULE (accreditation in this module is only available for those firms who do not insure through LawCover P/L in New South Wales).

Professional Indemnity Insurance: 1 hour

- Overview of professional liability, compulsory professional indemnity insurance arrangements for solicitors in Australia, the insurance requirements of national firms and the role of LawCover in NSW.
- What does the firm's Certificate of Insurance offer you?
- What are your obligations as the Insured?

Making changes to an accredited subject

A firm must advise the Law Society of any proposed material changes to a subject that has been accredited. The Law Society will treat the advice as an application for accreditation of the revised subject and it will be determined by the Licensing Committee. Material changes include subject content and method of instruction.

The following would NOT be considered material changes (and would not need to be approved):

- re-naming a subject provided that the content continues to satisfy the accreditation guidelines
- A change of instructor provided the instructor has equivalent qualifications.
- Any INCREASES in the time allocated to an accredited subject

The Law Society may, at any time, request an accredited firm to supply details of a subject that the firm is accredited to provide in order to ensure that the subject is being provided in accordance with these Accreditation Guidelines.

Application Process

A firm shall supply one copy of the accreditation application (unbound) to the Law Society Registry.

The application must be lodged at least one month before the next Licensing Committee Meeting. A schedule of the Committee's meetings is available on request.

The application will be considered by the Licensing Committee which will make its recommendation to Council. The outcome of the Council's deliberations will be communicated to the firm by letter.

Part B: Certification of Completion of the Practice Management Course

A firm must certify that a solicitor has completed the *whole* of the practice management course before the Law Society will remove condition 3 (the requirement to complete a Practice Management Course) or the undertaking to complete the practice management course from a practising certificate. The certification must be signed and dated by the managing partner of the firm and include a statement which indicates that the nominated solicitor has completed all subjects of the practice management course, including the core subjects offered by FMRC Legal/ College of Law and all supplementary subjects.

The form of certification must include the following details:

- The full name of the solicitor
- The solicitor's Law Society ID number
- The title of each subject completed
- The date when each subject was completed
- The provider of the subject (eg. FMRC, College of Law or the firm)

A solicitor must have completed all subjects before the certification can be lodged with the Law Society.

The Law Society will then remove the condition or the undertaking.

Please forward your application to the following address:

The Law Society Registry
Level 3
170 Phillip Street
SYDNEY NSW 2000
DX 362 SYDNEY

Should you require further assistance please contact the Law Society Registry on:

Tel: 9926 0156
Fax: 9926 0257
Email: registry@lawsocnsw.asn.au

Appendix 1: Core Subjects of the Practice Management Course

Trust and Controlled Money for Large Firms

- Overview of controls to be exercised
- Obligations of practitioners in large firms
- Pitfalls for partners in large firms

LawCover (*for those firms who insure through LawCover P/L in New South Wales*).

- Who are Law Cover and what do they do?
- What does the Certificate of Insurance offer you?
- What are your obligations as the Insured?

Professional Standards

- Conduct and complaints
- Ethics and Conflict of Interest
- Engagement Letters