

Application Form



Applications Close
27 March 2020



This symbol will alert you to instructions that will help you to understand whether you need to complete a particular section, or remind you not to miss out important details.



Instructions including this symbol require you to provide supporting documentation in addition to this application form.

How to complete this application form

Before completing this application form please read the 2020 Guide to Application and Assessment.

- Please ensure you download this PDF application form and save it to your computer/device before you proceed with completing the form. You will be required to email your completed application form and attach any supporting documentation as instructed.
- Complete this application form by typing in the interactive fields and ensure you save your work as you go to avoid losing your answers.
- **Handwritten applications will not be accepted.**
- Review the application form checklist on page 14 to ensure you have provided all relevant information. Applications will not be processed unless all relevant information has been provided.
- Provide payment of the application fee - **\$1,100.00** (including GST)
- Submit your completed application form with relevant supporting documentation no later than 27 March 2020* via email to: specialists@lawsociety.com.au.

*Late applications will not be accepted.

**The onus is on the individual to ensure that their application has been received by Specialist Accreditation by the due date. Applicants must ensure that they have received confirmation of candidature no later than 8 May 2020. Applicants must also ensure that the file size of their application (if submitting via email) does not exceed 4MB.

Handwritten, posted or faxed applications will not be accepted.

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1.1 Personal Information

Law Society Member No.

Full name

Name of employer

Preferred contact details

Note: The contact details you provide below will be used to communicate with you throughout the assessment process. The majority of communications will occur via email. If you do not want communications sent to your work address, please provide a suitable alternative (this includes email).

Postal address

Postcode

Phone

Email

Request for reasonable adjustments

Do you have a disability or impairment which may affect your ability to complete the required assessments?

Yes No

If yes, please indicate which of the following may apply:

Hearing Mobility Vision Other (please specify)



Please attach relevant and recent documentation (within the last 2 years) regarding the disability or impairment. Please include how the disability or impairment impacts upon the undertaking of required assessments and what reasonable adjustments are requested.

Note: All applicants seeking reasonable adjustment must ensure that they have read and understood the relevant section in the 2020 Guide to Application and Assessment.

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1.2 Area of Specialisation

Please tick the box corresponding to the area of specialisation you are applying for.

Selection

Please also choose one sub specialty where applicable.
Once candidature is confirmed individuals may not change their nominated sub-specialty.

Children's Law Child Representation (Care and Protection OR Crime)

Other Parties Representation (Care and Protection)

Dispute Resolution

Civil

Employment & Industrial Law n/a

Family Law

n/a

Immigration Law

n/a

Personal Injury Law

Dust Diseases

Medical Negligence

Motor Vehicle Accident

Public Liability

Work Injury Compensation

Planning & Environment

n/a

1.3 Candidate Preparation Group

1. I am interested in participating in a Candidate Preparation Group.

Yes No

2. I consent to having my contact details (name and email address) distributed to other interested candidates undertaking accreditation in 2020 for the purposes of forming an informal Candidate Preparation Group.

Yes No

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1.4 Eligibility Criteria

Please select answer 'Yes' or 'No' for each of Eligibility Criteria 1-6.

1. I am a current solicitor member of the Law Society of NSW or a current full solicitor member of an equivalent body in an Australian State or Territory.

Yes No

2. I hold a current solicitor's¹ practising certificate

Yes No

3. I have been engaged in the practice of law² on a full time basis for at least 5 years³

Yes No

4. In each of the 3 years immediately preceding this application, I have been engaged in the area of practice for which I am seeking Specialist Accreditation

Yes No

5. In the 3 years preceding this application I have practiced in this area for not less than 25% of full time practice

Yes No

In relation to any period during which I have worked part-time in the 3 years preceding this application, I have undertaken work in this area not less than the equivalent of 25% of full time employment (for example: not less than 2.5 days per fortnight working exclusively in the area).

6. **If you answered 'No'** to any of Eligibility Criteria 3, 4 or 5, please answer the following question.

If you answered 'Yes' to all of Eligibility Criteria 3, 4 and 5, select 'Not applicable' (n/a).

In the 3 years immediately prior to the application I cannot establish substantial involvement in the area of practice for which I am seeking Specialist Accreditation, as a result of being on parental leave, performing carers responsibilities or adoption/foster leave.

Yes No n/a

¹ As defined in the *Legal Profession Uniform Law Act* (NSW).

² "Practice of Law" does not include pre-admission experience.

³ "Years" run from the date of commencement of practice to 30 June in the year of application (this is not calculated from date of admission).

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If you answered 'No' for either or both of Eligibility Criteria 1 or 2, you are not eligible for Specialist Accreditation and should cease filling in this form.



If you answered 'No' to any of Eligibility Criteria 3, 4 or 5, and subsequently answered 'No' to Eligibility Criteria 6, you may seek an exemption to the Eligibility Criteria by completing Section 2: Application for Exemption from eligibility criteria 3–5 (on page 8). On review of your application, you may be accepted as a candidate at the discretion of the Specialist Accreditation Board.



If you answered 'No' to any of Eligibility Criteria 3, 4 or 5, and subsequently answered 'Yes' to Eligibility Criteria 6, you may seek an exemption to the Eligibility Criteria by completing Section 3: Application for Exemption from eligibility criteria 3-5, due to parental leave, performing carers responsibilities or adoption/foster leave (on page 10). On review of your application, you may be accepted as a candidate at the discretion of the Specialist Accreditation Board.

1.5 Experience in practice

Date full time practice commenced (this is not calculated from the date of admission)

The time I have devoted to the area of practice for which I am seeking Specialist Accreditation in the past three years is as follows:

Year	Approximate percentage of full time practice
2017	%
2018	%
2019	%

1.6 Practice details

Please detail your employment history starting with your current/most recent role. Please ensure that the information provided supports your assertion that you have been engaged in the full time practice of law for five years.

Name of employer

DX/Postal address

Postcode

Employment dates (from – to)

Responsibilities:

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1.6 Practice details (continued)

Name of employer

DX/Postal address

Postcode

Employment dates (from – to)

Responsibilities:

Name of employer

DX/Postal address

Postcode

Employment dates (from – to)

Responsibilities:

1.7 Letter of support to application



Please attach a letter of support from your most recent supervisor confirming the information you have provided in 1.6 Practice details. If further employment details required, please attach separately.

I have attached a letter of support from my most recent supervisor

Supervisor name and position

Employer

Or, I have not done so because I am a sole practitioner or solicitor director.

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1.8 References

All applicants must provide contact details for three referees currently Australian Legal Practitioners.

Applicants are urged to consider carefully when selecting their referees. It is important that the referee is able to **provide specific observations** on your capabilities in the relevant area of practice.

Referees may be contacted by the Advisory Committee if there is a discrepancy in your assessment results.

Referees may not be members of the Board, relevant Advisory Committee, relatives or personal friends. A maximum of **one** referee may be a co-worker or partner at your current employer. Only **one** barrister may be used as a referee.

The name and contact details of my referees are

Name of referee

Professional title

DX/Postal address

Postcode

Phone

Email

Name of referee

Professional title

DX/Postal address

Postcode

Phone

Email

Name of referee

Professional title

DX/Postal address

Postcode

Phone

Email

Application for exemption from Eligibility Criteria 3-5

Please tick the box that is relevant to you. Select only one option

I am not seeking exemption from any of criteria 3, 4, 5.

Leave this Section blank and **proceed to Section 4**

I wish to apply for exemption from Eligibility Criteria 3-5 as I do not meet the eligibility criteria.

Fill in this Section and then **proceed to Section 4**

I wish to apply for exemption from Eligibility Criteria 3-5 because of parental leave, performing carers responsibilities or adoption/foster leave.

Leave this Section blank and **proceed to Section 3**

2.1 Reason for exemption

If you do not meet eligibility requirements 3, 4 or 5 as listed on the application form, you may apply by submission for the Board's discretion to be accepted as a candidate.

Your submission for the Board's consideration for acceptance as a candidate must be accompanied by two written Letters of Support, using **Letter in support of application for Board's discretion**, which is available for download from lawsociety.com.au/specialist-accreditation.

Please tick the appropriate box and attach required documentation.

Either...

I have not practised on a full time basis for at least 5 years

Note: The Board will not consider any application where time in practice is less than 4 years.

You need to supply supporting documents in order to have your exemption from Eligibility Criteria considered:



1. Attach a one page summary outlining your pre-admission experience or other experience that you would like the Board to take into account when considering your application.

This summary must include details of the following:

- Name and address of employer(s)
- Position(s) held (state whether full or part time and include number of hours per week).
- Start-finish dates of position(s)
- Duties (level of responsibility/involvement or experience in that area of practice)

2. Attach two letters of support completed using **Letter in support of application for Board's discretion**, which is available for download from lawsociety.com.au/specialist-accreditation.

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Or...

I have not spent at least 25% of full time practice in this area in the past 3 years

You need to supply supporting documents in order to have your exemption from Eligibility Criteria considered:



1. Attach a one page summary of your reason(s) for not having spent 25% of full time practice in the area in the past 3 years (e.g. time spent overseas, part time work). Include any experience prior to the last 3 years and/or other experience you would like the Board to take into account when considering your application.

Your summary must include the following details:

- Name and address of employer(s) (firm, corporation, etc.)
 - Position(s) held
 - Full time/part time (state whether full or part time and include number of hours per week)
 - Start-finish dates of position(s)
 - Duties (level of responsibility/involvement or experience in that area of law)
2. Attach two letters of support completed using **Letter in support of application for Board's discretion**, which is available for download from lawsociety.com.au/specialist-accreditation.

2.2 Confirmation

I confirm I have attached three supporting documents (a one page summary and two letters of support) to my exemption application, as directed above

Application for exemption from Eligibility Criteria 3-5



Fill in this section only if you wish to apply for exemption from Eligibility Criteria 3-5 due to parental leave, performing carers responsibilities or adoption/foster leave. **Otherwise leave this section blank and proceed to Section 4, on page 11.**

3.1 Reason for seeking discretion

I cannot establish substantial involvement for the 3 years immediately prior to the application due to parental leave, performing carers responsibilities or adoption/foster leave.

The Specialist Accreditation Board may exercise its discretion to permit an application where a practitioner cannot establish substantial involvement for the 3 years immediately prior the application, providing the following criteria are satisfied:

- (a) Where, during the 5 years immediately prior to the application:
 - (i) The practitioner can demonstrate not less than 3 years of substantial involvement in the area of practice; and
 - (ii) The period(s) where the practitioner cannot demonstrate substantial involvement were periods where the practitioner was not working (or was working in a reduced capacity) as a result of being on parental leave, performing carers responsibilities or adoption/fostering leave; and
- (b) The practitioner can demonstrate that they hold a current practising certificate, and that they otherwise have been practising for 5 years, excluding the periods referred to in point (a) (ii).



Attach a one page summary detailing your period(s) of leave (including specific dates and hours of work) and outline the experience you would like the Board to take into account when considering your application.

3.2 Confirmation

I confirm I have attached a one page summary in support of my seeking the Board's discretion, as directed above.

Application for Recognised Prior Learning



Only fill in this section if you wish to request Recognised Prior Learning which may result in an exemption from successful completion of the formal written examination. **Otherwise leave this section blank and proceed to Section 5 on page 12.**

4.1 Details of study

The Specialist Accreditation Board allows applicants who have completed recent (within 3 years of the application due date) and significant study in the same area of practice in which accreditation is sought the opportunity to apply for Recognised Prior Learning.

In order for your application to be assessed, you must:

1. Name the institution

2. Date conferred/obtained



3. Attach your academic transcript from the above named institution

4. Attach a one page summary outlining the study undertaken and why this study should exempt you from the formal written examination

Note: When making a determination whether to grant a request for Recognised Prior Learning the Head Assessor of the relevant Advisory Committee will have regard to the extent to which the further study undertaken and completed by the applicant contained and assessed the skills and knowledge equivalent to that being assessed in the Specialist Accreditation assessments.

4.2 Confirmation

I confirm i have attached the relevant documents and one page summary to support my request for Recognised Prior Learning, as directed above.

Declaration

- (i) I have read and understood the requirements for Specialist Accreditation as set out in the 2020 Guide to Application and Assessment.
- (ii) I consent to the Specialist Accreditation Board making such enquiries as it sees fit to determine my capability and suitability for accreditation as a specialist;
- (iii) I consent to a Regulatory or Law Enforcement Agency/Authority releasing to the Specialist Accreditation Board any information concerning my professional conduct, provided that the information is not the subject of statutory restrictions on passing on information;
- (iv) Have you ever been the subject to:
Adverse action by a Regulatory Authority
 Yes No

For the purposes of this application for accreditation adverse actions means:

- A finding by a Court or Tribunal of unsatisfactory professional conduct or professional misconduct; or
- A decision by a Regulatory or Law Enforcement Agency/Authority to refer the member or applicant to a Court or Tribunal;
- A finding against the member or applicant by a Regulatory Authority resulting in the imposition of a caution, reprimand or fine; and/or
- Any other finding, allegation or matter involving the member or applicant which, in the view of the Board, would likely bring the Scheme into disrepute.



If you have been the subject of adverse action, you must attach a written statement to the Specialist Accreditation Board providing:

- (a) A statement of the facts; and
 - (b) An explanation as to the circumstances;
 - (c) Why, despite the adverse action taken against you, you consider yourself fit to hold Specialist Accreditation.
- (v) I understand that the Law Society of NSW deals with the collection, security, quality, use and disclosure of personal information in accordance with the *Privacy Act 1988* (Cth), and that a copy of the Law Society of NSW Privacy Statement is available on request;
 - (vi) I confirm that all the assessment work submitted will be:
 - The result of my own efforts;
 - Completed by me without the assistance of any other person;
 - Any breaches will be referred to the Specialist Accreditation Board.
 - (vii) I agree that I will not disclose or discuss the contents of assessment material or submissions with any other person except the staff of Specialist Accreditation at the Law Society of NSW.
 - (viii) I agree to be bound by the decisions of the Specialist Accreditation Board subject to my right of Reassessment and Appeal;
 - (ix) I declare that the contents of this application are true and correct.

Signature
required 

Signature (type your name below)

Date

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Fee

The application fee is \$1,100.00 including GST.

A tax invoice will be sent with confirmation of your application. (ABN: 98 696 304 966)

Payment may be made:

- by cheque – please make cheques payable to the Law Society of NSW and post to:

The Law Society of NSW
Specialist Accreditation Department
170 Phillip Street
SYDNEY NSW 2000

OR

DX 362 SYDNEY

- by credit card – [please click here to complete your payment](#)
- by bulk payment (for two or more candidates) - please email specialists@lawsociety.com.au to request a tax invoice for payment

Please contact Specialist Accreditation on 02 9926 0305 or email specialists@lawsociety.com.au should you experience any issues.

Checklist

- Have you completed your application form, ensuring that you have signed and dated **Section 5 - Declaration on page 12?**
- Have you attached a letter from your most recent supervisor confirming experience in practice? **See Section 1.6**
- Have you attached a one page summary if applying for an Exemption from Eligibility Criteria 3 – 5? **See Sections 2 and 3**
- Have you attached two letters of support if applying for an Exemption from Eligibility Criteria 3 – 5 due to reasons other than parental leave, performing carers responsibilities or adoption/foster leave? **See Section 2**
- Have you attached supporting documentation if applying for Recognised Prior Learning? **See Section 4**

**Send your completed application to
Specialist Accreditation by 27 March 2020**

 Email to us

specialists@lawsociety.com.au