

# 2023 Graduate and Clerkship Program Guidelines



THE LAW SOCIETY  
OF NEW SOUTH WALES

# Legal Graduate Employment Guidelines for Recruitment Activities in 2023

## 1. Objective

To provide a structured process for legal graduate employment recruitment to allow students to simultaneously consider offers received and select a firm or organisation most appropriate to their needs.

## 2. Participation

- a. Firms and organisations have the option to choose to participate in respect of graduate or clerkship recruitment or both by registering via the [online booking form](#) and paying the required fee to the Law Society of New South Wales. This includes participation in the comprehensive summer clerkship and graduate programs, and advertising on the Law Society of New South Wales online student portal.
- b. Firms and organisations who choose to participate in the Graduate Employment Program should read and agree to the Guidelines and will abide by the principles set out in the Guidelines including the Key Recruitment Dates (Schedule A of the Law Society of New South Wales Legal Graduate Employment Guidelines Review Statement)
- c. Firms and organisations can withdraw their participation at any stage by providing written notice to the Law Society of New South Wales to the Contact details appearing at the end of these Guidelines.
- d. There are no penalties for not following the Guidelines.
- e. The Guidelines are not compulsory.

## 3. Key Recruitment Dates

Schedule A sets out the dates for the opening and closing of applications for graduate positions and the making and accepting of graduate employment offers.

## 4. Key Recruitment Principles

- a. Participating firms and organisations
  - i. Firms and organisations will follow the Guidelines when making graduate offers (as the case may be) to:
    1. Current Staff (including staff employed on a casual basis);
    2. Applicants who have completed a summer clerkship with the firm (for graduate offers); and
    3. Applicants who have no relationship with the firm or organisation.
  - ii. candidates, both during the recruitment process and when offers of employment are made.

- iii. Participating firms and organisations cannot require a student to accept or decline an offer, nor require a student to give an indication about whether or not an offer may be accepted or declined, before the date by which offers must be accepted or declined.
- b. Candidates
    - i. There is an expectation that candidates will be straightforward, honest, and sincere in their dealings with firms and organisations.
    - ii. There is an expectation that candidates will be clear and transparent with firms and organisations with regard to their intentions, e.g. to apply for Judge's Associateship position or further study

## 5. Offer and Acceptance

- a. On the day identified in Schedule 'A' as the day on which offers for graduate employment positions can be made, firms and organisations may make offers at any time throughout the day
- b. Candidates must accept or decline an offer of graduate employment by 5.00 PM on the day identified in Schedule 'A' as the day on which offers for graduate positions must be accepted or declined.
- c. Candidates can accept or decline an offer of graduate employment at any time prior to 5.00 PM the day identified in Schedule 'A' as the day on which offers for graduate positions must be accepted.

## 6. Review

These Guidelines will be reviewed (including Key Recruitment Dates) annually by a Working Group established by the Law Society of New South Wales comprised of a representative of the Law Society of New South Wales, a representative of each of the firms or organisations and a representative of each of the legal education providers in accordance with the Law Society of New South Wales Legal Graduate Employment Guidelines Review Statement.

## 7. Contact Details

Student Services  
The Law Society of New South Wales 170 Phillip Street, Sydney NSW 2000  
DX 362 Sydney  
E: [Student.Services@lawsociety.com.au](mailto:Student.Services@lawsociety.com.au)  
T: 02 9926 0269

# Clerkship Guidelines for Recruitment Activities in 2023

## 1. Objective

To provide a structured process for clerkship recruitment to allow students to simultaneously consider offers received and select an employer most appropriate to their needs.

## 2. Participation

- a. Firms and organisations have the option to choose to participate in respect of clerkship or graduate recruitment or both by registering an expression of interest and paying the preferred package fee to the Law Society of New South Wales. This includes participation in the comprehensive summer clerkship and graduate programs, and advertising on the Law Society of NSW online student portal.
- b. Firms and organisations who choose to participate in the Clerkship Employment Guidelines will abide by the principles set out in the Guidelines including the Key Recruitment Dates (Schedule A) for clerkship employment recruitment, and the Law Society of New South Wales Legal Clerkship Employment Guidelines Review Statement.
- c. Firms and organisations can withdraw their participation at any stage by providing written notice to the Law Society of New South Wales to the Contact details appearing at the end of these Guidelines.
- d. There are no penalties for not following the Guidelines.
- e. The Guidelines are not compulsory.

## 3. Key Recruitment Dates

Schedule A sets out the dates for the opening and closing of applications for clerkship positions and the making and accepting of clerkship employment offers.

## 4. Key Recruitment Principles

- a. Participating firms and organisations
  - i. Firms and organisations will follow the Guidelines when making clerkship offers (as the case may be) to:
    1. Current Staff (including staff employed on a casual basis);
    2. Applicants who have no relationship with the firm or organisation.
  - ii. Firms and organisations should refer the Guidelines (including the acceptance dates) to candidates both during the recruitment process and when offers of employment are made.
  - iii. Participating firms and organisations cannot require a student to accept or decline an offer, nor require a student to give an indication about whether or not an offer may be accepted

or declined, before the date by which offers must be accepted or declined.

b. Candidates

- i. There is an expectation that candidates will be straightforward, honest, and sincere in their dealings with firms or organisations.
- ii. There is an expectation that candidates will be clear and transparent with firms and organisations with regard to their intentions, e.g. to apply for Judge's Associateship position or further study

## 5. Offer and Acceptance

- a. A participating firm or organisation may make an offer of a clerkship to a candidate at any time during the offer period identified in Schedule A
- b. An offer of a clerkship made within the offer period will remain open for acceptance until 5:00pm on the date identified in Schedule A as the day on which offers of clerkships must be accepted
- c. A candidate must not retain more than two (2) open offers at any time during the period commencing at 12 noon on the penultimate day of the offer period and concluding at 5:00pm on the day identified in Schedule A as the day on which offers of clerkships must be accepted, and must, notwithstanding clause (5)(2)(ii) decline on a rolling basis excess offers as necessary to comply with this clause.

## 6. Review

These Guidelines will be reviewed (including Key Recruitment Dates) annually by a Working Group established by the Law Society of New South Wales comprised of a representative of the Law Society of New South Wales, a representative of each of the firms or organisations and a representative of each of the legal education providers in accordance with the Law Society of New South Wales Clerkship Guidelines Review Statement.

## 7. Contact Details

Student Services

The Law Society of New South Wales 170 Phillip Street, Sydney NSW 2000

DX 362 Sydney

E: [Student.Services@lawsociety.com.au](mailto:Student.Services@lawsociety.com.au)

T: 02 9926 0269

# Legal Graduate Employment and Clerkship Guidelines Review Statement

## Part A - The Statement

### 1. Objective of the Statement

The objective of this Legal Graduate Employment and Clerkships Guidelines Review Statement (the 'Statement') is to:

- a. set out arrangements for the establishment and operation of the Working Group referred to in the Law Society of New South Wales (the 'Law Society') Legal Graduate Employment and Clerkships Guidelines (the 'Guidelines');
- b. describe the purpose for which the Working Group referred to in the Guidelines is established; and
- c. set out in brief terms the administrative arrangements for the functioning of the Working Group referred to in the Guidelines.

### 2. Statement Not Legally Binding

The Statement does not constitute or reflect a legally binding agreement between parties.

## Part B - The Working Group

### 1. Establishment of the Working Group

- a. The Law Society will by the written direction of the Chief Executive Officer establish a Working Group for the purposes of the Guidelines (the 'Working Group').
- b. The Working Group will comprise a representative of the Law Society, a representative of each of the law firms or organisations (which term includes government legal offices) whose names are set out in Schedule B to the Guidelines (the 'Firms and Organisations') and each of the legal education providers whose names are set out in Schedule C to the Guidelines (the 'Legal Education Providers').
- c. The Law Society, each Firm or Organisation and each Legal Education Provider are each a 'member' of the Working Group.

### 2. Appointment to the Working Group

- a. The Law Society will invite: (a) the Firms and Organisations; and (b) the Legal Education Providers to each appoint one (1) representative to be that member's representative, in accordance with the Statement, to the Working Group.
- b. A Firm, Organisation or a Legal Education Provider may choose not to appoint a representative to the Working Group.
- c. A Firm, Organisation or a Legal Education Provider may change its representative from time to time by notice to the Law Society in writing.

### 3. Purpose of the Working Group

The purpose of the Working Group is to be a forum for dialogue between the Law Society, Firms, Organisations and Legal Education Providers concerning the content and operation of the Guidelines, including:

- a. to review annually the Guidelines and provide comment as to their terms, for consideration by the Law Society; and
- b. to provide information to the Law Society to inform it concerning the framing of the key recruitment dates set out in Schedule A to the Guidelines.

### 4. Working Group Advisory Only

The Working Group is established only as an advisory body for the purpose of providing information and comment in respect of the Guidelines to the Law Society which retains sole discretion concerning the terms of the Guidelines and their operation.

### 5. Confidentiality

Information provided to or exchanged between members of the Working Group for the purposes of the Working Group will be kept confidential and may not be disclosed, except as required by law.

### 6. Administration

#### a. Chairperson

- i. The chairperson of the Working Group will be appointed by the Chief Executive Officer of the Law Society in writing.
- ii. The role of the chairperson is to:
  1. determine the agenda for meetings of the Working Group taking into account any request or comment made by a member to the chairperson in writing;
  2. chair meetings of the Working Group and take reasonable steps to facilitate the proper functioning of the Working Group;
  3. take reasonable steps to advise the Law Society of the Working Group's recommendations on matters falling within the Working Group's objectives;
  4. take necessary steps to cause the minutes of each meeting of the Working Group to be recorded and retained;
  5. review and sign the minutes of each meeting of the Working Group; and
  6. provide a copy of the minutes to each member of the Working Group.

#### b. Frequency of Meetings

- i. The Working Group will hold at least one (1) meeting in each calendar year and such additional meetings as are directed by the chairperson.
- ii. A member of the Working Group may request the chairperson to convene a meeting of the Working Group in addition to any meeting called at the volition of the chairperson.
- iii. Members will be given at least two (2) weeks' written notice (which may include

email notification) of any meeting.

c. Attendance by Non-Members

- i. The Working Group may invite non-members to attend any meeting of the Working Group.
- ii. Non-members have no voting rights and may be requested to withdraw from all or any part of a meeting of the Working Group.

d. Meetings Other than in Person

- i. Where deemed appropriate by the chairperson of the Working Group, meetings and subsequent recommendations may be dealt with by way of written resolution or conference call or other electronic means or audio or audio/visual communication.

e. Quorum

- i. A quorum for a meeting of the Working Group is one third (rounded up to the nearest whole number) of the members of the Working Group appointed for the time being.

f. Voting

- i. In relation to matters which are put to a vote of the Working Group, each member will have one (1) vote.

g. Place of Meetings

- i. Meetings of the Working Group will take place at the premises of the Law Society at 170 Phillip Street, Sydney, unless another venue in the Sydney CBD is notified by the Law Society to the members of the Working Group, or online. Members of the Working Group will be notified in advance of the meeting whether the meeting will be held in-person or online and provided with details.

## Schedule A – Summer Clerkship and Graduate Program Dates 2023

### Graduate Program

Date	Activity
Monday 27 February	Applications for graduate positions open.
Sunday 9 April	Applications for graduate positions close at 5.00pm.
Monday 1 May	Interviews for graduate positions commence.
Wednesday 7 June	Offers for graduate positions can be made.
Friday 9 June	Offers for graduate positions must be accepted or declined by 5.00pm.

## Summer Clerkship Program

Date	Activity
Monday 5 June	Applications for summer clerkships open.
Sunday 2 July and midnight Sunday 9 July	Applications for summer clerkships close.
Wednesday 13 September	Offers for summer clerkships can be made.
Thursday 14 September	Offers for summer clerkships must be accepted or declined by 5.00pm.