

## Supervision in Legal Practice

### Points to consider as a junior solicitor

#### Supervisee



Winging it – if you don't know the answer; ask the question. Don't 'wing it' and hope that it turns out ok. It probably won't.



Speak up – if you are having trouble with a particular task, person or have concerns about a file talk to your supervisor. You may prevent a potential problem from developing down the track.



On the record? As an employed solicitor you **cannot** act as a solicitor on the record. This must be a solicitor with an unrestricted practicing certificate<sup>1</sup>.



Get feedback – It is important that your supervisor provides you with constructive and regular feedback on your performance. You can't improve if you don't know what you need to improve upon.



Note it down – always make contemporaneous and comprehensive file notes after all client interaction (phone, email, face to face) or file activity. This helps to build a complete picture of the file and also provides documentary evidence of interactions with clients and any work undertaken.



Prevent problems – make sure that you have regular time with your supervisor where you are able to sit down and review your work or voice any concerns you may have.



Mixed messages – consider the type of communication method you use when interacting with a client. Providing advice via text message (for example) is not advisable.



Sign off – ensure all client communications (including emails) are 'signed off' or checked by your supervisor before they are sent.



Don't delay – avoid missed limitation periods and delay by using office reminder systems and ensuring that you have regular 'work in progress' meetings with your supervisor.

<sup>1</sup> Reg 7.1(6) *Uniform Civil Procedure Rules 2005*

## Supervision in Legal Practice

### Points to consider as a supervising solicitor

#### Supervisor



Don't assume - after giving an instruction ask confirmatory questions. Don't assume that the supervisee has understood your instructions.



Prevent problems - set time aside for your supervisee to voice any issues or concerns they may have. You may prevent an issue from developing into a big problem.



On the record? As an employed solicitor, a supervisee **cannot** act as a solicitor on the record. This must be a solicitor with an unrestricted practicing certificate<sup>1</sup>.



Make time - hold regular file reviews with your supervisee (and actually look at the files; not just a verbal update).



Learn from mistakes - provide your supervisee with regular, constructive feedback about their performance.



Winging it - don't rely on the supervisee to ask for help. Go to them first. Prevent them from 'winging it'.



Note it down – impress upon your supervisee the importance of contemporaneous and comprehensive file notes. Ensure there is documentary evidence of interactions with clients (including phone, email and face to face) and any work undertaken on a file.



Sign off – ensure all client communications (including emails) are 'signed off' or checked by yourself or the supervising solicitor before they are sent.



Don't delay – avoid missed limitation periods and delay by using office reminder systems, and scheduling regular 'work in progress' meetings.

<sup>1</sup> Reg 7.1(6) *Uniform Civil Procedure Rules 2005*