

Keep an eye on supervision

Supervision is a challenge for all of us but is a key tool for effective law management

Rule 37 *Australian Solicitors Conduct Rules 2012* (ASCR) provides that

A solicitor with designated responsibility for a matter must exercise reasonable supervision over solicitors and other employees engaged in the provision of the legal services for that matter.¹

Getting it wrong not only exposes us to unhappy clients, civil claims and endless discussions with our insurers but may also lead to a regulatory investigation.

Supervision begins with asking ourselves whether we should act for a particular client or act for an existing client in a specific matter.

When we ask these questions we should think about whether:

- we have the capacity to deliver the requested legal services; and
- do we have the time and resources to devote to the task.

There is no right or wrong answer to these questions.

We should take on work only when we can:

- competently, diligently and promptly deliver the service; and
- for a fair and reasonable fee, that is also profitable.

Making the right decision will only enhance our reputation by ensuring the client or the client matter is the right fit for the firm.

Part of supervision is delegation, which may be the whole or part of the representation to others within the firm. In delegating, we need to look at how best we can serve our client's interest. Will it add value.

Trust and confidence with defined processes are at the heart of reasonable supervision.

Stafford Shepherd,
Director, QLS Ethics Centre
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¹ The glossary of terms to the ASCR defines the terms "solicitor with designated responsibility", "legal service" and "matter".