

# Personal Injury Law

2026 Specialist Accreditation Assessment Guidelines



#### Contents

Assessment Guidelines Overview	3
Performance outcomes	
Assessment program	3
Key milestones and program timeline	4
Outline of accreditation requirements	4
SCHEDULE 1: CORE KNOWLEDGE AREAS	5
SCHEDULE 2: PROFESSIONAL PRACTICE SKILLS	10
SCHEDULE 3: TAKE HOME ASSESSMENT	15
Assessment criteria	
Assessment conditions	15
SCHEDULE 4: WRITTEN EXAMINATION	16
Assessment criteria	16
Assessment conditions	16
SCHEDULE 5: ORAL ASSESSMENT	17
Assessment criteria	17
Assessment conditions	17

#### **Assessment Guidelines Overview**

Solicitors who become Accredited Specialists are recognised as having enhanced knowledge and professional practice skills, as well as substantial involvement in established legal specialty areas. Through the assessment tasks, the Queensland Law Society (QLS) requires candidates to demonstrate a standard of professional knowledge, proficiency in application, and communication that reflects that of a specialist in that area of accreditation, to ensure that recognition as an Accredited Specialist is meaningful, credible and reliable.

These Assessment Guidelines are to assist with your self-directed preparation for the three assessment tasks that are part of the program. They should be viewed in conjunction with the QLS Specialist Accreditation Scheme Handbook which contains the policies and procedures relevant to all areas of accreditation.

#### **Performance outcomes**

Specialist Accreditation is a structured assessment process which requires the candidate to draw on their existing knowledge and skills to demonstrate their competency and expertise in their chosen area of law.

Solicitors wishing to be accredited should demonstrate a high standard of:

- knowledge of the law and procedure which underpins the performance of tasks in this area of practice; and
- oral and written advocacy which is expected of practitioners wishing to hold themselves out as specialists in the
  area

"High standard" means the standard expected of a specialist legal practitioner with enhanced skills, superior knowledge, significant experience and a high proficiency in Personal Injury Law, as reflected in the <u>professional practice skills</u> set out in these Assessment Guidelines.

#### **Assessment program**

The assessments are all delivered in a digital environment. This provides equitable access for all candidates irrespective of location and is also aligned with the nature of legal practice in today's digital world. There is a base level of computer literacy required to complete the assessment, and it is incumbent upon candidates to have access to suitable technology and infrastructure to perform in the most optimal way.

Three assessments make up the Specialist Accreditation program in Personal Injury Law.

#### Take home assessment

The take home assessment is usually the first item of assessment attempted in the program. It is in the form of a mock file where professional artefacts (e.g. a letter of advice, court document, or contracts etc.) are drafted in response. Candidates are given a period of three weeks from the release date to complete the Take Home assessment, which is then submitted online to the QLS Learning Management System (Canvas).

#### Written examination

The written exam consists of short answer and extended written questions. It is accessed by candidates via the QLS Learning Management System (Canvas).

#### **Oral assessment**

The oral assessment varies in each area of accreditation (client interview, mock hearing or application, professional discussion/viva). In 2026 the oral assessment in Personal Injury Law will be a simulated client interview conducted online via Microsoft Teams.

Candidates who complete all three assessments to the standard of an accredited specialist are eligible for accreditation as a specialist in Personal Injury Law. Schedules 3-5 include further details in relation to each of the three assessments. Specific core knowledge areas and professional practice skills are listed under Schedules 1 and 2.

In any or all the assessment tasks, candidates may be assessed on any or all of the core areas of knowledge and professional practice skills.

All assessments undergo a rigorous marking process. Any assessment deemed to not have achieved the standard of an accredited specialist will go through an independent second round of marking before a recommendation is made to grant or deny Accredited Specialisation.

Candidates will be examined on the law as it stands at the date of assessment unless the assessment instructions specify otherwise.

Queensland Law Society Page 3 of 17

#### Key milestones and program timeline

Candidates are advised that the Specialist Accreditation program requires a considerable commitment. From when you get accepted into the program, we encourage you to plan and use these guidelines to prepare.

ITEM	DATE
Specialist Accreditation Information Evening (ONLINE)	21 October 2025
Applications Open	17 October 2025
Applications Close	7 November 2025
Candidate Acceptance Notification	15 December 2025
Assessment Briefing Evening (ONLINE)	late February
Assessment Dates	
- Take Home Assignment	Thursday 12 March - Thursday 2 April
- Written Exam	Sunday 31 May 2026
- Simulated Client Interview	Saturday 6 June 2026
Results Released	late August 2026
Specialist Accreditation Celebration	8 or 9 October 2026

**Note:** The above dates are correct at the time of publishing. Should any changes need to occur, they will be communicated directly to candidates as early as possible.

### Outline of accreditation requirements

Specialists need to possess knowledge of a wide range of topics. In practice of course, the client base and practice experience of the applicant will result in that applicant having a greater degree of familiarity with some of these topics than others.

Nevertheless, every applicant needs to be aware that once accredited as a specialist in this area, the practitioner will be in effect holding themselves out to potential clients as having a knowledge of all of the topics that fall within the specialty.

Over a period of years those topics with which the applicant will be most familiar within the speciality may fluctuate as the client base changes.

As part of this program, candidates will undertake practical exercises in:

- · conducting necessary research on relevant law and court procedure
- providing advice on causes of action available in Personal Injuries litigation
- drafting legal process to institute and/or defend claims
- interviewing clients, and providing technically correct and appropriatelycommunicated advice; and
- comprehending the ethical rules applicable to the conduct of legal practitioners in the course of Personal Injury law and litigation.

Queensland Law Society Page 4 of 17

#### SCHEDULE 1: CORE KNOWLEDGE AREAS

For the purposes of the personal injuries law specialist accreditation assessment program, the core areas of knowledge have been identified as:

- Motor vehicle accident
- Public liability
- Workers' compensation / industrial
- Product liability cases
- Medical negligence cases

The list below is not exhaustive but is set as a guide to candidates as to the type of matters that may be raised in the Personal Injury Law specialist accreditation assessment program.

#### 1. Common law principles

- Liability in negligence and breach of statutory duty
  - o The duty of care
    - general principles
    - specific categories, e.g. product liability, motor vehicles, duties to rescuers, occupiers' public liability, duties in the workplace;
    - medical negligence, public authorities liability, nervous shock/pure psychiatric injury;
    - non-delegable duty, and
    - no-duty situations and immunities, e.g. barristers, joint illegal enterprise.
  - o Breach of duty and the standard of care
    - the standard of care;
    - proof of negligence (general principles, the onus of proof, circumstantial evidence, res ipsa loquitur); and
    - Statutory impact including the National Injury Insurance Scheme (Qld).
  - Damage
    - causation of damage (general principles, tests of causation, multiple or complex causes)
  - o Remoteness of damage
    - general principles;
    - egg-shell skull rule; and
    - intervening actions.
  - Statutory impact
- · Liability in public nuisance
- Liability in private nuisance
- · Liability in assault, battery, and false imprisonment
- Liability in contract

Queensland Law Society Page 5 of 17

#### Defences

- o Voluntary assumption of risk;
- o Contributory negligence;
- o Disclaimers;
- o Inevitable accident;
- o Fraud;
- o Consent; and
- Illegality.
- Liability for animals
- Vicarious liability
- Assessment of damages
  - General damages
    - identifying and applying the correct Regulations to determine the appropriate Injury Scale Value; and
    - identifying those situations where a common law assessment is applicable and the basis of such assessment.
  - Special damages
    - Out of pocket expenses
    - Statutory liability
  - Past economic loss
    - allowance for receipt of statutory benefits, in particular calculation of interest and allowance for receipt of sick pay and superannuation
  - Future economic loss
    - use of actuarial tables including deferred calculations and life expectancy tables
  - o Care
    - gratuitous and paid care
  - Particular issues
    - interest on awards;
    - overlap with other claims;
    - contributory negligence; and
    - statutory limitations.
  - Compensation to others
    - dependency actions e.g. loss of expectation of financial support; and
    - loss of services.
  - Parties
    - naming of correct parties;
    - circumstances when it is appropriate to have action against insurer alone; and
    - the correct party to claim in some cases for economic loss.

Queensland Law Society Page 6 of 17

- Future recurring and deferred expenses
  - ongoing expenses;
  - cost of aids and appliances;
  - future deferred surgery; and
  - mitigation of damages.
- Choice of Law
  - General knowledge of choice of law rules applicable in interstate accidents
- Time limitations
  - Common law principles as to when cause of action arises; and
  - Statutory limitations and notice provisions (Motor Accident Insurance Act 1994, Workers'
    Compensation and Rehabilitation Act 2003 and Personal Injuries Proceedings Act 2002, claims
    against the Commonwealth).

#### 2. Statutory provisions, rules and practice directions

- Legal Profession Act 2007;
- Australian Solicitors Conduct Rules 2023
- Motor Accident Insurance Act 1994';
- Workers' Compensation and Rehabilitation Act 2003;
- Personal Injuries Proceedings Act 2002;
- Civil Liability Act 2003;
- District Court Act 1967;
- Magistrates Court Act 1921;
- Uniform Civil Procedure Rules 1999;
- Supreme Court Act 1995;
- Law Reform Act 1995;
- Limitation of Actions Act 1974;
- Public Trustee Act 1978;
- Succession Act 1981;
- Service and Execution of Process Act 1992;
- Victims of Crime Assistance Act 2009;
- Work Health and Safety Act 2011;
- Commonwealth Employees Rehabilitation and Compensation Act 1988;
- Military Rehabilitation and Compensation Act 2004;
- Safety Rehabilitation and Compensation Act 1988;
- Choice of Law (Limitation Periods) Act 1996;
- Crown Proceedings Act 1980;
- Health and Other Services (Compensation) Act 1994;
- Guardianship and Administration Act 2000;
- Coal Mining Safety and Health Act 1999 (Qld);
- Civil Aviation (carriers liability) Act 1959 (Cth);
- Civil Aviation (carriers liability) Act 1964 (Qld);
- Corrective Services Act 2006;

Queensland Law Society Page 7 of 17

- Competition and Consumer Act 2010;
- Civil Proceedings Act 2011;
- National Disability Insurance Scheme Act 2013;
- National Injury Insurance Scheme (Queensland) Act 2016;
- National Redress Scheme for Institutional Child Sexual Abuse Act 2018; and
- Practice Directions applicable to the relevant Court.

#### 3. Stages of proceedings

- Pre-court proceedings
- Pleadings
  - o Commencement of proceedings;
  - Serving originating process;
  - o Entry of Appearance and Defence;
  - o Statement of Claim;
  - o Third Party Notices/Notices claiming contribution or indemnity;
  - Cross Claims specific pleadings;
  - o Supreme Court Practice Direction 18 of 2018.
    - document management protocol and plan
    - lists of issues and non-issues
    - case conferences
- · Discovery, disclosure, and privilege
  - Discovery
  - o Interrogatories;
  - Notices of non-party disclosure; and
  - o Privilege.
- · Statements of loss and damage
- Statements of expert and economic evidence
- Settlement procedures
  - Settlement conferences;
  - o Mediation;
  - Case appraisal;
  - o Preparation of terms of settlement/orders of judgment;
  - o Release, indemnity and discharge; and
  - Written instructions.
- Trial preparation
  - Preparation of chronologies;
  - Preparation of schedules;
  - o Preparation of trial bundle;
  - o Agreement on heads of damage;
  - Conferences;

Queensland Law Society Page 8 of 17

- o Subpoenas;
- o Documents for tendering;
- Witnesses, lay and expert;
- o Evidence by electronic media; and
- o Procedural Practice Directions.
- Special procedures in cases of legally disabled
  - Appointment of Litigation Guardian;
  - Settlement of claims for those lacking legal capacity;
  - o Sanction of settlement by the court or by the Public Trustee; and
  - o Appointment of Administrator.
- Application for speedy trial
- · Procedures for judgement
  - o Obtaining default judgment; and
  - Enforcing judgment.
- Assessment of costs
- Appeals
  - o Leave to appeal from interlocutory judgment;
  - Appeals from Magistrates, District and Supreme Courts to Court of Appealand Applications for special leave to appeal to the High Court;
  - Notice of Appeal;
  - o Outline of Appellant's submission;
  - o Outline of Respondent's submission;
  - o Appellant's Reply; and
  - o Respondent's Reply.

Queensland Law Society Page 9 of 17

#### SCHEDULE 2: PROFESSIONAL PRACTICE SKILLS

The professional practice skills required to be demonstrated during the Personal Injury Law specialist accreditation assessment program include the following:

#### 2.1 Conducting cases efficiently, effectively and expeditiously

- demonstrating initiative and acting promptly to promote the client's case;
- being commercially responsible and guarding against wasteful procedures and over servicing;
- developing and maintaining efficient and disciplined office procedures, including an efficient diary system for pleadings and time limitations;
- being objective and professional; and
- ensuring all actions and advice is in accordance with their ethical duties.

#### 2.2. Assisting the client to gain a realistic understanding of the case

- regularly advising the client in relation to the assessment and likely outcome of the claim;
- explaining to the client the basis on which damages or compensation are assessed, the likely range of damages, the impact of discount rates, the statutory restrictions contained in the Motor Accident Insurance Act, Workers' Compensation and Rehabilitation Act 2003, Personal Injuries Proceedings Act and Civil Liability Act 2003, Uniform Civil Procedure Rules:
- advising on the availability of Alternative Dispute Resolution mechanisms e.g. arbitration, mediation;
- advising in relation to liability;
- advising on mandatory final offers, offers to settle, the implications in relation to costs and the principles of awarding interest;
- warning of the risks of proceeding with litigation;
- clarifying with the client the implications of settlement and the impact settlement may have on social security and/or workers compensation entitlements;
- advising on all statutory entitlements and refunds;
- discussing the terms of the retainer;
- discussing and entering into a costs agreement having particular regard to conditional cost agreements; and
- advising about the availability of structured settlements in appropriate cases.

#### 2.3 Ascertaining and obtaining necessary information and evidence

- communicating with clients to elicit all relevant details relating to liability and quantum;
- identifying the common law, statutory provisions and the relevant time limitations that apply;
- identifying available defences and considering admissions of liability, grounds for privilege and third-party proceedings;
- obtaining full details of the injury to establish a profile of "before" and "after" the injury;
- combining a professional attitude with objectivity, tolerance and a thorough of approach in obtaining information;
- to seek further particulars of any issues or requesting copies of documents referred to therein

#### Advising and representing a client

- establishing rapport;
- discussing costs, including the basis on which the client will be charged and costs recovery rules. Ensuring the client has the opportunity to raise any questions or concerns regarding costs issues;
- providing the client with a balanced overview of the process and gives an overview of time frames, time limits and the "pros" and "cons" of proceeding with a claim; and
- openly raising any ethical issues and advises about any peculiar issues that may arise.

Queensland Law Society Page 10 of 17

#### 2.4 Ascertaining and obtaining evidence on liability

- demonstrating initiative, promptness, and knowledge of the appropriate sources;
- obtaining factual reports;
- taking statements from all relevant witnesses; and
- engaging and qualifying appropriate experts.

#### 2.5 Ascertaining and obtaining appropriate medical evidence

- Ascertaining and obtaining medical information from hospitals, treating doctors and qualified medical experts;
- if necessary, conducting an investigation of previous medical history and obtaining details of the likely cost of any future treatment and care;
- updating information in response to constant monitoring of the progress of the medical condition by treating doctors or other health professionals, including rehabilitation programs;
- demonstrating knowledge of medical terminology and the medical experts who are available to give required medical evidence; and
- ensuring that the medical experts address themselves to the important questions of evidence e.g. causation.

#### 2.6 Ascertaining and obtaining evidence of loss and damage

- quantifying or testing the claims for loss and damage by developing and contrasting a profile of pre- and postaccident life of the injured party;
- when appropriate, obtaining details of employment, taxation, income, ability, duties, prospects for promotion, redundancy and retirement, personal records, professional qualifications, and references;
- if necessary, engaging and qualifying actuarial experts to assess economic loss;
- if necessary, arranging necessary surveillance of injured party; and
- demonstrating knowledge of relevant superannuation legislation and its application to damages assessment.

#### 2.7 Using procedures to ascertain and obtain additional facts

- Demonstrating initiative and a knowledge of formal and informal procedures to obtain facts before the action commences, including:
  - discovery before action;
  - searches; and
  - use of *Information Privacy Act* 2009 and *Right to Information Act* 2009 to obtain hospital and other State government records.
- Demonstrating initiative and a knowledge of formal and informal procedures to obtain facts after the action commences, including:
  - subpoenas to produce documents; and
  - interlocutory proceedings e.g. discovery, interrogatories, and notices to admit facts.
- Demonstrating knowledge of the application of the provisions of the Evidence Act 1977 (Qld) (s134A).

#### 2.8 Developing a plan to assess liability and quantum

- analysing the strengths and weaknesses of the client's case in light of the available facts and the current law;
- considering the probable evidence of the other party's experts' reports, probable defences, the possibility of third-party proceedings; and the likely availability, demeanour and credibility of all parties and witnesses; and
- assessing the likelihood of success.

Queensland Law Society Page 11 of 17

#### 2.9 Assessing compensation

- adopting a realistic approach to the quantification of heads of damage and the calculation of entitlements to workers compensation, and applying knowledge of common law principles and legislation;
- reviewing precedents;
- considering questions of insurance and the other party's ability to pay;
- evaluating the strength and extent of the medical evidence, based on knowledge of medical terminology and investigative procedures;
- considering obligations and entitlements to provide and receive rehabilitation services;
- considering the likely availability, demeanour and credibility of all parties and witnesses; and
- considering statutory limits of the:
  - Workers' Compensation and Rehabilitation Act 2003,
  - Motor Accident Insurance Act 1994,
  - Personal Injuries Proceedings Act 2002
  - Civil Liability Act 2003; and
  - Associated Regulations, including Uniform Civil Procedure Rules1999.

#### 2.10 Determining the appropriate tribunal

- ascertaining the nature and quantum of causes of action;
- ascertaining the appropriate jurisdiction in relation to quantum and where the cause of action accrued; and
- ascertaining the advantages and disadvantages of various tribunals, including alternative dispute resolution options.

#### 2.11 Evaluating tactics to present client case in best possible light

- determining when to proceed with, defer or attempt to settle a claim;
- understanding the commercial reality and assessing the strengths and weaknesses of the evidence on both liability and damage;
- if appropriate, using any of the following to advance the client's position:
  - speedy hearings;
  - interlocutory proceedings;
  - offers to settle;
  - requiring experts to be available for cross-examination;
  - seeking agreement on the quantum of heads of damage;
  - application for mediation or case appraisal;
  - availability of jury trial;
  - · compulsory conferences; and
  - joinder of parties.

#### 2.12 Advising the client on a course of action

- advising the client on possible courses of action, including alternative dispute resolution options, the need to compromise, settlement options, and the likely duration, cost, and outcome of litigation
- considering joining other parties to the proceedings, the availability and desirability of jury trial and time limitation
- communicating with the client in a manner consistent with the client's needs
- remaining objective and realistic; and
- advising the client in an ethical and professional manner

Queensland Law Society Page 12 of 17

#### 2.13 Implementing a plan

- accurately preparing all necessary documentation in accordance with the rules of court, common law, and statutory provisions;
- ensuring that documents reflect the client's instructions or the terms of any agreement;
- drawing pleadings which identify all relevant parties and disclose proper causes of action, heads of damage or defences; and
- if required, preparing documents for the appointment of next friend.

#### 2.14 Briefing Counsel

- briefing a barrister who is skilled in the appropriate field in appropriate cases;
- taking an active role in liaison between the client and counsel; and
- monitoring the presentation of the case and not abdicating responsibility to counsel.

#### 2.15 Reviewing the evidence

- reviewing the file to ensure the preservation of evidence and updates evidence of loss;
- considering the opponent's material; and
- reviewing which reports will be used and which experts should be called as witnesses or be required for crossexamination.

#### 2.16 Assessing general damages

 applying common law principles and the injury scale prescribed under the Civil Liability Act 2003 and the Workers' Compensation and Rehabilitation Act 2003.

#### 2.17 Assessing the care component

- applying relevant principles to the calculation of all heads of special damages and statutory provisions, and
- applying restrictions provided by the Workers' Compensation and Rehabilitation Act 2003, Personal Injuries Proceedings Act, Motor Accident Insurance Act 1994, and Civil Liability Act 2003 as appropriate.

#### 2.18 Calculating past losses

- obtaining particulars and calculating the out-of-pocket expenses;
- testing whether out-of-pocket expenses are reasonable and arise out of the injury;
- considering and calculating entitlement to interest; and
- applying restrictions provided by Motor Accident Insurance Act 1994, Personal Injuries Proceedings Act 2002, Civil Liability Act 2003 and Workers' Compensation and Rehabilitation Act 2003.

#### 2.19 Assessing future loss

- Considering and calculating the various heads of damages in relation to:
  - future loss, including loss of income;
  - loss of opportunity;
  - medical and rehabilitation costs;
  - the value of care provided voluntarily and/or commercially;
  - the recurring costs of special equipment; and
  - home and transport modifications.
- applying the appropriate discount rates and actuarial tables;
- taking into account adverse contingencies, the vicissitudes of life and life expectancy; and
- applying the relevant statutory provisions on restrictions on future loss.

Queensland Law Society Page 13 of 17

#### 2.20 Negotiating settlement

- demonstrating an appreciation of when and how to negotiate;
- understanding the advantages/disadvantages of acceptance/offers to settle;
- assessing the known attitude and likely approach of the other parties and the strength of the opponent's case;
- in appropriate cases, considering structured settlements;
- advising the client on social security and National Disability Insurance Scheme implications;
- advising the client on Medicare requirements and WorkCover refund; and
- advising the client of indemnity and standard costs.

#### 2.21 Preparing and conducting hearings

- marshalling the evidence;
- issuing subpoenas;
- preparing trial bundles;
- conferring appropriately with counsel and ensuring adequate representation at the hearing;
- determining availability of witnesses and ensuring efficient and considerate calling of witnesses;
- keeping the client informed; and
- advising the client on prospects of appeal/re-hearing

#### 2.22 Finalising the claim

- ensuring all court documents and forms of judgment are properly prepared and filed;
- seeking court approval when necessary;
- notifying proper authorities, including Medicare;
- advising the client of relevant dates, e.g. payment of interest, re-hearing or appeal, and any other arrangements which need to be made;
- taking steps to see that verdict or settlement monies are paid promptly;
- obtaining written authorities to settle;
- recording instructions with finalisation of claims;
- paying all outstanding accounts/expenses;
- preparing final accounts and complying with proper accounting procedure;
- preparing and arranging execution of deed of release or discharge;
- enforcing judgment and settlement; and
- where appropriate, promptly preparing and sending assessment of costs

Queensland Law Society Page 14 of 17

#### SCHEDULE 3: TAKE HOME ASSESSMENT

Mock file	
Release date:	Thursday 12 March 2026
Due Date:	Thursday 2 April 2026
Submission:	submitted online to the QLS Learning Management System (Canvas)

Candidates will be required to complete a take home assignment, which is subject to strict time and length limits and will assess the candidate's ability to handle matters in practice. Further details are provided when the assessment is released.

#### Assessment criteria

Candidates will be assessed on their:

- knowledge of relevant law and procedures
- identification of relevant and priority legal issues
- skillful application of legal principles
- communication of concise and clear advice
- awareness of practical considerations
- judgement and decision-making skills
- preparation of documents
- ability to identify and address any ethical issues from the given fact situation.

#### **Assessment conditions**

Candidates may use the resources of their offices in completing this exercise. However, consultation with any other person in completing the exercise is not permitted and the material submitted must be entirely your own work.

Candidates will face automatic disqualification from the accreditation program if any assessment material is referred to counsel or any other person for opinion or assistance.

The assessment must be submitted as an MS Word or PDF document through the online student portal by no later than 4pm on the due date advised. Late submissions will not be accepted. Candidates should refer to the appropriate section of the *Specialist Accreditation Scheme Candidate Handbook* if they experience a problem completing the assessment by the due date.

No reference or marks which may identify the candidate, or their firm, should appear anywhere in the candidate's work.

To meet the standard of an accredited specialist, candidates must achieve a minimum of 60% in this assessment.

Queensland Law Society Page 15 of 17

#### **SCHEDULE 4: WRITTEN EXAMINATION**

# Written Examination Date: Sunday 31 May 2026 Duration: Three (3) hours and 30 minutes inclusive of reading, planning and writing time Via: QLS Learning Management System (Canvas)

The written examination will cover a wide range of Personal Injury Law matters that may be encountered in practice.

The exam is divided into three sections.

- · Part A is compulsory short answer.
- Part B is elective short answer questions.
- Part C consists of three extended written response questions of which you must answer two.

#### Assessment criteria

Candidates will be expected to demonstrate a high standard of knowledge of Personal Injury Law issues and associated practices and procedures as outlined in <u>Schedules 1</u> and <u>2</u> of this document, and will be assessed on their:

- ability to identify relevant issues from a given fact situation
- knowledge of relevant law (including significant recent decisions) and skill in applying that knowledge in practice
- knowledge of the procedural rules
- ability to provide practical, clear, and comprehensive advice
- awareness of practical considerations in Personal Injury Law
- ability to identify and address any ethical issues

#### **Assessment conditions**

Further guidance will be provided in advance of the examination, as to the written and/or electronic reference <u>material</u> <u>which candidates may access during the examination</u>.

#### Completing the examination

The Written Exam will be delivered online via Canvas. The Specialist Accreditation Team will provide further instructions about the exam ahead of the assessment.

- answers must be typed out using the allocated text box on Canvas
- candidates must have strong and reliable internet connection
- candidates will be solely responsible for any malfunctions, errors or technical problems of any kind associated with the electronic devices they use for the assessment
- candidates will not be provided any additional time to complete an online assessment due to any malfunctions, errors
  or technical problems of any kind in relation to the electronic advice they use to complete the assessments, or due to
  their own poor internet connection or usage outages, without approval from the Advisory Committee on a case-bycase basis
- Queensland Law Society will take no responsibility for any issues experienced on electronic devices during the
  written examination. Malfunctioning of electronic devices during the written examination will not constitute grounds for
  a special consideration application.

To meet the standard of an accredited specialist, candidates must achieve a minimum of 60% in each part of the exam.

Queensland Law Society Page 16 of 17

#### SCHEDULE 5: ORAL ASSESSMENT

## Simulated Client Interview

Time: Scheduled by appointment closer to the date

Saturday 6 June 2026

Venue: via Microsoft Teams – candidates must have a device with a working camera and access to WiFi

The oral assessment will be an exercise whereby candidates are required to think on their feet and demonstrate their communication skills and underlying legal knowledge in a live setting.

#### Assessment criteria

Date:

Candidates will be assessed on their demonstration of:

- gathering facts and the ability to obtain all relevant information from the client
- identification of relevant, material and priority issues
- assessment of facts and legal options
- logically structured communication of preliminary advice tailored to client's needs and circumstances
- judgement and decision-making skills
- knowledge of applicable legal principals and skill in applying that knowledge
- ability to identify and address any ethical issues

A sound knowledge of the relevant rules, procedures, practice notes, and protocols will also be required.

#### Assessment conditions

Candidates must have a device with a working camera and access to WiFi.

Further guidance will be provided in advance of the oral assessment, as to the written and/or electronic reference material which candidates may access during the assessment.

Further details regarding scheduling of the simulated client interviews will be provided closer to the date.

Queensland Law Society Page 17 of 17