

ADMISSION REQUIREMENTS - TRAINEESHIPS

1 New traineeship scheme

In December 2004, the Rules Committee authorised the Legal Practitioners Admissions Board to release an information paper which included the detail of the proposed arrangements for the replacement of the current articulated clerk scheme with a new trainee scheme.

The *Supreme Court (Legal Practitioner Admission) Amendment Rule (No 2) 2005* implements those arrangements. It provides for:

- the replacement of 2 and 5 year articles of clerkship with traineeships (for a minimum of 1 year) meeting the practical legal training standards specified in the rules;
- a widening of the eligibility of practitioners to supervise trainees from principals in practice for 3 years to also include other practitioners with 5 years of legal practice (at least 3 years as a solicitor);
- the number of traineeships for a law office to generally be 1 trainee per eligible supervisor (except where the status quo of 2 trainees per eligible principal would allow for more trainees to be engaged),
- practitioners to be disqualified from supervising for 3 years after recommencing practice after a disciplinary order is made for the practitioner to be removed from the roll, suspended or not issued with a practising certificate;
- transitional arrangements for existing articulated clerks and judges' associates to qualify for admission on the basis of the old rules without being required to meet the new standards; and
- articulated clerks to be able to switch to a traineeship and have 1 month for every 3 months in articles (to a maximum of 6 months) counted towards their traineeships.

Law practices/offices planning to engage a trainee need to be familiar with the requirements for admission under Chapter 2 Part 3 of the *Legal Profession Act 2004* (Qld) and *Supreme Court (Legal Practitioner Admission) Rules 2004* (the Admission Rules).

2 Standards for traineeships

The minimum period for a traineeship is 12 months. However, a trainee will not be eligible to be admitted unless he or she satisfies the skills, practice areas and values set out in appendix B to the Law Admissions Consultative Committee Report (the LACC appendix) according to the performance criteria set out in that appendix. (The appendix is reproduced in Attachment 2 to the *Supreme Court (Legal Practitioner Admission) Rules 2004*).

A law practice or law office must give the Board notice in the approved form within 1 month of a traineeship starting. The approved form must state that there is a written plan setting out over the period of the traineeship how supervised workplace experience is to be given.

3 Traineeship Plan

In nominating the skills, practice areas and values to be satisfied through supervised training, the law practice or office should be satisfied that the supervisor (or successive supervisors) will, at the conclusion of the traineeship, be able to assess the trainee for each of the elements of those skills, practice areas and values according to the performance criteria specified in the LACC appendix.

The law office may arrange for a trainee to work in another law practice or office under an eligible supervisor for the purpose of satisfying a particular skill or practice area.

Through the plan, the law practice/office will be able to identify those skills, practice areas and values that may not be able to be satisfied through supervised training. It facilitates planning for the trainee's enrolment in the supplementary practical legal training that will need to be undertaken.

A traineeship plan can also focus on the need to build the required 90 hours of programmed training into the traineeship.

Attached is a sample traineeship plan. It can also be used as a completion checksheet. It is provided as an example only for the assistance of law practices/offices and trainees. Law practices/offices are welcome to develop their own plans to achieve the intended outcomes

4 Diary

It is recommended that each trainee maintain a diary of their supervised training for the purpose of demonstrating the elements of skills, practice areas and values that they have satisfied according to the performance criteria specified in the appendix. This will assist their supervisors who will need to provide statements in these matters. It will also assist in the event of a dispute between a trainee and a supervisor

Attached is a sample diary that could be used for that purpose.

5 Extension of Time

In recognition of the need for law practices/offices to become familiar with the new arrangements, rule 30 extends the time for doing things (such as registering traineeships) to 30 September 2005.

6 Existing articulated clerks and traineeships

Existing articulated clerks may elect to switch to traineeships if they have completed or substantially completed an approved academic qualification or corresponding academic qualification. Refer to the court website for the board's decision as to when the qualifications are substantially completed. Existing articulated clerks will be able to have 1 month for every 3 months in articles (to a maximum of 6 months) counted towards their traineeships. They will still need to complete the required 90 hours of programmed training and satisfy the standards mentioned in 2 above.

Switching to a traineeship will involve a cancellation of existing articles of clerkship, completion of a statement by the Master (Form 15 and Former Master's Statement), and the giving of Notice of the Traineeship to the Board.