ANU LEGAL WORKSHOP

Graduate Diploma of Legal Practice (GDLP)

LEGAL PRACTICE EXPERIENCE (LPE)

GUIDELINES
# Table of Contents

Introduction...................................................................................................................... 1

1. Placement...................................................................................................................... 1

1.1 Placement days and electives .................................................................................. 1

1.2 Changing the total of number of LPE days you chose ........................................... 2

1.3 How many placements? ........................................................................................... 2

1.4 When to undertake placements and complete LPE ............................................... 2

1.5 Applying for placement approval ............................................................................ 3

1.6 Retrospective placements ....................................................................................... 3

1.7 ‘Working days’, placement intensity, and placement duration .............................. 3

1.8 Workplace supervisor ............................................................................................. 4

1.9 Where can you do a placement? .............................................................................. 6

1.9.1 Placements without payment ............................................................................. 6

1.9.2 Clinical programs, legal clerkship and internship ............................................ 8

1.9.3 Overseas Placements ......................................................................................... 9

1.10 What sort of work should you experience? ......................................................... 11

2. Reflection ................................................................................................................. 13

2.1 If you have already completed the Professional Practice Core (PPC) before you undertake the placement ................................................................. 13

2.2 If you have not completed the PPC, and your placement commences or is completed at least 2 weeks before you complete the PPC ............... 14

3. Workshop lpe contacts ............................................................................................ 14
INTRODUCTION

These Guidelines will help you to successfully complete the Legal Practice Experience (LPE) requirement of your Graduate Diploma of Legal Practice (GDLP). The aim of these Guidelines is, among other things, to reflect the minimum requirements of the various admission authorities in Australian jurisdictions. However, some jurisdictions have additional or different requirements, so you may need to check this before applying for admission in your preferred jurisdiction.

LPE within the GDLP is an early career legal professional development opportunity. LPE is about developing and practising legal skills in a legal workplace, supervised by an experienced legal practitioner and establishing reflective practice skills to assist you in ongoing learning.

LPE has two components:

1. Completing satisfactorily, in an approved legal workplace or workplaces, 1 or more placements to a total of 20, 50 or 80 days; and

2. Reflecting on your placement(s).

Please read these Guidelines with the other LPE material and resources available to you through the Placement link in the Legal Practice Program Site in Wattle. You will need to log in to Wattle before you can access this site.

If you have questions, please contact the ANU Legal Workshop (Legal Workshop) through lpe.law@anu.edu.au.

1. PLACEMENT

1.1 Placement days and electives

In the placement application form (available through the Placement link in the Legal Practice Program Site in Wattle. You will need to log in to Wattle before you can access this site). You must state the total number of placement days you plan to do (20, 50 or 80) to complete the placement component of LPE.

The total number of placement days you choose alters the credit status (units) of your LPE and determines the number of elective courses you will need to complete. The table below illustrates how days of placement(s) and number of elective courses fit together.
### Placement length (credit status) vs. Number of Electives

<table>
<thead>
<tr>
<th>Placement length (credit status)</th>
<th>Number of Electives</th>
</tr>
</thead>
<tbody>
<tr>
<td>20 days (6 units)</td>
<td>4</td>
</tr>
<tr>
<td>50 days (9 units)</td>
<td>3</td>
</tr>
<tr>
<td>80 days (12 units)</td>
<td>2</td>
</tr>
</tbody>
</table>

1.2 **Changing the total of number of LPE days you chose**

You can change your number of total placement days. You need to do this by email to lpe.law@anu.edu.au.

Your change will affect the number of electives you will need to complete. It is your responsibility to ensure that you enrol in and complete the correct number of electives as set out in the table above.

1.3 **How many placements?**

You can complete the total number of LPE days you choose in one placement or in a number of placements adding up to the total. Each placement must consist of a minimum of 5 days.

An application must be completed and submitted by email to Legal Workshop (lpe.law@anu.edu.au) for each placement.

1.4 **When to undertake placements and complete LPE**

Many students have completed legal work experience which meets these Guidelines before they commence the GDLP. This experience may be approved (‘retrospectively’) towards your LPE.

You can also undertake placements while you are doing GDLP coursework or after you complete coursework. Many students find that undertaking a placement at the same time as they are undertaking GDLP coursework enhances their practical legal learning, provided they have available time and the ability to manage all those commitments.

Remember that you must complete your GDLP – including LPE - within 5 years of commencement of your GDLP program. The commencement date is the date you enrol in your first GDLP course, the Becoming a Practitioner (BAP) intensive.
Completing LPE means reaching the grade of ‘Course Requirements Satisfied’ (CRS), which mean that you have satisfactorily completed the total number of placement days you have chosen and that you have met your placement reflection requirement under these Guidelines.

Should you find yourself unable to complete your LPE within the five-year timeframe, you can apply for an extension to your studies. You will need to contact Legal Workshop through lpe.law@anu.edu.au explaining your reasons, and your request will then be considered by the GDLP Director.

1.5 Applying for placement approval

You apply for placement approval after you have enrolled in the BAP.

If you are applying for approval of a placement which has ended before you submit the application (‘retrospective’), you submit a single form. The ‘retrospective’ form differs from the application for a placement which has not started, or has started but has not yet ended.

You can find the forms you need through the Placement link in the Legal Practice Program Site in Wattle. You will need to log in to Wattle before you can access this site.

1.6 Retrospective placements

Retrospective placements are those which have ended prior to your submission of an application for LPE approval. Retrospective placements must comply with these Guidelines. Note that Legal Workshop does not approve past legal work experience if the experience commenced earlier than 3 years preceding the submission date of your placement application (not the date of your GDLP program application).

1.7 ‘Working days’, placement intensity, and placement duration

A working day

A placement ‘working day’ can commence and end at any time of day but must be at least 7 hours long. Therefore evening work will be considered, provided you are carrying out appropriate work and that you are legally supervised when working. For example, afternoon-to-evening paralegal shifts at a community legal centre under the supervision of a lawyer may be possible. Weekend or public holiday work will not be
approved unless you can provide evidence of appropriate work and supervision during this time.

Legal Workshop does not encourage overly long working days, particularly when students are also studying.

Intensity and Duration

You may do your placement part time, provided your part time placement is at least one (7 hour) day per week. Each placement must be for at least 5 days. Thus, the minimum 'intensity and duration' would be 1 x 7 hour day per week for 5 consecutive weeks.

Students often report that they learn more in placements of at least 20 days than in shorter placements.

If you have attended or anticipate that you will attend at a placement on a range of days per week or some other varying ‘timetable’ - for example, 1 day a week during coursework but 5 days a week during course breaks - we strongly recommend that you keep a diary of your attendance so that you, your supervisor, and Legal Workshop can verify the total days at the placement.

Here are some examples of different intensities and duration -

<table>
<thead>
<tr>
<th>Placement worked:</th>
<th>Counts as:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 days / week for 16 weeks</td>
<td>32 days</td>
</tr>
<tr>
<td>Monday - Friday for two weeks at one placement site</td>
<td>10 days</td>
</tr>
<tr>
<td>1 full day a week for 5 weeks at one placement site</td>
<td>5 days</td>
</tr>
<tr>
<td>Half day each week for 9 weeks</td>
<td>Nil. Not intense enough</td>
</tr>
<tr>
<td>1 day / week for 6 weeks. 3 days at one site &amp; 3 at a different site</td>
<td>Nil. Min. 5 days per placement</td>
</tr>
</tbody>
</table>

1.8 Workplace supervisor

Your placement must be supervised in its entirety by a supervisor (preferably one supervisor) who can attest to the work you will do and/or have carried out, and who satisfies at least one of the following:

- Holds an unrestricted (or principal) practising certificate as a legal practitioner
- Holds, and has held, a restricted - in various jurisdictions, also called a ‘non-principal’ or ‘employee’ or ‘corporate’ or ‘volunteer’-practising certificate as a legal practitioner for at least 3 years

- Is a lawyer of at least 3 years post admission experience who is employed, by the Commonwealth or an Australian State or Territory or an agency (corporate or not) of one of those, to provide legal services (a practising certificate is not required for many government lawyers, but many also have them)

- Is a lawyer of at least 3 years post admission experience who is employed in a corporate capacity or as in-house counsel to provide legal services solely to the employer (practising certificate required)

- Is a practising barrister of at least 3 years’ experience

- Is a judge or magistrate

- Is a tribunal member who is a lawyer

The supervisor must not have been the subject of an adverse finding by a licensing authority or disciplinary body for lawyers. However, if the proposed supervisor has been the subject of such a finding and makes full disclosure to us about that finding, the LPE Convenor may dispense with this requirement. **If at any time during the placement the supervisor becomes the subject of such an adverse finding you should contact Legal Workshop through lpe.law@anu.edu.au**.

The supervisor must give you adequate supervision. Normally, the supervisor must not concurrently supervise more than 3 other students (i.e. a total of 4) undertaking placement for Legal Workshop’s GDLP or an equivalent course.

If the approved supervisor is unable to complete supervision of the placement, the new supervisor must comply with the same requirements. **Please notify Legal Workshop immediately if you have a change of supervisor.**

The application form contains important placement information for supervisors. This information covers the skill areas we hope you have experienced or will experience, and the ways in which your workplace supervisor has or will assist your professional development.
Your workplace supervisor can contact us directly through lpe.law@anu.edu.au to discuss any issues concerning placements or supervision.

1.9 Where can you do a placement?

Legal workplaces in which you could undertake an LPE placement are:

- Private law offices (firm, incorporated or statutory legal practice or multi-disciplinary practice)
- An in-house government or corporate legal office
- A community legal centre or public interest legal service
- A legal aid service
- A state or Commonwealth prosecuting authority
- With a judge or magistrate
- With a Tribunal member (who is a lawyer)
- Legal Workshop’s Legal Aid Clinic Program, or
- Any other legal workplace which the LPE Convenor is satisfied provides appropriate legal professional experience.

We will not usually approve a placement which does not take place in a physical workplace office. Placements are your main opportunity to experience legal practice in the way that most legal practice still occurs – face to face, in a physical environment.

1.9.1 Placements without payment

The legal profession encourages members to regularly participate in pro bono (volunteer, without payment) legal services. Most practising and non-practising lawyers undertake legal work pro bono, often in community legal centres or public interest law services.
It is clear from the applications we receive for LPE placements that many students are not paid for the work they do, including where the law office which is the site of the placement is not itself a pro bono or legal aid service. This is not what is meant by pro bono legal work.

Pro bono legal service can be very rewarding. Many GDLP students make it their first placement choice. If you find that legal practice experience without payment is the likely or only option for you, there are many professional and personal rewards in doing so in a legal aid, community legal centre or a law society or other pro bono service.

Pro bono work enables you to make a contribution to your community, and at the same time assists your skill development and exposure to the diversity of legal issues and need. Workshop endorses the National Pro Bono Resource Centre’s statement about the benefits of students undertaking pro bono work. Student pro bono work enables you to:

- Use your skills to help disadvantaged and marginalised people gain access to justice
- Connect with your local community
- Quickly learn practical skills that cannot be learned from classes and texts
- Improve your ability to communicate with clients and dissect complex legal issues, as well as answer difficult questions of law
- Develop leadership skills and engage with the law from a new perspective
- Fit community service and experiential learning around your studies
- Enhance your CV through practical and meaningful legal experience
- Network with solicitors and other law students.

You can read more about the National Pro Bono Resource Centre online at: [http://www.nationalprobono.org.au](http://www.nationalprobono.org.au).
Students in the ACT are strongly encouraged to participate in Legal Workshop’s Legal Aid Clinical Program which will also help familiarise you with the roles of legal aid services in Australia.

All students are encouraged to explore opportunities to volunteer at a Community Legal Centre, Legal Aid, Indigenous Legal Services or in pro bono schemes run by their local Law Society. You can also use and develop your skills by volunteering to be on the Board of a non-profit organisation and in many other ways.

You should also check the websites of the National Pro Bono Resource Centre and the National Association of Community Legal Centres: http://www.naclc.org.au/.

If you know of pro bono opportunities in your area, please let us know.

If you would like to undertake pro bono work but are not sure where to go, please contact the LPE administrator for assistance through lpe.law@anu.edu.au.

1.9.2 Clinical programs, legal clerkship and internship

Clinical legal education experience

These Guidelines apply to on-site legal practice experience that is part of an undergraduate LLB or graduate LLB/JD clinical legal education program, internship unit, or course.

Legal Workshop approved LLB/JD degree clinical or internship experiences

Neither a placement application nor report is required for undergraduate or JD clinical or internship program at the ANU and at the University of Wollongong (UoW). The programs from these law schools meet the requirements in the Legal Workshop’s LPE Guidelines. You simply need to provide evidence (i.e. a university transcript) of successful completion of the ANU or UoW program.

Other LLB/JD clinical or internship experiences

If you have successfully completed a clinical or placement unit/course/program as part of an LLB or JD at a university other than ANU or UoW, and wish to apply for approval retrospectively of placement
days under the program, please contact the Legal Workshop by email (lpe.law@anu.edu.au) with the following details:

(i) The name and university unit number

(ii) The semester that you successfully completed the unit

(iii) The unit assessment requirements (you may have a copy of the course handbook or a link to the on-line details)

(iv) A copy of your transcript (even if you have already provided a scan of your transcript on GDLP enrolment another copy is useful for these purposes)

(v) The name of the unit convenor

(vi) Where you did your placement days (Workshop requires at least 7 hours to constitute a day) as part of the unit and the number of days attended – see the ‘intensity and duration’ requirements Part 1.7 above

(vii) The name of your placement supervisor and her/his admission status and number of years admitted (see above at Part 1.8 for further explanation) and a copy of any report that supervisor made to the unit convenor as part of the unit requirement.

Summer clerkship or internship

These Guidelines apply to legal work experience which is part of a legal clerkship (e.g. a summer clerkship) or a legal internship.

1.9.3 Overseas Placements

The overriding requirement in respect of overseas placements is that the work experience is comparable to experience in one of the many kinds of legal practice in Australia.

Overseas placements may be approved by the LPE Convenor if the placement meets the requirements in these Guidelines, and:

- The placement has occurred or will occur in a common law jurisdiction, using English language, or
• You worked or will be working in English on common law matters and, when so doing, that work was or will be supervised by a lawyer admitted to practice.

Placements in public international organisations (e.g., UN established international criminal tribunals) have been approved. If you are considering seeking approval for legal work experience in such offices you should note the caution at the end of this section, and should consider how such a placement would assist you in finding legal professional work in the future. You should also search the legal bases for the particular office, the legal rules under which the office operates and the qualifications and experience of the legal supervisor and make contact with the LPE Convenor through lpe.law@anu.edu.au.

Where you are seeking approval for an overseas placement you must be able to provide the LPE Convenor with current contact details for your placement supervisor, who must be able to speak and write in English.

Please be aware that if you are considering an overseas placement, the Australian Law Admissions Consultative Committee has developed the following proposed restrictions on overseas placements:

• The placement must occur in a common law jurisdiction

• The supervisor must have a minimum of 5 years’ experience and hold a practising certificate

• The placement must involve the delivery of legal services that are comparable to those that would be provided in Australia

• There is no retrospective approval

• There is no approval for placement in overseas Community Legal Centres.

Whilst these restrictions have, so far, only been adopted by the South Australian Legal Practitioners Education and Admission Council, other jurisdictions do have some restrictions or may adopt these restrictions. You will need to check with the Admission Authority in the jurisdiction where you will seek admission to confirm whether an overseas placement would meet that admission authority’s LPE requirements at that time.
1.10 What sort of work should you experience?

The placement must involve you in legal work, exercising legal skills in a legal environment (in contrast to legal assistant, administrative, financial or research/academic work).

Ideally, you will:

- Be exposed to and, to some extent, actively experience the systems, procedures and work commonly found in legal practice work

- Have contact with, and responsibility to, clients (which includes government and corporate clients)

- Be exposed to the professional responsibilities of an admitted lawyer.

Most placements include some administrative or research tasks, as do all legal professional roles. In this situation, provided the work you have done or will do is predominantly legal work, the placement will be approved.

Some placements are in offices where there is a mix of professional and other work expectations. An example may be work required of a commerce/law graduate in an office which gives accounting or tax advice and provides legal services such as contract drafting and commercial law advice. Another example is paralegal work which involves administrative tasks and work on legal files for clients.

In such circumstances you may be asked to keep a daily log of work undertaken, either for the entire placement or for a specified period, e.g., one typical week. This is so we can determine what percentage of the placement involves legal work, and calculate equivalent days accordingly.

**Examples of mixed work**

- You work as a paralegal for a firm. You keep a daily log for one normal week of your duties. Based on that log, 25% of your work is administrative and not legal work. You will have to add 25% more on to your 80 day placement (another 20 days). This means that your placement period will take place over a 100 day period.
You work as a graduate employee doing 50% financial work and 50% legal work and wish to complete a total of 80 days of LPE. You will have to be at that placement for 160 working days.

**Examples of legal work environment activities**

- Interacting with legal professional and support staff
- Interacting with other legal service providers such as solicitors in other law offices, barristers, or with expert witnesses
- Legal research and legal factual analysis
- Preparing draft legal documents such as contracts and court documents
- Preparing draft correspondence of a legal nature and draft legal advices
- Taking instructions from clients
- Communicating with clients
- Attending conferences
- Managing matter timetabling and court schedules
- Using basic management, financial, and accounting systems.

**Examples of skills to be practised and developed**

- **Professional communication skills:** oral and written, and to different audiences, e.g., clients, colleagues, and other lawyers.
- **Legal drafting and writing skills:** including drafting documents, using precedents, drafting letters and advices, practising the use of plain English, and getting the balance right between succinctness and covering necessary issues.
- **Advocacy skills:** the skill of being persuasive, which doesn’t only take place in the courtroom or have to be done orally.
- **Negotiation skills**: strategy, approach, techniques.

- **Problem solving skills**: analysis of issues, possible solutions, range of methods.

- **Legal Research and analysis**: developing and refining your techniques including efficiency, processes to manage multiple issues, ability to articulate your research findings and analysis.

- **Professional skills**: understanding the professional and ethical requirements of being a lawyer.

- **Interpersonal skills**: working as part of a team with both lawyers and others, managing clients, managing expectations, seeking feedback.

- **Work management skills**: prioritising, keeping track of deadlines, assessing and reviewing your workload, accountability, file notes and billing records.

- **Reflective practice skills**: learn from what you do well, and what you don’t!

2. **REFLECTION**

2.1 **If you have already completed the Professional Practice Core (PPC) before you undertake the placement**

If you have already undertaken and completed the PPC component of the GDLP, you will be required to prepare a written report. Subject to these *Guidelines*, Legal Workshop requires you to report on all your days of placement. To complete the LPE requirement and be graded CRS, your report must be considered ‘satisfactory’ by Legal Workshop.

If your application to Legal Workshop is to approve past (retrospective) legal work experience as an LPE placement, the report is with the application as a single form.

For other placements the report form is separate.
You can find forms through the Placements - LPE link in the Legal Practice Program Site in Wattle. You will need to log in to Wattle before you can access this site.

If your legal work experience has not ended at the time you apply for placement approval, you might find it useful to read a ‘blank’ report form before you commence the placement, or at least before the placement ends. It may help you to notice the kinds of experiences in the placement you could reflect on in your report. Some students opt to keep a journal or log of their activities during their placement, and this helps them to write their reports. This is optional and is not required to be submitted to Legal Workshop at the end of the placement.

Legal Workshop requires a placement report at the end of each and every placement, OR (where you have completed more than one placement) a single, longer report which explicitly covers all placements, and clearly applies reflections from each placement to each report question. Legal Workshop requires each supervisor to complete the supervisor declaration concerning satisfactory completion of each placement.

### 2.2 If you have not completed the PPC

For those among you who have not yet completed your PPC component of the GDLP, you will not be required to complete a separate written report. Your reporting and reflection on your placement will form part of your Portfolio which you will be required to finalise when you undertake the Ready for Practice (RFP) component of your GDLP.

Please note, however, that at the end of your LPE placement you must still submit a signed supervisor declaration to lpe.law@anu.edu.au to confirm that your placement has been completed. You can find the relevant form through the Placement link in the Legal Practice Program Site in Wattle. You will need to log in to Wattle before you can access this site.

### 3. WORKSHOP LPE CONTACTS

LPE Applications and completion documents are administered in accordance with these Guidelines by professional staff in the GDLP office (lpe.law@anu.edu.au). Any issue concerning Guidelines compliance or other matters is referred to the LPE Convenor (for example, in respect of overseas placements).
LPE Reports are assessed by the LPE Convenor (a Legal Workshop lecturer and legal practitioner) and legal practitioner tutors.

You can contact the professional staff in the GDLP Office (who will contact the LPE Convenor as needed) through:

E: lpe.law@anu.edu.au

P: +61 2 6125 4463