



INSTITUTE *of*  
PROFESSIONAL  
LEGAL STUDIES

# Trainee Profile

## INTRODUCTION

The Institute of Professional Legal Studies (IPLS) course is a skills based programme. It bridges the gap between learning at university and practice as a barrister and solicitor. Like many skills based programmes, the IPLS uses competency-based training and assessment.

An IPLS trainee has been assessed against pre-determined criteria to ensure that he/she has reached the required standard of competence.

## A SKILLS BASED TRAINING PROGRAMME

The IPLS provides trainees with the knowledge and skills that will help them be ready for the job, rather than workplace competent. Experience and on the job training will enable the IPLS trainee to become workplace competent.

In summary, the trainees are taught oral communication skills (including courtroom skills), written communication skills, and analysis skills.

The IPLS programme assumes that its trainees are familiar with the law or are able to research it. Trainees are not lectured on aspects of the law, but the relevant background information is included in the course materials for their benefit.

The training programme is divided into a Legal Practice Skills module, a Litigation Skills module and a Professional Responsibility module.

Completion of the course enables the IPLS trainee, as a newly admitted practitioner, to act professionally and ethically in his or her dealings with the courts, the public, and other lawyers.

## RELATIONSHIP BETWEEN SKILLS AND TRANSACTIONS

Each skill has an Assessment Guide that details the elements of competent performance. Each skill is taught in the context of a transaction. For some skills more than one transaction is used. The relatively short period of training means it is impossible to cover all typical transactions in all areas of practice. The transactions have been selected on the basis that they are typical and routine, that they balance litigious, non litigious, commercial, and general areas of practice and that they provide a good medium for learning the various skills taught on the course. The transactions are typical of those that a newly qualified practitioner will encounter in the first year of practice.

IPLS trainees should be able to transfer the skills learnt to new transactions that they encounter in their work. Employers and trainees should discuss the way in which trainees can apply the skills learnt on the IPLS course to transactions they are asked to perform in the course of their employment.

## PROFESSIONAL RESPONSIBILITY

The Professional Responsibility module is different from the other modules in that the trainees build up their knowledge by following a reading programme in their own time, complemented by class discussion.

The prescription for the IPLS Professional Responsibility module provides that the trainees will attain familiarity with:

- the primary sources of the rules of Professional Responsibility
- the means by which the rules of Professional Responsibility are enforced
- the application of the rules in various professional roles and contexts
- the responsibilities which can arise in specific professional contexts
- the methods of resolving professional responsibility dilemmas
- the need to be committed to certain individual values, and
- the need to strive for the maintenance in the profession of certain values.

## SKILLS TAUGHT IN THE LEGAL PRACTICE SKILLS MODULE

The skills taught in the Legal Practice Skills module are:

- Law Office Management
- Interviewing/Advising
- Drafting
- Analysis
- Negotiation

## TRANSACTIONS USED IN THE LEGAL PRACTICE SKILLS MODULE

The transactions used in the Legal Practice Skills module are:

- Commercial agreements
- Wills
- Deed of family arrangement and property sharing deed
- Residential sale and purchase
- Sale and purchase of a business

## COMPETENCIES DEMONSTRATED IN THE LEGAL PRACTICE SKILLS ASSESSMENTS

In the Legal Practice Skills module, IPLS trainees who have completed the course successfully will have demonstrated competence in the assessments to the standard exemplified in the IPLS materials and assessment guides by:

- writing and drafting selected legal documents and letters in clear and precise language
- using a client-centred process to conduct an initial interview with a new client who has a problem which needs to be solved
- in the context of problem solving, analysing legal documents in order to determine the legal rights and obligations of the parties, and possible options available to the client understanding and applying problem-solving techniques in order to resolve legal disputes, and
- understanding the legal and ethical requirements of practising as a lawyer and the systems which promote efficient office practices.

## SKILLS TAUGHT IN THE LITIGATION SKILLS MODULE

The skills taught in the Litigation Skills module are:

- Drafting for Advocacy
- Research
- Mediation
- Trial Preparation
- Advocacy

## TRANSACTIONS USED IN THE LITIGATION SKILLS MODULE

The transactions used in the Litigation Skills module are:

- criminal litigation, and
- civil litigation.

## COMPETENCIES DEMONSTRATED IN THE LITIGATION SKILLS ASSESSMENTS

In the Litigation Skills module IPLS trainees who have completed the course successfully will have demonstrated competence in the assessments to the standard exemplified in the IPLS materials and assessment guides by:

- writing and drafting basic court documents in clear and precise language
- analysing a legal problem
- understanding the situations in which mediation is appropriate and the role of the lawyer in relation to mediation
- analysing a mixed mass of fact and law in order to prepare a case for trial, and
- preparing for and conducting a simulated case in court.

## IPLS GRADUATES LEARN BY DOING

The IPLS training involves discussion of each new skill, demonstration of the skill, practice of the skill and feedback to trainees on their performances. Through familiarity with the IPLS assessment guide criteria and feedback from their peers and instructors based on those criteria, IPLS trainees develop the ability to listen to feedback, reflect on their performances, adopt the feedback, and improve their performance next time.

## IPLS GRADUATES WORK INDIVIDUALLY AND IN GROUPS

The style of training includes the trainees working as part of a group of 16, but with considerable work in groups of four and in pairs. The necessity of working as part of a team is sometimes quite different to a trainee's experience at University. Working in a group requires co-operation and maturity to be able to get along with others, and the ability to adapt to different working styles. It also encourages the trainee to contribute to and work as part of a team. Trainees complete their final practices and all the assessments on an individual basis.

## COURSE HOURS

The training programme runs for 13 weeks. Classes run from 8:30am to 4:00pm most days. The programme requires at least two hours reading and preparation each day outside those hours.

## ASSESSMENT RECORD

This profile is intended to accompany the IPLS trainees Assessment Record. The front of the Assessment Record records the grades received for each assessment. These grades are specific to IPLS and relate to the standards of competence expected of lawyers who are recent IPLS trainees. The grades indicate how the trainee has performed, as follows:

### **Professional Responsibility Assessment**

#### **Merit**

In the assessment of Professional Responsibility, the trainee demonstrated the standard for merit by receiving a mark of 95% or more.

#### **Competent**

In the assessment of Professional Responsibility, the trainee demonstrated the standard for competence by receiving a mark between 80% and 94% inclusive.

### **Skills Assessments**

#### **Merit**

In the assessment of this skill, the trainee demonstrated the standard required for merit in accordance with the criteria shown on the Assessment Guide. The trainee's performance of this skill would be well regarded in legal practice for a newly qualified IPLS trainee practising under the supervision of an experienced practitioner.

#### **Competent**

In the assessment of this skill, the trainee demonstrated the standard required for competence in accordance with the criteria shown on the Assessment Guide. The trainee's performance of this skill would be acceptable in legal practice for a newly qualified IPLS trainee practising under the supervision of an experienced practitioner.

#### **Pass**

This grade is awarded in the Negotiation, Mediation, Law Office Management and Advocacy assessments only, in which the trainees performance is dependent on another trainee. In the interests of fairness to trainees, there is only one grade (Pass) in these assessments. The trainees performance of the skill would be acceptable in legal practice for a newly qualified IPLS trainee practising under the supervision of an experienced practitioner.

### **Participation Assessment**

#### **Participation points**

In addition to skills assessments, IPLS trainees are assessed on their participation in sessions and in exercises/tasks. Satisfactory participation in the Legal Practice Skills module and the Litigation Skills module is required to complete the course successfully.