

Supervised Practice



Training

Supervised Practice

1. Introduction

Under rule 6 of the Costs Lawyer Standards Board (CLSB) Training Rules a trainee must have undertaken three years' work experience in costs law and practice (Qualifying Experience) to qualify as a costs lawyer. This is work that is of costs nature, or work involving activities that require the application of costs law or procedure. A qualified Costs Lawyer must have undertaken this work for a period of 3 years or more as an employee, self-employed or whilst working for a registered charity. The experience can be gained before, during or after study for the Costs Lawyer Qualification and does not need to be continuous.

The Supervised Practice (SP) approach to a trainee's costs work experience provides structured learning, development and assessment opportunities in a live work environment. The learning is based on a development plan of exposure, experience and reflection, to ensure the trainee has acquired, developed, applied and evidenced skills, knowledge and ability to the required competency level and the CLSB day one outcomes. As the experience is completed, evidence is gathered and presented in a portfolio of evidence and/or reflection. This portfolio is then signed off by a Work Based Supervisor or by an SP Tutor and submitted to ACLT for validation and moderation.

2. The CLSB Training Rules

The CLSB Training & CPD Rules originally came into force from 31 October 2011. These rules were reviewed and updated in January 2013 and again in June 2017. As part of the change in 2017, the training rules were separated out from our CPD Rules into a standalone document. The rules were made pursuant to the Legal Services Act 2007 (LSA) although much of the content existed in some form when the Association of Costs Lawyers (ACL) regulated Costs Lawyers.

In addition to the Training Rules is the CLSB minimum syllabus and the aims and outcomes which were approved by the Legal Services Board in 2013. The aims and outcomes require that the costs work experience be assessed by way of supervised practice.

3. ACL Membership Levels

There are two levels of membership of ACL; namely Trainee Costs Lawyer and Costs Lawyer. There is no requirement for a Trainee Costs Lawyer to be a member of ACL but ACL Training offer free membership to all students who do not wish to "opt out" of membership.

There is no requirement that trainee costs lawyers are predominantly employed in costs law and practice. You are, however, encouraged to obtain such relevant employment or work in costs to attain the highest standards of practical skills. Three years of relevant experience in costs law and practice must be achieved before, during or after study for the costs lawyer qualification and will be required to achieve costs lawyer status (see Rule 6.2 of the CLSB Training Rules).

4. Supervised Practice

In order to qualify with ACLT as a Cost Lawyer, an individual has to achieve a core or threshold level of competency. The threshold standard for graduates has been articulated as:

“a competent trainee having completed the costs lawyer qualification and 3 years of work based learning will have a good working and background knowledge of costs law and practice, will be able to work independently to draft documentation and conduct advocacy that is fit for purpose, and will be able to cope with complex situations through deliberate analysis and planning. This level of performance will be evidenced through assignments, examination and supervised practice.”

The threshold is underpinned by the outcomes as set out in the CLSB Aims and Outcomes documentation. The overarching aim of the Supervised Practice is to ensure a Trainee reaches that expected level of competency and performance. During Supervised Practice a Trainee will:

- ☑ apply knowledge acquired by them under the Course;
- ☑ learn and apply key practical skills of a costs lawyer; and
- ☑ learn and apply the professional standards required of a costs lawyer.

These outcomes require that a qualified costs lawyer must have demonstrated a minimum ability in costs law and practice. Whilst some of this experience can be achieved through academic study, certain competencies need to be developed in the work environment; in some cases a combination of academic study and practical work application are called for. This is contextualised by the ACLT Supervised Practice Framework.

4.1 The ACLT Supervised Practice Framework (SP Framework)

The ACLT SP Framework maps out all of the abilities or competencies that a qualified costs lawyer should have developed through SP. The competencies are organised in clusters which are the CLSB Supervised Practice outcomes. All CLSB outcomes, underpinned by ACL Competencies, at the level 3 threshold of the framework will need to be evidenced, through Supervised Practice or the formal qualification, in order to qualify as a costs lawyer.

All should be experienced and evidenced when student members of the ACL evidence their Supervised Practice, though failure to complete each competence statement would not automatically result in failure of the SP stage of qualification.

The accreditation framework also includes the three-year experience time frame in order to assist both the trainee and employees when planning their training.

4.2 Evidencing supervised practice

The CLSB have issued guidance on the Aims and Outcomes of the 3 years supervised practice that you are required to undertake. Your employer at the time you apply for your qualification, having successfully completed the course, will be required to sign to the fact that you have:

- ☑ completed the required 3 year's work based experience in costs law & practice; and
- ☑ that the Trainee has achieved the eight Supervised Practice outcomes set out above to a satisfactory standard i.e. that expected of a Costs Lawyer.

The aim of your supervised practice is to ensure you have reached an expected level of competency and performance. During Supervised Practice a trainee will:

- ☑ apply knowledge acquired by them under the Course;
- ☑ learn and apply key practical skills of a Costs Lawyer; and
- ☑ learn and apply the professional standard of a Costs Lawyer.

Finally, the way you will evidence that you have met the required level of competence is by being able to demonstrate you have met the following outcomes:

- ☑ the practical application of costs law expertise (including legal research, drafting, advocacy and negotiation);
- ☑ professional conduct;
- ☑ communication;
- ☑ client relations;
- ☑ workload management;
- ☑ business awareness;
- ☑ self-awareness and development; and
- ☑ working with others.

4.3 Supervision

All SP trainees need to have a work based Supervisor or SP Tutor to support and validate their development, application of competencies and evidence. The Supervisor is there to guide, coach, review and sign off their Supervised Practice. A Supervisor can be either:

- ☑ Work Based Supervisor: normally a line manager or training manager in the organisation employing the trainee
- ☑ SP Tutor: allocated by ACLT when a Work Based Supervisor is unavailable for example as no individual meets the criteria or the trainee is self-employed.

4.4 The Audit of Supervised Practice

In practice there are three levels of assessment. Firstly, the trainee is self-assessing and once they are happy they have attained the required level will put forward their evidence for this. The evidence should be in the form of reflective logs and any supporting documentation. Secondly, the Work Based Supervisor or SP Tutor adds their agreement to this assessment through the sign off processes. In practical terms this means the supervisor will provide a reference. Finally, ACLT, through the viva on unit 3 and moderation, confirm the assessment.

ACL Training SP Framework

| Cluster (or CLSB Outcome) | Competency | Level 1 Novice | Level 2 Beginner (with supervision) | Level 3 Competent (without supervision) |
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| Practical Application of the law and Legal Practice | Identify and apply the relevant law to the matter. | Knowledge, Remembering | Understanding, Comprehension | Applying, Analysis |
| | | <ol style="list-style-type: none"> 1. Describe the key organs of the state and rules governing the English and Welsh Legal System. 2. Identify the constituent elements of a contract. 3. Describe the principles of negligence. 4. Identify when there is an entitlement to recover costs. 5. Recognise some of the standard legal issues relevant to a costs matter. | <ol style="list-style-type: none"> 1. Explain the fundamental principles underpinning the operation of the English and Welsh Legal System and distinguish between sources of law. 2. Demonstrate an understanding of contract law applicable to a client matter. 3. Explain the implications of a negligence claim against a firm or individual. 4. Explain how and why an entitlement to costs has arisen. 5. Demonstrate an ability to identify most legal issues in a costs matter and produce advice in relation to those. | <ol style="list-style-type: none"> 1. Demonstrate a critical understanding of the English and Welsh Legal System and the sources of law. 2. Apply a critical understanding of contract law to a client matter. 3. Apply the principles of negligence to a particular matter and produce advice on the same. 4. Advise a client in relation to their entitlement to costs. 5. Identify the legal principles relevant in costs matters, apply those principles effectively to individual cases and produce advice. |

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| | Identify and apply relevant legal procedure to a matter. | <ol style="list-style-type: none"> 1. Identify and describe key parts of the CPR. 2. Demonstrate an understanding of the costs assessment procedure in the civil courts. 3. Distinguish between client and office account. | <ol style="list-style-type: none"> 1. Cite prescribed rules and rates and explain their legal standing 2. Demonstrate an understanding of the assessment procedure in special courts 3. Cite rules from the Solicitors Account Rules | <ol style="list-style-type: none"> 1. Apply knowledge of the assessment procedure in the civil courts, the special courts and tribunals. 2. Apply prescribed rules and rates and produce advice on the same. 3. Use time recording and copies of ledgers to offer advice on matters. |
| | Draft process documents | <ol style="list-style-type: none"> 1. Describe the key documents associated with costs proceedings. 2. Identify the sources of the CPR that set out the form of a statement or bill of costs. 3. Select appropriate precedents to assist with drafting costs pleadings. | <ol style="list-style-type: none"> 1. Draft pleadings from scratch using clear, accurate and succinct language. 2. Draft CPR compliant costs pleadings. 3. Draft bills and statements of costs that address most legal and factual issues arising in the case. | <ol style="list-style-type: none"> 1. Construct pleadings that comply with the applicable rules that address all relevant legal and factual issues. 2. Draft costs pleadings that address all relevant legal and factual issues that comply with the applicable rules. 3. Draft CPR compliant budgets (and associated documents) that address all relevant legal and factual issues. |
| | Identify and deal with the issues arising in a matter. | <ol style="list-style-type: none"> 1. Identify arguments regarding the enforceability of a retainer. 2. Identify arguments over the quantification of costs. | <ol style="list-style-type: none"> 1. Explain and offer advice on issues arising with the enforceability of a retainer. 2. Present a reasoned costs argument on the quantification of costs in a clear, logical, succinct and persuasive way | <ol style="list-style-type: none"> 1. Explain and offer advice on issues arising in a costs matter to include issues in relation to the enforceability of a retainer and the quantification of costs. 2. Ability to prepare a cogent reply to opposing argument. |
| LBMS: Legal Research | Undertake legal research | <ol style="list-style-type: none"> 1. Describe legal research processes and procedures. 2. Describe different sources of law. | <ol style="list-style-type: none"> 1. identify accurately from a client file the issue(s) which require researching. 2. Identify and retrieve up-to-date legal information, using paper and electronic sources. | <ol style="list-style-type: none"> 1. Use relevant primary and secondary legal sources to create advice on points of law or procedure. 2. Implement strategies to ensure |

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| | | | | knowledge remains up to date and relevant. |
| Communication skills NOS: Establish communication with clients for advice and guidance | Seek appropriate information through communication. | 1. Describe and demonstrate effective questioning and listening techniques. 2. Structure an effective interview that provides clients with the appropriate time and assistance to express their requirements, including preparation and follow up activities. 3. Identify the major sources of information, and routes to access that information, in a client interview. | 1. Understand how to conduct an effective interview using appropriate planning, preparation to enable you to identify client objectives. 2. Identify any situations where immediate action is required to assist clients 3. Conduct the appropriate interaction with clients and others to establish a professional relationship whilst providing assurance to clients of the confidentiality of the information being obtained from them. | 1. Choose appropriate questioning techniques and demonstrate how to conduct an interview which elicits relevant information, client concerns, anticipates client concerns and has clear outcomes. 2. Determine appropriate steps to minimise the effect of any difficulties with communication 3. Structure written enquiries to elicit specific information, with clarity, focus and utilising the correct technical language. |
| | Represent a client / user through effective communication and other skills. | 1. Describe how effective communication works. 2. Recognise the suitability of various written and verbal communication approaches to legal situations and practice. 3. Accurately record interviews, advice given orally, decisions made by clients and any follow up steps. 4. Confirm a client's instructions in writing, where appropriate, that demonstrate professional practice, politeness and respect. 5. Explain the underpinning skills required of a good advocate | 1. Identify the interests of the client / user. 2. Identify the appropriate communication media and skills for a number of client interactions. 3. Research relevant facts and legal principles. 4. Use suitable language in communications on behalf of a client that demonstrate professional practice, politeness and respect. 5. Assist and advocate prior to a hearing and at court | 1. Demonstrate appropriate use of communication skills in a range of situations to represent client interests. 2. Develop and present structured and reasoned arguments. 3. Present communication in a clear, logical, unambiguous, succinct and persuasive way, using appropriate media and underpinning authority, without supervision. 4. Undertake advocacy in chambers without supervision 5. Demonstrate a clear grasp of and commitment to abide by associated ethical requirements |

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| | Negotiate or mediate solutions to client matter | <ol style="list-style-type: none"> 1. Describe the reason for a negotiated route in a particular matter 2. Define the basis of an effective negotiation. 3. Describe the importance of preparing for negotiations 4. Describe how conflict may arise | <ol style="list-style-type: none"> 1. Explain the process of negotiation to a client or user. 2. Identify all parties interests, objectives and limits. 3. Identify tools for implementing a negotiation strategy 5. Explain how conflict might be resolved through the mediation process | <ol style="list-style-type: none"> 1. Determine the core client issues and concerns in a specific negotiation. 2. Persuasively present options for compromise / resolution. 3. Apply knowledge of strategic tools and respond effectively to options presented. 4. Advise others on the role of a mediator |
| | Address all issues in communication. | <ol style="list-style-type: none"> 1. Identify the major issues likely to arise due to poor communications. 2. Identify situations when a client may not fully understand legal advice | <ol style="list-style-type: none"> 1. Demonstrate an understanding of the importance of communication in the Cost Lawyer role in light of professional conduct rules 2. Recognise the impact of effective communication and the consequences of failing to comply with professional conduct rules with minimal from a supervisor 3. Recognise when the issues of mental capacity may need to be addressed. | <ol style="list-style-type: none"> 1. Apply the relevant law, legal procedure and professional conduct rules, appropriately and accurately in communication without supervision 2. Explain factual, legal and evidential issues, arising as a result of communication no input from a supervisor 3. Explain the steps that must be taken to ensure a lay client understands the advice they have been given |

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| Client relations NOS: Support clients to make use of the advice and guidance service NOS: Provide legal advice to clients NOS: Provide continuing support to clients | Take accurate instructions relating to a legal matter from clients or service users. | 1. Capture initial enquiries. 2. Record client meetings on appropriate software. 3. Maintain and locate client files and records in accordance to legislative requirements. | 1. Take accurate instructions relating to a legal matter from clients or service users. 2. Draft standard correspondence, attendance notes and file notes 3. Demonstrate knowledge and understanding of effective methods of eliciting information. | 1. Clarify and articulate client instructions. Interpret client needs and construct client instructions 2. Ability to utilise methods to take accurate instructions from the client 3. Question client and validate instructions and requirements throughout a matter ensuring changing service requirements are responded to appropriately |
| | Identify and understand a client's or service user's position. | 1. Describe client's position. | 1. Identify through effective communication the client's/service user's position including financial, professional and personal priorities | 1. Demonstrate an understanding of the client's/service user's position. 2. Describe and clarify client's position to the client. 3. Apply this understanding to the matter to ensure appropriate representation of the client. |
| | Evaluate the risks, costs and benefits of alternative courses of action. | 1. State to client risks, costs and benefits associated with a course of action. | 1. Identify risk associated with a client position and instruction. 2. Explain costs and potential benefits. | 1. Prepare a risk, cost / benefit analysis on client course(s) of action. 2. Identify a range of options open to the client. 3. Provide clients with a clear basis for charges and other costs. |

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| | Provide clear legal advice to clients or service users. | <ol style="list-style-type: none"> 1. Recognise the relevant legal aspects of a client's position. 2. Explore with clients the reasons for their advice requirements 3. Recall major elements of law and procedure relevant to the client matter. 4. Identify situations when it may be necessary to seek specialist advice from another professional | <ol style="list-style-type: none"> 1. Relate correct legal practices relevant to client position. 2. Explain legal situation and any other information to the client. 3. Present legal advice and check clients' understanding of the Information check that clients' understanding is consistent with information you have provided 4. Explain the importance of acquiring advice from a specialist | <ol style="list-style-type: none"> 1. Advise the client/service user on the matter in which instructed, including any action which will be taken in representation. 2. Design an action plan with clients and agree roles and responsibilities for progressing actions 3. Refer clients to additional or alternative sources of relevant information 4. Prepare instructions to a specialist adviser |
| | Take action to deal with instructions received. | <ol style="list-style-type: none"> 1. Recognise the nature of the client instructions and Identify the right person to refer to. | <ol style="list-style-type: none"> 1. Evaluate the information provided in relation to the law and legal procedure 2. Identify the appropriate course of action to be taken in response to a client instruction. Provide evidence of action taken. | <ol style="list-style-type: none"> 1. Determine the correct course action based on the client instruction and fuller understanding of the client situation. 2. Take action to deal with instructions received and progress actions on behalf of clients in line with agreed timescales 3. Establish support required to carry out action. |

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| | Manage a client's or service user's expectations. | <p>1. Understand policy process and approach to working with clients.</p> <p>2. Understand relevant legal process and law relevant to service provided.</p> <p>3. Clearly communicate policy, process and approach to working with clients and service users.</p> | <p>1. Identify the needs, objectives and priorities of the client/service user and provide them appropriate time and assistance to express their requirements</p> <p>2. Understand client expectations by encouraging clients to clarify their requirements and circumstances</p> <p>3. Demonstrate expected level of client care and case management.</p> <p>4. Providing information to clients in a way they can understand, including appropriate and accurate information about the service and information on the advantages and disadvantages of using the service</p> | <p>1. Manage a client's or service user's expectations in light of their needs, objectives and priorities by using the information provided to assist clients decide whether their requirements could be met by the service</p> <p>2. Build and maintaining client relationships by agreeing the way the service will be used and providing a clear explanation of the actions that are necessary to fulfil clients' requirements</p> <p>3. Understand that it is not always possible to meet client expectations and needs Responding appropriately to clients concerns and complaints</p> |
| Management of workload NOS: Manage legal advice cases NOS: Manage case files | Plan workloads to deliver a professional legal service to clients or service users. | <p>1. Describe planning and estimating tools and techniques applicable to opening, progressing and closing a single matter.</p> <p>2. Explain the importance and the context for workload planning in the role.</p> <p>3. Open client case files in line with organisational requirements</p> | <p>1. Understand workload requirements and deadlines and explain to clients the organisational systems and procedures for managing cases</p> <p>2. Clarify instructions for scope and agree with clients the potential case outcomes and milestones</p> <p>3. Construct plans to manage workload and plan and prioritise own daily workloads.</p> <p>4. Allocate resources efficiently.</p> | <p>1. Meet deadlines set by law, the courts and clients.</p> <p>2. Identify situations when additional help may be required and obtain support.</p> <p>3. Estimate resource requirements and brief other individuals required to progress cases with details and responsibilities.</p> |

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| | Manage workloads and progress matters | <ol style="list-style-type: none"> 1. Understand own role and business requirements. 2. Understand likely client requirements. 3. Understand legal requirements of matter 4. Able to do simple routine tasks. 5. Requires close supervision on task by task basis. | <ol style="list-style-type: none"> 1. Apply relevant processes and procedures to progress matters expeditiously, dealing with effectively straightforward cases and transactions. 2. Plan and prioritise own daily workloads and maintain case files to ensure they are accurate and up to date in line with organisational requirements 3. Understand timelines, resource requirements and budgets. 4. Close transaction or case. 5. Can complete straightforward tasks to an acceptable standard. Can use own judgment but required supervision for overall case or transaction. | <ol style="list-style-type: none"> 1. Manage workloads to ensure no unnecessary delays in the progress of legal matters. 2. Monitor plans and targets and inform clients about progress against milestones and outcomes in line with organisational requirements 3. Manage all files and tasks concurrently with no real supervision. 4. Monitor and chase payment of costs. 5. Maintain communication with all parties. 6. Generally, completes tasks with own judgment, including occasional unfamiliar tasks with a range of problems and choices. Recognises when support is required. Complex tasks may lack refinement. |
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| | Apply understanding, critical thinking and analysis to solve problems | <ol style="list-style-type: none"> 1. Access a range of critical thinking skills and models. 2. Tends to see actions in isolation. 3. Works within given procedures. | <ol style="list-style-type: none"> 1. Identify situations requiring analysis and critical thinking. 2. Recognise inconsistencies and gaps in information. 3. Recognising key source of information. 4. See actions as a series of steps. 5. Uses experience to check information provided. | <ol style="list-style-type: none"> 1. Assessing information to identify key issues and risks. 2. Using multiple sources of information to make effective judgments. 3. Reaching reasoned decisions supported by relevant evidence and rationale. 4. Uses experience to check information provided and to form judgments about possible courses of action. 5. Understands the significance of actions in the context of the objectives of the transaction or case strategy. |
| | Maintain files and accurate records in accordance with procedures. | <ol style="list-style-type: none"> 1. Understanding file management processes and systems to opening, progressing and closing a single matter. 2. Knowledge of how files are maintained within business systems, including case management system and accounting packages 3. Describe data protection issues and procedures. 4. Define accurate record keeping procedures and documents used within this process | <ol style="list-style-type: none"> 1. Effectively utilise information systems. 2. Ensure financial transactions are processed in accordance with rules and procedures. 3. Understand business systems including databases and billing software. 4. Complying with confidentiality, security, data protection and file retention and destruction requirements. 5. Maintain accurate records. | <ol style="list-style-type: none"> 1. Make effective use of the information system, including storing and retrieving data. 2. Maintain case files to ensure they are accurate and up to date in line with organisational requirements 3. Utilise the appropriate maintenance and update procedures for business systems. 4. Apply record keeping procedures. |

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| Business Awareness | <i>Demonstrate an understanding of the business environment of a legal practice or organisation.</i> | 1. Describe the business environment. 2. Establish the business structure. | 1. Demonstrate an understanding of the business and legal environment and the impact upon business practice. 2. Discuss a range of alternative business models. | 1. Examine the aims and objectives of the business and how these are achieved. 2. Determine how to promote the aims and objective of the business. |
| | <i>Evaluate the risks, costs and benefits of alternative courses of action to the business.</i> | 1. Have knowledge of risk, cost and benefits analysis tools and techniques. | 1. Apply risk cost and benefit analysis techniques to the business or client. 2. Consider alternative approaches that could be adopted. | 1. Evaluate the risks, costs and benefits of a specific client or work package to the business. 2. Determine alternative approaches and their risk, cost benefit profiles. |
| Professional Conduct | <i>Apply the rules of professional conduct appropriately to relevant situations</i> | 1. Knowledge and understanding of the most recent CLSB Code of Conduct, Practising Rules and any other applicable conduct rules. | 1. Identify appropriate conduct for the matter. 2. Understand that a Cost Lawyer may only act when competent to do so, and what constitutes competence. 3. Understanding the ethical framework within which Cost Lawyers should operate. | 1. Identify appropriate rules which apply to the matter, including any ethical matters 2. Apply the rules of professional conduct appropriately to relevant situations. 3. Demonstrate an ability to comply with the CLSB professional conduct and measures to ensure continual compliance |
| | <i>Provide appropriate information to clients and service users.</i> | 1. Knowledge and understanding of the information which must be supplied to clients | 1. Ensure the correct information and in the relevant format is supplied to clients. 2. Understanding of the implication of correct information provision and data protection. | 1. Apply information management processes and procedures. |

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| | Understand the need to avoid discrimination and promote equality and diversity | 1. Identify legalisation relevant to the Cost Lawyer practice. | 1. Understand relevant and up to date discrimination and equality legislation | 1. Demonstrate legal and ethical equal opportunity practice in dealing with staff, clients and others. 2. Ability to identify issues of culture, disability and diversity |
| Self-awareness and development | Evaluate your professional skills and legal knowledge. | 1. Describe the role and responsibilities of a Cost Lawyer. 2. Identify the knowledge and skill required of a Cost Lawyer. | 1. Understand the competency required of a cost lawyer to be effective and professional 2. Explain the expectation and levels of performance required by a Cost Lawyer. 3. Describe how performance in professional and legal terms is assessed and evaluated. | 1. Set performance standards for your role as a Cost Lawyer. 2. Set professional standards for your role as a Cost Lawyer. 3. Reflect on learning from practice and from others. 4. Seek and utilise feedback. |
| | Understand the limitations of your professional skills and knowledge. | 1. Identify the relevant professional qualifications required to become a Costs Lawyer and ongoing professional development requirements. 2. Define minimum performance standards for a Cost Lawyer. 3. Identify and disclose when a work-related task is beyond your current ability. | 1. Describe a range of assessment tools and techniques which can be used for self-analysis, or by others, to establish levels of performance. 2. Maintain up to date understanding of relevant law, policy and practice. 3. Recognise when mistakes made, or risks identified in practice. | 1. Identify gaps in your knowledge and implications of those of those gaps. 2. Evaluate your performance levels utilising a service of evaluation and feedback tools and techniques. 3. Adapt practice to address developments in legal practice, policy and procedure. |
| Working with others | Establish effective working relationships with others involved in a legal matter. | 1. Define the roles and responsibilities of those involved in legal practice. 2. Treat others with courtesy and respect. | 1. Understand the role a team plays in dealing with the legal matter. 2. Establish what constitutes good/effective working relationships. | 1. Establish effective communication channels. 2. Delegate work appropriately. 3. Maintain effective workflow. 4. Develop professional working relationships. |

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| | Demonstrate ability to select and provide appropriate information to others as required by the law. | 1. Understand the needs of others involved in a matter to have information shared with them. 2. Understand the law relating to the disclosure of information in a client matter. | 1. Keep colleagues informed of progress of work including timelines, risks and problems. 2. Operate within the legal data protection framework when providing information in a matter. | 1. Evaluate data and extrapolate relevant information from it. 2. Produce any required information in a timely manner. 3. Ensure all information provision complies with the relevant legal framework. |
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ACLT Reflective Log



Name:

Reference to evidence
provided:

SP Framework

Competencies

Brief details of evidence
provided/examples Used

Explain how the
evidence/examples meet the
competency and how the
evidence shows this

Reflection and evaluation

Describe what you learnt from the activity you undertook to meet the learning Outcome. You may want to complete this section at a later date once you have had time to reflect on your practice and experience.

Signature:

Date:

ACLT Reflective Log



Name:

Reference to evidence provided:

Pages 12-36 of evidence folio

SP Framework

Competencies

Brief details of evidence provided/examples Used

Explain how the evidence/examples meet the competency and how the evidence shows this

Cluster: Communication skills and

PDP Requirement 2: Communication skills

Assignment for advocacy module and ethics module.

Copy of Bill analysis.

Bill.

I have demonstrated that my communications skills reach the threshold level of competency by being able to seek appropriate information through communication (**Comp 1**), represent a client / user through effective communication and other skills (**Comp 2**), negotiate solutions to client matter (**Comp 3**) and address all issues in communication (**Comp 4**).

Reflection and evaluation

Describe what you learnt from the activity you undertook to meet the learning Outcome. You may want to complete this section at a later date once you have had time to reflect on your practice and experience.

I have demonstrated my ability to undertake advocacy in chambers without supervision during the Unit 1 seminar (**CS: LV3 Comp 2 Stment 4**) where I was required to advance points made in points of dispute I had drafted. This enabled me to gain an insight into the role and position of the paying party. Whilst I am competent I do feel this is an area I would like to gain more experience. I have attended some hearing and sat behind the advocate but I have now arranged to undertake telephone hearings with the view that I will soon undertake further advocacy in chambers within a professional setting.

On the CL course I completed the assignment for Module 1b (Ethics and Professional Standards). The assignment required me to draft a memo a fee earner advising of the risks and potential outcomes with including un- evidenced costs into a Bill of Costs. This provided me with a clear grasp of, and commitment to abide by, ethical requirements (**CS: LV3 Comp 2 Stment 5**).

As part of my role I am required to phone Defendants and have without prejudice discussions to establish the sticking points for settlement of the costs in the case. This requires me to use communication skills in a range of situations to represent client interests (**CS: LV3 Comp 2 Stment 1**).

whilst applying the relevant law, legal procedure and professional conduct rules, appropriately and accurately in communication without supervision (CS: LV3 Comp 4 Stment 1). Choosing to use the telephone to do this helps me demonstrate I am able communicate legal issues using appropriate methods (PDP Requirement 2.1). When I first started doing this part of my role, in 2012, I was not very confident. Over time I have learnt to review the bills ahead of discussions, this allows me to anticipate issues which may be raised by the Defendant. I can then prepare responses to the same, to try and encourage settlement to be reached. Using this approach and this strategic tool has improved my ability to respond effectively to options presented (CS: LV3 Comp 3 Stment 3). It has enabled me to use suitable language in communication (PDP Requirement 2.2). I now feel I am able to persuasively present options for compromise / resolution (CS: LV3 Comp 3 Stment 2). This is a benefit to clients because I am now able to settle more matters without the need to prepare detailed Points of Dispute.

This skill has improved but I believe there is room to develop further. I would like to negotiate on matters of higher value and in areas of law that I have not worked on before, I think this would improve my confidence. Additionally whilst I am able to explain factual, legal and evidential issues, arising as a result of communication no input from a supervisor (CS: LV3 Comp 4 Stment 4) the advice I am offering can be somewhat routine so to broaden knowledge base, and improve in this particular competence, I believe I would benefit of doing some slightly different work.

In April 2016, I received instructions from a client to urgently prepare a Bill of Costs for service in May 2016. I had to choose appropriate questioning techniques to elicit relevant information and client concerns (CS: LV3 Comp 1 Stment 1). The client ideally wanted the Bill drafted and served prior to May 2016, and to recover an interim payment on account and / or settle the dispute before July 2016. I then had to determine appropriate steps to ensure that I was able to complete anything I committed to, I also diarised and scheduled when I would undertake the various activities required by the client and when I would update the client so as to minimise the effect of any difficulties that may arise (CS: LV3 Comp 1 Stment 2). I prepared the Bill, ensuring this was drafted and approved ahead of May 2016.

I advised in writing of the possibilities available recovering an interim payment from the Paying Party, including making a voluntary request and an application. Writing Develop and present structured and reasoned arguments (CS: LV3 Comp 2 Stment 2). When writing to clients I must ensure that I address all issues in communication (PDP Requirement 2.3). Within my letter of advice, I structured enquiries within that correspondence to elicit specific information, with clarity, focus and utilising the correct technical language (CS: LV3 Comp 1 Stment 3). I was able to present communication in a clear, logical, unambiguous, succinct and persuasive way, using appropriate underpinning authority, without supervision (CS: LV3 Comp 2 Stment 3). Within the correspondence I also advised of previous experiences and the likeliness of recovering an interim payment. I was then able to gain further instructions and determine the core client issues and concerns in a specific negotiation (CS: LV3 Comp 3 Stment 1). This demonstrates my ability to seek appropriate information through communication (PDP Requirement 2.4).

I have demonstrated that my communications skills reach the threshold level of competency by being able to seek appropriate information through communication (Comp 1), represent a client / user through effective communication and other skills (Comp 2), negotiate solutions to client matter (Comp 3) and address all issues in communication (Comp 4). I am able to represent a client through effective communication and other skills (PDP Requirement 2.5). I do however identify that I have further areas for development.

Signature:

Date:

31.01.17

ACL Costs Lawyer Example Reference



[Date]

[On Headed Paper]

To whom it may concern

Re: Reference for XXXXXX

I have been asked to provide this reference for [XXXX] to confirm that [XXXX] has undertaken the appropriate supervised practice as required by the CLSB to achieve [his/her] qualification of Costs Lawyer.

My name is [XXXXX] and I am [XXXXX] [team leader/supervisor/Costs Lawyer] at [XXXX], having been so since [XXX] [joined the firm/team] in [XXXX]. I qualified as a [XXXXX] [Costs Lawyer/Solicitor/CILEx Fellow] Cost Lawyer on [XXXX].and have [XXXX] years litigation experience. I currently hold a practising certificate from [XXXX] [the CLSB/the SRA/CILEx Regulation].

[XXXX] has worked full time since joining the firm, which means in excess of 20 hours per week for a minimum of 43 weeks a year. [XXXX] typically works [XXXX] hours per week and [XXXX] hours are spent solely on cost matters. [XXXX] has a total of [XXXX] years experience working in costs.

INSERT BRIEF Paragraph on Job role

I have had sight of the CLSB outcomes and I believe that [XXXX] has met the outcomes required by the CLSB within the years of supervised practice undertaken. Please find attached a copy of the supervised practice competencies which have been initialled by myself to confirm that [XXXX] has demonstrated the competencies to Level 3 during [his/her] employment. I understand that some of the competencies have been addressed as part of the Cost Lawyer qualification [XXXX] has undertaken. Any competencies I have not initialled are because I understand [XXXX] to have demonstrated the requisite threshold within the course alone and that the assignments completed will evidence that these have been met.

I have also had sight of [XXXX]'s SP Reflective Logs and can confirm, to the best of my knowledge and belief, that the content of those logs are an accurate reflection of the work and reflection undertaken by [XXXX].

[Signature]

[Cost Lawyer/Solicitor/CILEx Fellow]

ACL Training
Email: acit@lawcabs.ac.uk
Web: <https://www.lawcabs.ac.uk/acit-students>
ALCD (Training) Limited trading as ACL Training.
Registered in England and Wales.
Registered Office:
16 Broad Street, Eye, Suffolk IP23 7AF.
Company Number 04158593.