
75411 PRACTICAL EXPERIENCE RULES

UTS:Law Practical Experience Rules should be read by Student/Applicant and Supervisor

The subject 75411 Practical Experience (0cp) is the practical component of the UTS:Law Practical Legal Training Program (PLT). The successful completion of the subject 75411 Practical Experience requires a student to complete 16 weeks of approved practical placement. Approval of a practical experience placement requires satisfaction of the Rules set out below. Applications for approval of a practical experience placement are made to the UTS:Law Practical Experience Committee (the Committee).

Rule 1

Application Process

Students seeking approval for practical experience must:

- 1.1 Enrol in the Graduate Certificate in Legal Practice C11128, Graduate Diploma in Legal Practice C07075 or any subject in the PLT program with the exception of 75415 Professional Conduct 1 and 75416 Professional Conduct 2.
- 1.2 Submit Form 1 - *Application for Practical Experience Placement Approval* (Form 1) for Committee approval. (The 'Form 1' should be submitted prior to commencement of any practical experience placement).

Rule 2

Work to be experienced

The work experienced by a student undertaking practical experience must include:

- 2.1 Experience in the routines, procedures and dynamics commonly found in offices in which legal services are provided;
- 2.2 Contact with and responsibility to the clients (broadly defined) of the office or organisation in which the practical experience is undertaken;
- 2.3 Experience in or observation of the provision of legal services;
- 2.4 Experience of the process of becoming a professional in the context of the delivery of legal services.

Rule 3

Where practical experience is to be undertaken

Practical experience may be undertaken with:

- 3.1 A legal practitioner in private practice with an unrestricted practising certificate or a restricted practising certificate held for more than three years; or

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- 3.2 A legal practitioner or similar officer in private practice who has held a practising certificate for less than three years but who can demonstrate to the Committee special circumstances by which they are able to supervise a student in accordance with Rule 2; or
- 3.3 Any government, semi-government or corporate legal office or department, employer or employee association, or a community legal service which is recognised by the Committee as being a legal office, department or centre in which appropriate practical experience might be undertaken; or
- 3.4 Any other organisation, department or office which the Committee recognises, either generally or upon application in a particular case, as being an organisation, department or office in which the applicant might undertake appropriate practical experience; or
- 3.5 Employment by a judge or a similar officer to carry out duties such as those undertaken by the judge's associate, the tipstaff or personal representative.

Rule 4

Supervisor

- 4.1 A person may serve as a supervisor if that person:
 - (a)
 - (i) is a legal practitioner with a full practising certificate or a legal practitioner who has held a practising certificate for a total of at least three years; or
 - (ii) is a legal practitioner who is otherwise able to satisfy the Committee that he/she can provide appropriate practical experience as described in Rule 3; or
 - (iii) is a judge; or
 - (iv) is a tribunal member who has held a practising certificate for at least 2 years; and
 - (b)
 - (i) has not been the subject of an adverse finding by his/her licensing authority or disciplinary body; or
 - (ii) if the supervisor has been the subject a disciplinary order, they may apply for approval by making full disclosure to the Committee;
 - (c) normally has no more than three other persons working for him/her who are gaining practical experience; and
 - (d) advises the Committee that he/she accepts responsibility to ensure that the experience outlined in these Rules is received, and that any other requirements of the Committee are complied with.
- 4.3 A person may be substituted as a supervisor during an approved placement if he/she is a member of the same employer/organisation and certifies that he/she fulfils the requirements of Rule 4.1 and undertakes to supervise in accordance with Rule 2.

Rule 5

Length of practical experience

- 5.1 To successfully complete the subject 75411 Practical Experience a student must have completed 16 weeks (80 days) of approved experience.

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- 5.2 Practical experience may be obtained by undertaking part-time work provided the time spent in the workplace amounts to 80 days (based upon a maximum 40 hour working week).
- 5.3 If practical experience is undertaken in more than one continuous period then none of the periods of work for which credit is sought should be less than the equivalent of four weeks (20 days) full-time.

Rule 6

When Practical Experience is to be undertaken

UTS:Law students have five (5) semesters from enrolment in the subject 75411 Practical Experience in which to complete all 16 weeks (80 days) of approved practical experience; failure to do so will result in a fail grade recorded against the subject.

- 6.1 A maximum of 8 weeks (40 days) of work experience may be undertaken within 18 months prior to enrolment in the Graduate Certificate in Legal Practice C11128, Graduate Diploma in Legal Practice C07075 or enrolment in any subject in the PLT program with the exception of 75415 Professional Conduct 1 and 75416 Professional Conduct 2.
- 6.2 Students undertaking the full-time PLT program (i.e. more than 21cp of PLT subjects per semester) may accrue up to 14 hours per week of practical experience during this time.
- 6.3 Students undertaking the part-time PLT program (i.e. 21cp or less of PLT subjects per semester) can seek approval for any work experience undertaken during the PLT program.
- 6.4 All students may seek approval for practical experience undertaken following the successful completion of the academic component of the PLT program.

Rule 7

Practical experience outside New South Wales

- 7.1 Practical experience may be undertaken in whole or in part outside New South Wales and Australia but must be undertaken in a Common Law jurisdiction.
- 7.2 The Committee may set criteria to be met where practical experience is undertaken outside New South Wales.

Rule 8

Completion of a practical experience placement

- 8.1 Upon completion of a practical experience placement, the student and his/her supervisor shall lodge a *Form 2 – Supervisor’s Report Notification of Practical Experience Placement Completion* (Form 2).

Rule 9

The UTS:Law Practical Experience Committee

- 9.1 The UTS:Law Practical Experience Committee is appointed by the UTS:Law Dean and comprises the following members:
- Academic co-ordinator of Practical Experience; and
 - Administrative co-ordinator of Practical Experience

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9.2 All members shall hold office until their resignation or upon receiving one month's written notice from the UTS:Law Dean of the termination of appointment.

9.3 The Committee may regulate its own procedures and otherwise act to implement these Rules.

Rule 10

Appeal against a decision of the UTS:Law Practical Experience Committee

10.1 A student may appeal against a decision of the UTS: LAW Practical Experience Committee by writing to the Academic Co-ordinator of Practical Experience giving reasons for their appeal that are referenced to these Rules.

10.2 Upon receipt of the notification, the Academic Co-ordinator will notify the members of the UTS:Law Practical Experience Appeals Committee and convene a meeting within 14 days of receipt of the students appeal.

10.3 The UTS:Law Practical Experience Appeals Committee is appointed by the UTS:Law Dean and comprises the following members:

- UTS:Law Associate Dean (Teaching and Learning)
- UTS:Law Director Courses
- UTS:Law Director Students

10.4 The UTS:Law Practical Experience Appeals Committee shall notify the student of the result of the appeal giving reasons for their decision within 14 days of making their decision.

Rule 11

Dispensation from or amendment of these rules

11.1 The Committee may dispense with compliance with any aspect of any of these Rules where it is satisfied that the non-compliance is only minor or will not otherwise affect compliance with the spirit of these Rules or where undue hardship may otherwise result.