

Content Schedule for a Practice Management Course

The following outcomes are expected for a practitioner completing an approved Practice Management Course.

- Understanding of how to set up a law practice;
- How to establish clear and effective governance structures and reporting lines;
- An ability to monitor and manage risk;
- How to maintain systems and controls for monitoring financial stability and sustainability of the practice and of monies entrusted to the practice;
- An ability to understand and comply with all applicable legislation and regulatory requirements;
- Apply professional responsibility and ethical practice requirements;
- An understanding of the principles of effectively training and managing staff;
- Having systems in place for tracking and supervising all client matters and for monitoring the timeliness and quality of work;
- An understanding of the implications if outsourcing any part of the service;
- Having systems in place for safe keeping of all documents, both electronic and paper;
- Understanding of the benefits and risks of using new technology, including cyber security and social media risks;
- Understanding of self-management techniques to minimise stress and balance personal and professional priorities;
- Having a management plan for unforeseen circumstances; and
- An understanding of how to build, maintain, and improve relationships with clients.

Content Schedule of a Practice Management Course – Western

Opening a Law Practice – Suggested assessment: by quiz and inclusion in written Business Plan

Content should include –

- Development of a Strategic Plan.
- Practice Structure and Business Models
 - Sole practitioner
 - ILP
 - Partnership
 - New trends in different structures

Evaluate the capacity of each model to meet goals and needs of the practice and choose the most suitable model

- Location
 - Home
 - Suburbs
 - Near main client base
 - Virtual
 - CBD
 - Country
 - Co-location with other practitioners/professionals – office sharing
- Start-up costs
 - Premises
 - Equipment
 - Software

- Stationery
- Security
- Lease
- Insurances
- Advertising – understand rules and regulations limiting advertising
- Staff
- Marketing
- website
- Does the practice have start-up capital?
- Will the practice have to borrow to meet all financial obligations?
- Personal living expenses that need to be met
 - Mortgage/loans
 - School fees
 - Rates/car etc
- Projected income for first 6 months - 12 months.
- Other
 - Business registration
 - Notification of intent to commence business to LPB
 - Tax obligations

Establishing a Law Practice (Systems, Procedures and Staff) – Suggested assessment: by quiz and included in written Business Plan

Content should include –

- Setting up an accounting system
- Client accounts
- Billing systems
- Staff management, including strategies to positively lead a team or organisation
- Implementation of effective policies, practices and procedures to manage staff
- Work arrangements
- Gender equity and diversity
- Employing staff
- Obligations
- Using contractors
- Outsourcing
- Supervision and management of staff
- Supervision of restricted practitioners
- Duty statements
- Delegation
- Setting up procedural manuals to control the effective delivery of legal services and provide guidance for the use of technology
- Access to legal resources
- Appropriate software for practice management – adequacy of technology for delivery of legal services
- Identify, manage and mitigate risks in the area of technology, including cybersecurity and privacy
- Proper training procedures

- Adequate storage / Secure storage
- Time management
- Outsourcing

Client File Management – Suggested assessment: by quiz and included in written Business Plan

Content should include –

- Opening files – procedures templates
- Maintaining files – follow ups/ review procedures
- Closing files
- Current file lists/register
- Document control procedures
- Security of documents, procedures for sending documents electronically (eg PDF versions)
- Cost agreements - alternatives
- Must be clear and precise on what will and won't be charged for and how often invoices will be sent
- Keep records of all dealings with clients
- Where will valuable documents be stored
- Templates, precedents

Financial Management – Suggested assessment: included in written Business Plan

Adequate accounting systems to meet the needs of the practice, review as practice grows.

Content should include –

- Plan and manage the financial activities of an organisation to operate profitably
- Explain costs disclosure and ethical billing practices, including pricing methods
- Keep a general account
- Difference of a Trust account
- Profit & loss
- WIP
- Review client list
- Apply the 80/20 rule
- Budget forecast
- Business expenditure
- Projected income
- Debt servicing
- Management of creditors
- Management of Assets and Liabilities
- Overdraft management
- Cost sharing
- Equity
- Drawing a salary
- Staff salaries/ARL

- Statutory obligations –
 - Superannuation
 - Insurances
 - TAX
 - GST
- Assess clients ability to pay and if they are a credit risk
- Use experts such as bookkeepers and accountants
- Monitor and review

Trust Accounts – Suggested assessment: by a written examination

Content should include –

- How to manage a trust account, including analysing current practices
- Rules and Regulations governing trust accounts
- Procedures
- Opening and closing
- Obligations to the Board/Regulator
- Traps/Scams
- Controlled Money Accounts
- Abuse and misuse of trust money
- Audit requirements

Technology – Suggested assessment: included in written Business Plan

Content should include –

- Identifying current trends in legal technology or AI
- Understanding of how legal technology or AI can improve systems and deliver client expectations
- Impact on business model
- Consider appropriate software/hardware
- Functions
- Back up of data
- Cloud computing – advantages disadvantages
- Websites
- Security of Data
- If using software staff must be trained in how to use it
- Cyber security
- Social media
- Risk management and disaster planning

Business Development and Client Relations – Suggested assessment: by written Business Plan and a Marketing Plan

Content should include –

- Only take clients you can help
- Explain the services you can provide
- Make sure clients have realistic expectations
- Draw up proper Cost Agreements
- Explain what is included in costs
- Have a standard procedure to identify conflicts of interest
- Provide clients with regular updates, invoices and statements
- Review client files
- Carry out clients instructions
- Keep records of all dealings with clients including conversations
- Build relationships
- How to deal with vexatious clients
- How to part with a client
- How to find clients
- Business and Marketing strategies
- Strategies to manage client services, including monitoring client satisfaction, retention and referrals
- Understanding the business structure
- Entry, growth and exit plans

Risk Management and Compliance – Suggested assessment: included in written Risk Management Plan
Ethics and Professional Responsibilities – Suggested assessment: written scenario based assessment

Content should include –

- Develop policies and strategies to identify and manage risk to cover –
 - Tax
 - Superannuation
 - Insurances
 - ASIC
 - Privacy laws
 - EEO
 - Court Procedures & protocol
 - Employment Law
 - Work Place Agreements
 - Document Security Storage
 - Record Keeping
 - Disaster management
 - Ethical practices
 - Conflicts of interest
 - Dealing with Legal Aid
 - Briefing barristers
 - Pro bono work
 - Doing work for friends and relatives
 - Referral to other practitioners and professionals

- How to say “no” to a client
- Signs of fraudulent behaviour
- Develop and implement procedures to comply with professional obligations, including –
 - Statutory obligations
 - Relevant legislation,
 - Professional Conduct Rules
 - Obligations to the Board (Regulatory Authority)
 - CPD
 - Succession
- Self-assess understanding of professional obligations
- Critically assess common areas of complaint for minimising further complaint
- Develop and implement systems and best practice approaches to promoting ethical decision-making and ethical behaviour
- Demonstrable understanding of negligence and role of professional indemnity insurer
- Identify, manage and mitigate risk associated with technology, particularly cyber-security, social media and privacy

Self-Management – Suggested assessment: included in written Business Plan

Content should include –

- Collaborate – Build support frameworks
- Develop self-management tools and techniques
- Plan
 - For the unexpected - illness accident
 - Have a back up plan
 - Exit strategies
- Have appropriate insurances
- Always deal with the Board in courteous and expedited manner
- Recognise stress and have mechanisms for dealing with stress
- Use experts where appropriate
- Target CPD to useful areas
- Join professional bodies
- Invoice regularly for work done