

APPENDIX C

Cross Jurisdictional Scan

An environmental scan indicates that there are Law Societies in other jurisdictions that have mandatory post-licensure courses that lawyers opening a sole practice¹ are required to take.

Australia

The Law Societies of New South Wales, Victoria, Western Australia and the Australian Capital require lawyers to successfully complete a practice management course through an accredited provider prior to submitting an application for a principal practising certificate, the certificate required to operate as a sole practitioner.²

In New South Wales, the Practice Management Course is offered by four providers including the Law Society of New South Wales. It is typically three full days and costs participants approximately \$1500 AUD (depending on the provider selected).³

Topics covered include: finance essentials and taxation strategies; pricing your services and billing the client; avoiding pitfalls in trust money and trust records; leadership and management techniques, including self-leadership and stress management; hiring and training reliable staff; managing risk; managing technology and innovation; business planning; marketing methods to grow your business; attracting and retaining clients; and ethics and responsibility.⁴

The New Zealand Law Society

The New Zealand Law Society requires that lawyers intending to be a partner in a law firm; a director of an incorporated law firm; a sole practitioner (barrister and solicitor) or a barrister on own account must complete a Stepping Up course prior to applying for approval to practise on own account.

The Stepping Up course includes 40 to 50 hours of online work followed by a three-day workshop.⁵ Participants pay \$1690 NZD to complete the Stepping Up course.⁶ The Stepping Up course focuses on: running the business of a law practice; being responsible for the obligations of the practice; understanding and applying the relevant rules of conduct and client care; and understanding the principles and rules of trust accounting.

The Law Society of Scotland

The Law Society of Scotland requires anyone who becomes a “manager of a practice”, which includes a sole practitioner and a partner in a firm of solicitors, to attend the New Partner Practice Management course (PMC) within 12 months of assuming that role.

¹ Because Ontario is the only province that regulates paralegals, there are no comparable required post-licensing courses for sole practitioner paralegals. A brief environmental scan of countries with common law legal systems reveals that this would be a novel initiative for paralegals.

² https://www.lawsociety.com.au/sites/default/files/2022-01/LS3567_LIC_CommencePracticeChecklist_SolePrac_2021-11-26.pdf

³ An example course can be viewed [here](#).

⁴ An example course can be viewed [here](#).

⁵ <https://www.lawsociety.org.nz/professional-practice/legal-practice/practising-on-own-account-as-a-barrister-and-solicitor/stepping-up-course/>

⁶ <https://www.lawyerseducation.co.nz/shop/Workshops2022/22STU.html>

The PMC has two components: approximately 4 ½ hours of online modules and one live training day. Attendees are charged £375 to complete the course. The PMC focuses on: standards of conduct and service adherence; demonstrating good practice in client service; minimising risks; accounts rules; anti money laundering regulations; business processes and management accounts; knowledge of financial imperatives in running a business; responsibilities to the profession and the public; ethical dimensions and business development and strategic planning.⁷

The Law Society of Hong Kong

The Law Society of Hong Kong requires all principals, which includes partners in Hong Kong law firms and sole practitioners, to complete the principal's Risk Management Education ("RME") Programme.⁸

The principal's RME Programme consists of four half-day modules and is offered at no direct cost to participants.⁹ The principal's courses focus on engagement management and quality assurance and risk management. The program covers: setting up the engagement; engagement letters; managing client expectations throughout the engagement; varying the terms of the engagement; closing the engagement; informal advice; third party obligations; communication skills; legal diagnostics: proactive and transferable techniques to aid supervision; managing the team with a view to maximising financial profitability and minimising claims exposure; the process for accepting a transferred matter; dealing with all aspects of conflict of interest; monitoring risk; implementing sound auditable routines; establishing usable trails; risk strategy; using checklists effectively and appropriately; attitudes to risk management; the Risk Manual; quality system; risk tolerance and the entrepreneurial law firm and managing change.

The Law Society of British Columbia

The Law Society of British Columbia (LSBC) has a Practice Management Course¹⁰ designed primarily to assist new lawyers, lawyers practicing alone or in small firms and others to review key practice management topics. The LSBC Rules make the course mandatory for lawyers practicing in a small firm, who must complete the course within 6 months after commencing practice in a small firm setting. Recently, the course was extended to all articled students subsequent to January 1, 2018, regardless of whether the articled students intend to be sole practitioners or operate in a small firm.

The course is comprised of 16 self-guided written modules and corresponding tests. It appears that completion of these is anticipated to take 6 hours. There is no direct cost to participants. In order to successfully complete the course, the applicant is required to score 100% on each of the tests. The modules are as follows: Accounting System Learning; Trust Accounting Essentials; Trust Filing and Trust Applications; Taxation and Employee Deductions; PST; GST; Retainers; File Retention and Disposal; Coverage During Absence; Withdrawal of Services;

⁷ <https://www.lawscot.org.uk/members/cpd-training/practice-management-course/>

⁸ <https://www.hklawsoc.org.hk/en/Support-Members/Professional-Support/Risk-Management-Education-Programme>

⁹ Detailed program information can be found at:
<https://www.hklawacademy.org/course.php?courseType=rme>

¹⁰ <https://learnlcbc.ca/node/48>

Conflicts; Client Screening; Difficult Clients; File Management and Diary Systems; Delegation of Tasks and Supervision and Avoiding Fraud.