

Law Practical Experience Rules

Autumn session 2022 Onwards

This information applies to students enrolled in subject (75411) Practical Experience in, or after, Autumn session 2022.

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Overview

The subject (75411) Practical Experience (0cp) is the practical, workplace component of the UTS Law [Practical Legal Training \(PLT\)](#) program.

Students may only enrol in [\(75411\) Practical Experience](#) according to their course progression – as set out in the UTS Handbook. Student must adhere to the [UTS Handbook](#) relevant to the year they commenced their course. Handbook versions for previous years may be accessed by visiting the [Archives webpage](#).

The purpose of Practical Experience is to provide a student with an opportunity to apply, test and reflect on their coursework and to experience the routines, procedures and dynamics commonly found in offices in which legal services are provided.

The successful completion of subject (75411) Practical Experience requires a student to complete 65 days of approved work experience, supervised by an appropriately qualified individual.

Applications for approval of a Practical Experience placement are made to the UTS Law Practical Experience Committee.

The information in this PDF applies to students enrolled in subject (75411) Practical Experience in, or after, Autumn session 2022. I.e. the subject (75411) Practical Experience appears as 'enrolled' on your study plan on or after Autumn session 2022.

Approval of a Practical Experience placement requires satisfaction of the Practical Experience Rules as set out below.

Practical Experience Rules (Autumn session 2022 onwards)

Rule 1: Application process

Students seeking approval for practical experience must:

- a. Be enrolled in the subject (75411) Practical Experience.¹
- b. Submit a Practical Experience Registration (Form 1) via [CareerHub](#) only when enrolled into (75411) Practical Experience and as soon as they have secured a placement or when seeking retrospective approval of a placement.

Rule 2: Quality of workplace experience

The work undertaken by a student during Practical Experience is to include the application of legal knowledge and skills to legal problems and must include most, or all, of the following:

- a. Significant interaction with external or in-house clients.
- b. Drafting documents.
- c. Legal research.
- d. Using a file management system.

Rule 3: Types of acceptable placements

Practical Experience may be undertaken with either:

- a. A Legal Practitioner who is in private practice and holds a full practising certificate;
- b. A Legal Practitioner who is in private practice and holds a restricted practising certificate and has held that restricted practising certificate for two or more years;
- c. A person admitted to the legal profession by the Supreme Court of any Australian jurisdiction who is eligible to hold a practising certificate and who is able to satisfy the Committee that he / she can provide appropriate Practical Experience as described in Rule 2;
- d. 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;
- e. 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
- f. A Judge or, similar Judicial Officer where the student carries out duties such as those undertaken by the Judge's Associate or Tipstaff.

Rule 4: Qualifications of Supervisor

4.1 A person may act as a Supervisor if that person:

- a) is a Legal Practitioner with a full practising certificate or a Legal Practitioner who has held a restricted practising certificate for two or more years;
- b) is a person admitted to the legal profession by the Supreme Court of any Australian jurisdiction who is eligible to hold a practising certificate and who is able to satisfy the Committee that he / she can provide appropriate practical experience as described in Rule 2;

¹ The subject (75411) Practical Experience appears as 'enrolled' on your study plan in Autumn Session 2022 or onwards.

- c) is a Judge; or
 - d) is a Tribunal Member who has held a practising certificate for at least 2 years.
- 4.2 A person may act as a Supervisor if that person:
- a) has not been the subject of an adverse finding by his/her licensing authority or disciplinary body;
 - b) has not been the subject a disciplinary order,²
 - c) normally has no more than three other persons working for him/her who are gaining Practical Experience; and,
 - d) advises the Practical Experience Committee that he / she accepts the responsibility to ensure that the experience outlined in these Rules is received, and that any other requirements of the Practical Experience Committee will be complied with.

Rule 5: Length of Practical Experience

- 5.1 In order to satisfy the requirements of Practical Experience, students must undertake a minimum of 65 days approved work placement. This must include a minimum of 20 days Practical Experience which is undertaken either concurrently with, or subsequent to the student undertaking the PLT coursework subjects.
- 5.2 Practical Experience may be obtained by either full-time or part-time work provided the total time spent in the workplace amounts to 65 days. These calculations will be based a maximum 40 hour working week.
- 5.3 Only full (no less than 7 hours per day) or half (no less than 4 hours per day) workday increments may be counted.
- 5.4 A part-time placement must be a minimum of 2 days per week (i.e. 2 full days or 4 half days), unless permitted by the Practical Experience Committee under special conditions, prior to the commencement of the work placement.
- 5.5 Practical Experience placements must be no less than 4 weeks (20 days) in duration **with each supervisor**.

Rule 6: When Practical Experience is to be undertaken

- 6.1 Domestic students have 12 months to complete the 65 days of approved Practical Experience from the commencement of the session in which the subject (75411) Practical Experience appears as 'enrolled' on their study plan. Failure to do so will result in a fail grade being recorded for the subject.
- 6.2 International students must complete their Practical Experience placement and have results finalised on their academic record **before** their Confirmation of Enrolment (CoE) expires; or within 12 months, whichever comes first. Failure to complete within this timeframe will result in the student failing the subject.

An international student who fails this subject may be eligible to extend their CoE. International Students should seek advice from UTSI at least 15 business days **before** formal classes end for the session they are enrolled into 75411 Practical Experience if they wish to extend their CoE.

To ensure they're set to finish their training in time, international students must contact the Law Practical Experience Committee when they enrol in 7511 Practical Experience by emailing Law.PE@uts.edu.au with their plans for completion.
- 6.3 Students undertaking all PLT coursework subjects in a single session may enrol into (75411) Practical Experience in their first and only session of study. Students undertaking PLT on a part-

² They may apply for approval by making full disclosure to the Practical Experience Committee.

time basis may enrol into (75411) Practical Experience in either their first, or any subsequent session of study.

- 6.4 Students may claim for relevant work experience completed within two years prior to enrolling in the subject (75411) Practical Experience. A maximum of 45 days' work experience may be undertaken in this two-year period.
- 6.5 Credit cannot be given for any internship placement for which the student has already received academic credit within their degree.
- 6.6 Students undertaking more than 18 credit points per session may only accrue 2 days of Practical Experience per week during the teaching weeks of that particular session.
- 6.7 Students undertaking 18 credit points or less per session can seek approval for relevant work experience undertaken during the session, up to a maximum of 5 days per week.

Rule 7: Practical Experience outside Australia

- 7.1 A minimum of 20 days Practical Experience must be undertaken within Australia. This 20-day requirement must be undertaken concurrently with, or after completing, the PLT coursework subjects.³
- 7.2 A maximum of 45 days of Practical Experience may be undertaken outside Australia, if that experience is:
 - a. undertaken in a Common Law jurisdiction and the nature of the work carried out predominantly relates to Common Law legal matters; and
 - b. the Supervisor holds a practising certificate issued by a Common Law jurisdiction and is in the opinion of the Practical Experience Committee, considered to be a satisfactory Supervisor; and
- 7.3 For the purposes of assessing applications to undertake a portion of Practical Experience outside Australia, under Rule 7.2, the Practical Experience Committee may set certain additional criteria as it sees fit.
- 7.4 As part of an application under Rule 7.2, the student will be required to provide copies of:
 - (a) the Supervisor's licence / practising certificate; and
 - (b) the Supervisor's academic qualification in law.

Rule 8: Completion of a Practical Experience placement

- 8.1 Upon completion of a Practical Experience placement, the student shall lodge a Practical Experience Log (Form 2) via [CareerHub](#). This includes a list of the actual days worked (in full or half-day increments) during the placement, with the total number of days tallied.
- 8.2 Upon completion of the student's final Practical Experience placement (if more than one placement), the student must complete and submit a Reflective Journal. This Reflective Journal must be completed and submitted via [CareerHub](#).

Rule 9: The UTS Law Practical Experience Committee

- 9.1 The Practical Experience Committee is appointed by the UTS Law Dean and comprises the following UTS Law staff positions:

³ In special circumstances, students may make an application to the NSW Legal Profession Admission Board seeking to have this jurisdictional requirement waived / relaxed.

- Subject Coordinator of Practical Experience;
 - Student Programs Coordinator;
 - Student Programs Officer;
 - Student Programs Assistant; and
 - Academic Services Manager
- 9.2 All members shall hold office until their resignation or upon receiving 1 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.
- 9.4 Subject to the requirements of the NSW Legal Profession Admission Board, the Practical Experience Committee retains the right to exercise discretion in relation to minor non-compliance with these Practical Experience 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 Practical Experience Committee by writing to the Subject Coordinator of (75411) Practical Experience and setting out their grounds of appeal.
- 10.2 Upon receipt of the notification, the Subject Coordinator will notify the members of the UTS Law Practical Experience Appeals Committee and convene a meeting within 14 days of receipt of the student's appeal.
- 10.3 The UTS Law Practical Experience Appeals Committee is appointed by the UTS Law Dean and comprises the following UTS Law staff positions:
- UTS Law Associate Dean (Education); and
 - UTS Law Director of Students; and
 - UTS Director of Professional Programs.
- 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.