

## Supervision Plan Template

Victorian Legal Services **BOARD + COMMISSIONER** 

Supervising a newly admitted lawyer is a serious responsibility. The supervised legal practice (SLP) period is a vital period of professional development that sets lawyers up for their future careers.

To help make the supervision experience a good one – for both you and the lawyers you supervise – we recommend creating a supervision plan for each supervisee. This template aims to help you get started.

Use this template with the Victorian Legal Services Board and Commissioner (VLSB+C) <u>Early Career Lawyer Capability Framework</u>, which will help you think about the type of work you should be assigning supervisees.

### How to use this template

- 1. Complete this template before your supervisee starts
- 2. Share the supervision plan with your new supervisee so they can ask questions about their supervision plan
- 3. Hold regular meetings to monitor your supervisee's progress in line with the supervision plan
- 4. Revisit and update the supervision plan as required (we recommend at least quarterly)

This template has been created by the VLSB+C for lawyers to use. For more information and guidance visit the VLSB+C website: <a href="lsbc.vic.gov.au/SLP">lsbc.vic.gov.au/SLP</a>

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#### Section 1: the basics



Lawyers who have a supervised legal practice condition on their practising certificate must only engage in legal practice under the supervision of a qualified supervisor. After finishing SLP, they need to apply to the VLSB+C to have their SLP condition removed and they cannot supervise other lawyers until that condition has been removed.

A qualified supervisor is a lawyer who is appropriately experienced, entitled to supervise other lawyers, and has the authority to direct, amend, override or intervene in relation to the legal work carried out by their supervisee.

Use this section to record key information about yourself and your supervisee.

#### Supervisor details Name Position Name: Legal practice or employer Address: Eligibility to supervise ☐ I hold a practising certificate with no SLP condition, or other condition restricting my ability to supervise other lawyers, OR ☐ I am eligible to hold a practising certificate but am not required or exempted from doing so (e.g. I am supervising a lawyer on a corporate or government practising certificate) Contact details Email: Office phone: Mobile phone: In-office days ☐ Monday Select all that apply ☐ Tuesday ☐ Wednesday ☐ Thursday ☐ Friday If I'm offline, contact me for urgent matters on: After-hours contact Delete if not needed Acting supervisor e.g. in case of leave

Supervisee details	
Name	
Position	
Legal practice or employer	Name: Address:
Practising certificate status	☐ Supervisee has a current practising certificate (confirmed by supervisor search of the online VLSB+C <u>Register of Lawyers</u> )
Contact details	Email: Office phone: Mobile phone:
In-office days Select all that apply	☐ Monday ☐ Tuesday ☐ Wednesday ☐ Thursday ☐ Friday
Is supervisee expected to work billable hours?  It's important to explain time recording and what work (if any) supervisees will need to bill for	☐ Yes: [specify hours] ☐ No

Induction materials	
Workplace induction Select all that apply	☐ In-person ☐ Online Date:
Training on key practice management programs Select all that apply	☐ In-person ☐ Online Date/s:
Location of workplace policies and procedures List all that apply, including links to files where practical	
Location of precedents  List all that apply, including links to files where practical	
Authorised research sources List all that apply, including links	
Use of artificial intelligence (AI)	<ul> <li>□ Permitted as outlined in [insert policy name]</li> <li>□ Permitted, subject to supervisor approval, review and sign-off</li> <li>□ Not permitted</li> </ul>
Next review of supervision plan	Date:

## Section 2: supervision fundamentals



The goal of supervision is to teach supervisees the legal skills needed for competent legal practice, encourage the forming of good work habits, and develop professional skills such as time management and building client relationships. Guiding and supporting their ethical development is particularly important.

Supervisors should have an 'open-door' policy with their supervisees, but it's also essential to schedule regular, structured one-on-one meetings. Regular meetings make it easier to monitor a supervisee's work effectively, guide their professional practice and development, check their wellbeing, debrief, and foster an atmosphere where mistakes, concerns or issues can be raised. To get the most out of these meetings, adequate time should be allowed to cover all issues, interruptions should be minimised and cancellations avoided.

Before filling out this section, read the <u>supervised legal practice section of the VLSB+C website</u> and section 6 of this template, which explains your role and responsibilities.

☐ Daily
☐ Weekly
☐ Fortnightly
Time:
Location:
Duration:
l er
☐ Current files and file audit
☐ Workload review
☐ Feedback on performance, areas for skill development
☐ Upcoming work
☐ General check-in/opportunity for supervisee to raise any issues they are experiencing
☐ Other:
☐ I have shared my calendar with my supervisee
☐ Supervisee's calendar has been shared with me

# Section 3: work allocation for supervision plan period



A supervisee's work needs to assist them to develop the capabilities they will require to practise independently, after their SLP period. The VLSB+C's <u>Early Career Lawyer Capability Framework</u> sets out these capabilities, with performance indicators to show what they look like in practice. An overview of the capability framework is included at the end of this template on page 13.

Use this section, and the capability framework, to plan the work you'll allocate your supervisee. Update the skills they will develop in accordance with the increasing variety and complexity of work you allocate them, with reference to capabilities and performance indicators in the capability framework.

#### Work allocation plan

Proposed work for supervisee based on capabilities and performance indicators in the capability framework.

Insert specific files or matters if known or general types of work e.g. drafting wills, property settlement agreements, commercial contracts, or making bail or intervention order applications In the next three months you will be working on the following types of matters:

Skills being developed	☐ Undertaking legal research
Delete and add any skills as appropriate to the type of work allocated	☐ Preparing basic memos and briefs on legal issues
ine type of work allocated	☐ Summarising documents (e.g. contracts, evidence) and identifying key issues for review
	☐ Drafting simple correspondence for review
	☐ Drafting more complex documents
	☐ Preparing client engagement documentation
	☐ Obtaining information from clients
	☐ Attending client conferences and taking notes
	☐ Filing court documents
	$\hfill \square$ Attending court hearings with supervisor or senior colleagues
	$\hfill \square$ Attending training and development seminars and activities
	☐ Developing reflective practice
	☐ Other:





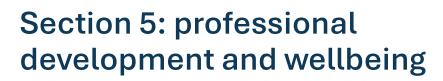
One of the most significant responsibilities of a supervisor is to actively monitor, review and sign off on a supervisee's legal work. Having clear processes for reviewing work is essential for supporting a supervisee's professional development, mitigating practice management risks (e.g. complaints from clients) and enabling supervisors to meet their professional obligations under rule 37 of the <u>Legal Profession Uniform Law Australian Solicitors' Conduct Rules 2015.</u>

You must exercise reasonable supervision over your supervisee's legal work, including signing off on any legal advice, correspondence or documents filed in court, and any other legal services they provide.

Use this section to record how you will review and provide feedback on your supervisee's work.

#### Monitoring and feedback plan

Work supervisor must sign off, in addition to legal work	☐ Specified types of communications (e.g. when confirming appointments, meetings):
Record here any additional work for which your supervisee must obtain your sign-off, noting this will change over time as the level	☐ Communications with external third parties (e.g. referrals, expert witnesses):
of supervision required reduces	☐ All external emails
	☐ Other:
Process for review and feedback on work	☐ Peer or other review before supervisor review by [insert name] ☐ Turnaround time for supervisor's review:
Supervisors should review the entire file/s a supervisee is handling initially, then a quick file review as they become more experienced	☐ Mode of feedback (e.g. regular supervision and/or ad hoc meetings, tracked changes, phone calls):
	Other:
Frequency of file audits	☐ Daily
	Weekly
	☐ Fortnightly
	☐ Other:





Practising law is rewarding, but it can also be demanding. There is a lot of on-the-job learning and continuing professional development (CPD) required, and known psychosocial hazards (e.g. unmanageable workloads, long hours and vicarious trauma).

Use this section to record how you will support your supervisee's professional development and prevent (or manage) psychosocial risks. We also recommend you refer to the VLSB+C's <u>Wellbeing Guidelines for Legal Workplaces</u> for practical, evidence-based information about how to support staff wellbeing.

Resources and activities to support supervisee's professional development and wellbeing

Plan to meet supervisee's professional development needs, including annual CPD obligations  Specify the training that will be provided  Supervisees can track their progress using the Law Library of Victoria CPD tracker	☐ Internal training: ☐ External CPD activities: ☐ External courses: ☐ Self-directed learning:
Reflective practice to support learning, professional development and wellbeing	☐ The supervisee has been directed to the VLSB+C's Reflective Practice Template
Process for supervisee to raise mistakes	<ul> <li>☐ Immediately, in person (if possible) with follow-up email/phone call confirming next steps, as necessary</li> <li>☐ Other:</li> </ul>
Process for raising concerns and debriefing after significant events, traumatic situations or complex matters  Select all that apply	<ul> <li>□ Debrief and discussion with supervisor (scheduled or ad hoc)</li> <li>□ Internal workplace supports (e.g. Employee Assistance Program)         [insert details]</li> <li>□ Other:</li> </ul>
Opportunities and mechanisms for supervisee to provide feedback on their supervision experience	<ul> <li>□ Debrief and discussion with supervisor</li> <li>□ Scheduled:</li> <li>□ Ad hoc:</li> <li>□ Other:</li> </ul>

#### Useful resources

#### Ethical support:

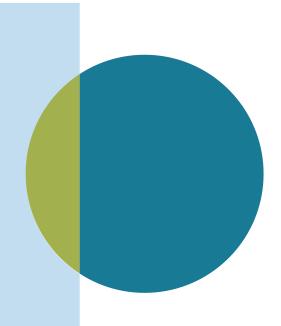
• Law Institute of Victorian ethics and practice support services

#### Sexual harassment:

• VLSB+C complaints and anonymous reporting tool

#### Wellbeing support:

- VLSB+C lawyer wellbeing information and resources
- Law Institute of Victoria EAP services
- Law Institute of Victoria Health and Wellbeing Library



# Section 6: expectations of supervisors and supervisees



The supervisory relationship is a mutual one. This section sets out supervisors' and supervisees' responsibilities.

Obligation	Supervisors	Supervisees
1. Know your obligations	<ul> <li>Understand your obligations in relation to your supervisee's legal work</li> <li>Exercise your authority to direct, amend, override or intervene in their work, as needed</li> </ul>	<ul> <li>Understand and comply with your professional and ethical obligations, and all legal requirements</li> <li>Take steps to understand firm policies and procedures and make sure you comply with them</li> </ul>
Assign appropriate work and provide clear instructions / complete work to a good standard	<ul> <li>Only allocate legal work that is within your supervisee's capabilities and that they can complete with appropriate oversight and guidance</li> <li>Ensure your supervisee has access to the resources they   need to do their work and has been provided with clear and adequate instructions</li> </ul>	<ul> <li>Follow your supervisor's reasonable directions to complete your work</li> <li>Take responsibility for completing your work to a good standard</li> <li>Ask questions as needed (including to clarify instructions), but apply critical thinking to your work, and approach your supervisor with potential solutions and options</li> </ul>
3. Actively manage workflow	Regularly consider whether your supervisee's workload is reasonable i.e. they should be able to complete work allocated to them and meet deadlines within the time available	Proactively raise concerns about an inappropriate or unsustainable workload
4. Ensure work is reviewed and approved before it is sent out	<ul> <li>Properly review all legal work undertaken by your supervisee and provide specific, constructive and timely feedback</li> </ul>	Ensure all work is submitted for review and approved by a supervisor before it's sent out to clients or submitted to the court
5. Delegate appropriately	Delegate work appropriate to your supervisee's developing skillset	Do not accept work that is outside your skills and experience, other than where appropriate support and guidance is available

Obligation	Sı	upervisors	Supervisees
6. Give and receive	f s s y F	Provide regular constructive deedback about your supervisee's performance and skills development, making sure you communicate clearly and professionally.  Be receptive to your supervisee's deedback about their needs and wheir experience of supervision	<ul> <li>Be responsive to supervision by carefully considering feedback provided by your supervisor, and learning from it</li> <li>Speak up if you need clarificatio</li> <li>Communicate clearly and professionally</li> </ul>
7. Create a workpla where any issues are raised and ad quickly and effec	or mistakes y dressed in tively a	Foster a practice culture where your supervisee can bring issues, ncluding mistakes, to your attention  Treat mistakes as a learning apportunity  Consider any systemic practice management issues that may have contributed to the mistake	<ul> <li>Proactively raise concerns with your supervisor about any red flator potential issues to mitigate the risk of mistakes</li> <li>Understand that making mistake is normal and can be a great learning opportunity, and that it's important to immediately approach your supervisor, or oth senior lawyer at the workplace, thelp you resolve the mistake and mitigate any potential harm</li> </ul>
8. Proactively devel professional skill	s c s  • L  t  c  f  • E  r  v	Undertake training and development to improve your supervisory capabilities  Use the VLSB+C's Early Career Lawyer Capability Framework to support your supervisee to develop the capabilities needed for independent legal practice Expose your supervisee to a range of experiences and legal practice areas (where possible within your business)  Recognise the need for, and support your supervisee to invest sufficient time in, CPD	<ul> <li>Familiarise yourself with the VLSB+C's Early Career Lawyer Capability Framework and take responsibility for your profession development</li> <li>Actively seek out CPD that will support your capability development, as self-identified identified by your supervisor</li> </ul>
9. Prioritise wellbein	• II t	Support your supervisee's psychological wellbeing and take steps to mitigate psychosocial nazards connected to the workplace Encourage your supervisee to develop a reflective practice they can use the VLSB+C's Reflective Practice Template to do this)  mplement proactive strategies to support your supervisee's wellbeing	<ul> <li>Monitor your own wellbeing, for example, by developing a reflect practice (use the <u>VLSB+C's Reflective Practice Template</u> to do this)</li> <li>Understand where you can go fo help in relation to psychosocial hazards, including:         <ul> <li>general workplace stress</li> <li>sexual harassment</li> <li>bullying and other workplace incivility</li> </ul> </li> </ul>

#### Overview of the Early Career Lawyer Capability Framework

To view the full framework, go to the VLSB+C website.

### Capability domain 1: ethics and professional responsibility

- Fulfills professional, ethical and legal obligations
- · Behaves professionally and exercises good judgement

### Capability domain 2: legal knowledge and application

- Understands and complies with relevant law and procedure
- · Gathers relevant facts and information
- · Undertakes effective legal research
- · Applies critical thinking and analysis
- Drafts high quality legal documents
- Manages legal matters effectively
- · Advocates effectively for clients
- · Maintains accurate files

### Capability domain 3: interpersonal and communication skills

- · Communicates clearly and effectively
- Maintains professionalism and courtesy
- · Develops First Nations cultural capability
- Establishes and manages client relationships
- Adjusts approach to meet the needs of clients experiencing vulnerability

### Capability domain 4: professional skills

- · Manages work and client files effectively
- Proactively identifies and manages risks
- Uses technology appropriately and complies with cyber-safe work practices
- · Identifies and responds appropriately to mistakes or errors
- · Understands and complies with costs obligations
- · Understands and complies with trust money obligations

### Capability domain 5: professional development and wellbeing

- Reflects on and addresses professional development needs
- Reflects on and addresses wellbeing issues
- · Contributes to a positive workplace culture