

A person in a blue suit is using a tablet computer. The background is a blurred office setting with a desk and a chair. The overall color scheme is blue and teal.

CLLS Training Committee Workshop

The Junior City Lawyer

21 September 2018

Preparing our future solicitors for success –
roles, skills, training, life post–SQE

A navigational workshop for City strategic leadership teams,
HR professionals and L&D specialists

A person in a business suit is shown from the chest down, holding a tablet computer. The person's hands are visible, interacting with the screen. The background is blurred, showing what appears to be an office setting with a desk and some equipment. The overall color palette is cool, with blues and greys.

Welcome

Hannah Kozlova Lindsay

Global Head of Learning & Development

Bryan Cave Leighton Paisner LLP

CLLS Training Committee

- Hannah Kozlova Lindsay – Bryan Cave Leighton Paisner (Chair)
- Ben Perry – Sullivan & Cromwell
- Caroline Janes – Herbert Smith Freehills
- Caroline Pearce
- Catherine Moss – Shakespeare Martineau
- Frances Moore – Slaughter and May
- Greg Lascelles – Covington & Burling
- Edward Brown – Hogan Lovells
- Lindsay Gerrand – DLA Piper
- Patrick McCann – Linklaters
- Peter Carrick – Clifford Chance
- Ruth Grant - Hogan Lovells
- Stephanie Tidball - Macfarlanes

A person in a dark suit and light-colored shirt is using a tablet computer. The person's hands are visible, with one hand holding the tablet and the other touching the screen. The background is blurred, showing what appears to be an office setting with a desk and some equipment. The overall color palette is dominated by blues and greys.

Objectives

Patrick McCann
Global Head of Learning
Linklaters LLP

Linklaters

What does the “future lawyer” look like?

Alison Wilson and
Patrick McCann,
Linklaters



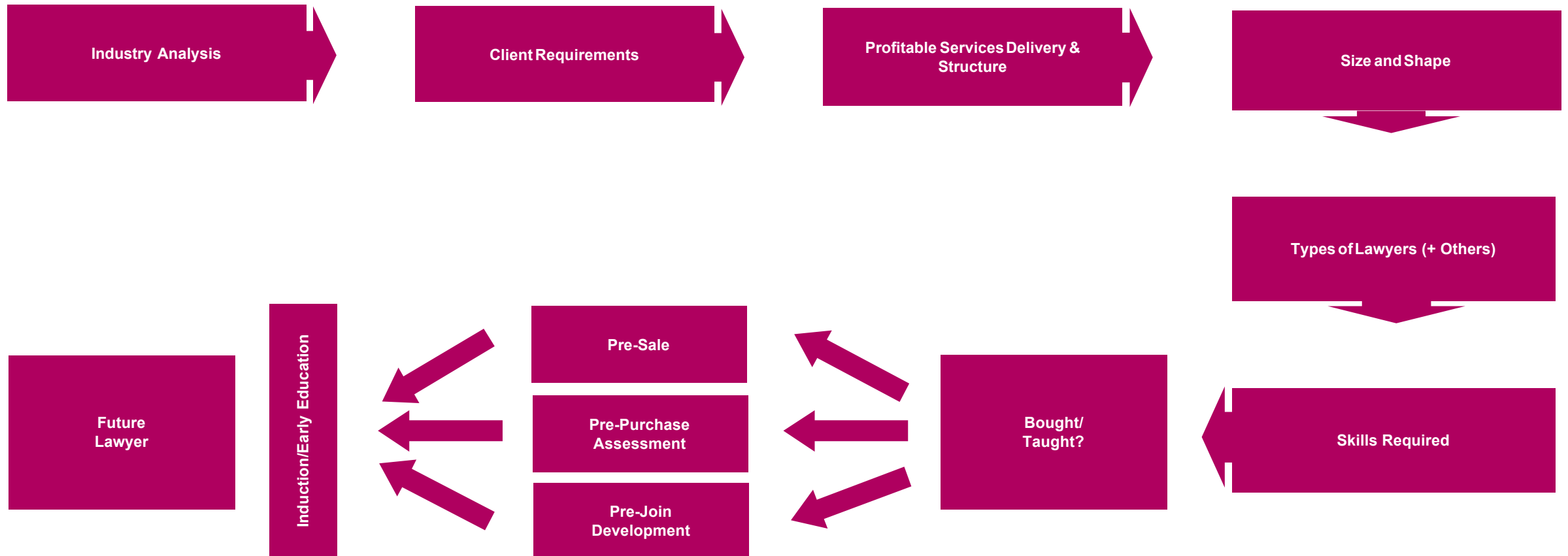


Summer Vacation Students

Brainstorm

- > Agility
- > Costs and efficiency
- > Better work for juniors
- > Tech

What is our future? A possible process to get to your best answer



What type of lawyer - questions law firms could be asking

- 1 What changes will be happening within the world generally (populations, business/trade, regulation, legislation, technology, Brexit)?
- 2 How will client demands of PSFs and law firms change (fees, globalisation, disaggregation, complexity, project management, risk, compliance etc.)?
- 3 How will the business models of firms look (global, commoditised, boutique, ratio of lawyers:business teams, role of paralegals/tech experts etc.)?
- 4 How will legal and other services be delivered (global law firm, specialist law firm, multi-law firm, accountants, LPOs, tech companies, in-house etc.)?
- 5 How will England and Wales solicitors qualify (no qualifying law degree, no LPC, no Professional Skills Course, still with a training contract)?
- 6 What will future lawyers look like, expect from their careers and prefer to learn (increased longevity, decreased loyalty, tech awareness, thirst for CV-accretive development, social media, need for immediacy etc.)?
- 7 What capabilities will outperforming lawyers need particularly early on in their careers (financials, tech, coding, people management, project management, foundational law etc.)?
- 8 To what extent do these differ from the capabilities we already see and are developing?
- 9 How can we assess for these skills?
- 10 How can we buy them or develop them at work?

Linklaters

The type of junior legal services professionals will change in the medium-term – more than the “standard” lawyer



On your tables, discussion points:

- > What questions are you in your law firms discussing?
- > What should you be discussing?
- > What conclusions are you drawing?
- > What do you see as being the key attributes of future junior legal service professionals?





Comments given at the workshop

- ❑ Questions law firms are discussing:
 - how to bring in STEM graduates
 - whether to qualify STEM graduates into legal departments
 - several firms at very early stages, some not yet discussing
 - how to ensure current (older) lawyer populations keep up with appetite/tech aptitude of younger lawyers – need to fundamentally restructure the organisation, not just change junior lawyers’ skills set
 - whether to create “legal tech” training contracts
 - will the law firm “teach” law to techies? Become a teaching institution?
- ❑ Conclusions being drawn:
 - Resourcing: firms need to start thinking about what tuypes of lawyers the needhow many. Many have not yet
 - need to work with continuous improvement, innovation and legal tech teams to work out resourcing
 - challenge to create lawyer types for different parts of the firm - need to ask each department to “design perfect future lawyer” (use PSLs)
 - conclusion depends on your practice eg boutique firm different from global etc
 - need to think about approach to offering eg CC legal tech training contract
 - need to outreach to computer science career fairs
- ❑ Key attributes:
 - look beyond academic
 - empathy/personal skills
 - sector firms – legal aptitude still the main thing
 - versatility
 - open-mindedness/curiosity
 - difference between creating a specialist team and base knowledge for all

SQE1 knowledge requirements: The right level for your business?

Chris Howard

Director of Professional Legal Education, Dickson Poon School of Law

Joanne Gubbay

Head of Learning and Development, Slaughter and May

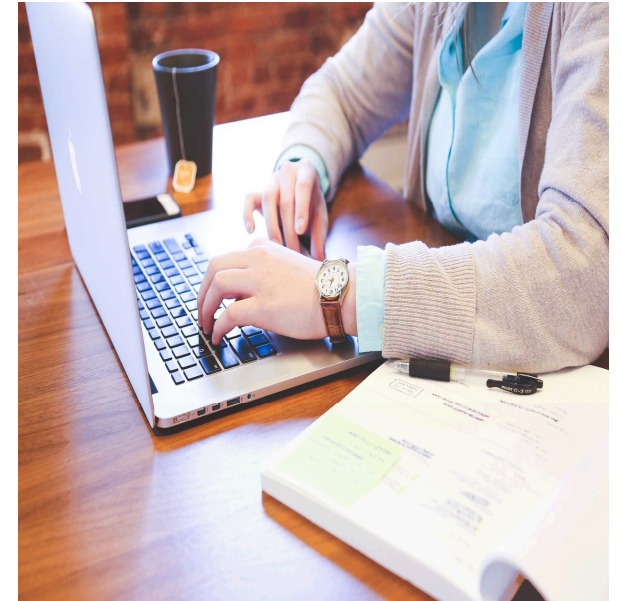
SQE1 – What are the requirements?

Knowledge assessments:

- Principles of Professional Conduct, Public and Administrative law, and the Legal Systems of England and Wales
- Dispute Resolution in Contract or Tort
- Property Law and Practice
- Commercial and Corporate Law and Practice
- Wills and the Administration of Estates and Trusts
- Criminal Law and Practice.

Skills assessments:

Legal Research and Writing.



SQE1 – Summary

The **core substantive law** subjects (as currently covered by LLB foundational modules/GDL)

PLUS

The **core procedural law** subjects (as currently covered by first stage of LPC)

PLUS

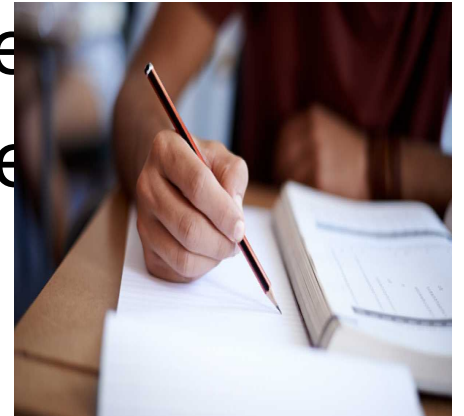
Some **core legal skills**

Slaughter and May perspective

- Priorities: black letter law and analysis
- SQE flexibility = opportunity to improve current offering
 - Non-law students: enhanced GDL
 - All students: maintain current LPC content including “corporate” electives (Corporate Transactions, Equity Finance, Debt Finance), add content as relevant
- Level playing field for law and non-law students

SQE1 – The right level? Questions for firms to consider (answers given at the workshop)

1. What level of SQE preparedness do you expect of your LLB students? (Consensus answer: not expecting universities to provide this, challenging to say at this stage till more)
2. Do you want non-law students to be required to take a GDL/equivalent?
(Consensus answer: strong yes)
3. Do you want to provide your trainees with LPC electives-equivalent?
(Consensus answer: strong yes, will want more than current LPC electives)





Comments given at the workshop

- Not sure a tailored SQE would be feasible
- Complete SQE1 before training contract
- GDL and SQE 1 prep are different
- SQE1 prep in LLB:
 - Training budgets will need to go up
 - Query when to provide the training
- Have similar knowledge to that already gained on GDL and LPC
- Will need to fund courses
- Will keep recruiting law and non-law
- Opportunity to enhance LPC courses
- Will want to keep LPC-like courses – some will outsource this – tailor to fit practice
- Query what happens if some students to an SQE-compliant LLB: will they be on a different path?

The Solicitors Qualification Exam 1

SARAH HUTCHINSON BARBRI

SQE 1 exam

Six (?) exams each of 120 multiple choice questions

Core practice areas assessing underpinning law

Five choices - single best answer

One sitting?
Modularisation?

Law degree no SQE integration

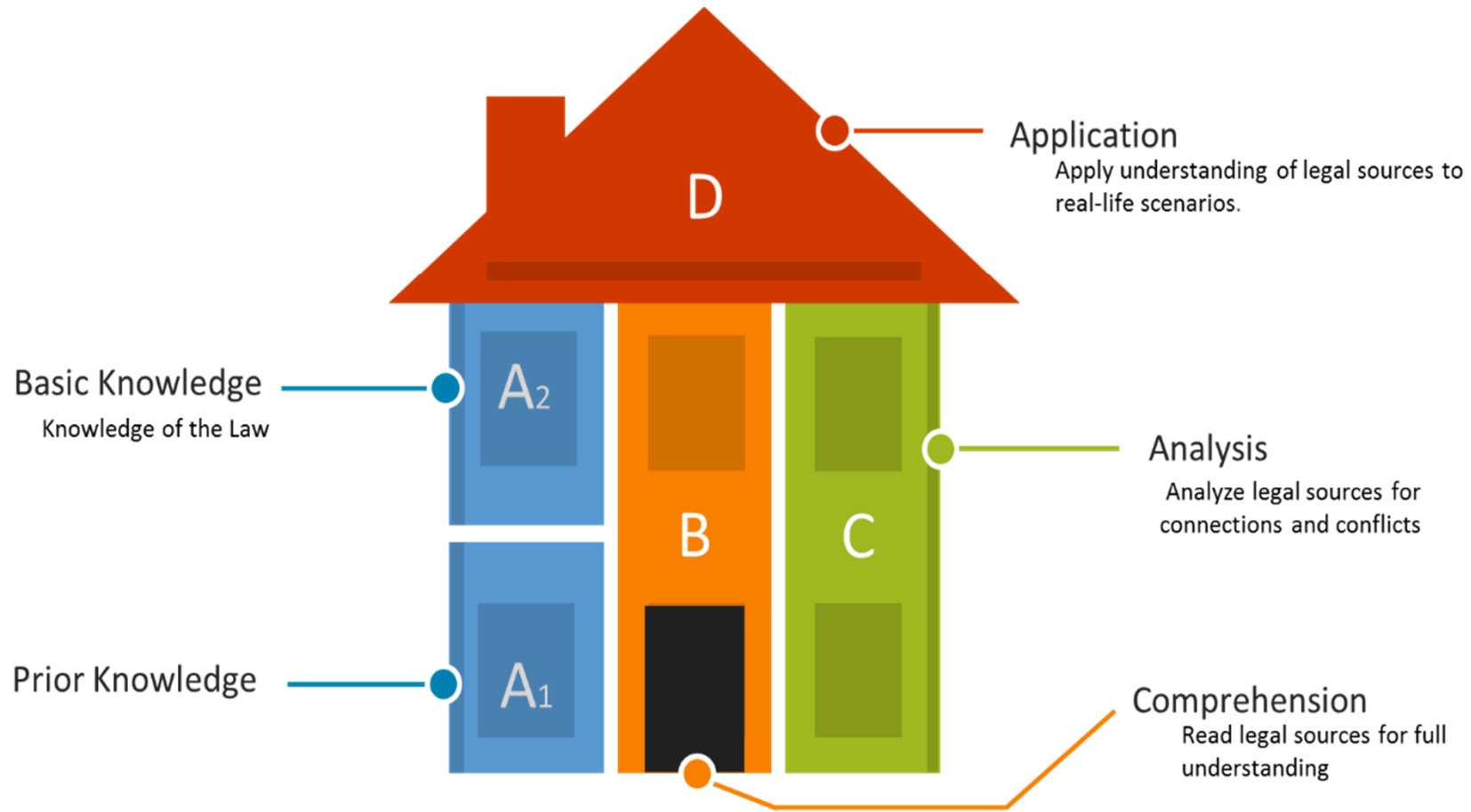
LL.B
(or degree or equiv.)

SQE 1 preparation
COURSE -extended for non-LL.B graduates

SQE 1 Exam

Qualifying work
experience/SQE2

What do MCQs assess in the US bar exams, the QLTS and SQE1?



PREPARING FOR THIS STYLE OF EXAM

SQE questions might have two answers that appear to be close, but one will be clearly better.

Some answer choices exploit your misunderstanding of the law, misreading of the facts, or failure to properly analyse the issue/question.

Common Answer Distractors

Rule Misstatement/Misapplication
—answer choice misstates or misapplies the law

Factual Inaccuracy—
Assumes facts that are not present in the fact pattern or simply misstates facts in the answers.

Legal/Factual Irrelevancy—
Accurate statement, but doesn't resolve determinative issue.

PHASE B: GAINING SQE 1 QUALIFICATION – ENSURING REGULATORY COMPLIANCE (ANSWERS GIVEN AT WORKHOP)

Questions:

1. Given the subject coverage and exam format, is customisation an option?
(Consensus: no, not worth the investment, more important to get through the regulatory requirement. Would customise any extra-SQE content.)
2. Coverage and depth of preparation for non-law graduates?
(Consensus: will want something here, likely a GDL-like “deep law” course. Query duration. SQE prep course not sufficient for non-law grads.)
3. Will your firm or your future trainees fund SQE 1 fees and prep?
(Consensus: yes)
4. Attitude to resits (and funding of any re-takes) of the SQE 1 for your future joiners?
(Consensus: “pragmatic fairness” for “guinea pigs”. Impact on numbers coming into the firm at different stages. Some had not made this decision. Would want more regular resits.)
5. Do you want to increase the amount of maintenance grant – for social mobility reasons AND to attract those students away from SQE-only competitor firms?
(Consensus: yes, especially for the former reason. Some were not sure.)

A photograph of a person in a blue suit jacket pointing at a tablet screen. The image is overlaid with a semi-transparent blue filter. The text 'Comments given at the workshop' is written in white, bold, sans-serif font across the center of the image.

Comments given at the workshop

- ❑ SQE retakes Impact on numbers coming into the firm at different stages. What happens if only two sittings each year?
- ❑ Non-law students: Query whether GDL-like course comes before an SQE-prep course?
- ❑ Timing: when would SQE exams be? Query if a student needs to take year out after their degree whether they would go back to the law?

SQE2

Possible options for implementation

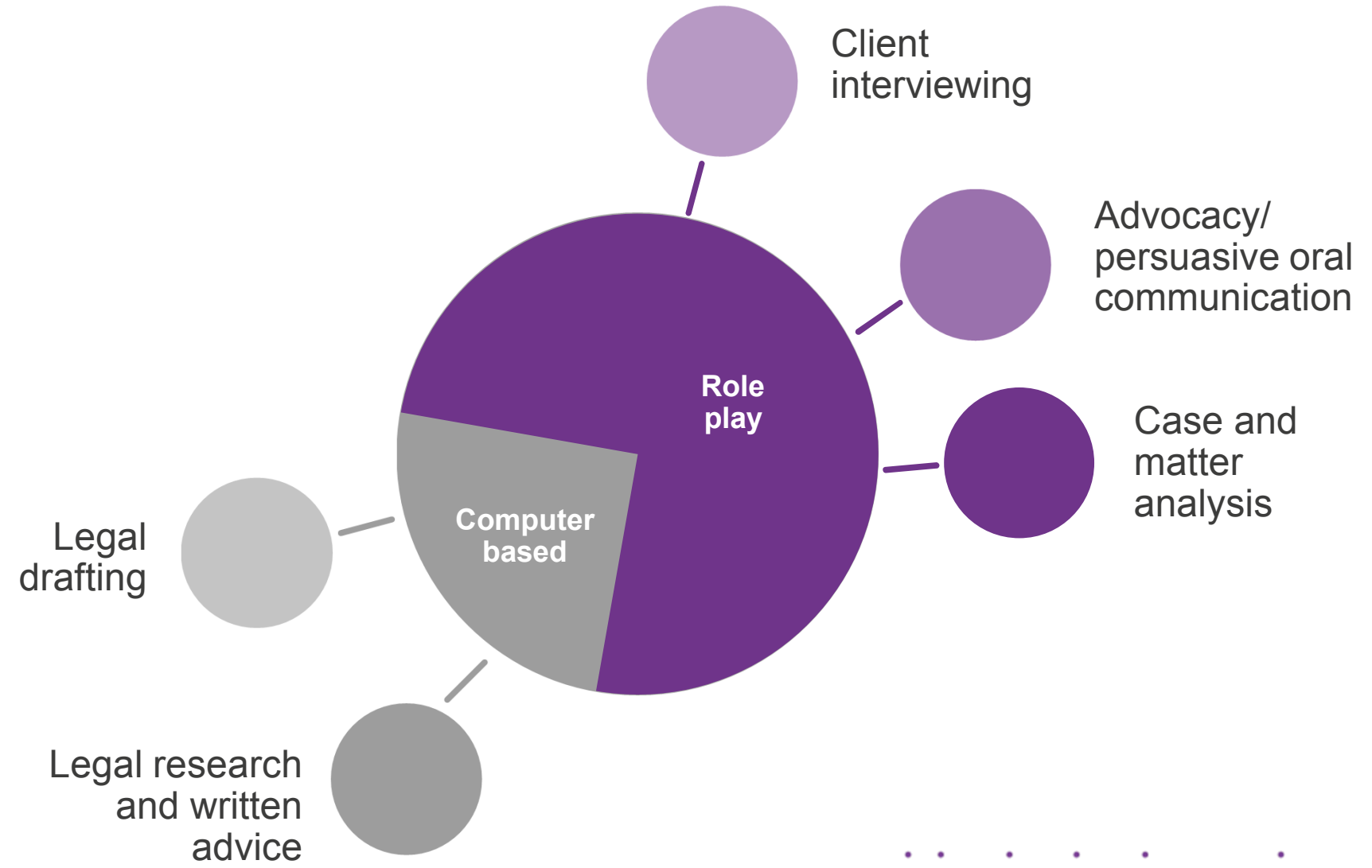
Andrew Chadwick, BPP Law School

Tricia Chatterton, BPP Law School

Richard Album, Watson Farley &
Williams LLP



The SQE2 skills

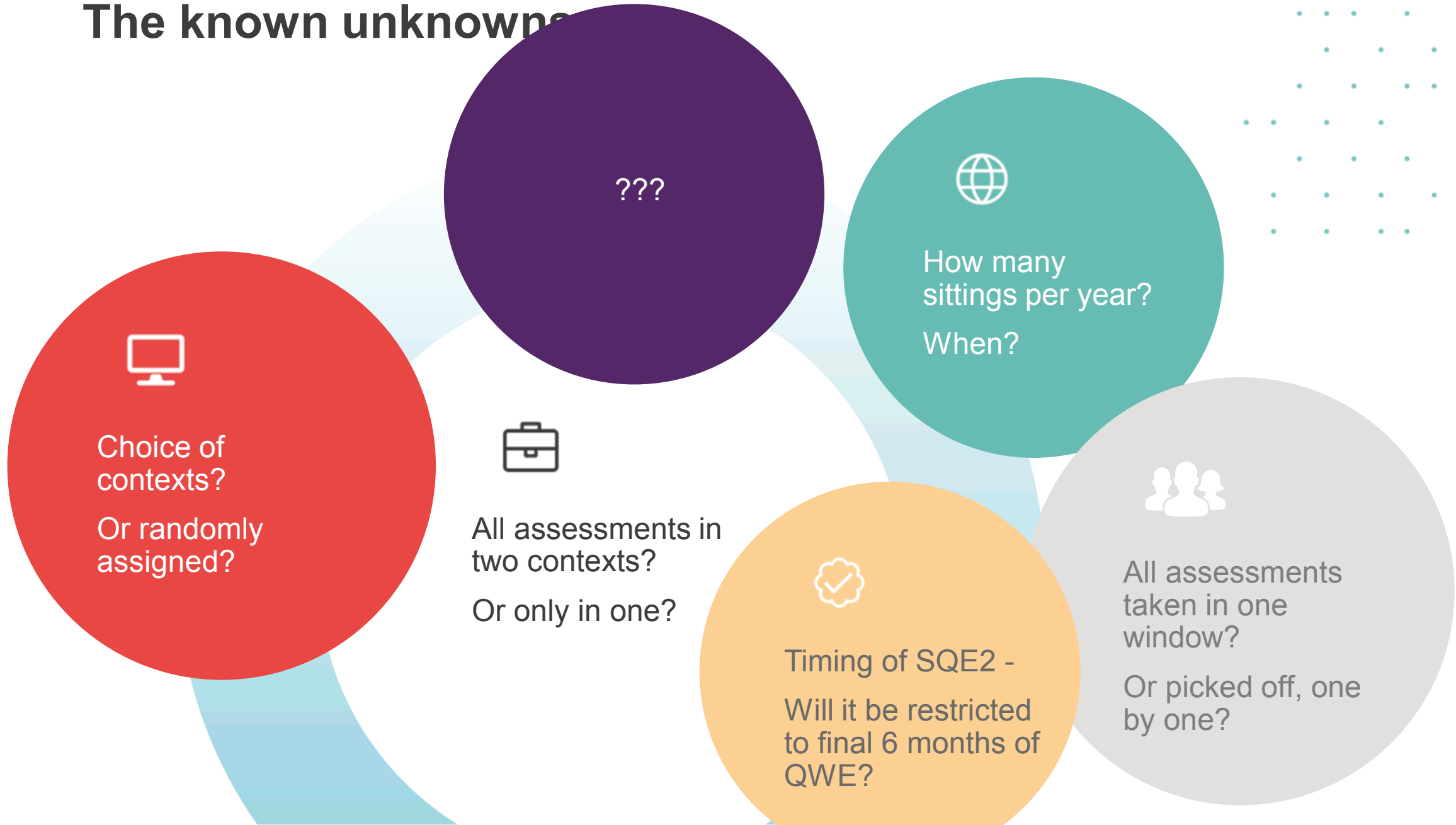


The contexts

- Dispute Resolution
- Property
- Business Practice
- Criminal Practice
- Wills and the Administration of Estates and Trusts



The known unknowns



The timings

- Training for readiness for practice
- Training for the assessment
- Practice for the assessment
- The assessment itself



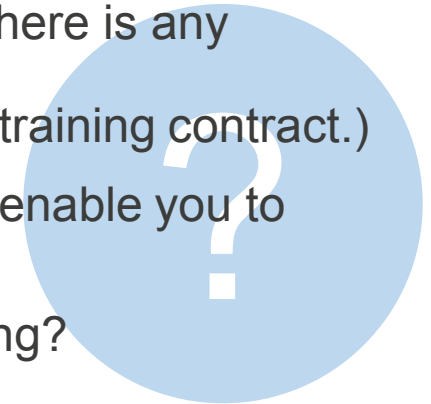
The graduate apprentice?

- Evolution of City thinking
- Potential advantages
- Potential risks



The questions (answers given at the workshop)

1. Do you think that your graduates will need some training in these core skills before starting work in your firm?
(Consensus: yes, especially for drafting, research, case analysis. Felt lack of LPC/PSC will result in a drop in day 1 skills)
2. Will these (technical legal) skills be enough to future proof your lawyers or will they need more? And, if so, what, when and how?
(Consensus: on the job is where juniors really learn, SQE2 won't be sufficient. Legal project management needed. Skills aligned to work practices needed.)
3. Ideally, when would you want them to (a) train for and (b) sit SQE2, assuming there is any choice?
(Overwhelming consensus: would want flexibility to front-load to before start of training contract.)
4. What further information do you need from (a) the SRA and (b) providers to enable you to make informed decisions?
5. How likely are you to consider using your apprenticeship levy to fund this training?





Thank you



Comments given at the workshop

- ❑ Concern over timing of SQE2 and how long it would take to prep and take the exam, particularly if sitting an exam in a context not covered by the firm
- ❑ Practical issues in releasing trainees
- ❑ Noted that some international qualified lawyers manage to pass QLTS practical exam without much preparation
- ❑ Some concern about randomisation of contexts



SQE: Update and Graduate Entry Apprenticeships

Ellinor Davey

Morette Jackson

People & Projects Manager, RPC

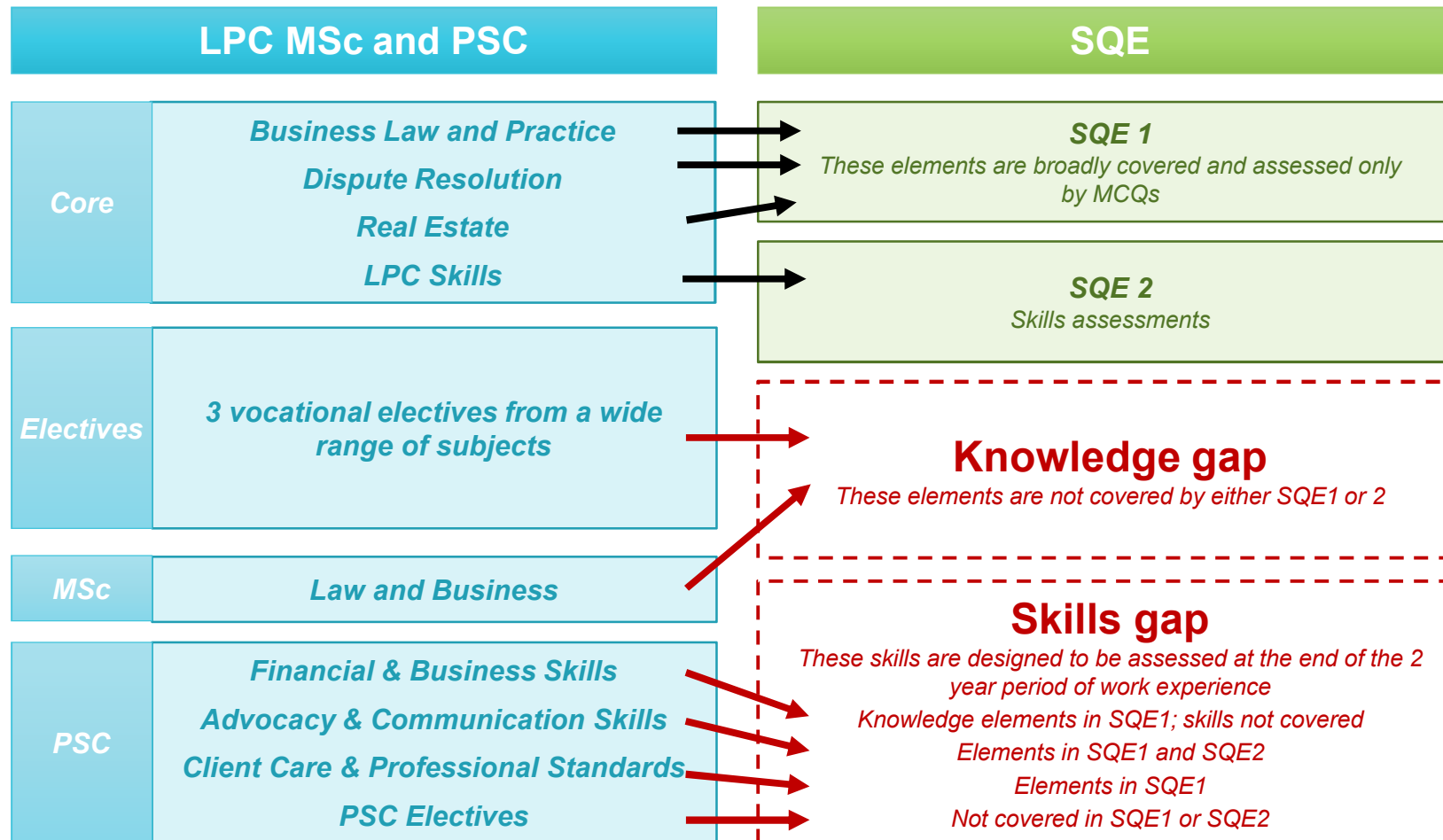
**Director of Business Development,
The University of Law**

Ellinor.Davey@rpc.co.uk

Morette.Jackson@law.ac.uk

21 September 2018

The SQE Will Leave Trainees With Several Knowledge And Skills Gaps



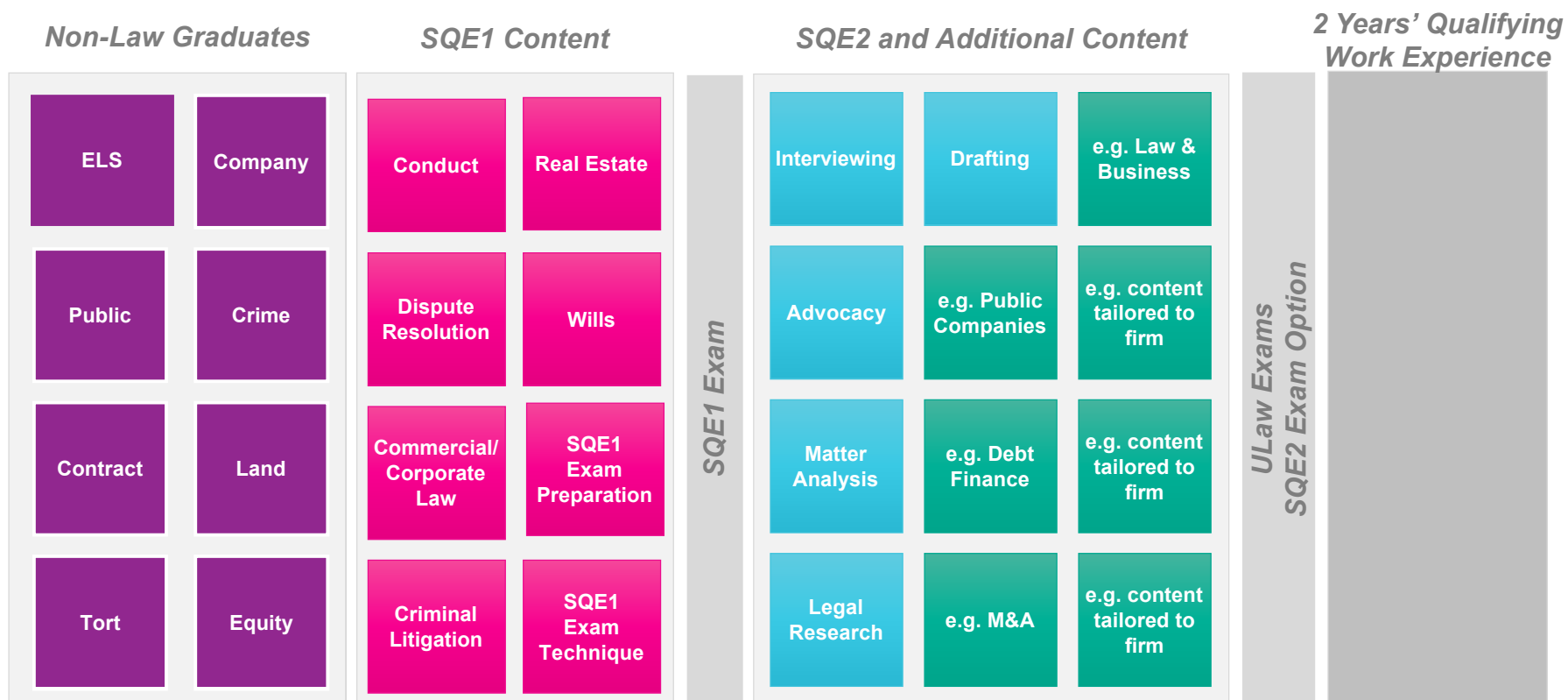
Note: Please refer to Outline Gap Analysis for further detail

Additional Content: Menu

TECHNICAL CONTENT	BUSINESS AND PEOPLE SKILLS	COMMERCIAL AWARENESS	TECHNOLOGY AND INNOVATION
<p>Including:</p> <ul style="list-style-type: none"> • Debt finance law and practice • Mergers and acquisitions law and practice • Public companies law and practice • EU Law and Implications of Brexit? • Insurance law and practice 	<p>Including:</p> <ul style="list-style-type: none"> • Business behaviours and client facing skills • Client Care • Ethics • Communication skills • Impact and Influence • Negotiation and presentation skills • Resilience • Teamwork 	<p>Including:</p> <ul style="list-style-type: none"> • The functioning of the City • People and Project Management • Financial analysis • Marketing and Business Development 	<p>Including:</p> <ul style="list-style-type: none"> • Product innovation - new areas of legal work • Process innovation - changing the way legal services are carried out • Firm innovation – ways in which firms are more innovative with their pricing and resourcing

Firms may require that additional content be assessed in which case it may carry credits toward an award

SQE Programme Elements



Programme modules are indicative only and could be delivered using a variety of delivery models.

Questions for consideration

1. LPC electives equivalent
 - Is the SQE minimum sufficient for your firm?
 - Are trainees Day 1 ready without LPC elective content?
2. Additional topics
 - Business/commercial awareness
 - Technology
 - PSC and people skills.
3. Awards
 - Are they valued by trainees/the firms?
 - Are they important for grad recruitment?
 - Other benefits – e.g. visas
4. When to do this?
 - Pre-joining? At outset? Just in time?
 - Will the timing impact on the work you can give them?
 - And on trainee salaries?
5. Provide in house or external provider?
 - Can you resource this internally?
 - Cost of providing?
 - Alone or in consortium?
 - Will you assess them?
 - Let them self-study?



Comments given at the workshop

- ❑ Q1: Strong consensus: not sufficient, need electives, partners already unkeen to have LPC-having first-seat trainees
- ❑ Q2: additional topics, please, will vary firm to firm
- ❑ Q3: mixed views at students' desire for awards. Awards can be useful for visa applications (grad rec need). Any top-ups would benefit from accreditation.
- ❑ Q4: strong consensus: upfront
- ❑ Q5: external provider, would need to outsource. Consortium approach welcomed. Possibly continue to offer eg PSC courses internally



Qualifying Work Experience – what’s best in the new world?

*CLLS Training Committee Workshop –
September 21, 2018*

*Ben Perry, Sullivan & Cromwell LLP
Lindsay Gerrand, DLA Piper LLP*

Introduction

- Current period of recognised training (PRT) requirements
- New qualifying work experience (QWE) requirements
- SQE-related factors which will impact on decisions relating to QWE
- Other factors which may impact on decisions relating to QWE
- Threats or opportunities?
- Five questions to answer

Current position

- Training providers require authorisation from SRA
- Baseline requirements for PRT prescribed by SRA for all trainees:
 - Two years' duration (possibility of “time to count” for experience outside training contract)
 - Experience in at least three different areas of law
 - Opportunities to develop skills required in practice, including contentious and non-contentious experience
 - Appropriate supervision by solicitors
 - Regular feedback and appraisals
 - Maintenance by trainee of training record
 - Completion of PSC
 - Character and suitability assessment

New position

- Definition of QWE in draft regulations

“Qualifying work experience must:

(a) comprise experience of providing legal services which provides you the opportunity to develop the prescribed competences for solicitors;

(b) be of a duration of a total of at least two years’ full time or equivalent; and

(c) be carried out under an arrangement or employment with no more than four separate firms, educational institutions or other organisations.”

- COLP or a solicitor required to confirm to SRA

- Details of work experience carried out;
- That it provided person with the opportunity to develop some or all of the prescribed competences for solicitors; and
- Absence of any character or suitability issues (or details of any such issues)

SQE-related factors which will impact on decisions relating to QWE

- Transitional arrangements and timeline for introduction – unlikely to be feasible or practical for firms to follow both the old and new regimes in parallel for trainees joining in the same intake
 - Management time and cost required to run two systems at once
 - Additional training time and cost because trainees starting in the same intake would not all have taken same courses prior to joining
 - See possible timelines for 2022 and 2023 intakes in Annex
- Amount of City / firm specific training prior to QWE?
- When is SQE2 to be taken – before or during QWE?
- What will be the SQE2 exam dates?

Other external factors which may impact on decisions relating to QWE

- Relevant experiences from other jurisdictions
- Firms' views of their needs and requirements for newly qualified lawyers in their practice areas – which may evolve over time
- Recruitment market forces / prospective trainees' views
- Ability to continue to offer overseas / client secondments as party of QWE
- Extent to which firm willing to recognise QWE undertaken elsewhere

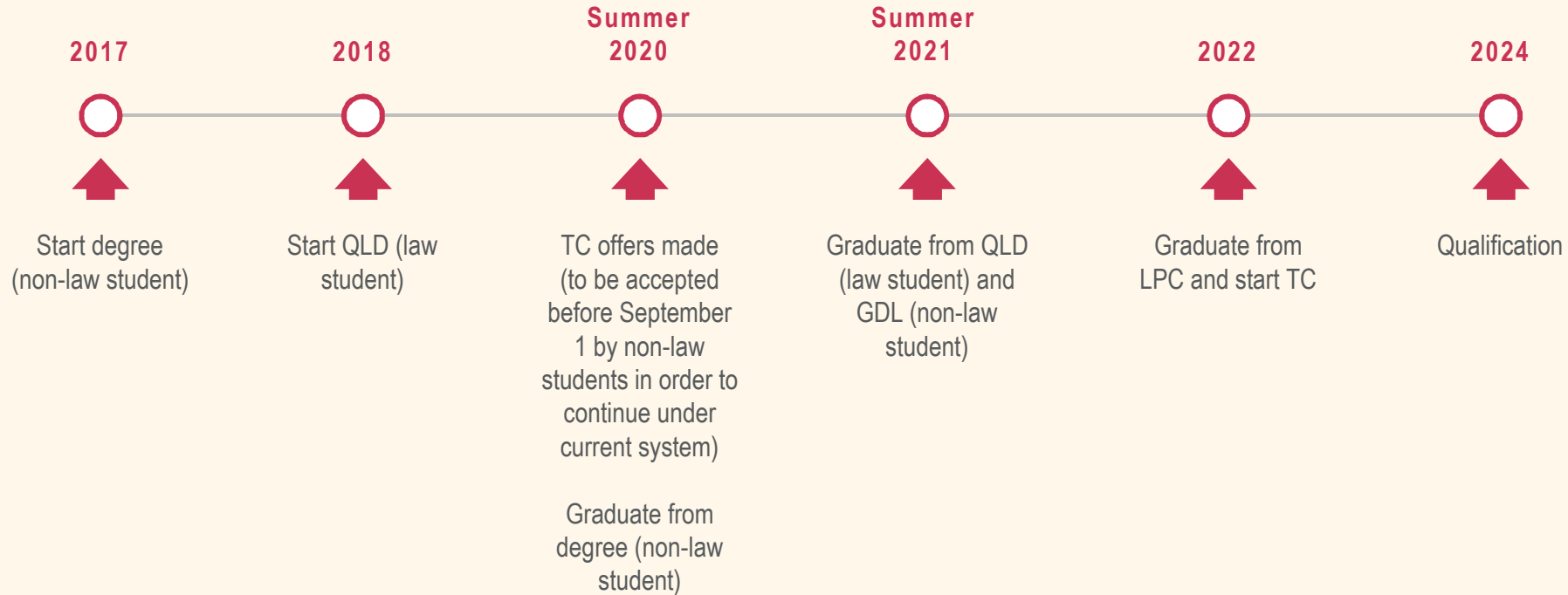
Five questions to consider (answers given in workshop)

1. Do you want to keep the rotation in the QWE (as there is no regulatory requirement to move seats)?
(Strong consensus: yes, seat duration might change. Two years needed. Some other views on rotation. Query whether it is a luxury to have a seat rotation.)
2. Do you want to recognise QWE done at other firms and organisations?
(Consensus: mixed views)
3. If QWE at other firms is recognised, should this be i) on a wholly discretionary case by case basis or ii) blanket approval granted for certain types of QWE (eg paralegal work for a minimum period of time).
(Consensus: on case-by-case basis)
4. What do you see at the purpose of your QWE? A true introduction to your firm or a regulatory requirement?
(Consensus: the former)
5. Will you require your trainees to sit SQE2 before embarking on QWE?

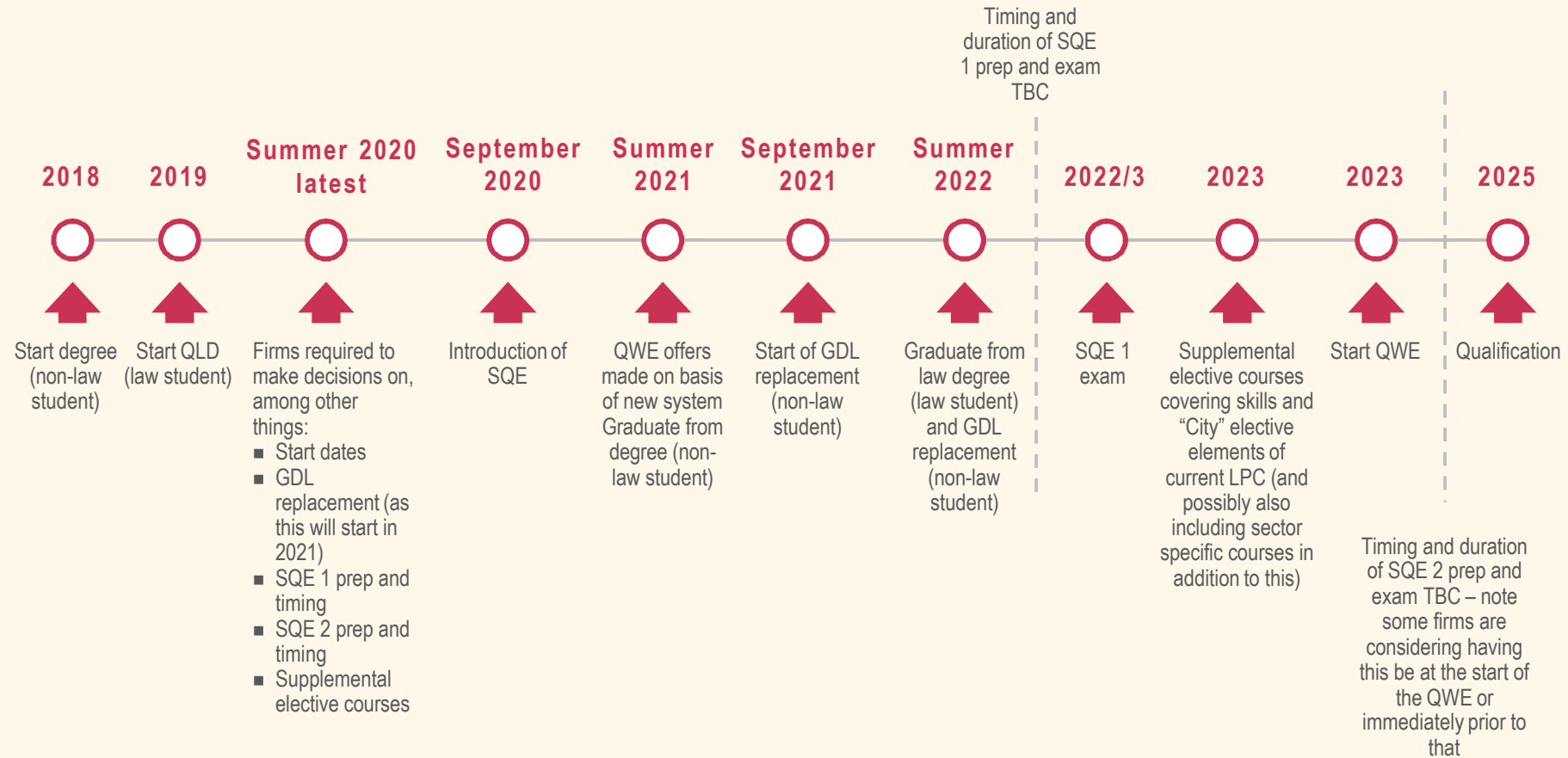


Annex: Possible Timelines

1. 2022 Intake Under Current System



2. 2023 Intake Under New System





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Developing Emerging City Skills – what will junior City lawyers need that's new?

Chris Marshall, Swansea University, Hannah Kozlova Lindsay,
Bryan Cave Leighton Paisner

21 September 2018



What Swansea University is doing

- First steps: trying to understand what questions to ask
- Strengthening our relationship with Computer Science
- New academic appointments
- Curriculum developments :
 - “Coding for Lawyers”
 - Legal Project Management
 - LTC4 Core Competencies
 - LLM in LegalTech

LLM in LegalTech

- A focus on how technologies can be developed and deployed to aid legal practice
- Students will learn AI concepts and work with AI tools to develop their own LegalTech solutions
- Modules include:

Technology and Law	Law and Technology
Artificial Intelligence and Law Computational thinking Automating legal services Blockchain Working with Big Data	The Law and Artificial Intelligence Digital IP Ethics Privacy Regulation Legal Services in a digital world

Bryan Cave Leighton Paisner experience

- Tech Lawyer Accelerator Program (University of Colorado)
 - 4-week boot camp
 - 7- month joint client internship
 - Focus on contract management system
- BCLP Academy Program
 - 2-day in-house annual program
 - Cross-firm associate cohorts
 - Innovation focussed
 - Not 'training'
- TechX – Innovation incubator

Key questions

- What are the 'new' skills that will be needed?
- Who do we need to train? Who needs which skills?
- How and when should the training take place?
- How do you create a culture of innovation?
- What is the balance of lawyers and other legal professionals that firms will need?
- How do we support the other professionals?



Developing Emerging City Skills – what will junior City lawyers need that's new?

Chris Marshall, Swansea University, Hannah Kozlova Lindsay, Bryan Cave
Leighton Paisner

This document provides a general summary only and is not intended to be comprehensive. Specific legal advice should always be sought in relation to the particular facts of a given situation.



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Conclusions

Hannah Kozlova Lindsay

Global Head of Learning & Development

Bryan Cave Leighton Paisner LLP