

# Supervised legal practice – Information for supervisors

This fact sheet provides guidance on how supervision may look in practice, and sets out practical approaches supervisors can implement.

## INFORMATION FOR SUPERVISORS

### Who can be a supervisor?

The Uniform Law does not define 'supervision', however the Victorian Legal Services Board considers an appropriate supervisor will have the following qualities:

- an appropriate level of experience;
- hold a current practising certificate (or in limited circumstances, be eligible to hold one);
- not be subject to supervised legal practice restrictions;
- can provide regular support and feedback sessions for their supervised practitioner; and
- has authority in respect of work performed by the supervised practitioner and is able to direct, amend, override or intervene in relation to the legal work performed.

### What does supervision involve?

Supervision involves monitoring the legal work of the supervised legal practitioner. The focus during the supervised legal practice period is on teaching new legal skills and guiding the practitioner. The role of the supervisor also involves training in the broader administrative skills required in legal practice, such as time management, interpersonal relationships and prioritisation, all of which are vital for junior practitioners.

### What does good supervision look like?

Supervision will naturally be more focussed at the beginning of the supervised legal practice period. As the supervised practitioner acquires more experience, and begins to undertake more complex legal work, the level of supervision required will change.

The following provides specific guidance for supervisors on what constitutes good supervision.

#### *Maintain daily contact*

You should have daily contact with the supervised practitioner, either in person, on the telephone or via email. This contact can be to provide specific feedback, discuss the progress of files or simply 'touch base'.

#### *Assign appropriate work*

It is important that you understand the capabilities of the supervised practitioner. You should allocate legal work that they can handle with oversight and guidance.

#### *Actively manage workflows*

You should regularly consider whether the workload of the supervised practitioner is reasonable. The supervised practitioner should be able to complete the work allocated to them and meet deadlines within the time available.

#### *Be aware of the progress of work*

You should be aware of all matters the supervised practitioner is handling, the general progress of these matters and the overall strategy. You should ensure they have access to necessary precedents and checklists and have been trained how to use them.

#### *Monitor new instructions*

You should have a process in place to monitor new instructions received by the supervised practitioner in ongoing matters, or from existing clients for new matters. By doing so you can ensure the overall file strategy is 'on track' and that work is being appropriately allocated.

### *Conduct one-on-one meetings*

You should conduct regular and structured one-on-one meetings with the supervised practitioner. Such meetings are critical to the supervision relationship. The following approach is recommended:

- initially, one-on-one meetings should be held in person at least weekly (the frequency of these meetings may later vary to fortnightly or monthly, depending on the practice area and the experience of the supervised practitioner);
- treat these meetings as important. Allow adequate time. Interruptions should be minimised and cancellations should be avoided;
- these meetings should be targeted and managed by an agenda to which both parties contribute;
- you should attend these meetings with a list of all current matters the supervisee has the conduct of;
- initially, you should review the entire file the supervised practitioner is handling. As they become more experienced the review might be scaled back to a quick file review; and
- you should give the supervised practitioner opportunities to raise any issues they are having, either with their legal work or more generally.

### *Review all work undertaken*

You must review all legal work undertaken by the supervised practitioner. There should be a standard process for doing so which enables you to amend, override or intervene as required. Feedback should be provided to the supervised practitioner as part of this review. Specific, constructive and timely feedback that is positively conveyed is a critical component of good supervision.

### *Maintain an open door policy*

You should ensure you are available to the supervised practitioner for a certain number of hours each week. Many supervisors implement an open door policy allowing the supervised practitioner to be proactive and seek assistance from you when required. This is an important part of the overall supervision arrangement.

### *Tailor your style of supervision*

The style of supervision and feedback should be underpinned by consistent processes within your law practice, but flexible enough to be tailored towards the supervised practitioner's needs. You should make efforts to understand what style of supervision will suit them and supervise accordingly. This minimises risk to the law practice, ensures the supervision is effective and that the supervised practitioner receives solid training.

You play a vital role in contributing to the supervised practitioner's psychological wellbeing. We encourage supervisors and law practices to acknowledge this role and consider implementing the [Workplace Wellbeing: Best Practice Guidelines for the Legal Profession](#), developed by the [Minds Count Foundation](#) (formerly the Tristan Jepson Memorial Foundation).

### *Be approachable*

A practice culture where the supervised practitioner feels they can admit to a mistake is vital. You should work to build a relationship where they can bring issues, including mistakes, to your attention. This is a particularly important aspect of your relationship.

Mistakes should be treated as a learning opportunity. In addition to fixing the mistake, you should also consider any systemic issues that may have contributed to the mistake occurring. Are checklists up to date? Are firm policies readily available? Has the supervised practitioner been shown how to use precedent documents effectively?

### *Provide a wide range of Experience*

Allow your supervised practitioner to be exposed to as wide a range of experience and legal practice areas as is possible within your business. Take into consideration their interests in choosing tasks and be open to their ideas.

### *Consider receiving training*

It takes time and effort to develop the skills to become a good supervisor. The skills required for effective supervision are not part of legal training.

The Board encourages you to seek feedback from your colleagues and consider whether you may benefit from some structured training around supervision.

### **Further information**

Contact the Victorian Legal Services Board

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