

Summary of Admissions Sessions at ICLR Conferences

5th ICLR (Washington, D.C., 2016)

Admissions Session(s)

<https://iclr.net/conference-2016/>

1. Thursday 13:30-14:30 Admission to the Practice of Law

Most jurisdictions have some sort of admissions system but information about these respective systems is scant. As global mobility of lawyers increases, it is important for regulators to be aware of what our neighbours are doing and how they are doing it. This session will enable admissions regulators to share information about how their admissions systems operate and to learn from each other. This session will additionally provide a forum whereby emerging challenges in relation to admission to the legal profession can be raised and discussed. One goal of this session is the development of a centralized comprehensive resource that contains information about admission to the legal profession in various jurisdictions.

Moderator: Laurel S. Terry, Penn State University, Dickinson Law, United States

Panelists:

T P Kennedy, Director of Education, Law Society of Ireland

Erica Moeser, President, National Conference of Bar Examiners (NCBE)(United States)

Don Thompson, Executive Director, Law Society of Alberta, Canada

Materials:

[Canada NCA \(National Committee on Admissions\) FAQ](#)

[Canada NCA process](#)

[Canada NCA standards](#)

[Ireland foreign & EU lawyers](#)

[Ireland route map;](#)

[Ireland process](#)

[Ireland QLTT FAQs;](#)

[US Adoption of the UBE \(Uniform Bar Examination\)](#)

[US NCBE Guide to Bar Admission Requirements \(2016\)](#)

[IBA Directory of Regulators: Findings;](#)

[IBA Directory of Regulators 2016](#)

Summary of Admissions Sessions at ICLR Conferences and additional materials to be posted on the conference website, <https://iclr.net/conference-2016/>

These sessions might also be of interest:

2. Friday 09:00 | Rethinking the application of technology to regulatory work

Discussions about technology changing the practice of law abound. What has not been discussed, and needs to be, is how regulators of lawyers can and should use technology to better accomplish

their regulatory missions. This program explores how to make technology work for you; how it can enhance disciplinary and other regulatory processes, from caseload and document management to data collection and analysis to transparency initiatives. The session will be conducted as a workshop, enabling participants to work through regulatory process mapping for technology purposes, identifying common waste, frustrations, problems and solutions where regulatory process meets technology.

Facilitators Robert A. Hawley, United States
David Skinner, Canada
Karen Dunn Skinner, Canada

Materials:

[Trends in Global and Canadian Lawyer Regulation;](#)

[Rethinking technology slides;](#)

[Guide to going lean.](#)

To get the most from this session, please [respond to the technology survey](#)

3. Friday 10:45 | Challenges facing emerging regulatory systems

How do you take an unregulated legal profession and transform it into one that supports access to justice and the demands of a modernizing economy? How do emerging systems with few resources and competing priorities decide what needs to be done first? How does an emerging legal regulator manage relations with both government and the profession?

This session will look at some of the challenges being faced by those with responsibility for regulating the legal profession in different parts of the world and examine how they are rising to meet them. It will consider the political, organizational and above all cultural hurdles that must be overcome in order to embed the principles of sound regulation?

Moderator Alison Hook, United Kingdom

Panelists

Joan Janssen, Singapore

Dancia Penn, British Virgin Islands

Wilbert Mandinde, Zimbabwe

4. Friday 14:45 | Cooperative efforts and agreement between international jurisdictions

More and more legal regulators deal with lawyers who practice in more than one international jurisdiction. It is in the interest of the public that the regulators in both jurisdictions exchange relevant information about such lawyers, especially when a lawyer is no longer allowed to practice in one jurisdiction (disbarred or suspended). In practice, it is often not possible to exchange such information due to the privacy rules and regulations of each jurisdiction. At the end of 2015, the IBA launched draft guidelines for an international regulatory information exchange regarding disciplinary sanctions against lawyers. The purpose of these guidelines is to

enhance the exchange of information about whether a lawyer is admitted and authorized to practice and provide information about the lawyer's disciplinary history. Although the guidelines are voluntary the IBA encourages the adoption of protocols or regulations coming as close as possible to the guidelines. In this session we will present the results of a survey on what kind of information already can be exchanged and then discuss with the participants the needs for the future.

Moderator Motlatsi Molefe, South Africa

Panelists

Thomas Harban, South Africa

Niels Hupkes, The Netherlands

Materials:

[Draft Information Exchange Guidelines](#)

[Information exchange form US and CCBE](#)

[CCBE resolution on cooperation](#)

[Establishment of lawyers directive 98-5-EC](#)

4th ICLR (Toronto 2015)

Admissions Session(s)

<http://flsc.ca/building-blocks-to-better-regulation/presentation-materials-for-iclr-2015-conference-sessions/>

1. Lawyers on the Edge: Licensure and the Impaired Professional

Speakers will approach the challenge of regulating lawyers with addiction and mental health issues from the perspective of experts in the medical and peer support fields. The panel will discuss how to recognize a professional with impairment early on. Resources that are helpful in mitigating the effect of illness to prevent harm to clients and diminish the need for discipline will also be discussed. The panel will share the challenges faced by Canadian, US and UK regulators', the regulators' response, and the lessons that may be drawn from their experiences.

Moderator: Tracey L. Kepler, National Organization of Bar Counsel

Panelists:

James C. Coyle, Colorado Supreme Court

Dr. Doris C. Gundersen, Colorado Physician Health Program

Doron Gold, Homewood Health

Dr. Vanessa Davies, Bar Standards Board

Materials:

- [10 Things You Should Give Up to Move Forward](#)
- [20 Ways to Be a Good Lawyer](#)
- [Addiction Medicine: Closing the Gap Between Science and Practice](#)
- [Colorado Lawyer Assistance Program \(CoLAP\) Confidentiality](#)
- [Creating a Healthy Mind](#)
- [If there is One Bar a Lawyer Cannot Seem to Pass: Alcoholism in the Legal Profession](#)
- [Mitigating Stress: Self-Care for Lawyers](#)
- [Prescription Medication: Abuse, Addiction and Complicating Factors for Attorneys](#)
- [Rules for Being Human](#)
- [What Makes Lawyers Happy](#)

PowerPoint Presentations

- [Lawyers on the Edge: Licensure and the Impaired Professional, D. Gundersen](#)
- [Lawyers on the Edge, D. Gundersen](#)

These sessions might also be of interest:

2. Competence Initiative: Beyond CPD

Paul Philip, Chief Executive of the Solicitors Regulation Authority will describe the SRA's current competence initiative, including the reasons for moving away from a points-collection system to a process of ongoing evaluation post licensing and the related transition process.

PowerPoint Presentation

- [Training for Tomorrow, P. Philip](#)

3. Building a Regulator

In this "how to" session, attendees will learn about building a new regulator and how to make large-scale transitions for long-standing regulatory organizations. The speakers will talk about what they have learned from their own experiences as regulatory builders.

Speakers:

Joan Janssen, Singapore Ministry of Law

Don Thompson, Law Society of Alberta

PowerPoint Presentations

- **Building a Regulator: The Singapore Experience**

4. Building and Maintaining Credibility with the Public – How to Maintain Public Confidence in a Consumer-Driven Environment

Speakers will share their experiences and lessons learned as regulatory leaders. They will explore how to address the public's expectation that they will be protected from harm in a world in which lawyers will inevitably engage in misconduct and regulators cannot attain perfection.

Moderator: Jonathan G. Herman, Federation of Law Societies of Canada

Speakers:

Christine Grice, New Zealand Law Society

Alan Hunter, Law Society of Northern Ireland

Robert Hawley, State Bar of California

Stephan Göcken, German Federal Bar

Stephen Hung, Law Society of Hong Kong

PowerPoint Presentation

- **Building and Maintaining Credibility with the Public – How to Maintain Public Confidence in a Consumer Driven Environment, S. Hung**

5. International Cooperation and Information Sharing

This interactive session will look at possibilities for international sharing of information among legal regulators. Is there a need for this and if so, where should our efforts be focused? Speakers will consider tools available for sharing information on an ongoing basis.

Speakers:

Alison Hook, Solicitors Regulation Authority

Deborah Armour, Law Society of British Columbia

- **International Cooperation and Information Sharing Handout**

PowerPoint Presentations

- **Opportunities for Cooperation among Legal Regulators, D. Armour**
- **International Cooperation, A. Hook**

3rd ICLR (London 2014)

Admissions Session(s)

https://iclr.net/wp-content/uploads/2014/10/ICLR-Program_london2014.pdf

Session 2: Education and training – does the recipe matter if the food tastes good?

This session will look at the common questions that many jurisdictions are considering at present in relation to the education and training of future legal practitioners.

Chair: Julie Brannan, Director of Education and Training, Solicitors Regulation Authority

Contributors:

Liz Campbell, Director of Education and Training, Law Society of Scotland

Stephen Hung, Vice President, Hong Kong Law Society

John Berry, Director of Legal Services Division, Florida Bar

These sessions might also be of interest:

Session 8: Keeping up with the challenges of technology

The impact of technology on legal practice, the challenges it poses for regulators and the opportunities it presents – a whistle stop tour guided by industry experts.

Chair: Andrew Garbutt, Director of Risk, Solicitors Regulation Authority, England and Wales

Contributors:

Jonathan Goldsmith, Secretary General, Council of European Bars and Law Societies, Brussels

Tim Prior, PNCR Legal Timothy Hill, Technology Adviser, Law Society of England and Wales

Arlene Adams, CEO Peppermint Technology

2nd ICLR (San Francisco 2013)

Admissions Session(s)

<https://iclr.net/past/2013-international-conference-of-legal-regulators/>

Wed: 9am Keeping lawyers equipped for practice

The need for those who are providing legal services to remain equipped for practice beyond initial qualification is self-evident. However it is not easy to translate this need into an effective requirement. This session will reflect on experience of CLE systems in different jurisdictions and seek to identify how we can make such systems more results focused.

Facilitated by

Christine Grice, Executive Director, Law Society of New Zealand
Vanessa Davies, Director, Bar Standards Board, England and Wales

These sessions might also be of interest:

Tues. 9am: What powers do I need to be an effective regulator of legal services?

Government review of legislation covering the regulation of lawyers and legal services is a growing trend. This session will look at the powers that regulators need in order to make different models of legal regulation work, drawing on experiences from around the world. We will aim to produce at the end of this session, a checklist of powers that regulators need in order to meet the different objectives they may be given, whether by legislation or delegation from a Court, Bar Association or other body.

Facilitated by

Steve Mark, Legal Services Commissioner, New South Wales
Joan Janssen, 2nd Director-General, Ministry of Law, Singapore
Alan Hunter, Chief Executive, Law Society of Northern Ireland

Tues. 16.30–18.00: Fitness to Practice, regulatory responses and co-operating with representative bodies

Legal practice is taking place in an increasingly stressful environment and many disciplinary issues may be related to underlying mental health, physical health (such as untreated HIV infection) or substance abuse issues. This session will look at how regulators might identify the warning signs at an early stage and how they might work with others to ‘prevent’ rather than ‘cure’ problems.

Facilitated by

Darrel Pink and Elaine Cummings, Nova Scotia Barristers Society, Canada

1st ICLR (London 2012)

Admissions Session(s)

<https://iclr.net/past/2012-international-conference-of-legal-regulators/>

For information on the background behind the first ICLR conference, *see* Laurel S. Terry, *Creating an International Network of Lawyer Regulators: The 2012 International Conference of Legal Regulators*, 82(2) Bar Examiner 18 (June 2013), <http://tinyurl.com/ICLR-creation>.

Competence on admission

The lawyers we admit may have passed our admission requirements but what else do we need to know? The questions we will consider at this session include:

- Character and suitability
- Linking entry to competence
- Foreign lawyer authorisation
- Financial competence

Chair: Lorna Jack, Chief Executive, Law Society of Scotland

- In Scotland a root and branch review of legal education and training has already taken place. This led to a significant overhaul of admissions to the profession

Introductory Remarks: Andy Friedman, Professional Associations Research Network

- Students often graduate and “know everything but can’t do anything”. There needs to be a greater focus on applied knowledge. Legal education and training should not just be about gaining the right knowledge but about knowing when and where to apply this knowledge and knowing how to perform professional services as prescribed by ethical codes defines competence.
- There was criticism of current CPD requirements that measure inputs and not outputs (i.e. number of hours).
- There are different approaches to the suitability test from different regulators. Some apply a ‘deficiency model’ which focuses on proving that you’re not bad, and others focus on demonstrating professionalism and aspires to altruism. Need a debate about what is the right approach.

Commentators

Franklin Harrison, Chair, National Conference of Bar Examiners

- The National Conference of Bar Examiners produce a uniform multi-state bar exam although states have their own rules on who is admitted. He is keen to promote mobility of practice state by state.
- He suggests it would be useful to talk to new lawyers in their first three years of practice so they can highlight gaps in their knowledge which should be addressed at initial training and areas that they should test differently

Vanessa Davies, Director, Bar Standards Board

- Vanessa highlighted the complex nature of the regulatory system in England and Wales

- A fundamental review of education and training in England and Wales is currently underway which is being undertaken jointly by the BSB, SRA and cILEX. The initial findings of the review have highlighted some significant problems with current arrangements including skill gaps (i.e. project management and communicating with clients), too great a reliance on initial training and lack of training pathways to access the profession.

TP Kennedy, Director of Education, Law Society of Ireland

- A Bill is going through the Irish Parliament looking to separate the regulatory and representative functions of the Law Society of Ireland. It is a jurisdiction going through change.
- In Ireland students have to undertake an entrance exam before they can embark on legal education.
- There is a need for a better framework of contacts with international regulators to share knowledge about lawyers which would help in assessing the competence of foreign lawyers.

Joe Catanzariti, President Elect, Law Council of Australia

- The Australian model of education and training requires all students to undertake the Priestley 11 subjects and they must be able to demonstrate they have knowledge of these to be deemed competent.
- However, the jurisdiction is looking at going down the route of making law a post-graduate degree as opposed to teaching law at undergraduate level, which suggests that students have more experience and maturity at this stage.
- New South Wales has rejected the idea of a test for foreign lawyers. Foreign lawyers must comply with the Priestley 11 and have a high level of competence to practice. 50% of foreign lawyers are rejected.

Points raised in open discussion

- Should lawyers have to requalify every 5 or 10 years? Andy Friedman thought this was a good idea if it could be done flexibly and cited the route the medical professional is going down in evidence. Vanessa Davies highlighted that from January the reaccreditation scheme for solicitor advocates in England and Wales launches so in England and Wales there are already moves in the reaccreditation direction. Joe Catanzariti thought there were enough systems in place to avoid the need for a reaccreditation scheme and TP Kennedy said it wouldn't happen in Ireland anytime soon.
- How can we ensure competence whilst encouraging access to the professions? It was argued that by increasing the number of years that students had to study discouraged students from poor backgrounds.
- There was a discussion about which training pathway was the most effective. Nick Eastwell, City advisor to the SRA, highlighted his experience in practice and thought graduates who had not studied law at undergraduate level were a long way behind those who had.

[Read Andy Friedman's Powerpoint presentation](#)

[Read Vanessa Davies' Powerpoint presentation](#)