Message to South African Law Students

FROM THE ATTORNEYS PROFESSION ...

Dear Future Legal Practitioner

Greetings from LEAD, the Law Society of South Africa’s Legal Education and Development department. Congratulations on your choice of degree; a career in the legal profession can be intellectually challenging, personally fulfilling and rewarding.

CORE SKILLS REQUIRED BY LEGAL PRACTITIONERS

Positions in the legal profession vary greatly in scope and responsibility, however, there are several core skills that are required. Here are the most relevant and important skills you will need as a legal practitioner to make a success of your career.

1. Sound Knowledge of the Law, Legal Principles and Procedures

This is fundamental for all legal practitioners. They must not only know the established principles of law but fully understand and interpret them and be able to apply them competently to a particular case. In addition, as laws are subject to change, remaining up-to-date so that they can give their clients the best possible advice requires a commitment to lifelong learning. In particular, constitutional imperatives and rules of professional ethics must drive legal practitioners in their service to the public.

2. Strong Financial Literacy

Every client and every case involves money in some way, and many legal practitioners run their own businesses. In order to manage their client’s money properly and monitor the success of their own businesses, financial literacy is essential for legal practitioners. This is becoming more and more important for the modern day legal practice.

Recent research has shown that a large percentage of candidate attorneys do not have adequate numeracy and financial literacy skills. This is disturbing, as a weakness in these skills can increase the risk of claims based on negligence.

Tip: Enroll for a bookkeeping or accounting course during your LLB study. A basic knowledge of bookkeeping will also assist you in the attorney’s admission examination. LEAD offers a bookkeeping course online.
3. Effective Communication (Written and Oral) Skills

Being able to communicate clearly and effectively underpins the role of the legal practitioner. A legal practitioner uses words to advocate, inform, persuade, advise and instruct. Every word that is written should contribute to the practitioner’s message and careful proofreading is particularly important. The current standard of literacy and writing skills is also a concern to the legal profession.

*Tip:* Reading enhances your writing skills.

4. Efficient Use of Technology

Technology is changing the legal landscape and practitioners are increasingly using various forms of technology to perform more efficiently. They use communication technology such as e-mails, social media platforms and videoconferencing. Many legal practitioners have also mastered a variety of presentation, time and billing, accounting and business-related software applications.

*Tip:* Ensure that your IT skills are developed and that you can use relevant software programs. In addition, ensure that you are aware of the legal implications of using social media platforms.

5. Excellent Research Skills

To solve legal problems, practitioners must be able to consult the relevant statute(s), law report(s), reference books etc. quickly. Although practitioners continue to use law libraries to prepare cases, most supplement conventional printed sources with electronic sources, such as the Internet and legal databases and electronic material.

6. Ability to Work in a Team

One of the most important skills needed by successful practitioners is the ability to be a useful member of a team. They often work with their colleagues to form a consensus and reach the best possible outcome for all parties. The most successful legal practitioners tend to be personable and able to work effectively with people by building relationships with clients and colleagues.

7. Effective Time Management

In a profession based on billable hours that tie productivity to financial gain, legal practitioners are under constant pressure to bill time and manage large workloads. To do this they need to develop multitasking skills, juggle competing priorities and meet tight deadlines.

8. Great Leadership Skills

Leadership is about producing change and clarifying strategic direction. Effective leadership can transform firms and inspire the people within them. Although it is not currently taught in universities in any significant manner, in the changing landscape, leadership skills are becoming more relevant. Therefore, it is important for legal practitioners to keep up-to-date with the subject.

After you qualify, there are many learning initiatives available though LEAD. In fact, LEAD has produced graduates who are now leaders in their chosen fields all over the world and is one of the largest providers of legal education in South Africa.

We at LEAD wish you a rewarding study experience and look forward to meeting you in the profession.

Visit our website for information on qualification and postgraduate LEAD training programmes.

Kind regards

Nic Swart
Director: Legal Education and Development
What is the Attorneys Development Fund (AFF)?

The AFF is a statutory body established and regulated by the provisions of the Attorneys Act of 1979. Its objective is to protect the public against loss as a result of the theft of trust funds by practitioners. The protection provided by the AFF encourages the public to use services provided by legal practitioners with confidence.

The Attorneys Fidelity Fund and Legal Education and Training

The AFF uses the income it derives from the interest earned on practitioners’ trust accounts to provide valuable financial support to the legal profession through legal education and training programmes. These programmes provide opportunities to practicing attorneys and candidate attorneys to enhance their legal skills by keeping abreast of developments in the law.

Recipients of the AFF’s legal education and training support

The AFF is committed to legal education through

i. annual funding to the Law Society of South Africa (LSSA) for Legal Education and Development (LEAD) programmes;

ii. annual funding to the Black Lawyers Association (BLA) for its Legal Education Centre; and

iii. financial support to the Law Faculties and Law Clinics at South African universities.

Funding to the Law Society of South Africa

The Law Society of South Africa (LSSA) brings together its six constituent members – the Cape Law Society, the KwaZulu-Natal Law Society, the Law Society of the Free State, the Law Society of the Northern Provinces, the Black Lawyers Association and the National Association of Democratic Lawyers – in representing South Africa’s attorneys and candidate attorneys.

The LSSA

• speaks authoritatively on behalf of the profession;

• promotes the substantive transformation of the profession;

• is the premier provider of professional development, particularly through its LEAD division and De Rebus, the SA Attorneys’ Journal;

• promotes meaningful access to the profession;

• promotes and protects the independence of the judiciary and the legal profession;

• represents and promotes the common interests of the profession with stakeholders, having regard at all times to the interests of the public, whom the profession serves; and

• promotes the efficient administration of and meaningful access to justice and legal services.

School for Legal Practice

The School for Legal Practice receives a substantial measure of funding annually from the AFF for the purpose of continuing legal education. The School which was established in 1990 offers an intensive postgraduate vocational course at nine residential centres situated around the country.
Its objective is to provide law graduates with the opportunity to acquire and develop the practical legal skills to become effective practitioners.

By 2015, the School will have trained more than 23,786 students. During 2014, the School provided vocational training to more than 1,195 law graduates in its day, night, and distance-learning School. The students are taught by experienced legal practitioners in over 16 areas of practice.

Schools for Legal Practice are based at the following locations:

- Bloemfontein School for Legal Practice – Tel: +27 (0)51 448 6462
- Cape Town School for Legal Practice – Tel: +27 (0)21 650 4481
- Durban School for Legal Practice – Tel: +27 (0)31 260 2351
- East London School for Legal Practice – Tel: +27 (0)43 726 4319
- Johannesburg School for Legal Practice – Tel: +27 (0)11 726 4154
- Polokwane School for Legal Practice – Tel: +27 (0)15 290 2811
- Port Elizabeth School for Legal Practice – Tel: +27 (0)41 504 2264
- Potchefstroom School for Legal Practice – Tel: +27 (0)18 299 4438
- Pretoria School for Legal Practice – Tel: +27 (0)12 441 4600
- Unisa Distance School – Tel: +27 (0)12 441 4600

LEAD Training Programmes

The AFF also provides funding to the following LSSA/LEAD courses

i. Compulsory Course for Candidate Attorneys
   The course is for candidate attorneys who do not attend a practical law school. The course objective is to supplement the training provided by law firms in the knowledge and skills required of a competent candidate attorney. The LEAD course is practice orientated and an important facet of preparation for the Attorneys Admission Examination.

ii. Conveyancing and Notarial Courses
    These courses give attorneys a practical background in the law and practice and procedure of conveyancing and notarial practice.

iii. Postgraduate Distance Education Programmes
    The AFF also subsidises LEAD’s diploma and certificate programmes. These programmes, in cooperation with universities, are offered in inter alia Corporate Law; Deceased Estates and Insolvency Litigation and Administration Practice.

AFF funding is also provided for LEAD’s wide range of seminars and workshops which are aimed at providing quality continuing professional development to attorneys and candidate attorneys. Due to the subsidy provided by the AFF, these seminars dealing with important current issues are offered at affordable fees. In 2012 alone, over 5,000 delegates attended the LEAD seminars and workshops which were held all around the country.

LEGAL PRACTICE ACT 28 OF 2014

Transitional provisions in relation to qualifications: (Extract from the Legal Practice Act 28 of 2014)

“112. (1) Notwithstanding anything to the contrary in this Act— (a) (i) the training course presented at a Practical Legal Training School of the Law Society of South Africa, for purposes of the Attorneys Act; or (ii) any other training course approved by any existing society or the General Council of the Bar, before the date referred to in section 120(4) for the purpose of training persons to qualify as legal practitioners, must be regarded as having been presented or approved pursuant to the regulations pertaining to practical vocational training in terms of this Act; and (b) any period of practical vocational training under gone with an attorney or advocate before the date referred to in section 120(4) must be regarded as having been a period of practical vocational training under supervision of a legal practitioner.”

CURRENT ADMISSION REQUIREMENTS

- South African LLB degree;
- Two years’ articles (or community service) plus five weeks Practical Legal Training course;
- One year’s articles (or community service) plus School for Legal Practice; and
- Admission examination.

ATTORNEYS INSURANCE INDEMNITY FUND (THE AIIF)

The AIIF is a non-profit company (a Section 21 company under the Old Companies Act); and a licensed short-term insurance company. The AIIF and was set up by the Attorneys Fidelity Fund to provide a layer of professional indemnity insurance to practicing attorneys at no cost to the practitioner. The AIIF is managed by Aon and is a unique scheme which also provides bonds of security to practicing attorneys appointed as executors of deceased estates.