

FAMILY LAW
(ADVOCATE SEAT) CHECKLIST

Introduction

A Family Law (Advocate) Seat should prepare a practice trainee (“PT”) to a standard that will enable him or her to deal with the work likely to be encountered in the first few years of practice in family law.

- 1) For PTs undertaking the Family Law (Advocate) Seat as their **Core Seat**, the supervising solicitor must ensure that the PT completes all tasks under Sections A to H.
- 2) For PTs undertaking the Family Law (Advocate) Seat as their **Secondary Seat**, the supervising solicitor must ensure that the PT completes:
 - a) Tasks B1, B2 and B3 under Section B;
 - b) Tasks D2, D4 and D5 under Section D;
 - c) All tasks under Section E;
 - d) All tasks under Section F;
 - e) Task G1 under Section G; and
 - f) All tasks under Section H.

SECTION A

A PT must learn how to communicate and handle emotional family clients in a thoughtful and respectful manner while ensuring that they are given proper legal advice.

No.	Task	Done <i>(please tick accordingly)</i>
A1	Able to identify, with respect to a proposed communication, the purpose of the communication and the most appropriate and effective way of making it	
A2	To present thoughts, advice and submissions orally and in writing in a logical, clear and succinct manner, having regard to the circumstances and the recipient to whom the communication is directed	
A3	To assist the supervising solicitor or any other lawyer as directed by the supervising solicitor in advising the client towards resolving matters with a therapeutic mindset, and to draw the client’s attention to the need to act in the best interests of the child (if any)	

SECTION B

A PT must understand the importance of taking clear and accurate instructions, and of advising the client with a therapeutic mindset.

No.	Task	Done <i>(please tick accordingly)</i>
B1	Prepare for a meeting	
B2	Conduct or assist in meetings and interviews with clients under the close supervision of supervising solicitor or any other lawyer as directed by the supervising solicitor, including taking notes of the interviews and meetings	
B3	Attend interviews with witnesses with the supervising solicitor or any other lawyer as directed by the supervising solicitor and take notes of the interviews	
B4	Conduct or assist in interviews with witnesses under the close supervision of a solicitor	
B5	Take follow-up actions after the interviews and meetings in accordance with the instructions of the supervising solicitor or any other lawyer as directed by the supervising solicitor	

SECTION C

No.	Task	Done <i>(please tick accordingly)</i>
C1	Able to (i) identify and investigate factual and legal issues; (ii) select appropriate resources to help find solutions; (iii) record, analyse, apply and communicate research results	
C2	Record the results of the research and apply them to the facts in question, and submit this to the supervising solicitor or any other lawyer as directed by the supervising solicitor	

SECTION D

The PT should experience a negotiation and observe how effective solutions can be achieved for the family through a collaborative mindset to problem solve while still protecting their client's interests.

No.	Task	Done <i>(please tick accordingly)</i>
D1	Prepare for negotiation on a matter on behalf of a client (identify the issues, assess the position and plan the strategy) under the supervision of a solicitor	
D2	Observe negotiations conducted by experienced solicitors	
D3	Conduct/ assist in negotiations under close supervision	
D4	Takes notes of the negotiation	
D5	Take any follow-up action including drafting a settlement agreement as directed by the supervising solicitor or any other lawyer as directed by the supervising solicitor	

SECTION E

The PT should experience the mediation process and understand the role of a mediation advocate in the resolution of family matters.

No.	Task	Done <i>(please tick accordingly)</i>
E1	Understand the difference between court mediation and private mediation	
E2	Prepare for mediation on a matter on behalf of a client (identify the issues, assess the position and plan the strategy) through a Therapeutic Justice lens of care	
E3	Draft a proposal/ mediation case statement with a Therapeutic Justice mindset	
E4	Observe mediation conducted by experienced solicitors	
E5	Conduct/ assist in mediation under close supervision	

E6	Takes notes of the mediation	
E7	Take any follow up action including drafting a settlement agreement as directed by the supervising solicitor or any other lawyer as directed by the supervising solicitor	

SECTION F

The PT should have a basic understanding of how to put forward the client's case in a persuasive and tailored manner through a Therapeutic Justice lens of care.

No.	Task	Done (please tick accordingly)
F1	Draft legal documents for matrimonial matters (such as originating processes, affidavits, submissions, court orders) both with and without the use of precedents. The PT should be able to draft documents which (i) are factually and legally accurate; (ii) meet the intended purpose; (iii) are well organised, clear and precise; (iv) form a consistent and coherent whole	
F2	Understand the proper use of precedents	
F3	Draft general correspondence, advice letters, letters to Court and relevant 3 rd parties	
F4	Draft all documents through a Therapeutic Justice-mindset	

SECTION G

The PT should, where possible, experience the nature of an oral hearing, and how oral advocacy builds on and develops the written submissions and client's affidavits.

No.	Task	Done (please tick accordingly)
G1	Court etiquette: - a. Attire b. Modes of address c. Dealing with situations where you are late for court or a conference	

	d. Conducting oral hearing in a therapeutic justice-led manner	
G2	Work done for trial: - a. Preparing witnesses b. Preparing trial bundles c. Trial process – opening statement, evidence in chief, cross-examination, re-examination, closing statements d. Taking notes e. Assisting counsel f. Drawing up judgment	
G3	Work done for chamber hearings: - a. Preparing for hearing b. Preparing bundles (if needed) c. Taking notes d. Assisting counsel e. Drawing up the court order	

SECTION H

The supervising solicitor is to discuss ethical issues that may arise in the course of family law with the PT.

No.	Task	Done <i>(please tick accordingly)</i>
H1	Fiduciary duty a. Acting in client’s best interests b. Conducting conflict checks c. Identifying possible / actual conflict d. Handling possible/actual conflict	
H2	Duty of confidentiality i.e., recognise and comply with duty of confidentiality owed to clients	
H3	Professional fees/ handling of client funds a. Giving costs estimates b. Sending, recording and settlement of bills c. Responsibility and the restrictions of client funds/ client account d. Understanding the office procedures on issue of receipts and payment of fees into office, client accounts / third parties	

H4	<p>Receive guidance on the Legal Profession (Professional Conduct Rules) (“PCR”) and the following matters:</p> <ol style="list-style-type: none"> Conduct towards the bench, court staff, client, witnesses, opponents and other parties Conduct in negotiations, “without prejudice” communications and advising on settlements. Conduct in conferences Relations with fellow solicitors, including dealing with situations where a solicitor withdraws and exercises a lien over the client’s papers Rules 15A and 15B of PCR on rules governing family practitioners 	
H5	<p>Therapeutic Justice lens of care</p> <ol style="list-style-type: none"> Duty to advise client of Therapeutic Justice Duty to conduct proceedings in a Therapeutic Justice manner Duty to practise Therapeutic Justice in communication with opposing counsel 	
H6	<p>Duty of full and frank disclosure of all information, especially when there is a claim for ancillary relief which includes matters relating to maintenance and division of matrimonial assets</p>	

To the Singapore Institute of Legal Education:

I certify that this Practice Area Checklist accurately reflects the training undertaken and completed by the Practice Trainee under my supervision during the relevant period as specified in the Certificate of Diligence.

Name of Practice Trainee as per NRIC / FIN:	
Name of Singapore Law Practice:	
Practice Training Period Commencement Date:	
Name of Supervising Solicitor as per Practising Certificate:	

Signature of Supervising Solicitor:	
Date:	

Note: Ensure that the details provided above match with those in the approved Practice Training Contract.