LITIGATION & ADVOCACY PRACTICE RIGHTS

• Become a Litigation Practitioner now

FOR CHARTERED LEGAL EXECUTIVES
BENEFITS

Once you have been accepted by IPS you will be able to:
• Conduct litigation and advocacy without supervision.
• Get recognition of your skills and competence.
• Use the title Chartered Legal Executive Litigator and Advocate to demonstrate your competence to clients and colleagues.
• Apply to IPS for authorisation to set up your own business offering these services.
• Be part of a regulated community, ensuring your clients and you are protected by independent regulation.

LITIGATION PRACTICE RIGHTS

IPS has a qualification scheme to allow you to become a litigator in civil, criminal or family proceedings. Qualification will enable you to provide the full range of litigation services in the practice area in which you obtain the rights.

Litigation is a reserved legal activity which means it is a criminal offence to undertake litigation work without authorisation by a regulator. IPS has a scheme of authorisation and regulation.

The three routes
We have split litigation rights into civil, criminal and family rights. You will seek litigation rights in the area in which you practise. It is possible for you to seek litigation rights in more than one practice area.

ADVOCACY PRACTICE RIGHTS

The conduct of litigation is closely linked to the exercise of rights of audience, which we call advocacy rights. Advocacy rights are also a reserved legal activity.

Your application for litigation rights will include an application for advocacy rights. The advocacy rights will include:

Civil proceedings
You will be able to exercise advocacy in:
• The Judge’s room in the County Court and High Court.

You can also opt to obtain advocacy rights in:
• Open County Court hearings;
• the Magistrates’ Courts in relation to all civil and enforcement matters;
• before a Tribunal which gives a non-discretionary right to appear; and
• Coroners’ Courts.

Criminal proceedings
You will be able to exercise advocacy in:
• Adult Magistrates’ Courts;
• Youth Courts;
• Crown Court or High Court chambers in bail applications;
• Appeals to Crown Court or committal for sentence if you appeared in the Magistrate or Youth Court; and
• Coroners’ Courts.

Family proceedings
You will be able to exercise advocacy in:
• The Judge’s room in the Family Court.

You can also opt to obtain advocacy rights in:
• Open Family Court hearings; and
• Coroners’ Courts.

QUALIFYING FOR THE RIGHTS

You must be a Chartered Legal Executive or a Graduate member working towards Fellowship to seek advocacy rights. However, you can only be authorised as a Chartered Legal Executive Litigator and Advocate once you have obtained Fellowship of CILEx.

IPS will award these rights to practitioners who can demonstrate that they are competent. We will be assessing competence in the full range of litigation practice and associated advocacy in the practice area in which you seek rights.

Competence covers knowledge, skills and experience. You will need to show the following:
• Knowledge of law and practice to honours degree standard or equivalent. Alternatively you may have developed knowledge through work experience which you can show through completion of five portfolios. The subjects in which you show knowledge are:
  • Civil – contract or tort and civil litigation
  • Criminal – criminal law and criminal litigation
  • Family – family law and family practice.
• Skills in legal research, client care and litigation practice. You will demonstrate your skills by producing a log outlining your skills and producing supporting evidence. Alternatively you could complete a skills course that covers these skills outcomes.
• At least two years’ experience in litigation and advocacy practice which you will demonstrate by producing portfolios of three cases you have handled.
• You must also have demonstrable knowledge of practice management and accounts. You can meet most of the competencies by undertaking courses in these areas. Details of courses that meet the competencies can be found at www.ilexstandards.org.uk

APPLICATION PROCESS

You will have to:
• complete an application form for litigation and advocacy practice rights;
• submit an outline of your experience and knowledge;
• provide a log and supporting evidence demonstrating your skills;
• provide portfolios to demonstrate your experience; and
• provide evidence of knowledge in the relevant area of law and practice either through qualifications or portfolios.

Copies of application forms, details of fees and our guidance to applicants can be found at www.ilexstandards.org.uk

We will assess your application, which will involve your portfolios and log books being sent off to external advisors for marking. The external advisors are experts in litigation and advocacy practice, client care, legal research, practice management and accounts.

Once you are assessed as having met the competencies you will be able to complete the advocacy course.

ADVOCACY SKILLS COURSE

Everyone must complete and pass the advocacy skills course in the practice area in which they seek rights. Courses in civil and family advocacy rights are likely to take 2 days or 6 days where you seek the full rights. Courses in criminal advocacy rights will take 6 days.

During the course you will receive training in advocacy skills and have the opportunity to practice your skills. You will be assessed in your knowledge of the law of evidence and in your advocacy skills.
AUTHORIZATION

When you are assessed as meeting the competence requirements and have passed the advocacy course assessments you will apply for a Litigation and Advocacy Certificate. You will become a Chartered Legal Executive Litigator and Advocate.

REGULATION OF YOUR LEGAL PRACTICE

You must deliver litigation and advocacy services through a regulated legal practice. IPS is a regulator for legal practices. Alternatively you may already work in a practice regulated by an approved regulator. Further information about legal practice regulation can be found at www.ilexstandards.org.uk

CILEx MEMBERSHIP

CILEx members receive the award-winning monthly CILEx Journal magazine, which includes up-to-date information on events, legal news, a digest of recent court decisions, legal vacancies and much more. Members also have access to a broad range of discounted services.

CILEx members are regulated through ILEX Professional Standards (IPS), which means that you will stand apart from non-regulated paralegals and be expected to uphold the IPS Code of Conduct.

For further information about CILEx Membership call 01234 845777 or email membership@cilex.org.uk
CILEx

Founded in 1963 the Chartered Institute of Legal Executives is the professional association for more than 7,500 qualified Chartered Legal Executive lawyers and 12,500 paralegal and other legal practitioners in England and Wales.

IPS

ILEX Professional Standards Ltd (IPS) is the regulator of Chartered Legal Executives and other members of CILEx. IPS also regulates practitioners and legal practices authorised to provide reserved and regulated legal services.

IPS sets the standards of conduct and qualification for those it regulates and assesses compliance with these standards. IPS takes proportionate and risk based action in cases of non-compliance.

For further information about the Litigation and Advocacy Practice Rights contact:

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