



CILEX Lawyer and Practice rights – A guide

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CILEX Lawyer – definition and key benefits

A CILEX Lawyer is a Practising CILEX Fellow who is qualified through CILEX as a lawyer and can practise with equivalence to a solicitor, or other authorised person, in their area of practice or specialism.

To be eligible for CILEX Lawyer status you must be both a member of CILEX and hold a practising certificate with either CILEX Regulation, the Solicitors Regulation Authority (SRA) or the Council for Licensed Conveyancers (CLC).

CILEX Lawyers can work unsupervised without restriction in the area in which they specialise. The CILEX Lawyer brand is a kitemark reflecting easily to the public the standards which have been reached.

Raising awareness of the value CILEX Lawyers can add as true equivalents to their solicitor counterparts is a pillar of CILEX's strategy. The CILEX Lawyer kitemark demonstrates to other legal professionals, employers, and consumers that CILEX qualified lawyers can deliver the same services to employers and clients as their peers who may have qualified through the more traditional route.

Practice rights require additional competencies to those of a Chartered Legal Executive. The following practice rights are available:

- Litigation and Advocacy (Civil)
- Litigation and Advocacy (Criminal)
- Litigation and Advocacy (Family)
- Conveyancing
- Probate
- Immigration

CILEX members were first able to apply for practice rights in 2014. Since then, it has been possible to obtain authorisation by demonstrating your knowledge, skills, and experience in the area in which you wanted to obtain practice rights, through submission of logbook sheets and portfolios of evidence of your experience.

In 2022, CILEX Regulation launched a new training and assessment route to practice rights which is available to CILEX Fellows (see Practice Rights section).

Context

2.1 Role of the Regulator vs role of the professional body, and titles.

CILEX has two distinct and separate roles, one as the professional body which supports education, development, and interest of specialist legal practitioners, and the other an Approved Regulator for those practitioners under the Legal Services Act 2007 ('the 2007 Act'). CILEX has a duty to delegate the day-to-day regulatory activities for our members to a separate and independently run organisation, currently delegating these activities to CILEx Regulation Limited ("CRL").

Chartered Legal Executive is the protected regulatory title which can be used once an individual has been authorised by CRL. This status authorises a CILEX Fellow to practice one reserved activity – the administration of oaths. All other reserved activities must be undertaken under the supervision of a Solicitor or other authorised person (including a CILEX Lawyer who has practice rights).

CRL can currently award Chartered Legal Executives with additional practice rights; authorising them in Litigation and advocacy (in civil, criminal, and family law), immigration, conveyancing, and probate. The regulatory title for those holding these additional rights is a 'CILEx Practitioner;' they are an Authorised Person who is a specialist in the specific areas of law in which CRL authorises them to practise, and who can undertake reserved legal activities in that specialism independently and without direct supervision.

Whilst CRL set standards and oversees members' compliance with those standards, the role of CILEX is to support its members to meet those standards along with career progression and development. Your membership with CILEX is as a CILEX Fellow, this status is recognised through your use of the post-nominal letters FCILEX reflecting the fact you qualified as a lawyer through the CILEX route.

It should be noted that 'Lawyer' is neither a protected nor regulated title, it is used generically in the UK by those who provide legal services, regardless of whether they are professionally qualified and/or regulated.

'CILEX Lawyer' however specifically refers to those qualified and regulated members of CILEX who are entitled to use the title under the terms of their membership of CILEX as a Chartered Body. This professional designation gives credibility and assurance to both consumers of legal services and employers that a CILEX Lawyer is a professional who has demonstrated, and continues to demonstrate, the appropriate level of professional conduct and competence.

2.2 Definition of reserved legal activities and regulated activities.

A reserved legal activity is something only suitably qualified legal professionals are permitted to do, by virtue of Part 3 of the Legal Services Act 2007 ('The 2007 Act').

Section 12 of the 2007 Act provides the list of 'reserved legal activity' and schedule 2 sets out the meaning of each activity; these are:

The exercise of a right of audience.

The right to appear before and address a court, including the right to call and examine witnesses

The conduct of litigation.

The issuing of proceedings before any court in England and Wales, the commencement, prosecution and defence of such proceedings, and the performance of any ancillary functions in relation to such proceedings (such as entering appearances to actions).

Reserved instrument activities.

The preparation of any instrument or transfer or change for the purposes of the Land Registration Act 2002, making an application or lodging an application for registration under the Act; or preparing any other instrument relating to real or personal estate for the purposes of the law of England and Wales or instrument relating to court proceedings in England and Wales

Probate activities.

The preparation of any probate papers for the purposes of the law of England and Wales or in relation to any proceedings in England and Wales; and 'probate papers' mean the papers on which to found or oppose a grant of probate or a grant of letters of administration.

The administration of oaths.

The exercise of the powers conferred on a commissioner for oaths by the Commissioner for Oaths Act 1889, the Commissioners for Oaths Act 1891 and section 24 of the Stamp Duties Management Act 1891.

Section 13 of the 2007 Act confirms that a person is entitled to carry on a reserved legal activity if they are an 'Authorised Person' in relation to that activity (that is they have been authorised to carry on that activity by a relevant approved regulator) (s18 2007 Act) or if they are an 'Exempt Person' in relation to that activity, details of which are set out at Schedule 3 of the 2007 Act, and at 2.3 below.

An area which is not a reserved legal activity, but which has similar requirements for authorisation is Immigration advice and services. Section 84 of the Immigration and Asylum Act 1999 prohibits the provision of immigration advice and services other than by a 'qualified person'. An individual would be a 'Qualified Person' if they are authorised to provide immigration advice or immigration services by a 'designated qualifying regulator.' A Chartered Legal Executive can make an application to CRL for additional practice rights in immigration, in the same way as the practice rights for reserved legal activities.

2.3 Definition of 'Exempt Person' for reserved legal activities.

In the 2007 Act, 'Exempt Person' in relation to an activity, which is a reserved legal activity, means a person who, for the purposes of that activity, is an Exempt Person by virtue of Schedule 3 of the 2007 Act.

The exemptions which apply are dependent upon the individual reserved legal activity or regulated activity which is being carried out. Circumstances under which someone is an 'Exempt Person':

The exercise of a right of audience.

A person is an Exempt Person if they are not an Authorised Person in relation to a right of audience but has a right of audience granted by that court in relation to those proceedings; if they are not authorised but has a right of audience granted by or under any enactment; if they are a party to those proceedings, and would have had a right of audience in that capacity before the Act was introduced; if they are an individual whose work includes assisting in the conduct of litigation, and the person assisting is working under instructions given (either generally or in relation to those proceedings) to an individual who is authorised to conduct litigation, and that they are also working under the supervision of that individual. (This will only apply in relation to proceedings being heard in chambers in the High Court and county court, or matters in the family court, not before a single lay magistrate or bench of lay magistrates and matters which are not reserved family proceedings).

The conduct of litigation.

*A person is an Exempt Person if they are not authorised to conduct litigation but has a right to conduct litigation granted by a court in relation to those proceedings; has a right to conduct litigation in relation to those proceedings granted under any enactment or is a party to those proceedings. **Note:** There is no provision in the Legal Services Act 2007 for unauthorised people to carry out litigation under supervision. Therefore, those who are not authorised to conduct litigation can only support authorised individuals to conduct litigation, rather than conducting litigation themselves.*

Reserved instrument activities.

A person is an Exempt Person if they undertake the work in their duty as a public officer, or if they are an individual who carries on the activity at the direction and under the supervision of an Authorised Person for that activity, and at the time the activity is carried out, they are connected (the individual is employed by the Authorised Person, they are fellow employees or they are both managers of a body).

Probate activities.

A person is an Exempt Person if they undertake the work as an individual at the direction and under the supervision of an Authorised Person entitled to carry out that work, and they are connected. They are connected they are employed by the Authorised Person; they are fellow employees and if they are an employee or manager, and the Authorised Person is an employee or manager.

The administration of oaths.

The person is and Exempt Person if they are not an Authorised Person in relation to that activity but are authorised to carry on that activity by or by virtue of any other enactment or has a commission under section 1(1) of the Commissioners for Oaths Act 1889.

Immigration advice and services.

Immigration advice is advice which relates to an individual, is given in connection with one or more 'relevant' matters, given by a person who knows they are giving it to a particular individual and in connection with one or more relevant matters, and is not given in connection with representing an individual before a court in criminal proceedings or a matter ancillary to criminal proceedings. Immigration services means the making of representation on behalf of a particular individual either in civil proceedings before a court, tribunal, or adjudicator or in correspondence with a Minister of the Crown or government department in one of more of the following matters: A claim for asylum; An application for an ETA (within the meaning of section 11C of the Immigration Act (1971) electronic travel authorisations); An application for an immigration employment document; Unlawful entry into the UK; Nationality and citizenship under the law of the UK; Removal or deportation from the UK; An application for bail under the Immigration Acts or Under the Special Immigration Appeals Commission Act 1997; or An appeal against, or an application for judicial review in relation to, any decision take in connection with the matters referred to above

2.4 History of what Chartered Legal Executives can and cannot do.

Upon qualification, the reserved legal activity that a Chartered Legal Executive is authorised to undertake is 'the administration of oaths.' This is referred to on their Practising Certificate as being authorised to exercise powers of a Commissioner for Oaths under Section 183 of the Legal Services Act 2007, which enables a person authorised for the administration of oaths to use the title 'Commissioner for Oaths'. This is the only reserved legal activity that Chartered Legal Executives are automatically entitled to undertake upon qualification.

2.5 Supervision.

As detailed in 2.4 above upon qualification, Chartered Legal Executives are not authorised for the independent practice of the reserved legal activities of right of audience, the conduct of litigation, reserved instrument activities (conveyancing), probate activities, or the regulated work in immigration advice and services.

When a Chartered Legal Executive is working in these reserved legal activities, or regulated areas, they are doing so not as an Authorised Person, but as an Exempt Person, and usually because they are working at the direction and under the supervision of an authorised person, though that is not an exemption for all reserved legal activities.

There is no single definition of 'supervision', however authorisation rules in place through, for example, firm authorisation by the Solicitors Regulation Authority (SRA) mean that firms have a requirement to ensure that all reserved legal activities, except notarial activities, and immigration work may only be carried out through a person who is entitled to do so.

Therefore, different firms will have supervision structures in place to ensure that those who are not authorised are undertaking the work under supervision through their supervisory structure. This means that a suitably Authorised Person (such as a Solicitor, CLC or CILEX Practitioner) is taking professional responsibility for supervising the work of Chartered Legal Executives in these reserved areas.

Supervision will look different in different firms, and within different supervisory structures. However, it should be noted that, as a Chartered Legal Executive you have a professional responsibility to only undertake those reserved activities listed in 2.3 above if supervision by an Authorised Person is in place. Failure to do so could result in regulatory action being taken against you.

You can find guidance from the SRA about effective supervision at the following link:

www.sra.org.uk/solicitors/guidance/effective-supervision-guidance/

Routes to becoming a CILEX Lawyer.

3.1 Undertaking reserved legal activities – already having practice rights or declaring to obtain practice rights.

If you are a Chartered Legal Executive, and you have already obtained full practice rights in the area in which you are working, you are automatically eligible to refer to yourself as a 'CILEX Lawyer.'

If you are a Chartered Legal Executive who is dual qualified as a Solicitor or CLC Practitioner and you maintain your CILEX professional body membership, you are also eligible to refer to yourself as a CILEX Lawyer, as you can practise unsupervised by virtue of your SRA or CLC authorisation.

If, however, you are working as a Chartered Legal Executive, have not applied for and/or obtained practice rights authorisation from CILEX Regulation or have authorisation another regulator, and you are undertaking any of the reserved legal activities or the regulated activity of immigration, then you are not currently eligible to use the title CILEX Lawyer.

You will need to commit to obtain the relevant practice rights before 31 December 2025 if you wish to attain and use CILEX Lawyer status. The routes available for you to obtain these rights are set out in section 5.

You will be able to undertake an eligibility checker and make a commitment declaration at any point in the year, you will also be invited to complete these as part of the 2025 renewal process.

For those who have advocacy rights alone (Chartered Legal Executive Advocates for Civil, Criminal or Family) in order to be eligible to use the title CILEX Lawyer, you will need to (via the process mentioned above) to declare that either (a) you practice in a role where you are not required to conduct litigation or (b) that you conduct litigation, in which case you will need to commit to register to obtain the related litigation practice rights by 31 December 2025.

If you are a Chartered Legal Executive, working in litigation but you do not wish to commit to obtain litigation practice rights, you can continue to work in that area assisting an authorised person in the conduct of litigation. Please note, as you are not authorised to conduct litigation yourself, you will not have parity of authorisation to a solicitor, you remain a Chartered Legal Executive and not a Chartered CILEX Lawyer.

3.2 Not undertaking reserved legal activities – self-declaration and successfully completing Ethics CPD.

If you are working as a Chartered Legal Executive and you are not working in an area covered by the reserved legal activities or the regulated activity of immigration, or you are working in those general areas and none of the work that you undertake constitutes any reserved legal activity or immigration work, there will be two steps you need to undertake to be eligible to use the title of CILEX Lawyer.

Firstly, you must declare that you are working in an area which is not a reserved legal activity and is not immigration advice and services, or the work you undertake does not constitute a reserved legal activity or regulated activity.

Secondly, you must declare that you will undertake the CILEX Education ‘Ethics and Professional Responsibility in context CPD (Members)’ before 31 December 2025. This can be purchased through the shop on the following link: [Ethics CPD](#)

If you have already successfully completed this specific CPD learning, then you will be able to make a declaration on that basis.

You can make either of these declarations at any time, and you will be directed to make a declaration as part of the 2025 renewal process.

On completion of these two steps, you will become eligible to describe yourself as a CILEX Lawyer.

3.3 CILEX Professional Qualification (CPQ) route.

A Member who completes the CILEX Professional Qualification (available since 2021) will, as part of the regulatory authorisation granted on qualification, be authorised as a Commissioner for Oaths and with a practice right in the area in which they have specialised if it is reserved or regulated activity. As explained at 3.1, where litigation rights are held (civil, criminal, or family) there is a requirement to successfully complete advocacy training. Once fully authorised, these individuals will be eligible to use the title CILEX Lawyer.

Practice rights.

4.1 Benefits for each reserved or regulated area and the difference between what you can do as a Chartered Legal Executive and as a CILEX Lawyer.

4.1.1 Conveyancing.

A Chartered Legal Executive is not an authorised person for the purposes of reserved instrument activities, and therefore not included within the definition of ‘conveyancer’ for the purposes of the Land Registry Rules.

Therefore, Land Registry forms (this includes forms such as the AP1, DS2, RX1 and FR1) cannot be signed by Chartered Legal Executives as a ‘conveyancer’. The requirement is that Land Registry forms must be signed by someone who is authorised, such as a Solicitor or Licensed Conveyancer, or someone who holds practice rights in conveyancing (reserved instrument activities). This includes forms such as the AP1, DS2, RX1 and FR1.

The Land Registry carries out checks against the Practitioners Directory to ensure relevant practice rights are held by individuals making these applications, and may return forms, delaying matters, if they have been signed by someone who is not appropriately authorised.

Any successful applications made are done so where Chartered Legal Executives have met the requirements to be exempt under the Legal Services Act 2007, i.e. by carrying out the activity at the direction and under the supervision of another individual who is authorised to carry out that work.

Obtaining practice rights in conveyancing in your own name will mean that you are a ‘conveyancer’ under the Land Registry Rules, that you will be able to complete and submit Land Registry forms as a ‘conveyancer’ and that you are authorised to sign these forms without the requirement for supervision.

4.1.2 Probate.

A Chartered Legal Executive is not authorised for the purposes of the preparation of the paperwork for obtaining a grant from the probate registry and is only able to undertake this work due to the exemption of working under the supervision and direction of someone who is authorised to do so.

If you obtain practice rights in your own name, you will be able to undertake this work without that supervision being required/in place.

With the introduction of the probate registry portal, and increase in digital applications, it is

likely that the Probate Registry will make the same types of checks the Land Registry are already making in terms of conveyancing (see above). Holding practice rights in probate will mean you meet the requirements for a 'Probate Practitioner' for the purposes of probate registry portal.

4.1.3 Civil litigation

There is no provision in the Legal Services Act 2007 for someone who is not authorised to undertake litigation under the supervision. Therefore, as a Chartered Legal Executive, you are not authorised to conduct litigation, but rather to assist in the conduct of litigation.

In terms of completing and signing court forms, you will only meet the criteria to sign as a 'legal representative' if you are a 'solicitors' employee,' rather than doing so as a lawyer and authorised individual under the Civil Procedure Rules (CPR 2.3 which you can find [here](#)). This means it is only applicable for those employed within SRA regulated entities. Therefore, you will not be considered a legal representative if you are working outside of such a regulated firm (such as in-house or Local Authority) without practice rights.

4.1.4 Family litigation

There is no provision in the Legal Services Act 2007 for someone who is not authorised to undertake litigation under the supervision. Therefore, as a Chartered Legal Executive, you are not authorised to conduct litigation, but rather to assist in the conduct of litigation.

In terms of completing and signing court forms, you will only meet the criteria to sign as a 'legal representative' if you are a 'solicitors' employee,' rather than doing so as a lawyer and authorised individual under the Family Procedure Rules (CPR 2.3, which you can find [here](#)). This means it is only applicable for those employed within SRA regulated entities. Therefore, you will not be considered a legal representative if you are working outside of such a regulated firm (such as in-house or Local Authority) without practice rights.

4.1.5 Criminal litigation

There is no provision in the Legal Services Act 2007 for someone who is not authorised to undertake litigation under the supervision. Therefore, as a Chartered Legal Executive, you are not authorised to conduct litigation, but rather to assist in the conduct of litigation.

4.1.6 Immigration advice and services

As a Chartered Legal Executive, you are not authorised to undertake immigration advice and services, so you will be undertaking this work either as a direct result of being authorised by the OISC, in which case the work will be limited to the level of authorisation, or because you are working under the supervision and direction of someone who has been authorised to provide such services by their relevant regulator. If you obtain practice rights in immigration you can undertake this work without that level of supervision in place, provided it is through a regulated entity.

Practice rights routes.

CILEx Regulation has set the framework for demonstrating competencies to be authorised in one of the practice rights areas. The routes available are below:

5.1 Portfolio route.

5.1.1 Cost.

CILEx Regulation charge an application fee of £450 for the application. Once authorised you will be required to pay an annual fee per practice right (in 2024, this was £60) alongside your Chartered Legal Executive Practising Certificate Fee of (in 2024 this was £367).

You can find details of the CILEx Regulation application process [here](#). There are also details of the application process and timelines on [this](#) page. To ensure the fees are up to date, you can check the fees page [here](#).

5.1.2 Time taken (estimated).

This will be determined by you as the evidence required will depend on several factors, including whether you hold the relevant Level 6 (or equivalent) assessments, and how long it takes to gather the evidence to support the logbook sheets for the skills element. The average time taken is reported to be 9-12 months.

5.1.3 Eligibility.

CILEx Regulation require you to have worked in the legal sector for five years, two years of which must be in the specialist area in which you are seeking practice rights.

You can find more information on the CRL requirements for this route [here](#)

Note: *If you use this route to obtain civil, family, or criminal litigation rights, you will also need to obtain the advocacy rights, you will need to complete the CILEx Regulation application to obtain your certificate of eligibility. Once granted you must attend the Advocacy Skills Course which is run by a CILEx Regulation accredited provider. You can read more about the course, provider, and associated costs [here](#).*

5.2 Assessment only route.

5.2.1 Cost.

At the time of publication of this guide, the assessment provided by University of Law on behalf of CILEx Regulation, costs £600 with an additional £35 (approx.) fee for a standard DBS check. Once authorised you will be required to pay an annual fee per practice right (in 2024 this was £60) alongside your Chartered Legal Executive Practising Certificate Fee (in 2024 this was £367).

You can find details of the CILEx Regulation application process [here](#). There are also details of the application process and timelines on [this](#) page.

5.2.2 Time taken.

The assessment itself will take 3 hours and 30 minutes. You can find details of the windows for applications and details of the assessment itself [here](#).

5.2.3 Eligibility.

CILEx Regulation require you to have worked in the legal sector for five years, two years of which must be in the specialist area in which practice rights are sought to apply via this route.

To apply you must complete the 'Certificate of Eligibility' form, which you can find on [this](#) page and to email practicerrights@cilexregulation.org.uk, for CILEx Regulation to confirm your eligibility to access the assessment delivered by the University of Law. If eligible you will then be contacted by the University of Law to enrol on to an assessment.

The scheduled training and assessment windows can be found on the CILEx Regulation website, [here](#).

Note: If you use this route to obtain civil, family, or criminal litigation rights, you will also need to obtain the advocacy rights, so will need to complete the CILEx Regulation application to obtain your certificate of eligibility. Once granted you must attend the Advocacy Skills Course which is run by a CILEx Regulation accredited provider. You can read more about the course, provider, and associated costs [here](#).

5.3 Training and assessment.

This route is designed for Fellows who have five years' experience in the legal sector but do not meet the requirement of two years' experience in the specialist area in which practice rights are sought.

5.3.1 Cost.

At the time of the publication of this guide, the University of Law, who deliver the training on behalf of CILEx Regulation charge £2250 for the course including the assessment plus an additional £35 (approx.) fee for a standard DBS check.

Once authorised you will be required to pay an annual fee per practice right (in 2024 this was £60) alongside your Chartered Legal Executive Practising Certificate Fee (in 2024 this was £367).

You can find details of the CILEx Regulation application process [here](#). There are also details of the application process and timelines on [this](#) page.

5.3.2 Time taken.

The online training will take 12 or 24 weeks, depending on whether you choose to study full or part time, and the assessment itself will take 3 hours and 30 minutes. You can find details of the windows for applications and details of the assessment itself [here](#).

5.3.3 Eligibility.

To apply you must complete the 'Certificate of Eligibility' form, which you can find on [this](#) page and to email practicerights@cilexregulation.org.uk, for CILEx Regulation to confirm your eligibility to access the assessment delivered by the University of Law. If eligible you will then be contacted by the University of Law to enrol on to an assessment.

The scheduled training and assessment windows can be found on the CILEx Regulation website, [here](#).

Note: If you use this route to obtain civil, family, or criminal litigation rights, you will also need to obtain the advocacy rights, so will need to complete the CILEx Regulation application to obtain your certificate of eligibility. Once granted you must attend the Advocacy Skills Course which is run by a CILEx Regulation accredited provider. You can read more about the course, provider, and associated costs [here](#).

CILEX Lawyer Digital Credential.

If you meet the criteria to be eligible to be a CILEX Lawyer as explained in sections 3.1 or 3.2 above, then CILEX will provide you with a 'CILEX Lawyer' digital credential which will allow you to easily share your CILEX Lawyer status on your social networking profiles, embed it into your email signature, or share via your employers or firm's website.

This will mean your peers, clients and current or future employers, and potential clients to see your achievements.

You will be able to establish for certain if you are eligible to use the title CILEX Lawyer, by undertaking the CILEX Lawyer Eligibility checker, which you can find in your myCILEX portal [here](#).

CILEX Lawyer and Practice Rights Support.

CILEX has developed a CILEX Lawyer and Practice Rights hub to support Chartered Legal Executives who are considering their options and eligibility to use the title CILEX Lawyer. CILEX wants to empower Chartered Legal Executives with comprehensive knowledge around practice rights, the eligibility and requirements to obtain CILEX Lawyer status.

This hub brings together all the resources and support materials available, including this guide, together in one place, and is updated regularly with new FAQs, webinars, case studies and top tips from those who have already reached their status as a CILEX Lawyer.

You can access this dedicated space here: [CILEX Lawyer & Practice Rights Hub](#)