

# GENERAL LEGAL PROCEDURES



## The Legal Profession

The legal profession plays a crucial role in applying and upholding the law, encompassing a wide range of positions and responsibilities. These roles include Judges, Barristers, Solicitors, Legal Executives, Paralegals, Barristers' Clerks, and Legal Secretaries or Personal Assistants (PAs), all of whom contribute to the smooth functioning of the legal system.

Among these roles, Legal Secretaries are a vital and valued part of the legal profession. They provide essential support to Lawyers by assisting with administrative tasks, document preparation, client communications, and ensuring the overall efficiency of legal operations. Legal Secretaries are integral members of the legal team, often serving as the backbone of the office, allowing Solicitors and other legal professionals to focus on more complex aspects of legal work.

## Legal Secretaries

A Legal Secretary role requires a diverse range of skills, including secretarial, administrative, legal, and IT proficiency, as well as a high standard of spoken and written English. These multifaceted skills ensure that Legal Secretaries can efficiently manage the complex demands of the legal profession.

Legal Secretaries can work across a variety of legal environments, such as law firms, Barristers' Chambers, law courts, the Police Service, and local authorities. This versatility allows Legal Secretaries to gain experience in different settings, contributing to a dynamic and fulfilling career.

The nature of the work performed by Legal Secretaries varies significantly, as there are numerous areas

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of law, each with its own procedures and requirements. Common practice areas include Conveyancing, Probate, Litigation, Family law, and Criminal law, among others. Each area offers unique challenges and opportunities for Legal Secretaries to expand their knowledge and skills.

For many, a career as a Legal Secretary is both enjoyable and rewarding. The role offers a chance to engage with a variety of legal matters, interact with a diverse range of clients, and play a key role within a legal team. Legal Secretaries are entrusted with important responsibilities and often serve as the central point of contact between Solicitors, clients, and other legal professionals. Their work not only supports the legal process but places them at the very heart of the legal profession, making their contributions invaluable.

Career prospects for Legal Secretaries are excellent, with ample opportunities for growth and advancement. As they gain experience and develop their skills, they can progress to higher positions and earn increased salaries. Legal Secretaries may be promoted to roles with greater responsibility, or they may choose to transition into other areas of the legal profession. With the right training, they can advance to positions such as Paralegals or even Solicitors.

The role of a Legal Secretary provides a solid foundation in law and legal procedures, offering valuable hands-on experience that can serve as a stepping stone for further career development. The skills and knowledge acquired in this role can open doors to a variety of legal career paths, allowing Legal Secretaries to expand their professional horizons and take on more specialised or senior roles within the legal field.

General duties involve:

- Producing and completing legal documents and forms
- Sending professional correspondence through the post and via email
- Answering telephone calls and providing accurate information
- Compiling letters and legal documents from dictation
- Organising and filing
- Preparing court forms and statements
- Attending court
- Arranging appointments and meetings
- Liaising with clients

## Legal PAs

Legal Personal Assistants (PAs) play a crucial role in providing high-level administrative support to one or more senior professionals within the legal field. They are responsible for delivering an exceptional standard of service to clients and often serve as the first point of contact for both internal and external stakeholders. In some cases, Legal PAs may even be entrusted with making decisions on behalf of their bosses, demonstrating their trusted position within the team.

While the duties of a Legal PA overlap with those of a Legal Secretary, they typically assume more advanced responsibilities, particularly in managing senior administrative functions. Legal PAs are often involved in strategic tasks such as marketing, handling accounts, and overseeing budgets, in addition to their core administrative duties. Their role extends beyond traditional secretarial work, encompassing a broader scope of responsibilities that require a high level of expertise and discretion.

Legal PAs are also tasked with managing their bosses' personal schedules and diaries, ensuring that appointments, meetings, and deadlines are organised efficiently. This often includes coordinating

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events, organising engagements, and making travel arrangements. Their organisational skills and attention to detail are essential in ensuring that everything runs smoothly and that their bosses can focus on the more complex aspects of their work.

Because of the high level of responsibility they bear, Legal PAs are heavily relied upon by their bosses. They must be extremely reliable, committed, and capable of handling sensitive information with discretion. Their ability to manage multiple priorities and navigate complex situations makes them indispensable to the legal professionals they support, and they often play a central role in the overall success of the team or firm.

**The professional body for Legal Secretaries and PAs is The Institute of Legal Secretaries and PAs.**

## Legal Executives and Paralegals

Solicitors are often supported by Legal Executives and Paralegals, who assist with a variety of tasks within the legal profession. While the work they perform is similar to that of Solicitors, there are a few specific tasks that are reserved for Solicitors due to their statutory monopoly. The most notable is the right of audience in court, which allows Solicitors to represent clients in higher courts. However, Legal Executives and Paralegals are not without their own rights and responsibilities. They are authorised to appear and represent clients in the Small Claims Court and in virtually all tribunals, allowing them to provide valuable assistance in these settings.

A right of audience refers to the ability to appear and conduct proceedings in court on behalf of a client, and while Legal Executives and Paralegals may not have the same scope of rights as Solicitors in higher courts, their ability to represent clients in smaller courts and tribunals makes them vital members of the legal team.

Furthermore, Paralegals have the option to set up their own legal practices, provided they ensure that they do not misrepresent themselves as Solicitors. This distinction is important, as the title of "Solicitor" carries specific legal qualifications and responsibilities that are not automatically conferred upon Paralegals. As long as Paralegals are transparent about their qualifications and the services they offer, they can successfully operate their own legal practices, providing a range of legal services within the scope of their expertise.

**The professional body for Legal Executives is The Chartered Institute of Legal Executives. For Paralegals, it is the National Association of Licensed Paralegals.**

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## Legal Documents

Documents and statements are typically prepared on A4-sized paper. While the content and purpose of each document may vary, the general layout tends to remain consistent across different areas of law. Initial versions of documents are often prepared as drafts, serving as preliminary copies that can be revised. If a document or letter is a draft, it should be clearly labelled as such at the top, and all pages should be numbered accordingly. Additionally, if the document includes a front sheet, it must also indicate that it is a draft.

When another Solicitor represents the opposing party in a matter, two copies of the draft are sent to that Solicitor for review, approval, or amendment. The opposing Solicitor will either approve the draft as is or make the necessary amendments, returning one copy to the original drafting Solicitor while retaining the other for their own records.

In some cases, you may encounter draft documents that have been amended by another firm and sent to your firm for review and agreement on the changes. Your firm might then introduce additional amendments before returning the draft to the originating firm or passing it along to another firm involved in the process. Such drafts are often referred to as "travelling drafts." In contemporary practice, draft documents are typically amended electronically. Each party can track and review changes using word processing software features like "Track Changes." This functionality allows each contributor to make edits that are automatically highlighted and attributed, facilitating clear identification of modifications. To maintain clarity, it's advisable to include a notation summarising the amendments, for example: "Amended by John Smith & Co. on [date]." When printing or sharing the document, ensure that the tracked changes are visible to preserve the integrity of the amendment history.

Once a draft document has been approved, it is transcribed onto high-quality paper and 'engrossed.' The

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engrossment is the final version of the document, which is then signed by the relevant parties. Important drafts and engrossments that have been retyped should undergo thorough proofreading. If any errors or alterations are identified, these must be brought to the attention of the fee earner, as changes typically require the person signing the document to initial them.

If you encounter a comment within the document, such as a note in brackets like '(check this),' that doesn't seem to make sense, consult with the person who requested the document. It's possible they have overlooked something and did not intend for that comment to be included in the final version. Additionally, verify whether the engrossment requires page numbering.

Papers being sent to Counsel—whether to a Barrister or another legal advisor responsible for conducting a case—must always be dated. This ensures clarity and helps maintain an accurate record of the documents being submitted for review. Once the papers are organised, they are carefully bundled together and secured with a pink ribbon before being dispatched.

The use of the pink ribbon is a longstanding tradition within the legal profession. Symbolically, the ribbon represents the Barrister's ability to approach each case with objectivity and emotional detachment. This practice underscores the expectation that Barristers, despite the often sensitive or contentious nature of the cases they handle, must remain impartial and focused on the legal arguments at hand, rather than becoming personally or emotionally involved. The pink ribbon serves as a reminder of the professional distance that Counsel must maintain in order to provide clear, unbiased legal advice and representation. By adhering to this tradition, legal teams not only honour the rituals of the profession but also emphasise the importance of maintaining a disciplined, analytical mindset when preparing and presenting a case.

Certain documents may require the inclusion of a front sheet, which serves as a cover page providing essential information about the matter at hand. The front sheet is an important organisational tool, ensuring that the document is properly identified and easily accessible for future reference.

Typically, the front sheet will include a description of the matter, the firm's name and contact information, a reference number and the date. The front sheet not only aids in the administrative process but also ensures that the document is correctly identified and associated with the appropriate case or matter, facilitating smoother communication and record-keeping within the firm. Additionally, it can serve as a helpful tool for anyone reviewing or handling the document, providing a quick overview of the case details without the need to sift through the entire file.

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