



Get in!

Being a training solicitor is not the sole preserve of solicitors in private practice. In-house and public-sector solicitors can be training solicitors too. It comes with many advantages, as **Ian Ryan** explains

IAN RYAN IS TRAINEESHIP EXECUTIVE AT THE LAW SOCIETY

The in-house role has developed from being nearly non-existent 20 years ago to being a crucial strategic role in most multinational and large indigenous businesses today. As director general Ken Murphy pointed out at the recent

annual In-House and Public Sector Conference, 15% of solicitors in Ireland are now working in-house, while 3% are employed in the public sector. This has led to many new challenges, including the need to train new solicitors for in-house counsel roles.

Through recent panel discussions and a RED C poll of in-house and public sector members, it was discovered that there was some confusion regarding the eligibility criteria for taking on a trainee solicitor. What might not be immediately obvious to many solicitors in the sector is that they too can apply to be training solicitors – subject to meeting the eligibility criteria. Being a training solicitor is not just the preserve of solicitors in private practice.

While there may be some internal barriers that make taking on a trainee solicitor less attractive from an employer's perspective, there are many advantages, including:

- Acting as a training solicitor can help develop management skills,
- It's an excellent means of growing a legal team and an opportunity to mould and develop new talent,
- It is a practical way of assisting businesses with the fulfilment of their corporate and social responsibilities.

Trainee solicitors can complete their training contract in-house, provided that during the course of their individual training contracts, they cover the necessary blocks of legal practice (see panel, opposite) during their period of in-office training.

If a training solicitor cannot provide training in all of the necessary blocks, they must arrange for their trainee solicitor to go on a secondment so that the missing block(s) of experience are obtained.

For instance, some trainee solicitors have, in the past, completed their training contract by obtaining – in-house – the required experience in blocks 2, 4 and 5, while gaining the required experience in block 1 (conveyancing, and landlord and tenant law) as part of a secondment. That secondment could, for example, be in a private-practice

AT A GLANCE

- Despite a common misconception, in-house and public-sector solicitors who meet the eligibility criteria are free to become training solicitors
- Trainee solicitors can complete their training contract in-house, provided they cover the necessary blocks of legal practice during training
- Trainees may go on secondment to fulfil their experience requirements



ALL PICS: DAVID MURPHY

Terence O'Keeffe, law agent
with Dublin City Council

OVERALL WE HAVE HAD A VERY POSITIVE EXPERIENCE FROM THE PROCESS. THE TRAINEES ALL FELT THAT THEY RECEIVED A GOOD GROUNDING IN LEGAL PRACTICE HERE AND OBTAINED BROADER EXPERIENCE THAN THEY WOULD HAVE ELSEWHERE

office or, indeed, the legal department of a company or state body that is able to provide the requisite experience in block 1.

Another option is for a trainee solicitor in a training contract with a training solicitor in private practice, to complete a secondment in-house. This would require the consent of the training solicitor and the Law Society, but might provide a prospective in-house/public-sector employer with a useful method of recruiting, on a short-term basis (maximum eight months), trainee solicitors interested in working in-house.

In addition to trainees receiving instruction in the core areas of law, it is also necessary that they acquire practice in the following core skills: drafting, letter writing, interviewing and advising, legal research, negotiation, advocacy, and oral presentation.

FOCAL POINT

NECESSARY BLOCKS

Training solicitors are required to provide trainee solicitors with reasonable and appropriate instruction and experience in the areas of legal practice:

- Compulsory block 1: conveyancing and landlord and tenant law,
- Compulsory block 2: litigation.

As well as two of the remaining three blocks:

- Block 3: wills, probate and administration of estates,
- Block 4: commercial law, or corporate law, or insolvency law,

- Block 5: criminal law and procedure, or employment law, or EU law, or family law, or intellectual property law, or pensions law, or planning and environmental law, or revenue law and taxation, or another specialised area of legal practice.

For example, it is not mandatory for a trainee solicitor to complete wills, probate and administration of estates as part of their training contract, provided they obtain experience in the other four blocks.



The training contract starts 14 days after PPC1 ends and is for a period of 24 months, inclusive of attendance at PPC2 (11 weeks).

Eligibility criteria

You are eligible to become a training solicitor if you are currently a practising solicitor and:

- You have at some time been in continuous practice for at least four years,
- You can offer a trainee solicitor the instruction and experience necessary to prepare them for private practice,
- You can agree to the terms and conditions contained in the indentures of apprenticeship, which govern the training period, and
- You have not exceeded the maximum number of trainee solicitors that you are permitted to train at any one time (currently two, but it is possible to employ additional trainees if there are assistant solicitors working in your firm or company. You can engage one further trainee for every two assistant solicitors employed).

A 'practising solicitor' is defined as a solicitor who is engaged full-time in the provision of legal services as:

- A sole practitioner,
- A partner in a firm of solicitors,
- A solicitor in the whole-time employment of a body corporate, or
- A solicitor in the full-time service of the State, within the meaning of section 54 (as substituted by section 62 of the *Solicitors (Amendment) Act 1994*) of the *Solicitors Act 1954*.

Q WEB RESOURCES

- [In-House and Public Sector Committee](#) page on the Law Society's website.
- ['Hiring a trainee'](#) page on the Law Society's website (in the 'running a practice' section). Here you will find information on how to recruit a trainee, the qualification process, CV registers, training solicitor's guide, information for trainees on becoming a solicitor, and minimum salary scales.

TRAINING SOLICITOR PROFILES

Terence O'Keeffe



"In 2006, Dublin City Council took on nine trainee solicitors following an open competition. This proved to be very successful. We

found that the trainees integrated very well in the department.

"We rotate them every six months between the various department sections to ensure they get as much experience as possible. We send them to an outside firm for a while also, to gain experience of probate, as we don't do that in-house.

"The advantages for the trainees are that they get to see a very wide range of issues being dealt with, for example, prosecutions,

judicial review, personal injuries defence litigation, debt collection, and all forms of conveyancing, including compulsory purchase, etc. We deal with a wider range of issues than the average legal office.

"The trainees also get to see how a big corporation works and may even attend council meetings from time to time. It seems to be an overall good experience for them. Three of the original nine are now employed as full-time, permanent solicitors in the department.

"In 2008, a permanent member of staff was taken on as a trainee and she is now a solicitor in the department. In 2014, two further staff members were taken on as trainees. One of them is a solicitor here and the other is about to qualify.

"Overall we have had a very positive experience from the process. The trainees all felt that they received a good grounding in legal practice here and obtained a broader experience than they would have elsewhere."

Alan Daly



"The ESB has, for many years, provided opportunities for staff members, and particularly legal executives, to consider training as solicitors with the ESB. As a

legal department of almost 50 people, the team is the first point of call for all legal issues arising in ESB's domestic and international operations in the generation, supply and transmission of electricity, and in its energy consulting business.

"Our staff provide legal assistance and support on a wide range of issues, focusing in particular on six core areas of practice – corporate and commercial law, regulatory and competition law, employment and industrial relations law, litigation and dispute resolution, commercial property, and planning and environmental law.

"This gives our trainees an opportunity to train in an environment that is not dissimilar from that of a medium-size legal practice, gaining experience in a wide range of practice areas, with the added advantage of working very closely with clients.

"Our experience with our in-house trainees has been extremely positive. We find that upon qualification, our in-house trainees are very advanced in terms of the immediate impact they have as practising solicitors, leveraging the undoubted benefits that come with a deep knowledge of the client organisation and the relationships they have in that organisation.

"The strength of the ESB in-house legal team lies in the diversity of training and experience of its staff, and in-house training is an important part of this. As per Law Society requirements, we arrange to place our in-house trainees on secondment with an external law firm for a period of their training. We find that this experience makes our trainees well rounded in terms of the practice of law generally."



TRAINEE SOLICITOR PROFILES

Gráinne McMahon



Why in-house?

“After college, I joined the Vodafone Graduate Programme and spent several months working with the in-house legal team before

starting my training contract. The idea of training in-house appealed to me because, in addition to training as a solicitor, you have the opportunity to quickly develop valuable business acumen and often have unrivalled exposure to the day-to-day operations of a large company.

“Vodafone operates in an exciting and fast-paced industry where, every day, the legal team is presented with a wide-ranging variety of legal challenges. I was lucky to have been involved in significant business transactions from day one, which allowed me to put the law into practice at an early stage and gain hands-on experience in areas such as corporate and commercial law, dispute resolution, and intellectual property law.”

Advantages?

“The key advantage of an in-house training contract is that, following your training period, you qualify as a solicitor with invaluable commercial experience. You will have seen, first-hand, how law works in practice and the impact it can have on a business.”

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Aoife Hogan



Why the public sector?

“Having already worked within the law department of Dublin City Council prior to starting as a trainee solicitor, an in-house training contract appealed

to me due to the varied, challenging and supportive environment that it offers to trainees.”

Advantages?

“One of the main advantages of training in-house, particularly in a public-sector body such as a local authority, is the exposure to a wide range of areas of law, which allows trainees develop a solid foundation for their legal careers.

“The law department provides legal support and services to the various internal departments, affording trainees the opportunity to experience a diverse, widespread and constantly changing work environment.

“Throughout my training contract, I have gained invaluable legal and administrative experience in relation to the day-to-day administration of Dublin City Council and the provision of services to the public.”

Sean O'Connor



Why in-house?

“I was always drawn to working in the financial sector and believed that a legal role would be a great way of getting involved with

the critical parts of how these businesses operate.

“After university, the variety of companies that provided traineeships surprised me, as I'd always assumed that all solicitors trained in private practice. After gaining some experience working in the legal departments of international funds and securities companies, I knew that training in-house would be a great opportunity to improve my business acumen as well as my legal knowledge. Fortunately, it turned out to be a really enjoyable experience too.”

Advantages?

“The amount of solicitors working in-house has significantly grown in both Ireland and Britain recently. This shows that businesses are increasingly valuing commercially adept lawyers. Learning about a client makes you a more effective lawyer when you're advising them, and training with that client continuously improves this insight.”



Get
LinkedIn

In-house and public-sector solicitors are invited to join and participate in the Law Society's In-house LinkedIn Group, which can be accessed at www.lawsociety.ie/inhouselinkedin.