

Professional identity and resilience

Legal work

- Legal practitioners advice and represent clients
- Integration of legal and some non-legal variables
- Problem solving; to resolve dispute, investigate claim, avoid a disadvantage, recover loss, negotiate settlement, draft documents, expand opportunities, assist in managing personal affairs
- Litigious (involving court proceedings) and non-litigious
- Categories (limits activities) : property, commercial, corporate, securities, tax, family law, personal injuries, consumer protection, industrial law, criminal law, banking.
- Specialists in an area need to acknowledge where other aspects of practice intersect
- Advocate for justice
- Adversarial nature requires skill of persuasion
- Negotiation mostly outside court
- Solicitors spend time reading documents, interviewing clients, researching law, drafting letters, briefs and advice.
- Identify needs and concerns of client, and apply relevant law in the context of the problem
- Communication skills: communicate results of analytical process with client, written communication, oral communication.

Solicitor

- Office based, sometimes represents clients
- Provides legal advice and recommend appropriate courses of action
- Drafts legal documents
- Conduct legal negotiations on behalf of clients
- Interviews clients about needs and problems
- Carry out investigations
- Prepare cases for court, and arrange witnesses
- Act as trustee/ executor of clients will
- Briefs barrister

Barrister

- Provides legal advice and opinions
 - Specialise in representing clients before courts and tribunals
 - Does not directly deal with members of the public, instead takes briefs from solicitor
 - Draft court documents
 - Typically sole traders
 - Thorough understanding of the rules of evidence and must work well under pressure
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Influence of lawyer in society

- Service to community in assisting people with their transactions and legal affairs, negotiating on their behalf, and advocate (and advice them of) their rights and interests to be recognised and protected
 - Relationship with the legal system and administration of justice
 - Officers of the court
 - Duty to uphold the rule of law in the defence of just and democratic society, and promote the interests of their clients within that framework
 - Utilise the law in the best interest of their client, being mindful of responsibility to the legal system and the courts
 - Representation or minority groups, and pro bono work
 - Arguing for change to reform unjust laws
 - Judicial roles (magistrates and judges) also contribute through adjudication, law making role, interpreting legislation against societal values
 - Government legal officers development policy, guide legislators
 - Through research encouraging scrutiny of laws and legal system, and social effects
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Profession and professionalism

- Disciplined group of individuals who adhere to ethical standards
- Accepted by the public to possessing special knowledge and skills in a widely recognised body of learning
- Code of ethics governs the activities of each profession, which demand high standards of behaviour in respect to services provided and are enforced/ accepted by the community
- Often legal profession seen as promoting of superiority, and self-interested

- Ethic of excellence, integrity, respect for legal system and rule of law, accountability, and adequate distribution of legal services
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Professional identity

- Ethical duties and responsibility to court and the law, as well as duty to client
 - Self-concept as member of legal profession and internalised beliefs, values and behaviours
 - How you see others and view yourself as a professional role
 - Defender of rights, uphold duties, resolver of disputes
 - Importance of protecting yourself and promoting own wellbeing
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Work sectors

Private sector (non-government/ profit seeking organisation)

- Private practice: solicitor for a law firm, and a barrister who is self employed sole trader
- In-house counsel: lawyer who is employed by a large organisation to provide legal advice and representation within the organisation and to liaise with law firms and barristers engaged by the organisation

Public sector

- Government: government departments and agencies at the local, state and federal levels e.g. DPP, public defenders, crown lawyers.
- Judiciary: Judges are usually appointed by state governor or governor general acting on the advice of the relevant attorney general.
- Legal aid: government-funded system for the provision of legal services to those who cannot afford it

Community sector (using their legal knowledge and skills to help the disadvantaged)

- Community legal centres: usually free of charge, include advice and referral (including limited representation in special cases). Usually staffed by small group of employees supported by volunteer lawyers.