



THE LAW SOCIETY
OF SOUTH AUSTRALIA
THE VOICE OF THE SOUTH AUSTRALIAN LEGAL PROFESSION

ETHICS AND PRACTICE
GUIDES

Guide to Admission

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PART ONE – INTRODUCTION

1 USING THIS GUIDE

1.1 Unless otherwise stated, in this guide:

1.1.1 reference to a rule is a reference to the *Supreme Court Civil Rules 2006*;

1.1.2 reference to a supplementary rule is a reference to the *Supreme Court Supplementary Rules 2014*; and

1.1.3 reference to a section is a reference to the *Legal Practitioners Act 1981*.

1.2 The Law Society has developed a set of pro-forma documents that you can use to prepare your application, affidavit and other documents. You must tailor and customise these to suit your own situation.

1.3 After you have read this guide, if you have any questions about the admission process contact the Ethics and Practice Unit of the Law Society at ethicsandpractice@lawsocietysa.asn.au or (08) 8229 0200.

2 REQUEST FOR ADMISSION

2.1 Admission is not automatic. You need to first satisfy the Supreme Court that you are suitable. The Court will then decide whether you will be admitted.

2.2 The Court bases its decision on reports provided to it about each applicant by the Board of Examiners. The Board provides its reports after considering all of the information provided by you and representations made by any other persons or entities such as the Law Society or the Legal Profession Conduct Commissioner.

3 DOCUMENT MANAGEMENT

3.1 Your application for admission is a Supreme Court matter, much like any other case before the Court. The documents you prepare are similar to those you would prepare for any other court application.

3.2 You should create a file in which you keep all of your Court documents. At any point during the admission process, you may be called on to provide further copies of any documents you have already provided. For this reason, you should maintain a file which is no different to a file you would create for any other litigated matter.

4 CRITICAL DATES

- 4.1 There are strict timeframes within which you need to complete the various requirements for admission. These have been set by reference to the hearing dates published by the Full Court.
- 4.2 The Law Society publishes a list of dates by which you must have all your documents lodged in order to be included in each admission hearing. These deadlines cannot be extended. To view the dates, visit our website ([Students > Admission Requirements](#)).
- 4.3 If you miss a deadline for providing your application, affidavit and payment of the fees, your application will need to wait until the next meeting of the Board of Examiners. In this instance, the fees will not need to be paid again.

PART TWO – APPLICATION

5 CRITERIA FOR ADMISSION

5.1 Rule 369 sets out the Supreme Court’s criteria for admission:

An applicant for admission as a lawyer must satisfy the Court in the manner set out in this Part that he or she satisfies the requirements of section 15 of the Act and is a fit and proper person to practise the profession of the law.

5.2 Section 15 states:

- (1) A person who satisfies the Supreme Court —
- a. that he or she is a fit and proper person to practice the profession of the law; and
 - b. that—
 - i. he or she has complied with—
 1. the rules of the Supreme Court relating to the admission of barristers and solicitors of the Supreme Court; and
 2. the rules made by LPEAC under this Act prescribing the qualifications for admission as a barrister and solicitor of the Supreme Court; or
 - ii. insofar as there has been non-compliance with those rules, he or she should be exempted from such compliance,is entitled to be admitted and enrolled as a barrister and solicitor of the Supreme Court.

5.3 LPEAC is the Legal Practitioners Education and Admission Council. Its prevailing rules are the LPEAC Rules 2004.

5.4 LPEAC rule 2 prescribes what study you need to complete to qualify for admission. The requirements are broken down into two categories:

5.4.1 The academic requirements are prescribed by rule 2.1:

The academic requirement for admission is the completion of a tertiary academic course in Australia, whether or not leading to a degree in law, which includes the equivalent of at least three years full-time study of law, being a course of study which, in the opinion of the Council, requires a satisfactory level of understanding and competence in the areas of knowledge referred to in Appendix A [to the LPEAC Rules, ie: the Priestly 11].

- a) The following courses are approved by LPEAC:
- i. Bachelor of Laws of the University of Adelaide;
 - ii. Bachelor of Laws of the Flinders University of South Australia;
 - iii. Bachelor of Laws and Legal Practice of the Flinders University of South Australia;

iv. Bachelor of Laws of the University of South Australia.

5.4.2 Other degrees will need to be accredited by the Board of Examiners.

5.4.3 The practical requirements are prescribed by rule 2.4 which in essence requires:

- a) a graduate diploma of legal practice completed in South Australia; or
- b) the Bachelor of Laws and Legal Practice of the Flinders University of South Australia.

5.4.4 Qualifications may be considered 'stale' by the Board of Examiners after 5 years and you may be required to undertake further study as a result.

6 APPLYING FOR ADMISSION

6.1 The Supreme Court rules set out how you go about applying for, and proving that you are eligible for, admission.

6.2 Rule 370 requires the following procedure to be followed:

- (1) An original applicant for admission is to lodge in person with the Law Society on behalf of the Court—
 - a. an originating application for admission in an approved form;
 - b. an affidavit in support of the application for admission in an approved form demonstrating the applicant's eligibility for admission and exhibiting—
 - i. a copy of a certificate or other documentation certifying that the applicant has fulfilled the necessary academic requirements;
 - ii. ... a copy of a certificate or other documentation certifying the satisfactory completion of a Practical Legal Training Course, (applicants who have completed their PLT at College of Law's South Australian campus should ensure that the documentation evidences that fact); and
 - iii. a copy of the applicant's driver's licence, passport or birth certificate as evidence of identity;
 - c. a notice in an approved form of the applicant's application for admission to be placed on the Law Society's website; and
 - d. such other evidence, information or documents relating to the application as the Board may require.

...

- (3) The applicant is upon lodgment to produce the originals of the documents referred to in subrule (1)(b) or subrule (2)(a) as the case may be for certification by the Law Society that the originals have been sighted and the copies verified as true copies.

- (4) Upon lodgment, the applicant is to pay—

- a. to the Law Society on behalf of the Court—the fee payable to the

Court on a application for admission under Schedule 1 of the *Supreme Court Regulations 2005*; and

- b. to the Law Society—the fee payable to the Law Society set by the Chief Justice for notice to be placed on the Law Society’s website advising of the applicant’s application for admission.

7 ORIGINATING APPLICATION

- 7.1 Supplementary rule 281 prescribes Form 90 for the purposes of rule 370(1)(a). The originating application must be in the prescribed form and **must include your full name**. Please see the pro-forma documents developed by the Law Society.

8 AFFIDAVIT IN SUPPORT OF ADMISSION

- 8.1 Supplementary rule 282 prescribes Form 91A for the purposes of rule 370(1)(b). The affidavit must be in the prescribed form and have the required exhibits. **You must use** the precedent provided with the Law Society’s pro-forma documents found on the Law Society website. Handwritten affidavits will not be accepted.

- 8.2 To prepare your affidavit you will need:

- 8.2.1 An A4 sized copy of your law degree (or where the degree has not yet been received, written confirmation by way of letter or official academic transcript from the University advising of completion of the degree). This may require you to use a photocopier to reduce the size of your degree. This will be exhibited to your affidavit and marked ‘A’;

- 8.2.2 If you are required to complete the GDLP – an A4 sized copy of your diploma (or where the diploma has not yet been received, written confirmation by way of letter or official academic transcript from the University advising of completion of the diploma). This will be exhibited to your affidavit and marked ‘B’;

- 8.2.3 A copy of **photo** identification – your driver’s licence, proof of age card or passport. This will be exhibited to your affidavit and marked ‘C’.

- 8.2.4 A letter of disclosure (only required if you have something to disclose) and supporting documents, such as:

- a) Any documents that relate to criminal offences – see para 8.5;

- b) Any documents that relate to academic dishonesty – see para 8.6;

- c) Any documents that relate to laws for the benefit of bankrupt or insolvent debtors – see para 8.7.

- 8.3 The relevant documents need not be separately exhibited. They need only be marked ‘A’, ‘B’, ‘C’ etc , then stapled to your affidavit under a **single** cover sheet.

Different names or versions of name

8.4 If your supporting documents refer to you by different names, or by different versions of your name, you will need to insert an additional paragraph to your affidavit that explains the discrepancies and which annexes documents that provide proof of any change of name or that support the different versions of your name that are used. You will need to produce the originals of these documents when you attend the Law Society to lodge your application.

8.5 Your explanation should include the following information:

- The version of your name that you wish to be admitted under expressed as Given Names and Family Name.
- When you used the names in the supporting documents that are different to your admission name.
- The reason for the variations in the versions of your name.

8.6 If you need to make any criminal disclosures, and the Board requires that you provide a National Police Certificate (or similar) as part of your application, you will need to obtain Certificates with respect to each version of your name.

9 DISCLOSURE

9.1 Section 15 of the *Legal Practitioners Act 1981* requires that all applicants for admission to satisfy the Board of Examiners that they are *a fit and proper person to practise the profession of the law*.

9.2 The *Legal Practitioners Act 1981* does not contain any definition of *fit and proper person* but a detailed account of the essential components is provided in the *Law Admissions Consultative Committee Disclosure Guidelines for Applicants for Admission to the Legal Profession* (LACC Disclosure Guidelines) which is specifically referred to in the Form 91A Affidavit prescribed by the Supreme Court for use by admission applicants.

9.3 Click [here](#) to access the LACC Disclosure Guidelines.

9.4 The Form 91A Affidavit requires that applicants provide disclosure of any circumstances, past and current, which might affect fitness for practice in the following contexts:

- Criminal Offences and Charges.
- Intervention and apprehended violence orders.
- Infringement Offences.
- Academic misconduct.
- Professional misconduct.
- Financial circumstances.

- Medical conditions.
- Anything likely to adversely affect good fame and character.

9.5 The consequences for failing to disclose required information can be severe. It is therefore recommended that applicants who are in any doubt about what they must disclose obtain advice from a senior practitioner with some understanding and knowledge of admission requirements. Applicants may like to approach members of the Lawyers Support Group or Young Lawyers Support Group for initial advice on this issue. Click [here](#) to be directed to the Law Society website for information about these groups.

9.6 A precedent is provided in the Law Society's pro-forma documents located on the Law Society's website and at Appendix A of this Guide to Admission.

9.7 The following is an overview of the requirement for disclosure in each context and the sort of information you should be providing the Board.

1 Criminal offences and charges

1.1 Disclosure is required of all criminal offences in relation to which there has been a guilty plea or finding of guilt regardless of whether there was a conviction. This includes offences committed as a juvenile and any spent convictions¹.

1.2 Disclosure is required of any criminal charges in place at the time of making the application.

1.3 Disclosure may be required of criminal charges that have been withdrawn or have resulted in acquittal. For example, disclosure is required if the withdrawal of the charges or acquittal was on some technical ground such as the expiry of a time limitation.

1.4 Disclosure is also required of past and pending corporate penalties and offences relating to a corporate entity where the applicant was a director or responsible officer, tax offences and social security offences.

1.5 When disclosing criminal offences or charges applicants must provide the following information:

- The nature of the offence.
- When the offence was committed.
- The applicant's age when the offence was committed.
- The circumstances giving rise to the offence/conviction/charge.

2 Intervention and apprehended violence orders

2.1 The Board requires disclosure of all past and present orders against the applicant.

¹ Note that the 'spent conviction' provisions in the *Evidence Act* (Cth) do not, in the opinion of the Board of Examiners, relieve the requirement to make disclosure of State offences to the Court and the Board. In addition, the Board is of the view that the effect of those provisions in relation to Commonwealth offences does not absolve an applicant from disclosure of such offences to the Supreme Court and the Board of Examiners.

2.2 The following information must be provided:

- The nature and terms of the order.
- When the order was imposed and the applicant's age at the time.
- The circumstances giving rise to the order,
- When the order was lifted or withdrawn if applicable.

3 Infringement offences

3.1 The Board requires disclosure in respect of:

- Any expiation notice issued to the applicant under the *Controlled Substances Act 1984* (or any corresponding law).
- Any disqualification imposed upon the applicant by the provisions of s 98BC of the *Motor Vehicles Act* where the number of demerit points has been 12 or more within a period of 3 years (whether or not the points were subsequently reduced upon application).
- Any enforcement order made against the applicant under the provisions of s 13 of the *Expiation of Offences Act* (even if the matter was reviewed and variations made, the fact of the order must be disclosed).
- Any penalty enforcement order made against the applicant under the provisions of s 69 of the *Criminal Law (Sentencing) Act 1988* (even if the matter was reviewed and variations made, the fact of the order must be disclosed).

3.2 In each case the applicant must disclose the following:

- The circumstances of the offence(s) leading to the licence disqualification or enforcement action.
- Details of why the applicant failed to make the payments resulting in the enforcement action being taken and what has subsequently occurred in relation to the matter.

3.3 Offences resulting in a court-ordered fine or administrative penalty such as traffic or public transport offences must be disclosed where the frequency or number of fines, or failure to pay fines, give rise to concern about the applicant's respect for the law.

4 Academic misconduct

4.1 Academic misconduct includes plagiarism, impermissible collusion, cheating, and any inappropriate conduct by which the applicant has sought an academic advantage for them or another person.

4.2 Disclosure is required to be made in the following circumstances:

- Where there has been a formal finding of academic dishonesty and the academic record noted accordingly.
- Where there is no formal finding of academic dishonesty but a sanction has been imposed by the academic institution, including, but not limited to:

- a deduction in marks;
 - awarding of a zero mark;
 - requiring the student to re-submit the work;
 - requiring the student to undertake counselling or attend a workshop in relation to academic dishonesty.
- Where there is a pending allegation of academic dishonesty.

5 Professional or other misconduct

- 5.1 Disclosure is required to be made of any findings or current investigations into allegations of professional misconduct. This includes conduct in a profession other than the legal profession and which occurs in or outside Australia.
- 5.2 Disclosure will also be required of misconduct occurring in a workplace, educational institution, volunteer position, club or association if that conduct reflects on whether the applicant is *fit and proper*. Conduct that may be required to be disclosed includes offensive behaviour, bullying, property damage, sexual harassment, and racial vilification.
- 5.3 Disclosure is also required of any history of making false affidavits or statutory declarations in any context.

6 Financial circumstances

- 6.1 Disclosure is required of the following:
- Personal bankruptcy or having been served with notice of a creditor's petition presented to the Court under section 43 of the *Bankruptcy Act 1966* of the Commonwealth.
 - Being a director of an incorporated entity during the winding up of the corporation for the benefit of creditors.
 - Presentation (as a debtor) a declaration to the Official Receiver under section 54A of the *Bankruptcy Act 1966* of the Commonwealth of an intention to present a debtor's petition or present (as a debtor) such a petition under section 55 of that Act.
 - Applying to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounding with creditors or making an assignment of remuneration for their benefit.
- 6.2 You should include details of the following:
- date of the application and/or sequestration order and whether the application was by way of your own debtors' petition or a creditors' petition;
 - ITSA number and name of the trustee in bankruptcy;
 - circumstances of the act(s) of bankruptcy;
 - summary statement of the total assets and liabilities;

- date of discharge from bankruptcy, evidenced by a certified copy of the discharge from ITSA.

7 Medical conditions

- 7.1 You are required to make disclosure of any illness or condition, either permanent or intermittent, that would affect your capacity or ability to perform all the duties and responsibilities reasonably required of a legal practitioner.
- 7.2 You will need to include in your affidavit all the facts and circumstances relating to the subject illness or condition including the nature and severity of symptoms, how they might affect your ability to practice, the strategies you will employ to ensure that symptoms do not interfere with your ability to practice, and the medical prognosis.
- 7.3 Prior to making a determination of your fitness to practice the Board may require you to provide medical evidence (such as a report from your treating physician) that, despite the condition, you are able to satisfactorily carry out the inherent requirements of practice as an Australian legal practitioner. You are at liberty to pre-empt this and to annex such evidence to your application if you wish.

8 Anything likely to adversely affect capacity and good fame and character.

- 8.1 The requirements for disclosure of anything else that is likely to affect capacity and good fame and character are provided for in clause 7 of the LACC Disclosure Guidelines.

9 EXECUTING THE AFFIDAVIT

- 9.1 An affidavit may be sworn on the Bible, or affirmed without the Bible.
- 9.2 Before execution, you should check that all information is correct, particularly any dates. After being sworn or affirmed, the contents of the affidavit cannot be amended (see Rule 162(4)).
- 9.3 Execution involves signing your affidavit before a Commissioner for taking Affidavits or a Justice of the Peace.

Each page of any affidavit filed must be signed by the deponent and the person who witnesses it, and dated.

The witness must record their entitlement to take the declaration and set out their name in full on the final page. The signature block (*jurat*) must not be on a page separate from the conclusion of the matters contained in the affidavit, there must be at least one numbered paragraph on the signing page.

10 AUTHORITY TO OBTAIN INFORMATION

- 10.1 Complete the Authority to Obtain Information. The Board of Examiners requires this authority to make enquiries of the institutions in which you have studied to confirm that no findings of academic misconduct have been made against you.

The Board of Examiners will not make a recommendation to the Supreme Court about your admission without first making these enquiries.

10.2 A precedent is provided in the Law Society's pro-forma documents located on the Law Society's website.

11 REPORT OF THE BOARD OF EXAMINERS

11.1 A draft Board of Examiners Report must be prepared. The report is prepared in draft, in anticipation of approval by the Board of Examiners. **Do NOT date or sign this Report.**

11.2 A precedent is provided in the Law Society's pro-forma documents located on the Law Society's website.

12 LODGING YOUR DOCUMENTS

12.1 Please refer to the Law Society's website **here** for electronic lodgment of your documents and more information about this process.

12.2 Once your documents have been pre-approved by Law Society staff, you will be asked to arrange an appointment. You will need to attend the Law Society (at Level 10, 178 North Terrace) with the following documents:

12.2.1 Your original originating application; and

12.2.2 Your original affidavit, together with its exhibits; and

12.2.3 Originals of any documents you have exhibited to your affidavit (this includes your original degree and diploma if applicable); and

12.2.4 Your photo ID - driver's licence, proof of age card or passport (whichever you exhibited to your affidavit).

12.3 You must be prepared to pay the applicable fees at this point. There are two fees to be paid – the fee in respect of your notice of application and the Court fee in respect of admission itself. The current fees are published on our website ([Students > Admission Requirements](#)).

12.4 In relation to the fee for your notice on the website, the Society can accept payment by:

12.4.1 Credit card; or

12.4.2 Cheque made payable to the Law Society of South Australia.

12.5 In relation to the Court fee for admission, you must pay by:

12.5.1 Credit card; or

12.5.2 Cheque made payable to the Supreme Court of South Australia.

12.6 You must retain a copy of all documents for yourself, together with another copy to be included in your brief to Counsel.

13 BOARD OF EXAMINERS MEETING

13.1 The Board of Examiners meets monthly to consider applications for admission usually on the last Tuesday of every month, except in December.

13.2 The Board may require some applicants to attend in person, should it wish to obtain further information about their application. If you are one of these applicants you will be notified in advance by the Law Society. Most applicants will not be asked to attend the meeting.

14 CHECKING WHETHER YOUR APPLICATION HAS BEEN SUCCESSFUL

14.1 The list of applicants who have been approved by the Board of Examiners is posted at the Higher Courts Registry (Lower Ground floor of the Sir Samuel Way Building) and on the Law Society website, under the 'Community' tab, the day after the Board's meeting.

14.2 You must check either list personally or arrange for a friend to do so.

15 APPLYING TO BE ADMITTED 'IN ABSENTIA'

15.1 After the Board of Examiners has met and has made a favourable recommendation to the Supreme Court, you are permitted to make an application for your admission to be moved *in absentia*. This will allow you to be excused from attending the ceremony, however you should consider the following:

15.1.1 Applications for admission *in absentia* will only be approved in exceptional circumstances, such as working interstate or overseas and being unable to attend; and

15.1.2 Your application will still need to be moved by Counsel in person at the admission hearing; and

15.1.3 These applications will only be considered after the Board of Examiners has met and made a recommendation to the Supreme Court.

15.2 The process for applying for admission *in absentia* is as follows:

15.2.1 Draft a letter addressed to:

The Secretary
Board of Examiners
C/- The Law Society of South Australia
Level 10, 178 North Terrace
ADELAIDE SA 5000

15.2.2 Your letter should make a formal application to be excused from attending the ceremony in person and give detailed reasons why you are unable to attend in person.

15.3 You will be notified by the Law Society as to the outcome of your application. If you are excused from attending the ceremony, the Law Society will forward the papers required to sign the Supplementary Roll of Practitioners, together with instructions.

PART THREE – CEREMONY

16 ARRANGING FOR COUNSEL TO MOVE YOUR ADMISSION

- 16.1 Any admitted practitioner may move your admission, except for serving Judges and Magistrates. The practitioners moving your admission must be robed at the ceremony, but you will not be.
- 16.2 If you do not have anyone to move your admission you can contact Annie MacRae at annie.macrae@lawsocietysa.asn.au or ethicsandpractice@lawsocietysa.asn.au for assistance.
- 16.3 You must contact the person and ensure that they are available to move your admission. The Law Society recommends that, a few days before the ceremony, you call your counsel again to double-check that they are still available. The ceremony will probably take around an hour of their time.
- 16.4 You must then notify the Higher Courts Registry **in writing** of the name of counsel moving your admission. This information is required for the ceremony. Your notification can be sent by email to supreme.registry@courts.sa.gov.au or by post addressed to the Deputy Manager – Client Services.
- 16.5 The Higher Courts Registry will notify you by letter of the time and place of the rehearsal. Please do not enquire about the ceremony times, these will only be given to each applicant at the time of the rehearsal and not over the phone prior to the rehearsal.

17 BRIEF TO COUNSEL

- 17.1 You must deliver the admission brief to counsel moving your admission.
- 17.2 Your admission brief should consist of the following documents:
- 17.2.1 Information about the time and place of your admission (ie by reference to the particular sitting of the court);
 - 17.2.2 Copy of your originating application;
 - 17.2.3 Copy of your affidavit including all exhibits (except the exhibit containing any information about convictions) and any supplementary affidavits you may have been required to lodge;
 - 17.2.4 The signed original Report of the Board of Examiners provided to you by the Higher Courts Registry.
- 17.3 You should prepare an index to your bundle of documents. The documents should be presented in a manila folder attached with a clip or a ribbon.

18 REHEARSAL

18.1 The rehearsal is usually held on the Friday before your admission ceremony, however, the time and location of the rehearsal will be notified by letter from the Higher Courts Registry.

18.2 At the rehearsal you must:

18.2.1 find out the time your application will be heard;

18.2.2 collect your signed copy of the Report of the Board of Examiners;

18.2.3 notify the Admissions Clerk if you will be swearing on any book other than the Christian Bible (eg: The Koran).

PART FOUR – PRACTICE

19 STATUS AFTER ADMISSION

19.1 When you have been admitted and have signed the Roll of Practitioners you will be:

19.1.1 a barrister and solicitor of the Supreme Court of South Australia; and

19.1.2 a Commissioner for taking affidavits in the Supreme Court of South Australia; and

19.1.3 eligible to apply for a practising certificate.

20 PRACTISING CERTIFICATE

20.1 Once you are enrolled as a practitioner of the Supreme Court of South Australia you may apply for a practising certificate if you wish to provide any kind of legal services, or hold yourself out as being able to provide any legal services. If you do either of those things without holding a practising certificate, you will breach section 21 of the *Legal Practitioners Act 1981* and may be liable for the \$20,000 maximum penalty.

20.2 The issue of such certificate is not automatic – you must make an application. You are required to hold a practising certificate if you are practising law at all. You cannot provide legal services in any capacity without a practising certificate, including in a voluntary capacity, or in ‘in-house’ or corporate roles.

APPENDIX 1 – SAMPLE PRECEDENT DISCLOSURE LETTER

'D'

23 Robe Terrace
MEDINDIE SA 5081

25 January 2019

The Presiding
Member The Board
of Examiners C/-
The Law Society
Level 10, 178 North Terrace
ADELAIDE SA 5000

Dear Presiding Member

Application for Admission as a Practitioner of the Supreme Court

I am applying for admission as a legal practitioner of the Supreme Court of South Australia at the sittings to be held on 30 January 2019. In order to comply with the Admission Rules, I advise that to the best of my recollection the following is a list of the offences of which I have, in my lifetime, been convicted, apart from those traffic offences for which I received an expiation notice:

1. A larceny offence for taking two chocolate bars without paying for them from the Big W store at Anzac Highway, Keswick, SA in or about early November, 1999. I was 15 years old at the time. I stole the chocolate as a high-school prank and was put up to it by a group of friends who had a strong influence on me at the time. I no longer associate with these people. I was immediately very regretful of my actions and I remain sincerely embarrassed by the entire episode. I immediately paid Big W for the cost of the chocolate that I took. I pleaded guilty in the Youth Court and I was convicted without penalty.
2. A traffic offence for exceeding the speed limit of 60 kph at Cross Road, Highgate, SA on 14 April 2004. I was travelling at 71 kph. When stopped, I was required by police to submit to a Random Breath Test and subsequent blood test. I received a blood alcohol reading of 0.059%. That afternoon, I had been celebrating at the Unley On Clyde Hotel with some university friends as we had all just completed a particularly difficult assignment. I had only had three beers, but intended to catch a taxi home in any case and collect my car the next day. I received a distressed call on my mobile phone from my sister who was stranded without any money at a friend's house, and was unable to get home. I decided that I felt okay to drive, and wanted to collect her and take her home. I now realise that this was a foolish decision and I am extremely regretful of my actions that evening. I was subsequently convicted of driving with a blood alcohol reading in excess of the prescribed content. For the two offences I received a combined sentence of \$300 fine and lost 3 demerit points.

Yours sincerely



John Henry Smith