

EDUCATION PLAN

LAW SOCIETY OF
NEW BRUNSWICK

68 Avonlea Court
Fredericton, (NB)
E3C 1N8



Form 4

PART A: IDENTIFICATION

1. Name of Applicant

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2. Name of Principal

Last Name:	First Name:
Firm Name:	

PART B: PRACTICE AREA

Each Student-at-law must acquire a reasonable knowledge of substantive law and procedure in a minimum of four of the following areas. Some exposure to all areas will benefit the Student-at-law.

Real Estate	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Wills & Estates	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Civil Litigation	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Administrative	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Criminal	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Labour and Employment	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Family	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Other (Specify)	_____	
Business	<input type="checkbox"/> Yes	<input type="checkbox"/> No		_____	

PART C: COVERAGE ELSEWHERE

The Student-at-law will acquire a reasonable knowledge in the following Practice Areas under the direct supervision of the Associate Principal:

AREA:	NAME OF ASSOCIATE PRINCIPAL	PROPOSED DATES
Real Estate		
Civil Litigation		
Criminal		
Family		
Business		
Wills & Estates		
Administrative		
Labour and Employment		
Other (Specify)		

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Received: _____ Further Action Required: _____
Approved: _____

PART D: SKILLS AREAS

Each Student-at-law must acquire reasonable skills in a minimum of **eight** of the following areas:

NOTE: Professional Conduct and Legal Ethics is a mandatory subject in all Education Plans and must be addressed by each Principal with the Student-at-law.

1) INTERVIEWING Yes No

The Student-at law should discuss proper interviewing techniques and attend with a lawyer on initial interviews with new client; observe interviews such as interviews with witnesses, experts, clients and other persons to obtain factual information relevant to the matter being considered; prepare witness statements or affidavits for signature based upon an interview.

2) FILE AND PRACTICE MANAGEMENT Yes No

The Student-at-law should be introduced to firm files and record keeping-practices; policies and procedures for docketing time; proper use of tickler systems; note-taking and methods of documenting a file; organization methods for individual files; methods for recording expenses and disbursements incurred on behalf of clients; procedures for opening and closing files and billing and account rendering process; methods for keeping clients informed of progress of a matter.

3) ADVISING Yes No

The Student-at-law should prepare legal memoranda advising lawyers of the results of research and other task performed; assist in the preparation of reporting letters and opinion letters outlining options and remedies to the clients; attend with lawyer at meetings with clients in which a client is advised and counseled; prepare memo to file or other record of advice given to client.

4) FACT INVESTIGATION Yes No

The Student-at-law should develop skills in gathering facts through review of documentary evidence such as corporate minute books, client's personal or internal files and files maintained by governmental administrative bodies; through conduct of real estate title searches and various corporate searches; through review of discovery, trial, and other transcripts.

5) LEGAL RESEARCH Yes No

The Student-at-law should become familiar with research materials and facilities available for use; perform research and report all findings and conclusions both verbally and in written memorandum form.

6) PROBLEM ANALYSIS Yes No

The Student-at-law should discuss and analyze client problems and develop problem-solving skills which allow identification of the various options and strategies available to resolve a matter; prepare written report of options and strategies based upon legal research and investigation.

7) ADVOCACY Yes No

The Student-at-law should be given an opportunity to observe advocacy skills such as the conduct of examinations for discovery, judgment debtor examinations, motions, cross-examinations on affidavits, status hearings, applications, hearings before administrative tribunals, arbitrations, alternative dispute resolution hearings, pre-trial conferences, civil or criminal trials and appeals.

8) OFFICE SYSTEMS Yes No

The Student-at-law should be introduced to procedures for recording expenses and disbursements; trust account and general account procedures; the organization of precedent files; and office technology.

9) DRAFTING

Yes

No

The Student-at-law should assist in drafting various legal documents such as affidavits, pleadings, notices of motion, applications, orders and judgments, correspondence including demand letters and reporting letters, corporate resolutions, opinion letters, wills, separation agreements, court briefs and factums.

10) WRITING

Yes

No

The Student-at-law should discuss methods for improving accuracy and clarity of writing style in all legal contexts.

11) NEGOTIATION

Yes

No

The Student-at-law should discuss negotiation and file settlement negotiation techniques and strategies with the Principal and observe both telephone and in-person negotiations carried out by the Principal; review and discuss success of such negotiations.

12) PLANNING AND CONDUCT OF A MATTER

Yes

No

The Student-at-law should be given instruction in methods of formulating a plan for the conduct of a matter consistent with the needs and expectations of the client which achieves the desired results in a reasonable time and at appropriate cost; methods of effective communication with client and with other lawyers.

13) PROFESSIONAL CONDUCT AND LEGAL ETHICS

Yes

No

MANDATORY: Students-at-law must cover this area and must acquire reasonable skills in recognizing and dealing with issues arising under this heading. All students-at-law must have a reasonable knowledge of the content of the *Law Society Act, 1996* and Code of Professional Conduct.

The Student-at-law should be instructed in professional responsibilities related to client confidentiality and the importance of informing clients of solicitor/client privilege; establishment of a system to recognize and to avoid potential conflicts of interest; fee structure and account rendering processes and information to be conveyed to all clients; use of trust and general accounts; discussion of conduct which may lead to breach of professional conduct rules and appropriate responses to avoid such breaches; proper approaches to advertising and business development.

PART E: CERTIFICATION:

The Student-at-law and the Principal **CERTIFY** that they have discussed this Education Plan and they acknowledge that compliance with Education Plan as approved by the Law Society is one of the pre-requisites to the admission of the Student-at-law as a member of the Law Society of New Brunswick.

Dated at _____ this _____ day of _____ 20 _____

Principal

Student-at-Law