



Chartered Legal Executives (CLEs) work in the Court of Protection

Litigation Practice Rights

CILEx Regulation (CRL) has received confirmation from the President's Office of the Court of Protection (CoP) that the information contained in the guidance on litigation practice rights, first published on the CRL website in November 2025 and subsequently updated in June 2026, is accurate and remains appropriate.

For those CLEs who require Litigation Practice Rights, either the Family Litigation or Civil Litigation practice rights are the closest match to the work undertaken for the CoP.

It is up to an individual CLE to decide which of the 2 litigation pathways best reflects the work they undertake in their role. CRL will recognise 2 years' experience of working in a CoP role as meeting the eligibility criteria, along with 5 years overall legal experience, for either the Portfolio or ULaw routes to authorisation.

Portfolio Route

Please note, some CILEX members have felt they have difficulty evidencing some of the skills elements within the litigation pathways, namely:

- Costs and funding
- Managing litigation work
- Settlement V Litigation

In reviewing CoP applications, CRL Assessors recognise that evidence may not be available to support each individual learning outcome. When such situations arise, we expect applicants to detail how the particular learning outcome applies to their CoP role.

For example, in relation to the costs and funding element, we recognise that costs are determined in accordance with Practice Direction 19b. We would accept evidence from a CLE of compliance with the Practice Direction and details of circumstances in which they choose not to limit their fees to the fixed fee but request a detailed assessment by the Senior Court Costs Office.

CRL will shortly publish anonymised examples of evidence drawn from successful applications submitted by Chartered Legal Executives working in Court of Protection roles when seeking authorisation for Civil and Family Litigation Practice Rights. Additional details regarding this resource will be published shortly.

However, please note, currently, CRL can only authorise Litigation Practice Rights by type of proceedings (Civil, Criminal or Family). As a result, all applicants seeking litigation practice

rights in either Civil Litigation or Family Litigation must demonstrate knowledge and understanding within their litigation portfolio case studies of either:

- Contract Law OR Law of Tort AND Civil Litigation for Civil Litigation; or
- Family Law/Family Practice for Family Litigation.

CLEs who are unable to apply for either Civil Litigation or Family Litigation Practice Rights as they are unable to demonstrate knowledge and understanding of the above in their litigation portfolio case studies, should refer to the CRL Guidance on the conduct of litigation and supervision and for those employed in SRA regulated firms, the SRA Effective supervision guidance.

Further information on Family and Civil Litigation Practice Rights can be found on the CRL website at: Stand-alone Litigation Practice Rights,

ULaw Route

There are two options available under the ULaw Route to Authorisation, namely:

- **Assessment only option:** Available to CILEX Fellow with 5 years' experience of working in the legal sector and 2 years working in a CoP role with a level of knowledge and understanding of Contract Law OR Law of Tort and Civil Litigation (for Civil Litigation Practice Rights) or Family Law AND Family Practice (for Family Litigation Practice Rights).
- **Training and assessment option:** Available to CILEX Fellows with 5 years' experience of working in the legal sector but do NOT have a level of knowledge and understanding of Contract Law OR Law of Tort and Civil Litigation (for Civil Litigation Practice Rights) or Family Law AND Family Practice (for Family Litigation Practice Rights).

For further information, please click on the link above.

Law Society Mental Capacity (Welfare) Accreditation

CLEs can apply for Mental Capacity (Welfare) Accreditation offered through The Law Society. The accreditation is a recognised quality standard for practitioners who offer advice on health and welfare matters under the Mental Capacity Act 2005 and has been approved by the Court of Protection.

For more information including eligibility criteria, please click [here](#).

Advocacy Practice Rights

As with Litigation Practice Rights, CRL recommends that CLEs whose Court of Protection work requires them to exercise a right of audience should apply for Advocacy Practice Rights through either the Family or Civil route.

Applicants seeking Advocacy Practice Rights are required to complete and submit a Certificate of Eligibility application form. The application form requires applicants to provide details of their advocacy experience and to submit three advocacy portfolio case studies. One of the three case studies may relate to advocacy observed by the applicant; however, the remaining two case studies must demonstrate advocacy undertaken by the applicant in chambers.

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For full details of the regulated activities that can be undertaken by unauthorised persons under the direction and/or supervision of an authorised person, please refer to Schedule 3 of the Legal Services Act 2007.

Once the Certificate of Eligibility Application Form is approved, the applicant must enrol on and successfully complete a CRL-approved Advocacy Skills Course.

Once completed, the appropriate Advocacy Practice Rights will be awarded. Please note CLEs holding Advocacy Practice Rights must renew their practising certificate 12 months after initial authorisation, or 24 months after authorisation where an extension has been granted upon request. To successfully renew their practising certificate, CLEs must submit three further advocacy portfolio case studies demonstrating advocacy undertaken independently and without supervision since authorisation.

Following initial certificate renewal, CLEs retain their Advocacy Practice Rights indefinitely.

For more information on applying for Advocacy Practice Rights, please visit the CRL website at: Become a Chartered Legal Executive Advocate - CILEx Regulation.

Submitting your application

When submitting a Litigation Practice Rights Application or a Certificate of Eligibility Application Form, **please DO NOT email your application to us**. Alternatively, please follow the steps below:

1. When you're ready to submit your application, please access this link to express your interest in applying for advocacy practice rights and we will send you a customised KnowB4* link within 48 hours. Please do not complete the form multiple times.
2. You must then upload your application form and supporting documentation to the KnowB4 portal. Please upload your application form separately from the rest of your application. Please note that we will not be able to send an acknowledgement email after we receive your application.
3. We will then commence the screening process of your application and contact you with our screening decision. We will also contact your referees for references. An invoice will be raised once your application has passed the screening.
4. Once the invoice has been paid, we will refer your application to an Assessor.
5. Once feedback is received, we will be in touch with you, with one of the following outcomes:
 - approved
 - a request for further information
 - referred to committee, Admissions and Licensing Committee (ALC)
 - rejected

Where your application is referred to the ALC, we will schedule this for the next available meeting, and we will contact you within 10 working days of the Committee meeting taking place.

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Higher Rights of Audience

Please note, CRL is continuing to seek clarification from the President's Office at the Court of Protection as to whether certain types of Court of Protection hearings require advocates to hold Higher Rights of Audience in order to conduct advocacy.

This guidance will be updated further once appropriate confirmation has been received.