

Guidance on submitting an application for authorisation of Civil Litigation Practice Rights under the Portfolio Route

Introduction

1. This guidance has been developed to provide you with support in applying to CRL for authorisation as a Chartered Legal Executive Litigator (Civil Litigation). It includes guidance on suggested ways to provide evidence you can gather from your casework to meet the individual learning outcomes in the CRL-defined elements.

Suggested steps to follow to prepare your application for submission

- 2. Before you start to prepare your application form, litigation portfolios, Skills Logsheets and supporting evidence, please familiarise yourself with all the information on the CRL website at: <u>Stand-alone Litigation Practice Rights</u>. You can also download copies of the Application Form, Portfolio Template Form and Skills Logsheet Template Form on this section of the website.
- 3. The first thing to clarify how many litigation portfolios and Entry Skills you need to complete for your application. The number you are required to complete depends on the qualifications you hold and the modules you completed within those qualifications. These are explained below in the section entitled 'What do I need to submit?'. If you are unsure of the modules you completed as part of your qualification or the date the qualification was awarded, please log into your MyCILEX account and raise a query with CILEX.
- 4. Once you have confirmation of exactly what you need to provide for your application, review the requirements for the litigation portfolios. Select cases you have assisted with that will cover a range of the learning outcomes from the **knowledge and understanding** section of the competency framework and which demonstrate the breadth of experience you have in Contract Law or Law of Tort and Civil Litigation. Do not select cases with very similar civil legal issues. **Please note that the cases must not be older than 2 years at the point of submission of your application**. Further guidance is available on pages 13 to 16 of the <u>Civil Litigation Handbook</u>. Use the <u>Litigation Portfolio Template</u> provided on our website.

- 5. If you did not complete modules in Client Care and Legal Research as part of your qualification, you will need to complete <u>Skills Logsheets</u> to demonstrate your competence against the Learning Outcomes in the **Entry Skills.** In this guidance, we have included suggested ways to provide evidence for each of the learning outcomes.
- 6. Complete Skills Logsheets for each individual learning outcomes in the Skills Elements. You may be able to use evidence generated for the work you completed on the cases you selected for your litigation portfolios; however, you can use evidence from other cases. You can use the same piece of evidence for more than one individual learning outcome. If you are submitting letters to clients or other parties involved in a particular matter that you have drafted but the letter is signed by an Authorised Person, please explain why on the relevant Skills Logsheet. If you feel that you have not covered all the criteria in the Experience Criteria column with the evidence provided, we ask you to add additional statements to cover the missing criteria on the Skills Logsheet. Further information on evidencing the Skills Elements can be found on pages 16 to 18 of Civil Litigation Applicant Handbook.
- 7. Whilst compiling your litigation portfolios, Skills Logsheets and redacted evidence, you may find it useful to refer to CRL's Guidance on Conduct of Litigation and Supervision which can be accessed here.

What do I need to submit?

8. In addition to your completed application form, the supporting evidence you need to submit, depends on the legal qualifications you hold.

This is demonstrated in the table below:

Scenario 1	Scenario 2	Scenario 3
If you hold a CILEX Level 6 Diploma in Law and Practice and as part of that qualification, you successfully passed exams in Contract Law or Law of Tort and Civil Litigation, you must submit the following:	If you hold an equivalent Level 6 qualification and as part of that qualification, you successfully passed examinations in Contract Law OR Law of Tort and Civil Litigation but the qualification DID NOT include Client Care or Legal Research modules, you must submit the following:	If you do not hold a CILEX Level 6 Diploma or an equivalent Level 6 qualification, you must submit the following:

 Three portfolios of cases in which you have assisted an authorised person in the conduct of litigation demonstrating your knowledge and understanding of Contract Law or Law of Tort and Civil Litigation. These cases will be from your own work. Three portfolios of cases in which you have assisted an authorised person in the conduct of litigation demonstrating your knowledge and understanding of Contract Law or Law of Tort and Civil Litigation. These cases will be from my own work; Five portfolios of cases in which you have assisted an authorised person in the conduct of litigation demonstrating your knowledge and understanding of Contract Law or Law of Tort and Civil Litigation. These cases will be from your own work;

AND

 Skills Logsheets and redacted evidence against each of the following skills elements:

Element 1: Interviewing, advising and communicating

Element 2: Costs and funding

Element 3: Professional conduct and ethics

Element 4: Managing litigation work Element 5: Settlement V Litigation Element 6: Legal writing and drafting

AND

 Skills Logsheets and redacted evidence to meet learning outcomes in Client Care and Legal Research Entry Skills:

AND

 Skills Logbook Sheets and redacted evidence against the following skills elements:

Element 1: Interviewing, advising and communicating

Element 2: Costs and funding

Element 3: Professional conduct and ethics

Element 4: Managing litigation work Element 5: Settlement V litigation Element 6: Legal writing and drafting

AND

 Skills Logsheets and redacted evidence to meet learning outcomes in Client Care and Legal Research Entry Skills;

AND

 Skills Logsheets and redacted evidence against each of the following skills elements:

Element 1: Interviewing, advising and communicating

Element 2: Costs and funding

Element 3: Professional conduct and ethics

Element 4: Managing litigation work Element 5: Settlement V Litigation Element 6: Legal writing and drafting

Knowledge and Understanding

- 9. Your must demonstrate your knowledge and understanding of either Law of Tort and Civil Litigation or Contract Law and Civil Litigation.
- 10. For those of you in hybrid roles such as in-house or local authority, a mixture of tort and contract is acceptable.

Learning Outcome:	Experience Criteria:	Requirements to be met in your evidence
Demonstrate knowledge and understanding of:		
Contract Law	Examples from your work to demonstrate your knowledge and understanding of contract formation and an ability to apply the law to relevant facts. This may include, but is not limited to, evidence of agreement, communication, revocation, termination and acceptance of an offer	In the context of contract formation, you have demonstrated: Your knowledge and understanding of contract formation That you can apply the law to the facts in the following areas of contract law: Agreement Communication Revocation Termination Acceptance of offer
	Examples from your work to demonstrate the specific application of matters relating to the law of contract.	Other areas of contract law (please specify) In the context of the law of contract, you have demonstrated: Specific application of matters arising relating to the law of contract:

	This may include, but is not limited to, matters of privity, contractual terms, the incorporation of contractual terms, exemption clauses, misrepresentation, duress and undue influence, illegal contracts, discharge, revocation and remedies.	 Matters of privity Contract terms including incorporation Exemption clauses Misrepresentation Duress, undue influence Illegal contracts Discharge Revocation Remedies Other principles in contract law (please specify)
Tort Law	Examples from your work to demonstrate your knowledge and understanding of the tort of negligence and an ability to apply the law to relevant facts. This may include, but is not limited to, evidence of identifying the duty of care, breach of duty (of care), causation, remoteness of damage, quantum, defences and remedies	In the context of tort, you have demonstrated: That you can apply the law to the facts in the following areas of negligence: Duty of care Breach of duty (of care) Remoteness of damage Quantum Defences Remedies Other principles in the tort of negligence (please specify)
	Examples from your work to demonstrate the specific application of matters relating to the law of tort. This may include, but is not limited to, matters of trespass, employer liability cases, liability for premises, nuisance and defamation. and	In the context of tort , you have demonstrated: Specific application of matters relating to the law of tort: Trespass Employer liability Occupier's liability/liability for premises

		 Nuisance Defamation Other torts (please specify
Civil Litigation	Examples from your work to demonstrate your experience in the application of facts to the law and of the practical advice to be given arising from that application	In the context of the selected area of law (contract/tort) and the practice of civil litigation , you have demonstrated that you can: Apply law to the facts of a matter and provide practical advice arising from that application
	Examples from your work to demonstrate your knowledge, understanding and experience of the practice and procedure of civil litigation to include, but not limited to, pre-action matters, ADR, the application of the CPR and of the steps required to progress an action through the courts.	Have you demonstrated your knowledge, understanding and experience of the practice of civil litigation by demonstrating that you can: Engage in pre-action conduct in accordance with the overriding objective of the CPR, including methods of ADR
	This may include, but is not limited to, matters of funding, the appropriate court, the tracks, causes of action, defences, counterclaims, additional claims, requests for further information, allocation, case management and directions, disclosure, evidence (both of fact and expert evidence), interim applications, costs, judgments, enforcement, appeals and professional conduct issues.	Apply the CPR and take steps to progress an action through the Courts, including e.g. matters of funding, the appropriate court, the tracks, causes of action, defences, counterclaims, additional claims, requests for further information, allocation, case management and directions, disclosure, evidence (both of fact and expert evidence), interim applications, costs, judgments, enforcement, appeals and professional conduct issues.
		Other examples of application of CPR can be accepted – please specify

Entry Skills

Client Care

Learning Outcome	Experience Criteria	Suggested ways to provide evidence
Demonstrate knowledge and understanding of the role of	You must demonstrate that you can:	
client interviewing and negotiation in legal practice	Explain what is understood by successful client interviewing	Statement on your Skills Logsheet.
	Demonstrate interviews which you consider to be successful and identify what made them successful	Notes of interviews or emails summarising interviews plus statement on Skills Logsheet.
	Explain what is understood by negotiation and its importance in legal practice, including identification of a number of types of negotiation and the importance of preparation in successful negotiation	Statement on Skills Logsheet.
	Provide examples of the following which have been overcome in a negotiation situation:	Statement on Skills Logsheet.
	 The use of different types of negotiation using different media A situation in which preparation for negotiation was central to success A situation in which communication barriers were overcome for a successful outcome 	
	Use of persuasion to achieve a successful outcome	

Demonstrate good practice in legal writing	Provide evidence of legal writing which demonstrates your understanding of the following key areas of good practice: • Accurate, succinct, complete and precise writing • Awareness of the need to use 'plain English' and use correct grammar and spelling • Legal language is used only when necessary and is appropriately explained • Judicious use of structure to clearly and logically set out information • The synthesis of a variety of sources to provide advice to the client • Use of appropriate communication,	Evidence from own work.
	including use of appropriate tone and style, to sensitively manage client expectations	
Demonstrate knowledge and understanding of professional conduct issues arising in	Explain where you will find the rules of professional conduct which affect your practice of the law	Statement on Skills Logsheet.
practice	Identify situations in which an ethical issue may have arisen in your practice and how you dealt with those situations	Statement on Skills Logsheet.
	Identify any professional organisations that exist within your area of practice and explain the benefits of membership.	Statement on Skills Logsheet.

Demonstrate knowledge and understanding [of] the importance of client care in	Explain the rules relating to client care and evidence your use of the rules in practice	Statement on Skills Logsheet.
legal practice	Evidence your use of client care letters and complaint management, 'Your Clients, Your Business' and the benefits of LEXCEL membership etc.	Evidence from own work.
	Demonstrate an understanding of the need for good client care to benefit the business	Statement on Skills Logsheet.

Legal Research

Learning Outcome	Experience Criteria	Suggested ways to provide evidence
Demonstrate knowledge and understanding of legal research and be able to analyse the	Identify situations in which the need for legal research has arisen in your work	Statement on Skills Logsheet.
scope and complexity of situations which need legal research	Explain the steps you undertook to identify relevant sources of information and how you determined the reliability, accuracy and currency of the information discovered	Statement on Skills Logsheet.
Demonstrate knowledge and understanding of and be able to	Explain your understanding of primary and	
evaluate legal research sources	secondary sources and how these sources can be used to ensure you have sufficiently researched the	Statement on Skills Logsheet.
Demonstrate knowledge and understanding of and be able to	problem.	
perform appropriate legal research	Identify relevant statutes, case law and other sources from your research.	Evidence from own work.

Demonstrate knowledge and understanding of and be able to analyse the law in relation to practical problems	Evidence how you prioritised and analysed the research and used this to better understand the issues raised in the legal matter.	Evidence from own work.
	Evidence your synthesis of the research materials	Evidence from own work.
Ability to record and evaluate information	to provide a structured and accurate report.	
Ability to synthesise research to present advice	Evidence how you evaluated the research ensuring that it is comprehensive and sensitive to the needs of the recipient.	Evidence from own work.

Skills Elements

Important Note

To be successful with your application to gain civil litigation practice rights, you must demonstrate that you have met each learning outcome. If your role does not currently enable you to demonstrate that you meet each learning outcome, please arrange with your supervisor/manager to facilitate undertaking of work activities to enable you to generate evidence.

If you do not address each Learning Outcome and each experience criteria, the assessor who reviews your application will ask you to provide further information which will delay the approval of your application.

You can use the same piece of evidence for more than 1 learning outcome or even multiple learning outcomes as long as it evidences the learning outcomes you are linking it to. Please ensure you provide supporting information on the Skills Logsheets.

Element 1: Interviewing, advising and communicating

Learning Outcome	Experience Criteria	Suggested ways to provide evidence
INTERVIEWING An ability to conduct effective interviews with the client and potential witnesses across a	Prepare for an initial interview and apply a structured approach to it Greet the interviewee appropriately	Telephone Attendance Note of an initial meeting with client demonstrating achievement of all evidence criteria.
range of civil disputes	Use appropriate listening, questioning and feedback techniques	On the Skills Logsheet, it may be useful to explain how your prepared for the interview and were sensitive to diversity issues if not apparent from the Telephone Attendance Note.
	Maintain rapport with the interviewee	
	Be sensitive to diversity issues	
	Keep a full and accurate record of the interview	

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	Close the interview appropriately	
	Obtain all relevant information and identify the client's objectives	
	Disseminate, appropriately and accurately, the information received from the client and seek appropriate instructions.	
	Produce an accurate record of the interview	
ADVISING AND COMMUNICATING		
An ability to give and communicate clear, accurate and practical advice both orally	Communicate clear, accurate and practical advice orally on matters	Telephone Attendance Note PLUS letter/email to client demonstrating achievement of the experience criteria.
and in writing on matters relating to law, procedure, strategy and prospects of	Communicate clear, accurate and practical advice in writing/other media	You should ensure your selected evidence enables you to demonstrate the diversity and emotionally distressed experience criteria.
success (either orally, in writing or other media)	Give clear advice on all relevant matters arising	
	Identify the options available and explain the pros and cons of each of those options	
	Enable the client to make decisions in the case based on appropriate advice	
	Give clear, appropriate and accurate advice regarding costs and funding	

Seek appropriate instructions and give clear advice regarding the next steps to be taken	
Deal appropriately with any diversity issues that arise	
Identify and effectively communicate the complex legal, tactical and commercial factors involved in litigation and appreciate the options available for seeking resolution of a dispute.	

Element 2: Costs and funding

Learning Outcome	Experience Criteria	Suggested ways to provide evidence
COSTS		
An awareness of the requirements of the relevant practice rules that relate to contentious and noncontentious costs and be able to give clear, accurate and regular advice or information on costs issues arising in the case	Provide realistic costs estimates of all costs and disbursements at the start of the case and update throughout the progress of the action to include the cost implications of case strategies Ensure full compliance with the CPR costs rules Explain the differences between the indemnity and standard basis of costs	Letter/email to client providing advice and guidance on costs which covers the experience criteria. Provide an explanation on the Skills Logsheet of how you ensure full compliance with CPR costs and understand all matters relating to a summary assessment of costs and detailed costs assessments.
	Explain the cost implications of CPR 36 and other Offers to Settle Provide appropriate advice regarding the fees that	
	will be charged Prepare estimates and schedules of costs	
	Understand all matters relating to a summary assessment of costs and detailed costs assessments	
FUNDING An ability to give and communicate clear, accurate	Identify the funding options available in a particular case	Letter/email to client providing advice on funding options covering all the experience criteria.
and practical advice both orally and in writing on matters	Communicate the risks and benefits of each method of funding available	Please note - the correspondence must identify at least 2 options open to the client.

relating to law, procedure,		
strategy and prospects of	Be aware of the funding regulations and restrictions	If evidence provided does not cover all experience
success (either orally, in writing or other media)	(for example non-regulated activities)	criteria, add statements on the Skills Logsheet.
	Advise the client or service user of significant developments in the case	
	Identify and have regard to potential conflicts of interest on funding issues	
	Identify the appropriate documents to put in place the agreed funding method.	
DOCUMENTATION		
Draft or complete the necessary documents relating to funding	Draft client care letters	Copies of Client Care letters covering the drafting or completion of appropriate documentation and an
	Draft or complete for the client or inform the client of the appropriate documentation and explain the requirements of the agreed funding method	explanation of the requirements of the agreed funding method.
		Provide evidence of funding agreements you have
	Draft funding agreements	drafted along with estimates and schedules of costs.
	Prepare estimates and schedules of costs	
	Understand all matters relating to a summary assessment of costs and detailed costs assessment.	

Element 3: Conduct and ethics

Learning Outcome	Experience Criteria	Suggested ways to provide evidence
CONDUCT AND ETHICS PROFESSIONAL OBLIGATIONS An awareness of your professional obligations in a diverse range of situations in respect of matters relating to substantive law and the rules of professional conduct An awareness of your obligations to: the court; your client; other lawyers; the public	Draft client care letters Identify situations where your obligations to: the court; your client; other lawyers; the public and money laundering legislation arise Demonstrate an understanding of the application of your professional obligations in your dealing with these persons or bodies.	Letter/email to clients, colleagues or other professionals OR an Attendance Note relating to your (personal and the firm's) obligations to the court, your client, other lawyers or the public and anti-money laundering legislation.
and money laundering legislation and regulation		
CONFLICTS An ability to identify and deal appropriately with conflicts of interest throughout the handling of the matter	Identify and deal appropriately with conflicts: NB only one needs to be met arising between you and the client or service user; arising between you and your duty to the court;	Letter/emails/memos with parties involved in the matter demonstrating your effective handling of a conflict relating to one of the three criteria identified in the Experience Criteria column.
	or arising between you and any relevant third party.	

WITHDRAWAL FROM A CASE An awareness of when you can and/or must withdraw from a case; the proper steps to be taken when doing so whilst observing the interest of the client	Show an awareness of the need to withdraw Show an awareness of the proper action when the client refuses to make proper disclosure Show an awareness when the client's or service user's interests' conflict with the applicant's duties to the court Or any other circumstances where withdrawal is required.	Letter to a client identifying reasons for withdrawing from a case. If evidence provided does not cover all experience criteria, add statements on the Skills Logsheet.
UNDERTAKINGS An understanding of the bases for the giving of professional undertakings to clients, the court and others; the implications of giving such undertakings; the consequences of breaching such undertakings and demonstrate Awareness of the appropriate use of undertakings in legal proceedings	Identify when an undertaking may be required and Show an awareness of the implications of giving the undertaking and putting in place or obtaining the appropriate safeguards in respect of the undertaking given.	Correspondence with parties involved in a matter where an undertaking is required to meet your clients objectives and expectations. For those involved in a role which does not have scope to provide undertakings, add statements on the Skills Logsheet to demonstrate the learning outcomes.
CONFIDENTIALITY AND PRIVILEGE In respect of confidentiality and privilege the applicant must demonstrate an understanding of and the ability to apply the	Distinguish between legal advice privilege and litigation privilege	Letter to a client/internal file note/Telephone Attendance Note relating to disclosure obligations and legal professional privilege.

law and practice of confidentiality and privilege in a variety of practical contexts	Distinguish between confidential information and privileged information.	If evidence provided does not cover all experience criteria, add statements on the Skills Logsheet.
COMPLAINTS AND NEGLIGENCE In respect of complaints and negligence the applicant must demonstrate an understanding of the professional conduct rules as they are applied in practice and the steps that must be taken in the event that a mistake (or an act of negligence) as occurred	Identify the circumstances when a complaint could be made or negligence may arise Describe/explain the complaints procedure operated by your professional body Be aware of procedures or processes which can be adopted to reduce the risk of complaints or allegations of negligence being made Explain what steps would need to be taken in	For example, evidence of either pre-empting a complaint or handling a complaint from a party involved in a matter demonstrating resolution to the satisfaction of all parties involved. Where the evidence of handling a complaint does not cover all experience criteria for this learning outcome, add statements to the Skills Logsheet. You should refer to the most up to date CILEX Code of Conduct and ensure you identify individual outcomes
	respect of the identified, or potential mistake or act of negligence Identify the appropriate professional conduct rules applying and the indicative behaviours that would need to be shown to evidence that no mistake or negligence occurred.	from the code.

Element 4: Managing litigation work

Learning Outcome	Experience Criteria	Suggested ways to provide evidence
FILE HANDLING An ability to plan and manage litigation, to progress matters expeditiously and maintain files and records in accordance with procedures	Plan and prioritise a workload and manage files and tasks concurrently, efficiently, making the best use of available resources, exercise good judgment, be realistic (as to the client's or service user's expectations, proportionality, time or available funds) and seek support when necessary Show that you are able to deal with a diverse range of client issues presenting a range of civil disputes Deal with matters without causing delay Maintain files and systems (which may include electronic systems) appropriately and correctly Ensure that files are up to date and 'in budget' Manage financial transactions on the file correctly and appropriately Exercised and applied appropriate case analysis, critical judgment and evaluation through a thorough risk assessment and identified the issues arising and applied the correct law and procedures to a matter	Evidence from appropriate systems used in own workplace to plan and manage litigation effectively. This could be anything from excel spreadsheets up to Case Management System. This should be supported by statements on the Skills Logsheet.

	Adopt and maintain an appropriate, and effective, case strategy that is compatible with the client's aims or requirements and that is legally, procedurally and ethically sustainable Ability to think independently and highlight strategies available to the client that meet the client's objectives Act within a team and independently and demonstrate self-direction and an assumption of responsibility for the actions undertaken.	
CASE ANALYSIS AND CASE PREPARATION An ability to formulate a case strategy which is: • Compatible with the client's objectives and • Is legally and procedurally sustainable	Identify the 'strengths' and the 'weaknesses' in a case Identify gaps in available evidence Draw up a realistic case plan	Internal emails/notes of meeting with peers/colleagues leading to production of a case plan mapped to client's or service user's objectives and expectations. Evidence of advice provided to client supported by statements on the Skills Logsheet.
An ability to draft legal documents and letters that can be used effectively in the presentation and procedures for an action to proceed either by way of settlement or litigation	Relate the case theory to the client's or service user's objectives and expectations Provide the client with a balanced view of the likely risks, costs and benefits of the case strategies Adopt a cost effective, analytical and pragmatic approach to the wider issues (which may include the client's or service users' commercial objectives).	Evidence of drafting of legal documents or letters to proceed to settlement or litigation.

	Draft legal documents or letters to proceed to settlement or litigation	
DEALING WITH OTHER PROFESSIONALS An appropriate level of professionalism in establishing an effective working relationship with others involved in a legal matter	Deal with other professionals involved in a matter appropriately, professionally and ethically Provide other professionals involved in a matter with appropriate information, instructions and	Evidence of correspondence with other professionals involved in a matter and demonstrating provision of appropriate information, instructions and guidance to assist them.
Identify and provide appropriate information to others involved in a matter which may include:	guidance.	
An ability to instruct an advocate when necessary		
An ability to select, appoint and instruct an expert and show an awareness of the range of expertise that may be needed for a case		

Element 5: Settlement V Litigation

Learning Outcome	Experience Criteria	Suggested ways to provide evidence
SETTLEMENT Be able to identify when settlement of a case is in the client's interest and give clear and accurate advice on settling this case and take the necessary steps to secure settlement	Explain the merits of settlement in achieving the client's or service user's objectives Give consideration to offers to settle Understand the significance of 'open' offers, Part 36 Offers and Global Offers Explain the advantages of a form of offer Advise the client when responding to an offer to settle Understand the appropriate way to settle an action (e.g. by discontinuing or consent orders – this is not an exhaustive list of examples, please specify) Understand and apply an appropriate use of the different types of consent orders.	Letter/email to a client providing: advice on offers to settle the advantages of the offer proposed how it meets their expectations and objectives How to proceed and next steps should the client accept.
NEGOTIATION Be able to negotiate in a client's case	Negotiate a settlement, this may include, but is not limited to, effective and appropriate negotiation immediately before, and during, a trial or hearing Prepare effectively prior to negotiating with the other party	Telephone attendance note describing a negotiation of a settlement for a client along with a pre-prepared agenda for the call.

	Identify the client's interests and expectations (and	
	manage those expectations appropriately)	
	Identify the other party(ies) interests and	
	expectations	
	Identify the strengths and weaknesses of the	
	client's and other party(ies) cases	
	Prepare an agenda to deal with the relevant issues	
	Explain the appropriateness of the form of	
	negotiation entered into (this may be by, but not	
	limited to, an exchange of letters, or meeting).	
ADR (ALTERNATIVE DISPUTE		
RESOLUTION)		
Be aware of the ADR processes	Explain the nature and procedures of alternative	Letter/email to a client explaining an upcoming
available, including mediation,	dispute resolution methods	mediation and taking them through the process of mediation.
early neutral evaluation and expert determination	Explain the advantages and disadvantages of those	mediation.
Identify the relevant and	methods	Letter could cover practical arrangements, steps in a
appropriate method of ADR and		typical mediation, costs and advice on how to prepare
be aware of the role of the	Recommend any appropriate ADR process which	for the negotiation.
persons engaged in a form of ADR	would be in the client's or service user's best interests	
ADIT	Interests	
	Advise the client or service user how to pursue a	
	particular ADR process.	

Element 6: Legal writing and drafting

Learning Outcome	Experience Criteria	Suggested ways to provide evidence
LEGAL WRITING AND DRAFTING		
An ability to understand and apply the principles of good	Understand and apply the principles of good writing	Evidence of correspondence with client, Counsel or other parties involved in a matter.
writing and drafting	Use accurate, straightforward and modern language and correct spelling, grammar, syntax and punctuation	If this does not evidence all experience criteria, provide additional statements on the Skills Logsheet.
	Draft a document that is clear, logical, consistent and with appropriate structure and format	
	Draft a document that forms a coherent whole and, where appropriate, has advanced the matter, has identified the client's objectives and priorities and provided a clear risk analysis	
	Address the document appropriately and accurately	
	Understand the appropriate use of e-mails, letters, memoranda and other forms of written communication	
	Choose the appropriate medium, form and style of written communication	

Tailor the written communication to suit the	
purposes of the communication and the needs of	
different clients or recipients.	