

LIV Traineeship Guidelines 2020 (Updated July 2020)

The LIV Seasonal Clerkship and Traineeship Guidelines ensure consistency and fairness throughout the legal recruitment process. The Guidelines provide the agreed framework for the dates and communication protocols for the making of offers for seasonal clerkship and traineeship positions by signatory law firms, and the acceptance of offers by law students. The LIV values the commitment that all signatories make towards ensuring compliance with these guidelines as the leading industry structure that supports the legal recruitment process.

- 1) Applications for graduate traineeships will open no earlier than 10am on Monday, 24 August 2020.
- 2) Applications for graduate traineeships will close no later than 11.59pm on Monday, 7 September 2020.
- 3) Subject to paragraph 3(a) any offer made under these guidelines relates to a graduate traineeship commencing in 2021; it is open to students who have already completed their law degree or students who will commence their final semester in 2020.¹
 - a) Successful applicants who have already completed their law degree are eligible to commence their graduate traineeship prior to 2021 by agreement between the law firm and the applicant.
- 4) All interviews for graduate traineeship positions are permitted to be conducted by electronic means.
- 5) An applicant who, due to “genuine necessity” will be unable to attend an interview during the interview period should apply to the Law Institute of Victoria (LIV) for permission to be interviewed at a date outside the application dates. “Genuine necessity” will be determined on a case-by-case basis by the LIV. Applications should be made to the LIV Young Lawyers Manager in writing and include appropriate supporting documentation. Written permission is to be granted at the sole discretion of the LIV.
- 6) Except as provided in paragraphs 9, 10, 11, law firms will make offers or arrangements concerning traineeships from 10am Eastern Daylight Saving Time on Monday, 12 October 2020. Graduate traineeships can be deferred in circumstances agreed between the student and the firm for a further one year period if a student requests a deferral of the traineeship.
- 7) All offers made pursuant to paragraph 6 of these Guidelines will be made by email. Law firms will not make follow-up calls to offerees before 11am on the date of offer. All email offers must detail:
 - a) the terms of the offer; and
 - b) that the offer is made pursuant to these Guidelines.
- 8) Except as provided in paragraph 9, an offer of traineeship will remain open for a period of not less than twenty-four (24) hours from the time the offer was made or until 11am the following business day for offers made prior to 11am. Firms should make this known to

¹ <https://www.liv.asn.au/Membership/Young-Lawyers/Seasonal-Clerkship-Traineeship-Guidelines>

students at the time of making offers in accordance with paragraph six.

firm's interstate or international offices or virtually.

- 9) The 'priority offers' made pursuant to paragraph 10 can be made either in writing and/or by telephone between 10am on Monday, 24 August 2020 and 12pm on Tuesday, 25 August 2020. A 'priority offer' must remain open until the earlier of acceptance/rejection in accordance with paragraphs 9(a) and 9(b) or 4pm on Tuesday, 25 August 2020.

For the purpose of this paragraph 'business hours' is defined as the period between 9am and 5pm and 'business day' means Monday to Friday.

- a) an applicant will not hold more than two 'priority offers' for longer than a two-hour period;
- b) an applicant must accept/ reject any 'priority offer' received within 4 business hours of it being made. For the avoidance of doubt, if a priority offer is made after 1.00pm, the applicant must accept or reject the offer by 10am the following day. Priority offers made at 1pm must be accepted or rejected by 5pm on the same business day.

- 11) It is accepted that law firms invite students to express their interest in being considered for a priority offer at the conclusion of their clerkship.

- 12) Law firms intending to make priority offers are not permitted to interview market traineeship applicants or to make offers or arrangements concerning market traineeships prior to making a priority offer. For the avoidance of doubt, law firms are permitted to interview paragraph 10(b) priority offer candidates before making priority offers pursuant to paragraphs 9 and 10 of these Guidelines.

For the purpose of this paragraph 'business hours' is defined as the period between 9am and 5pm and 'business day' means Monday to Friday.

- 13) Firms will have the option to provide a "top up" offer on Monday, 7 December 2020. To be eligible, firms that make a "top up" offer will only be able to draw from those students who do not already have a graduate offer for 2021 with any firm and these students will be required to have held a paralegal or clerkship position within the last 12 months at the firm that is giving the "top up" offer.

- 10) Law firms may make 'priority offers' of traineeships to eligible students in accordance with paragraph 3 on the dates set out in paragraph 9, to the following students:

- 14) A law firm may withdraw from the guidelines by providing thirty days written notice of its intention to the Law Institute of Victoria (LIV), the law faculties and law student societies at all Victorian law schools.

- a) students who within the previous two years preceding the date of making the offer referred to in paragraph 9, have substantially completed seasonal clerkships of at least two weeks' duration with the offering firm, either in Victoria or at one of the firm's interstate or international offices or virtually;
- b) students who during the previous two years and for a minimum period of 10 working days, have performed paralegal work for the offering firm, either in Victoria or at one of the

- 15) The LIV will maintain an up to date list of all signatory law firms which will be publicly available on the LIV website.

- 16) Signatory law firms are not obligated to offer traineeships each year but must follow the Traineeship Guidelines in the event that they do.

- 17) All signatories agree to comply with all legislative requirements including those imposed by or otherwise required under the Victorian Charter of Human Rights, Victorian Anti-Bullying Legislation and Occupational Health & Safety Act 2004 (Vic).
- 18) These Guidelines are in place to ensure fairness throughout the graduate recruitment process. However, each
- 19) Where an unforeseen error occurs in the lodgement of an application made pursuant to these Guidelines, the student may make a case for consideration to the relevant signatory, but it is at the discretion of the signatory concerned as to whether the application is accepted.

signatory is responsible for setting its own application processes and this aspect is outside the scope of these Guidelines and the Law Institute of Victoria's involvement. Students are encouraged to familiarise themselves with the signatory's traineeship application policy to which they are applying and allow sufficient time for lodgement of their application.

Further information

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