



# Family Law Advanced Accreditation Scheme

## Guidance

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## **A. An introduction to the Accreditation Scheme**

The Family Law Accreditation Scheme covers all types of family law work (except public law Children Act work, which is covered by the Children Panel Accreditation Scheme).

Advanced membership enables a member to hold themselves out as an expert in a given area of family law.

There are two rounds of assessment each year for the Family Law Advanced Accreditation Scheme. Dates for our rounds can be found on our website.

## **B. Who is eligible to apply for membership?**

Applications for advanced membership are accepted from:

- Solicitors
- Fellows of the Institute of Legal Executives who have passed the part two exams in family law and practice

## **C. What types of membership are available?**

There is one type of membership available - advanced membership.

Members are also able to register up to two modules in each assessment round.

Members will be expected to apply for re-accreditation every 5 years. For more guidance on re-accreditation, please see below.

## **D. The level of experience you will be required to demonstrate**

Applicants must be able to demonstrate;

- that they have carried out at least 550 chargeable hours of family law work in the jurisdiction of England and Wales in each of the three years preceding the date of application.
- general knowledge and awareness of the law outside the area of family law including, for example, knowledge of the law relating to wills and transfers of property, by having been selected as a member of the Family Law Accreditation Scheme.
- Applicants for advanced membership are required to be able to demonstrate general knowledge and awareness of the core areas of family law.

Applicants must be able to demonstrate in-depth knowledge and understanding of at least two areas of family law selected from the following list:

- children law private
- child abduction and wardship

- cohabitation
- violence in the home
- advice in and conduct of ancillary relief
- international issues
- complex asset cases (knowledge of pensions is required in this area)

### **E. How to apply and what you should include**

Firstly, you need to register your interest in applying. All applications for Law Society Accreditation Schemes are in three sections.

Section 1 covers details of the practice you work for.

Section 2 covers your individual details.

Section 3 is scheme specific.

You should indicate on which two specialist areas you wish to be assessed.

Assessments are Assessment is by means of an examination based on set case studies and case reports.

All applicants applying for advanced membership must:

- complete case reports –one detailed case report of up to 2000 words from each of the two selected areas – and supply any other information requested. These case reports must be drawn from the applicant's own caseload and be based on cases that the applicant has personally conducted A case report - a detailed description of a case which you personally represented a client which took place no more than 24 months prior to the submission of your application
- A case study - a set scenario-based assessment on your selected module(s). You should respond to questions posed in a set case study from each of the selected areas in no more than 2000 words per case study.

There is further guidance available on our website on how to complete your case reports and case studies.

### **F. How you will be assessed**

The set case studies will be sent to the applicant in a sealed envelope not to be opened until the date specified on them and in accordance with published programmes for the conduct of this part of the assessment.

The set case studies will be completed according to the timetable and under the conditions notified with them.

Completed case reports and the answers to the set case studies must be returned to the Law Society, to arrive on or before the published deadline date.

Case reports and answers to the case studies will be marked by assessors in accordance with the criteria.

The Law Society does not release marked examination scripts to candidates, nor does it disclose detailed information on how papers were marked. The Family Law Accreditation Scheme Examination Board will prepare a report on each assessment round detailing percentages of successful and unsuccessful candidates, pass mark, passes and failures in each paper. The report will also highlight any general weaknesses that may have been demonstrated during an assessment round.

Completion of the advanced membership assessment application is considered to be 'study towards a professional qualification' (as detailed in the Solicitors Regulation Authority's guidance on CPD activities), and will therefore count for CPD. This means that solicitor members of the scheme may claim actual time up to a maximum of 75 per cent (12 hours) of their CPD requirement for completing the advanced assessment process.

### **G. What other checks and assessments are made?**

You must demonstrate that you are a fit and proper person to become an accreditation scheme member, and must continue to be so throughout your membership. The Law Society reserves the right during the currency of any voluntary scheme membership to investigate any matter which may call into question the fitness and propriety of any scheme member to act as such, and to take whatever action is considered appropriate at whatever stage of the investigation.

The Law Society will examine whether your past record reveals that you have committed any offences involving fraud or other dishonesty or violence.

The Law Society will also be concerned with any practice in which you may have engaged in the course of any business or employment which do not conform with the best standards of professional conduct. Evidence showing delays in dealing with cases, failure to answer correspondence and failures or delays in responding to enquiries from regulatory and revenue authorities will raise doubts as to your competence to remain a scheme member.

The assessment of fitness is not a mechanical exercise whereby compliance with a number of specific requirements ensures the grant of an authorisation. It is rather a judgement based on the review of your whole record and individual circumstances.

If the Law Society, with due regard to the rules of procedural fairness, determines that you have ceased to be a fit and proper person to continue to be a member of the scheme, or that the fitness or propriety to act as such has been compromised, it may refuse, revoke or suspend the membership or attach conditions to it. Members affected by a decision taken under this paragraph have a right to request a review in accordance with the procedures set out elsewhere in this document.

Where a complaint or other matter which may affect your suitability to remain on the scheme is considered to be of sufficient seriousness, the Law Society may suspend your membership pending the completion of the investigation and any proceedings as may arise.

## **H. What fees are payable for making your application?**

The fees payable for this scheme are;

£500 + vat for an initial application (total £600.00)

£150 + vat for an application to add a module (total £180.00)

## **I. Information on re-accreditation**

Members of the scheme are subject to re-accreditation every five years in order to demonstrate their continued suitability for membership of the scheme. A reminder will be sent to members three months prior to the due date.

The Law Society has now established a re-accreditation process for members.

Members are required to reaccredit in each of the modules they wish to continue to hold. Please note that if any modules are not reaccredited then membership will proceed without that particular module.

If a member wishes to obtain the module again then the initial process would need to be followed, and take part of the next assessment round.

A member must reaccredit in at least 2 modules (previously held) to successfully reaccredit to the scheme.

All solicitors must undertake appropriate training and development activities every year, as stipulated by the SRA's continuing professional development requirements.

## **How is my application assessed?**

The member must complete the reaccreditation application form and include:

2 case reports - a detailed description of a case which you personally represented a client which took place no more than 24 months prior to the submission of your application for each module.

CPD record for the preceding five years.

Upon receipt of a member's completed application, we will send the application to an external assessor for consideration.

Please note that membership to the Family Law Advanced Accreditation Scheme supersedes the Family Law Accreditation Scheme membership therefore a member would not do not need to reaccredit their Family Law membership if they are an Advanced member. However, if a member is unsuccessful in their reaccreditation application for Family Law Advanced (i.e. if a member fails to successfully reaccredit in at least two modules) , they will need to undergo reaccreditation of the Family Law membership within 6 months if it has expired.

### **How do I add modules to my membership?**

Current members of the Family Law Advanced scheme can add up to two modules per assessment round to their membership.

If a member wishes to add modules, they need to complete and submit the registration form for existing members and fee by the date listed in the timetable for the relevant assessment round.

### **J. Our requirements for continued professional development**

The Law Society requires all Family Law Advanced Accreditation Scheme members to familiarise themselves with changes in law, practice and procedure, by completing six hours of family law-related continuing professional development (CPD) training per year throughout their period of membership.

As part of the re-accreditation process, we will require scheme members to supply details of CPD training they have completed during the period of their membership.

### **K. What standards of competence are expected of a member of the scheme?**

See above.