



RMG Review – Draft Proposed Revisions to the Mandatory Standards

Summary of the proposed Mandatory Standards

Legal Practice Management Draft Proposed Mandatory Standards	Related Legal Practice Draft Proposed Mandatory Standards
<ol style="list-style-type: none">1. Compliance with Legal Profession Regulations2. Appointment and Role of Responsible Person3. Written Guidelines for Centre Work4. Duty to Avoid Conflict of Interest5. Intake Procedures/File Records6. Client Instructions7. Legal Advice and other Discrete Services8. Ongoing Assistance Services9. Letter of Engagement/Retainers10. Supervision11. File Management12. Legal Professional Privilege13. Duty of Confidentiality14. Client Information Security/Privacy15. Trust and Other Monies16. Specialised Auspice Services17. Community Legal Education, Law/Policy Reform Work, Media and Communications18. File Closure and Centre Changes19. Professional Indemnity Insurance (PII) & PII Networks20. Annual Cross-Check Participation	<ol style="list-style-type: none">A. Duties in relation to Migration AgentsB. Duties in relation to Social Workers and Community Support WorkersC. Duties in relation to Tenant's Advocates and other AdvocatesD. Duties in relation to Financial CounsellorsE. General Duties, Decision Making & Dispute Resolution

Detailed List of the proposed Mandatory Standards

Legal Practice Management – Draft Proposed Mandatory Standards	
1. Compliance with Legal Profession Regulations	
1.1	Compliance with Legal Profession Regulation in jurisdiction
1.2	Copies of all practising certificates to be held
2. Appointment and Role of Responsible Person	
2.1	Role and Appointment of Responsible Person
2.2	Responsible Person to hold Unrestricted Practising Certificate
2.3	Responsible Person to be responsible for certain aspects of the Centre
2.4	Delegation to a Nominated Person
2.5	Experience and Qualifications of Nominated Persons
3. Written Guidelines for Centre Work	
3.1	Written Guidelines for work undertaken
3.2	Written Guidelines to be applied in determining intake
3.3	Documented procedures for assessing and making referrals
4. Duty to Avoid Conflict of Interest	
4.1	Written Conflict of Interest Policy
4.2	Adherence to Conflict of Interest Policy
4.3	Performance of conflict checks for clients
4.4	Role of Responsible or Nominated Person in determining conflicts
5. Intake Procedures/File Records	
5.1	Written file opening and maintenance policy
5.2	File numbers and file records
5.3	Record limitation dates and critical dates on file
5.4	“Front of File Information” (hard copy or electronic)
6. Client Instructions	
6.1	Written / electronic record of all instructions received from clients
7. Legal Advice and Other Discrete Services	
7.1	Requirements for advice sheets for one off advice
7.2	Role of Responsible or Nominated Person in reviewing advices
8. Ongoing Assistance Services	

<ul style="list-style-type: none"> 8.1 Client charter for ongoing services 8.2 Retain records of advice provided
9. Letter of Engagement/Retainers
<ul style="list-style-type: none"> 9.1 Letter of Engagement (where required by jurisdiction) 9.2 Cost disclosures (if applicable – where centre charges fees)
10. Supervision
<ul style="list-style-type: none"> 10.1 Comply with legal practice requirements for supervision for the jurisdiction 10.2 Written policy on supervision for all staff and volunteers (legal and related practice) 10.3 Undertake regular file reviews 10.4 Undertake regular assessment of workloads 10.5 Policy on Volunteer Management
11. File Management
<ul style="list-style-type: none"> 11.1 Electronic Communication Policy 11.2 File notes 11.3 File movement register and compliance (hard copy & electronic) 11.4 Recording of incoming or outgoing calls 11.5 Requirements for Correspondence, Court Documents and Evidence
12. Legal Professional Privilege (LPP)
<ul style="list-style-type: none"> 12.1 Comply with LPP requirements in each jurisdiction
13. Duty of Confidentiality
<ul style="list-style-type: none"> 13.1 Comply with duty of confidentiality
14. Client Information Security/Privacy
<ul style="list-style-type: none"> 14.1 Ensure client information is kept private and secure
15. Trust and Other Monies
<ul style="list-style-type: none"> 15.1 Trust Money 15.2 Controlled Money 15.3 Transit Money
16. Specialised Auspice Services
<ul style="list-style-type: none"> 16.1 Compliance with RMG 16.2 Role of Responsible or Nominated Person for Auspice Service/s

17. Community Legal Education, Law/Policy Reform Work, Media and Communications
<ul style="list-style-type: none"> 17.1 Responsible or Nominated Person to check community legal education 17.2 Responsible or Nominated Person to check law reform 17.3 Responsible or Nominated Person to check media, communications and publications
18. File Closure and Centre Changes
<ul style="list-style-type: none"> 18.1 Duty to undertake proper file closure 18.2 Duty to undertake proper file destruction 18.3 Archiving (hard copy and electronic) 18.4 Centre mergers and amalgamations 18.5 Centre closures
19. Professional Indemnity Insurance (PII) & PII Network
<ul style="list-style-type: none"> 19.1 Duty to have Professional Indemnity insurance 19.2 Duty to have adequate PII coverage 19.3 Duty to Notify Insurer 19.4 Duty to contact PII Representative 19.5 Duty to Not admit liability
20. Annual Cross-Check Participation
<ul style="list-style-type: none"> 20.1 Participation in Cross-Check 20.2 Confidentiality of Cross-Check
Related Legal Practice – Draft Proposed Mandatory Standards
A. Duties in relation to Migration Agents
<ul style="list-style-type: none"> A.1 Comply with Migration Agent requirements under law and compliance with RMG
B. Duties in relation to Social Workers and Community Support Workers
<ul style="list-style-type: none"> B.1 Comply with Social Work requirements under law and compliance with RMG B.2 Community Support Workers compliance with RMG
C. Duties in relation to Tenant’s Advocates and other Advocates
<ul style="list-style-type: none"> C.1 Tenant’s Advocates compliance with RMG C.2 Other Advocates compliance with RMG
D. Duties in relation to Financial Counsellors
<ul style="list-style-type: none"> D.1 Comply with Financial Counsellor requirements under law and compliance with RMG
E. General Duties, Decision Making and Dispute Resolution

E.1 Support staff and volunteers to comply with RMG

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