



Section 33 Consultation
Legal Services Regulatory Authority
PO Box 12906
Dublin 7

Irish Institute of Legal Executives CLG.

11th February 2022

Email: publicconsultations@lsra.ie

RE: SECTION 33 CONSULTATION

Dear Sirs,

The Irish Institute of Legal Executives welcomes the invitation to submit to the Legal Services Regulatory Authority as part of its public consultation process under Section 33 and we refer to our previous submissions on the 31st January 2020 and 9th February 2021 (copies enclosed for ease of reference).

Within the Legal Profession, as previously stated in our submissions, the Irish Institution of Legal Executives plays a crucial role in the administration and admissions policies of Legal Executives in this jurisdiction. The Institute holds a high-level admission policy in admitting Legal Executives to our organisation in much the same manner as the Law Society of Ireland and the Bar of Ireland as do other stakeholders. Admission is based on Academic and Legal Experience.

The Institute sets out its Membership uptake during the period of 2021.

NEW MEMBERS	STUDENT MEMBERS 2020/2021 Academic Year	REGISTERED MEMBERS
38	30 (2021/2022)	989
42	30 (2019/2020)	951

Legal Executives, like Solicitors and Barristers, play a crucial role in the Legal Services industry. Legal Executives continued to work with their Solicitor colleagues right through the COVID-19 pandemic in 2021 and will continue to work closely with Solicitor colleagues throughout 2022 and beyond.

The impact on Legal Executives arising from the pandemic meant the restrictions on work and movement have significant changes for Legal Executives in their everyday work. Like Solicitors and Barristers colleagues, Legal Executives worked from home during the pandemic and Legal Executives have adapted to the new working way of life and many working between Offices and their homes and adapting to the new Hybrid way of work.

The provision of legal services through a physical office with all staff attending the Office may become redundant. The future appears to be that working outside of the Office will be a factor for some professional service/administration/clerical jobs within the economy, with Legal Executives being no different to this new way of work. Due to the restrictions imposed by the pandemic there is particular focus on the high end technologically driven provision of legal services, such as Zoom, Microsoft Teams and ZOHO meeting platforms.

The value placed on Legal Executives and their role within the provision of Legal Services in Ireland was never more evident than in 2019-2020/2021-2022 academic years when the Law Society of Ireland themselves ran their inaugural course designed specifically for Legal Executives titled "*Certificate in Property Law & Conveyancing for Legal Executives*". This recognition by the Law Society is perhaps



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the greatest acknowledgment of the value of the Legal Executive in Ireland and illustrates a great demand for Legal Executives in Ireland.

Recognition is also achieved by virtue of the Institute being invited to participate in the Property Registration Authority Customer Focus Group together with Solicitors, Architects, Local Authority Legal Agents, The IFA and others.

Our value and importance are further underlined when you consider that annual talks for the Institute of Legal Executives have been carried out by The Property Registration Authority, Solicitors, Barristers and Recruitment Agencies.

As in previous submissions presented to the Legal Services Regulatory Authority, the Irish Institute of Legal Executives feel it is imperative that we take this opportunity to reiterate the following:-

- Regulation of Legal Executives would provide a *greater choice to the Consumer and more competitive legal costs.*
- Regulation offers protection for consumers of legal services and Legal Executives. Legal Executives are conducting high level of legal work on a daily basis that requires regulation/recognition to ensure that the very high standards of Legal Executives are maintained and to ensure that any person holding themselves out to be a Legal Executive is properly trained and carries the requisite skill and knowledge.
- The high and perceived high cost of legal services is preventing people on lower income levels from equal access to justice.
- 90% of our fully qualified Legal Executive members (MIILEX) are educated in legal disciplines to HETAC Level 7 and above, many holding third level Diplomas, Degrees, Masters and PhDs.
- Regulating/Recognition of the Legal Executives offers more choice to the Consumer. Access to cheaper legal advice is necessary as Free Legal Aid is not accessible to many due to means testing or lengthy waiting lists.
- The Legal Services Regulation Act 2015 addresses many issues in respect of cost. However, it offers no dramatic change to the way legal services are delivered. The regulation of Legal Executives would offer a fresh and modern approach to legal services.
- Our background is identical to that of Chartered Institute of Legal Executives ("CILEX") in England and Wales (see: www.cilex.org.uk).
- Legal Executives in England and Wales can become Judges, Coroners, Conveyancers and Partners in Law Firms.
- Legal Executives are employed across a wide range of organisations in Ireland including but not limited to, Revenue Solicitors Office, Banks, Public Service, Local Authorities, Chief State Solicitors Office, Approved Housing Bodies together with Private Legal Practices.
- Legal Executives do very similar work as Solicitors and work alongside them on a daily basis (drafting documents, attending Court, Closing sales/purchases, they meet with the customer, they deal with customer files from beginning to conclusion). Legal Executives carry enormous experience and vast knowledge in their chosen field
- Legal Executives are consistently reminded by their Solicitor colleagues that they quite simply could not operate without them, given the importance of their role.



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Having considered the Irish Institute of Legal Executives Submissions to-date and having Legal Executives recognised and regulated by the Legal Services Regulatory Authority and any subsequent amendments to be made to the Legal Services Regulation Act 2015 would be an important step forward not only for us, Legal Executives but for the provision of the legal service in Ireland.

The Institute hopes that the Authority will not lose the excellent opportunity to recognise the role of Legal Executives and more importantly provide us with official recognition and regulation as a third-tier level/type of legal practitioner and not just the Solicitor and Barrister profession in Ireland.

Yours faithfully,

**On behalf of the Board of the
Irish Institute of Legal Executives**



Irish Institute of Legal Executives CLG.

By Registered Post & Email

Section 33 Consultation
Legal Services Regulatory Authority
PO Box 12906
Dublin 7

9th February 2021

Email: publicconsultation@lsra.ie

RE: SECTION 33 CONSULTATION

Dear Sirs,

I write to you on behalf of the Irish Institute of Legal Executives and I refer to our previous submissions; I thank the Authority for this opportunity/invite to make a submission under Section 33(2) to conduct a consultation with professional bodies and such persons as it prepares a report for the Year 2020.

The Institute previously submitted a submission under Section 33(1) on Admission Policies of the Legal Profession. As the Institute plays a crucial role in the Admissions and Policies of Legal Executives in this Country. Admission is based on Academic and Legal Experience. For convenience, I enclose a copy of our submission on Admission Policies of the Legal Professions under Section 33(1) dated 31st January 2020.

As to the submission under Section 33(2) for the purpose of preparing a report for the year 2020 containing the elements of i) *the number of persons admitted to practice as solicitors during 2020;* ii) *the number of persons admitted to practice as barristers during 2020;* iii) *as assessment as to whether or not, having regard for the demand for services of practising barristers and solicitors and the need to ensure an adequate standard of education and training for persons admitted to practice, the number of persons admitted to practices as barristers in 2019 is consistent with the public interest in ensuring the availability of such services at a reasonable cost.*

The Institute sets out its Members during the period of 2020.

NEW MEMBERS	STUDENT MEMBERS 2019/2020 Academic Year	REGISTERED MEMBERS
42	30	951

I wish to highlight to the Legal Services Regulatory Authority the importance of the essential role of Legal Executives in Ireland. Like Solicitors and Barristers, Legal Executives play a crucial role in the Legal Services industry. Legal Executives continued to work with their Solicitor colleagues right through the COVID-19 pandemic in 2020 and will continue to work closely with Solicitor colleagues throughout 2021 and beyond.



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The value placed on Legal Executives and their role within the provision of Legal Services in Ireland was never clearer than in 2019/2020 when the Law Society of Ireland themselves ran their inaugural course designed specifically for Legal Executives entitled "*Certificate in Property Law & Conveyancing for Legal Executives*". Many Legal Executives through their Employers took up this course and were extremely successful in its completion. This recognition by the Law Society is perhaps the greatest acknowledgment of the value of the Legal Executive in Ireland.

Recognition is also achieved by virtue of the Institute being invited to participate in the Property Registration Authority Customer Focus Group together with Solicitors, Architects, Local Authority Legal Agents, The IFA and others.

Our value and importance are further underlined when you consider that annual talks for the Institute of Legal Executives have been carried out by The Property Registration Authority, Solicitors, Barristers and Recruitment Agencies.

As in previous submissions presented to the Legal Services Regulatory Authority, the Irish Institute of Legal Executives feel it is imperative that we take this opportunity to reiterate the following:-

- Regulation of Legal Executives would provide a *greater choice to the Consumer and more competitive legal costs.*
- Regulation offers protection for consumers of legal services and Legal Executives. Legal Executives are conducting high level of legal work on a daily basis that requires regulation/recognition to ensure that the very high standards of Legal Executives are maintained and to ensure that any person holding themselves out to be a Legal Executive is properly trained and carries the requisite skill and knowledge.
- The high and perceived high cost of legal services is preventing people on lower income levels from equal access to justice.
- 90% of our fully qualified Legal Executive members (MIILEX) are educated in legal disciplines to HETAC Level 7 and above, many holding third level Diplomas, Degrees, Masters and PhDs.
- Regulating/Recognition of the Legal Executives offers more choice to the Consumer. Access to cheaper legal advice is necessary as Free Legal Aid is not accessible to many due to means testing or lengthy waiting lists.
- The Legal Services Regulation Act 2015 addresses many issues in respect of cost. However, it offers no dramatic change to the way legal services are delivered. The regulation of Legal Executives would offer a fresh and modern approach to legal services.
- Our background is identical to that of Legal Executives in England and Wales coming from Legal Secretaries, Managing Clerks and Articled Clerks.
- Legal Executives in England and Wales can become Judges, Coroners, Conveyancers and Partners in Law Firms.
- Legal Executives are employed across a wide range of organisations in Ireland including but not limited to, Revenue Solicitors Office, Banks, Public Service, Local Authorities, Chief State Solicitors Office, Approved Housing Bodies together with Private Legal Practices.
- Legal Executives do very similar work as Solicitors and work alongside them on a daily basis (drafting documents, attending Court, Closing sale/purchases, they meet with the customer, they deal with customer files from beginning to conclusion). Legal Executives carry enormous experience and vast knowledge in their chosen field
- Legal Executives are consistently reminded by their Solicitor colleagues that they quite simply could not operate without them, given the importance of their role.

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Having considered the Irish Institute of Legal Executives Submissions and having Legal Executives recognised by the Legal Services Regulatory Authority as enacted by the Legal Services Regulation Act 2015 would be another step forward not only for us, Legal Executives but the Legal Service in Ireland.

The Institute hopes that the Authority will not lose the excellent opportunity to recognise the role of Legal Executives and not just the Solicitor and Barrister profession in Ireland.

Yours sincerely,

Deborah Walsh (Legal Executive/Commissioner for Oaths)

Chairperson of IILEX

**On behalf of the Board of the
Irish Institute of Legal Executives**



BY REGISTERED POST/EMAIL

Section 33 Consultation
Legal Services Regulatory Authority
PO BOX 12906
Dublin 2

Irish Institute of Legal Executives CLG.

31st January 2020

Email: publicconsultation@Isra.ie

Re: Submission on Admission Policies of the Legal Professions

Dear Sirs,

I write to you on behalf of the Irish Institute of Legal Executives and I refer to our previous submission to the Legal Services Regulatory Authority. I thank the Authority for this opportunity/invite to make this further submission on Admission Policies of the Legal Profession.

Like all organisations within the Legal Profession, the Institute plays a crucial role in the Admissions and Policies of Legal Executives in this Country. The Institute holds a high level admission policy in admitting Legal Executives to our organisation in much the same manner as the Law Society of Ireland and the Bar of Ireland as do other stakeholders.

The Institute comprises of a Council of elected members who direct the affairs of the Institute. Council Members are elected by Members of the Institute at the Annual General Meeting each year. Each newly elected Council appoints the President of the Institute and its Officers.

The Institute functions under their Constitution and Rules and Regulations in relation to the education, admission, enrolment, and discipline of the Legal Executive profession. The Institute is the Professional Body for its Legal Executives members, to whom it also provides services and support. The Legal Executive is a profession bound by codes of confidentiality and conduct established and enforced in Ireland by the Institute, a body founded for that purpose and for the advancement of the interests of Legal Executives.

The Institute plays a crucial role in the Admissions and Policies of Legal Executives in this Country. Admission is based on Academic and Legal Experience.

Being a member of the Institute members can obtain the following:

1. Practising Certificate each year as a paid-up member
2. Legal Executives can use appropriate initials after their name e.g. FIILEX or MIILEX
3. Attend Talks organised by the Institute on a yearly basis
4. Support and Advice on career
5. Directory of Members/Diary for the year
6. The Brief Magazine- (the Official Journal of IILEX)
7. Opportunity to become Fellows of IILEX after serving three consecutive years on Council.
8. Members can apply to the Courts Service for a court access card for access to the courts by completing their prescribed application form and dealing with their requirements.
9. Being a full member affords the opportunity to vote at an AGM



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There are various levels of membership which can be found on our website www.iilex.ie and for ease of reference, I set out below a synopsis of levels of Membership as follows:-

Student Legal Executive Member:

To apply for this level of membership a person must be attending an approved course in Law/Legal Studies from the Educational Bodies recognised by the Institute. They must complete the prescribed application form and return same with two referees. A student member may attend and speak at general meetings but is not entitled to vote.

In conjunction with Griffith College the Institute developed a course specifically for the Legal Executive which is a two-year course which gives the Legal Executive the necessary academic and practical skills for the legal office. Each Student admitted onto the Course must comply with the Admissions and Policies of Griffith College and One of the benefits of admission to the Course is the student automatically qualifying as a Member of the Institute by way of a Student Membership on the completion of the prescribed application form to comply with the Institute's Admissions and Policies.

Associate Member A.I.I.L.Ex.

To apply for this level of membership a person must complete the prescribed application form. This level of membership represents a member who can be either a Law Clerk, Legal Secretary or other person with a reasonable amount of practical experience in a Legal Environment whose duties extend beyond secretarial or administrative in nature with a sound knowledge of practice and procedure as would be expected of a Law Clerk and who is committed to an acceptable course of Law Studies. An Associate member may attend and speak at general meetings but is not entitled to vote. Associates are accepted at the discretion of serving Council Members.

Legal Executive Member M.I.I.L.Ex.

To apply for this level of membership a person must complete the prescribed application form. This level represents a person who has reached the required standard of membership and has been awarded full membership. The requirement is that the person must have a University Law Degree/Diploma in Law or Legal Studies from the Educational Bodies recognised by the Institute. An Affidavit of Fitness and Certificate of Attendance on the Institute's prescribed form must be completed by the applicants Employer certifying the applicant has a minimum period of three years of practical experience. An oral interview with two serving Council Members may be required (if requested by Council).

Senior Legal Executive Member S.I.I.L.Ex.

This level of membership represents a person who has reached a defined level of expertise, academic achievement and practical experience. The requirements for this level of membership is a University Law Degree/Diploma in Law or Legal Studies from the Educational Bodies recognised by the Institute. An Affidavit of Fitness and Certificate of Attendance on the Institute's prescribed form must be completed by Employer certifying the applicant has a minimum period of ten years of practical experience. A submitted Paper on a Specialist Subject approved by Council for publication to existing members. Must have ten years continuous full membership of the Institute. An oral interview with two serving Council Members may be required (if requested by Council).



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Fellowship Members F.I.I.L.Ex.

This category of Membership represents founder members. Per Special Resolution adopted on 17th August 2007, this category also applies to anyone who sits on Council for three years or more from this date. They are then awarded the title of Fellow.

Honorary Fellowship Members F.I.I.L.Ex. (Hon)

Awarded as proposed to Council.

Life Member

Council award for special services.

Notwithstanding the provisions of the Admission Policies for membership of the Institute, a serving Council Member is empowered to waive such requirements as it shall deem fit in considering any application. Further, serving Council Members reserve the right to make whatever further enquiries they deem fit in considering applications for membership. Serving Council Members may refuse to register any application for membership in its absolute discretion, without providing reasons for such refusal.

When one qualifies with a Diploma/Degree in Law, they can use this diploma/degree in law by applying to the Institute to become a member and practise as a Legal Executive if they wish to continue their career development in the legal profession.

Legal Executives play a vital role in the provision of legal services and continue to work with their Solicitor colleagues. Institute members consider themselves members of their profession, who, like other stakeholders require academic qualification with Legal experience. Many Institute members have moved on to qualify as Solicitors and Barristers and have used their experience gained as Legal Executives to help further their career development. This is recognised by the Law Society. The Institute continues to encourage its members in their academic and career development.

The Institute considers the process undertaken by the Authority as an excellent opportunity to improve the competencies required of all in the legal profession to provide a more efficient and cost effective service to members of the legal profession and to the consumer.



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The Institute hopes that the Authority will not lose the excellent opportunity to streamline the Admissions Policies of all stakeholders and not just those of the Solicitor and Barrister professions. The Institute takes this opportunity to remind the Authority that it is the Institutes view that should Legal Executives be regulated and overseen by one body i.e. the Legal Services Regulatory Authority, the profession of Legal Executive would prove to be a considerable asset to the legal profession in Ireland.

I hope you will treat this submission favourably.

Yours sincerely,

Deborah Walsh (*Legal Executive/Commissioner for Oaths*)
Chairperson of IILEX

**On behalf of the Board of the
Irish Institute of Legal Executives**