



## **INDIGENOUS LAW STUDENTS' CLERKSHIP APPLICATION PROCESS FEBRUARY / MARCH 2020 PROGRAM**

### **Overview**

The Victorian Bar offers a unique opportunity to see a side of the legal profession that is normally hidden. The Bar is offering up to six paid clerkship positions to Indigenous law students. The program operates like a vacation clerkship at solicitor firms. The Bar's program places emphasis on the tasks undertaken by barristers and judges. This work experience opportunity will be of interest to persons with an interest in considering a career in law. You do not have to have decided that you want to be a barrister.

### **The 2020 Program - What is involved?**

The clerkship will take place on mutually agreed dates in February and March 2020, depending on university timetables.

The clerkship involves 3 consecutive weeks with rotations as follows:

- one week at the Victorian Bar;
- one week at the Federal Court of Australia; and
- one week at the Supreme Court of Victoria.

Although the Bar and the Courts have a firm preference for the clerkship occurring over consecutive weeks, where there is good reason alternative arrangements may be able to be made.

At the beginning of the program, you are required to attend a short induction with the Bar office to discuss the operation of the clerkship, your responsibilities as a participant and the Bar's responsibilities to you.

While at the Bar, you will be placed with a barrister. You will attend client conferences or Court as appropriate. You may be asked to do some research tasks. The main focus will be on providing you with an opportunity to observe a barrister working and to ask any questions you might have. The barrister will talk to you about the tasks that he or she is undertaking at that time.

While you are at the Supreme Court or the Federal Court, you will be based in a Judge's chambers. You will attend Court with the Judge and discuss the cases that he or she is sitting on. You may be asked to do some research tasks.



On completion of the clerkship, you will be:

- (a) asked to complete a questionnaire reviewing your experiences and observations throughout the clerkship; and
- (b) provided with a letter for your records setting out details of the completed clerkship.

### Eligibility

Applicants who are Aboriginal and/or Torres Strait Islander and have successfully completed at least the first year of a law degree at a recognised Australian University are eligible to apply for the clerkship.

Applicants must hold a current membership of Tarwirri or be enrolled with the Institute of Koori Education at Deakin University at the time of making an application, and at the time of undertaking the clerkship.

### Application process

Applications are to be made by submitting the form attached in **Schedule 1** to:

Susan Lawrence  
Manager, Finance and Membership  
Victorian Bar Inc.  
Level 5, 205 William Street  
Melbourne Vic 3000

**or by email** to [susan.lawrence@vicbar.com.au](mailto:susan.lawrence@vicbar.com.au)

By submitting the attached form, the applicant:

- agrees that he or she meets the eligibility criteria set out above;
- agrees to be bound by the provisions of this application and selection procedure; and
- agrees, if accepted, to commit their time to the full three weeks of the clerkship program.

### Application deadline

The closing date for receipt of applications for the 2020 summer clerkship position is 5pm on Friday, 29 November 2019.



### Selection Process

A selection panel, comprised of some members of the Victorian Bar's Indigenous Justice Committee will receive and determine all applications in accordance with the criteria set out below.

### Assessment of Applications

The selection process requires the consideration by the selection panel of all relevant criteria, including:

- Academic results in their legal studies at the time of the application;
- Stage reached by each applicant in his or her study;
- Interest in pursuing a career in law (including possibly at the Bar);
- Involvement in or contribution to the wider community;
- Previous legal experience; and
- Leadership qualities and overall personal characteristics of each applicant.

The selection panel will make such enquiries as are necessary or appropriate to consider and assess each application.

If considered necessary or appropriate, the selection panel may choose a "short list" of candidates and conduct an interview with each of them prior to concluding their assessment.

The decision of the selection panel will be final and no correspondence will be entered into with any applicant except as outlined above and below.

### Notification

Upon the selection panel reaching a decision in respect of each clerkship position, in early December 2019 the selection panel shall notify each applicant as follows:

1. Successful candidate

By email or letter enclosing a copy of a Letter of Employment (to be signed and returned to the Victorian Bar by the applicant within 7 days).

2. Unsuccessful applicant

By email or letter, thanking them for their application and informing them that their application was not successful and where appropriate, inviting them to apply again.



### Terms of Employment

Each vacation clerk will be employed on the following basis:

1. VicBar

The employer shall be the Victorian Bar Inc and the vacation clerk will report to and follow all such lawful directions of such person appointed by the Victorian Bar to supervise the vacation clerk as set out in the Letter of Employment.

The period of employment shall be the time specified in the Letter of Employment and the hours of employment will be from 9.00am to 5.00pm each weekday, with an unpaid lunch break between 1.00 – 2.00 pm.

2. Remuneration

The vacation clerk will be remunerated at the same rate applicable to the position as a casual employee at a Level 3 classification as prescribed by the Clerks - Private Sector Award 2010. This is presently \$29.96 per hour and, multiplied by 35 hours/week totals \$1,048.60 gross per week.

The vacation clerk will be remunerated on a fortnightly basis by way of direct credit to the vacation clerk's bank account as arranged between the Victorian Bar and the clerk upon confirmation of completion of each week of clerkship.

3. Confidentiality

The vacation clerk undertakes and agrees to keep confidential all such information derived by him or her in the course of undertaking his or her duties as a vacation clerk.

4. Mentors

Each vacation clerk will be assigned a mentor, being barristers who are members of the Victorian Bar's Indigenous Justice Committee, or Judges, where the vacation clerkship occurs at the Supreme or Federal Court.

5. Appointment binding

By signing the Letter of Employment the vacation clerk agrees to:

- (a) the terms and conditions set out in the Letter of Employment;
- (b) continue to abide by this application procedure and selection criteria; and



- (c) abide by the rules of the Victorian Bar so far as those rules can apply to a vacation clerk.

#### Letter of Employment

Each vacation clerk is required to sign the Letter of Employment set out at Schedule 2 before commencing the vacation clerkship offered to him or her.

#### Information

Any enquiries about this application procedure and selection criteria or the vacation clerkship generally may be made to:

Tim Goodwin or Neil Howard, members of the Bar's Indigenous Justice Committee:

[Tim.Goodwin@vicbar.com.au](mailto:Tim.Goodwin@vicbar.com.au) or 03 9225 6323

[nhoward@vicbar.com.au](mailto:nhoward@vicbar.com.au) or 03 9225 7444.



## THE VICTORIAN BAR INDIGENOUS LAWYERS COMMITTEE VACATION CLERKSHIP PROGRAM 2020

### SCHEDULE 1 - APPLICATION FORM

**Applications close 5pm on Friday, 29 November 2019.**

Please send completed and signed application forms to:

Susan Lawrence  
Manager, Finance and Membership  
Victorian Bar Inc.  
Level 5, 205 William Street  
Melbourne Vic 3000

**or by email** to [susan.lawrence@vicbar.com.au](mailto:susan.lawrence@vicbar.com.au).

PERSONAL DETAILS	
NAME:	
ADDRESS:	
TEL:	
EMAIL:	

ACADEMIC DETAILS	
UNIVERSITY:	



DEGREE:	
YEARS OF STUDY:	
LAW SUBJECTS COMPLETED:	

INDIGENOUS BACKGROUND

Please tell us a bit about your background as an Aboriginal and/or Torres Strait Islander (i.e. your First Nation, if you know it; where your traditional country is; family history; your mob)



INTEREST IN PRACTICING LAW

Please let us know why you think you might be interested in practising law

Empty text area for providing reasons for interest in practicing law.

AREAS OF LAW INTERESTED IN

What areas / subjects of law interest you and why?

Empty text area for listing areas of law of interest.






REFEREES

You may, if you wish, nominate a referee or referees (no more than two), who you feel are able to support your application

REFEREE NO. 1 NAME:	
POSITION:	
CONTACT DETAILS:	
TEL:	
EMAIL:	



REFEREES	
REFEREE NO. 2 NAME:	
POSITION:	
CONTACT DETAILS:	
TEL:	
EMAIL:	

NAME OF APPLICANT:	
SIGNATURE	

YES <input type="checkbox"/>	Please check "YES" instead of inserting your signature if you are completing this Application e-form online and submitting direct to the Victorian Bar.
Date:	



## **THE VICTORIAN BAR INDIGENOUS LAWYERS COMMITTEE VACATION CLERKSHIP PROGRAM 2020**

### **SCHEDULE 2 - SAMPLE LETTER OF EMPLOYMENT**

Dear

Re Vacation Clerkship Program 2020

#### **1. Offer of Clerkship position**

The Victorian Bar Inc is pleased to offer you the position of Vacation Clerk, commencing on a date to be agreed in February or March 2020 for a period of three weeks. Your clerkship will involve time at the Victorian Bar, the Federal Court of Australia and the Supreme Court of Victoria.

The program will commence on Monday 3 February 2020, although the dates for completion of the program will be set after discussion with you. At the beginning of the program, you are required to attend a short induction with the Bar office to discuss the operation of the clerkship, your responsibilities as a participant and the Bar's responsibilities to you.

Set out below are the terms upon which the position is offered to you.

#### **2. Remuneration**

The vacation clerk will be remunerated at the same rate applicable to the position as a casual employee at a Level 3 classification as prescribed by the Clerks - Private Sector Award 2010. This is presently \$29.96 per hour and, multiplied by 35 hours/week totals \$1,048.60 gross per week.

The vacation clerk will be remunerated on a fortnightly basis by way of direct debit to the vacation clerk's bank account as arranged between the Victorian Bar and the Clerk upon confirmation of completion of each week of clerkship.

#### **3. Hours of work**

The hours of work will be 9.00am to 5pm each weekday for the period of clerkship referred to above, with an unpaid lunch break between 1:00 and 2:00pm.



You may choose to perform reasonably overtime (which may require an early start, reduced break during the day or extra time after 5:00pm weeknights). Your salary presumes the working of some overtime and there will be no additional payment for work performed overtime.

#### 4. Confidentiality

As you are likely to be aware, as lawyers, we are required to keep all information derived by us in the course of undertaking our duties as lawyers, strictly confidential. This obligation will extend to you and must be strictly observed. Additionally, you must treat our personal matters in the strictest confidence. A failure to do so may result in the summary dismissal of your employment.

#### 5. Award

All other terms and conditions are those set out in the Clerks – Private Sector Award 2010. If you request a copy, we shall arrange for a copy to be provided to you.

#### 6. Supervisor & Mentors

You will be formally supervised in your employment by Susan Lawrence, at the Victorian Bar. On the first day of your clerkship you should come to the Chambers of Tim Goodwin at Owen Dixon Chambers West, Room 1113, Level 11, 525 Lonsdale St, Melbourne at 8:45am.

Each vacation clerk will have assigned to him or her appropriate mentors for each phase of the clerkship. The mentors will be a barrister while you are at the Victorian Bar, and a Judge and his or her associates while you are at the Federal Court and the Supreme Court.

#### 7. Illness

If you are ill, as soon as possible you must contact Susan Lawrence, Tim Goodwin or Neil Howard to let them know. If your illness occurs while you are on placement at the court, you must also contact the Associate to the Judge in chambers where you have been placed to let them know too.

If you are unable to attend due to illness, you will generally be expected to make up the time at a later date.



## 8. Acceptance of Employment

If the above terms are acceptable we ask that you sign and date the attached copy and return it to us within 7 days. You should keep the original for your records.

By signing this letter, you agree to:

- (a) the terms and conditions set out in the Letter of Employment;
- (b) continue to abide by the Application Procedure and the Selection Criteria; and
- (c) abide by the rules of the Victorian Bar so far as such rules can apply to a vacation clerk.  
The Uniform Law and Rules and Barristers' Practice Rules and Regulations that members of the Victorian Bar are subject to are available on the Bar's website, at <https://www.vicbar.com.au/public/about/uniform-law-and-conduct-rules>

If you have any questions, please contact:

Tim Goodwin or Neil Howard, members of the Bar's Indigenous Justice Committee:

- [Tim.Goodwin@vicbar.com.au](mailto:Tim.Goodwin@vicbar.com.au) or 03 9225 6323
- [nhoward@vicbar.com.au](mailto:nhoward@vicbar.com.au) or 03 9225 7444.

## 9. Acceptance

I agree to accept the position of employment on the terms and conditions in this letter.

Name: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_