



Information for applicants applying for a Certificate of Character

Introduction

The New Zealand Law Society provides both regulatory and representative services to the legal profession. As part of its regulatory role the Society provides an applicant with a certificate of character attesting to their fitness to practise law.

All certificates of character in the Wellington area are issued by the Wellington Branch of the New Zealand Law Society.

Applications are dealt with on the papers. The Society obtains information relating to an applicant's character from universities and professional training institutes. Applicants' names are advertised in *LawTalk* and on the New Zealand Law Society's website. The applicants' express authorisation is obtained to undertake a criminal conviction check.

Certificates of character are issued following approval by the Officers of the Wellington Branch. Should the Officers have any queries about the applicant being fit and proper, the applicant will be interviewed by the Officers. If they do not approve the issuance of the certificate of character the application will be referred to the National Fitness for Practice Committee.

Certificates of character have a Shelf life of 3 months from the date of issue.. If the certificate of character is not filed with the Court within 3 months it will need to be reissued. The process for reissue includes reconfirmation of referee reports and payment of the application fee. Check the timetable on the NZLS website (address shown below)to ensure that you can meet the required dates – if in doubt call the Branch Manager or check with the Admissions Clerk at the High Court.

Where do I find the forms?

All the information you need is on the Society's website at http://www.lawsociety.org.nz/home/for_lawyers/regulatory/admissions

Please comply with the Notes to the application form. Not doing so may mean that your application is delayed, which could result in you missing your chosen admission ceremony. Please note the timetable for critical dates.

Common problems that hold up applications

In order to ensure your application is not delayed, please note some common problems.

- Original documents are not provided – this includes referee reports.
- The wrong version of PRIV F2 form is used (Ministry of Justice - criminal conviction check form).
- A copy of your CV is not included – we must receive a copy of your CV containing your employment history.

Referee reports

Candidates should think carefully about whom they want to ask to provide referee reports; the referees must be persons of standing in the community. You need to ask yourself:

- Will the person provide the reference in a timely manner; and
- Do they have sufficient English to answer the questions clearly and effectively communicate your fitness to practise law?

Person of standing

A person of standing is not only an accountant, lawyer or doctor. Other people could include:

- Elder/pastor from a church/temple or synagogue
- Teacher
- Justice of the Peace
- Officer in the armed forces
- Police officer
- Senior government official
- Member of Parliament
- Nurse

When you are thinking about whether someone might have standing, these questions might help you decide:

- Would the person have had to go through character or criminal conviction checks before attaining their position?
- Does the person belong to a profession where issues of character or professional standards are regulated?
- Did they need formal tertiary qualifications and post-graduate training or qualifications to achieve this position?
- Are they well respected in the community and consulted by members of the larger community?

Other problems with references include:

- Insufficient number of references (Note 5 of the application form).
- References given by family members are not allowed (Note 5).
- Reference from your moving counsel. Your moving counsel is supporting your application and therefore cannot act as a referee.
- References not on the correct form. All references must be on the prescribed form.

If you have any doubts, please contact the Branch Manager before asking the person to fill in a referee report.

Frequently asked questions

Does the Criminal Records (Clean Slate) Act 2004 apply?

Yes, but we cannot provide you with detailed advice as to whether your particular conviction is covered by this Act. Where you are in doubt, you should seek independent legal advice.

Please note:

You do not have to disclose criminal charges that did not lead to convictions. This includes diversions, discharge without conviction, and acquittal following trial.

Do we need to know about an incident that occurred whilst at university?

Yes, if an incident occurred at university, which was within the control of the university, and was recorded on your student record, it is likely that the university will tell us. We strongly recommend you tell us first.

Please remember we are here to help. If you have any questions or doubts call us or email us at wellington@lawsociety.org.nz

Admission

Admission ceremonies are small (up to 15 admittees) and personal. The number of ceremonies is determined by the number of admittees.

Court dress

The admittee and moving counsel are required to wear bibs, wigs and gowns. The Branch has bibs that can be borrowed as well as a limited number of wigs and gowns. Please exhaust all other sources for finding a wig and gown. If you wish to borrow court dress contact Claudia Downey; telephone 04 472 8978, email wellington@lawsociety.org.nz

The admission ceremony is an important formal court ceremony and recognises the commencement of your legal career. The following are guidelines about the correct formal attire for you and your moving counsel.

- Black gown
- A white winged shirt is preferable, however if this is not available a white collared shirt will be acceptable.
- Ties should not be worn under the gown
- A white bib is mandatory
- Either a bar jacket or a dark coloured suit; dark coloured skirt for women.
- The wig should be worn just above the forehead with no hair showing
- Shoes should be black and in good order.

Information about the admission ceremony

The Admissions Clerk at the High Court will contact you about attending the Court at lunchtime the day before your ceremony, when clear instructions about the ceremony will be given to you. At that meeting please check that the Court staff have the correct spelling of your name.

Be in the Jury Room at least 15 minutes before your ceremony so the Court staff can give you final instructions. You will be admitted in alphabetical order by last name, unless a QC is your moving counsel. QCs take precedence over other moving counsel.

If you are borrowing court dress from the Law Society please collect it from the nominated room giving yourself sufficient time to be in the Jury Room in time for instructions by the Court staff. After you have signed the Roll please return the Court dress to the nominated room so it is available for the next candidate for admission

Your moving counsel should be in the Courtroom 10 minutes before the commencement of the ceremony. You will move into the Courtroom through internal access. During the admission ceremony the Judge will invite you to address the Court. You should be brief and ensure that you do not turn your back to the Judge.

Family and friends, including children, are welcome to attend the admission ceremony. They are advised to be there early as seating is limited. They will be invited to take photographs. However, you should advise them not to walk in front of the Judge while he or she is speaking.

Following the last admission ceremony the Society hosts a function to welcome admittees to the legal profession. The invitation includes moving counsel and several guests. Please RSVP.

New Zealand Law Society Guide for New Lawyers

Information for new entrants to the legal profession and lawyers with fewer than 5 years' experience, including New Zealand Law Society Guide for New Lawyers, Frequently Asked Questions, Legal Education, Employment and Networking is available at http://my.lawsociety.org.nz/in_practice/information_for_new_lawyers

Young lawyers group

Young Lawyers are lawyers admitted in the last 5 years. They run a number of social and information evenings during the year and you are encouraged to join them. The website link is <http://www.younglawyers.co.nz/>

New Zealand Law Society

Practising certificate – Following admission you can apply for a practising certificate. The application form is on the Society's website. You will need a copy of your Order of Admission.

Collegiality – the local Branch of the Law Society offers a variety of activities, including specialist committees, where you can enjoy the collegiality of other lawyers.

Continuing Legal Education – Maintain your competence by attending courses and workshops run by NZLS CLE Ltd.

CV Scheme

The Wellington Branch, New Zealand Law Society, runs a CV scheme, where we try to match up admittees/lawyers with employers looking for a new employee.

The process is simple.

- Provide a copy of your CV to the Wellington Branch.
- Complete the cover sheet to go with your CV, including areas of work interest (provided by the Wellington Branch).
- The cover sheet provides a place for you to indicate whether you want to be contacted before your CV is sent to a prospective employer.
- The Wellington Branch holds a CV for 3 months, after which time you will be contacted to see whether you need to make any changes to indicate further experience and to ensure you want your CV held.
- Please let us know when you obtain a position so we can remove your CV.
- From time to time we advertise the CV service to all lawyers in the greater Wellington and Marlborough areas.
- When the Branch receives an inquiry from a prospective employer with matching areas of work, your CV will be forwarded to them directly unless you have requested to be contacted before it is sent. That way you have a choice about whether or not your CV is sent to that prospective employer.
- It is up to the prospective employer to contact you.