

Legal Practice & Compliance

1. General introduction to practice management

1.1 Pre-opening requirements

Guidance Note	Forms & Precedents	Checklists	Other Resources
1.1.1 Commencement process			

1.2 Business plan

Guidance Note	Forms & Precedents	Checklists	Other Resources
1.2.1 Developing a core business plan			
1.2.2 Business start up costs			
1.2.3 Formation of different forms of businesses			

2. Setting up practice

2.1 Administrative requirements

Guidance Note	Forms & Precedents	Checklists	Other Resources
2.1.1 Administration processes for a legal practice			

3. Legal compliance requirements

3.1 Law Society

Guidance Note	Forms & Precedents	Checklists	Other Resources
3.1.1 Law society rules ethics and conduct			
3.1.2 Complaints to the law society			

3.2 Attorneys Fidelity Fund

Guidance Note	Forms & Precedents	Checklists	Other Resources
3.2.1 Legislative and regulatory requirements			
3.2.2 Applying for a Fidelity Fund certificate			
3.2.3 Claims to the AFF			
3.2.4 Losses covered by the AFF			

3. Legal compliance requirements

3.3 VAT

Guidance Note	Forms & Precedents	Checklists	Other Resources
3.3.1 Registering for VAT			
3.3.2 How to register for VAT			
3.3.3 VAT submissions			

3.4 FICA

Guidance Note	Forms & Precedents	Checklists	Other Resources
3.4.1 Objectives, purpose and importance of FICA			
3.4.2 Requirements and compliance under FICA			
3.4.3 Registration process and FIC			
3.4.4 Know your client			
3.4.5 Reporting process			
3.4.6 Risk management and compliance programme			

4. Attorneys and candidate attorneys

4.1 Legal requirements

Guidance Note	Forms & Precedents	Checklists	Other Resources
4.1.1 Attorneys admission requirements			
4.1.2 Application process for admission as an attorney			
4.1.3 Legal Practice Act			
4.1.4 Commissioner of oaths			

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4. Attorneys and candidate attorneys

4.2 Formalities for articles of clerkship

Guidance Note	Forms & Precedents	Checklists	Other Resources
4.2.1 Application for articles and registration			
4.2.2 Contract of articles			
4.2.3 CA job requirements and duties			
4.2.4 Board examinations			
4.2.5 Candidate attorney guide			

4.3 Court practices

Guidance Note	Forms & Precedents	Checklists	Other Resources
4.3.1 Guide for Magistrate and general Court practice			
4.3.2 Guide for High Court practice			

4.4 Attorneys conduct management

Guidance Note	Forms & Precedents	Checklists	Other Resources
4.4.1 General work vs specialisation			
4.4.2 Sharing of fees and commission			
4.4.3 Naming of practice			
4.4.4 Responding to communications			
4.4.5 Pro bono services			
4.4.6 Contracting of work to third parties			
4.4.7 Conduct of legal practitioners not in private practice			
4.4.8 Conduct of admitted attorneys who are not in practice			

5. Human Resources management

5.1 Recruitment and termination

Guidance Note	Forms & Precedents	Checklists	Other Resources
5.1.1 Hiring of employees			
5.1.2 Developing and implementing human resource policies			
5.1.3 Termination of employment			

5.2 Workplace conduct

Guidance Note	Forms & Precedents	Checklists	Other Resources
5.2.1 Health and safety requirements in the workplace			
5.2.2 General duties of employers and employees			
5.2.3 Health and safety management system and policies			
5.2.4 Managing sick leave and absenteeism			
5.2.5 Pension funds			
5.2.6 Medical aid			

5.3 Information systems and management

Guidance Note	Forms & Precedents	Checklists	Other Resources
5.3.1 Monitoring staff			
5.3.2 Electronic communications policy			

5.4 Disciplinary and grievance

Guidance Note	Forms & Precedents	Checklists	Other Resources
5.4.1 Developing and implementing disciplinary and grievance procedures			
5.4.2 Chairing a disciplinary hearing			

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5. Human Resources management			
5.5 Broad Based Black Economic Empowerment			
Guidance Note	Forms & Precedents	Checklists	Other Resources
5.5.1 Introduction to B-BBEE for legal practice			
5.5.2 Compliance with B-BBEE procedures			
5.6 Performance management			
Guidance Note	Forms & Precedents	Checklists	Other Resources
5.6.1 Skills development and continuous improvement			
5.6.2 Training of employees for work			
5.6.3 Performance reviews			
5.6.4 Performance management procedures			

6. Financial management			
6.1 Basics of financial management			
Guidance Note	Forms & Precedents	Checklists	Other Resources
6.1.1 Types of financial expenses			
6.1.2 Financial management systems and practices			
6.2 Financial procedures manual			
Guidance Note	Forms & Precedents	Checklists	Other Resources
6.2.1 Financial responsibilities and relevant stakeholders			
6.2.2 Annual plans and budgetary control			
6.2.3 Income and expense control			
6.2.4 Investments and borrowing			
6.2.5 Financial assets and record keeping			

6. Financial management			
6.3 Financial performance			
Guidance Note	Forms & Precedents	Checklists	Other Resources
6.3.1 Regulatory requirements			
6.3.2 Financial statements			
6.3.3 Trust fund management principles			
6.3.4 Measurement and improvement of financial performance			
6.3.5 Preventing fraud			
6.4 Accounting compliance			
Guidance Note	Forms & Precedents	Checklists	Other Resources
6.4.1 Accounting reports, audits and procedures			
6.4.2 Payments and balance sheets			
6.4.3 Accepted accounting reporting			
6.4.4 Accounting principles, irregular conduct and breaches			
6.4.5 Updating and retention of accounting records and files			
6.4.6 Trust money to be kept separate from other money			
6.4.7 Accounting and payment to clients			
6.4.8 Depositing of trust monies			
6.4.9 Investments and restrictions			

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7. Risk management and insurance

7.1 Risk procedures and policy

Guidance Note	Forms & Precedents	Checklists	Other Resources
7.1.1 Categories of risks in practice			
7.1.2 Risk management policy			
7.1.3 Protecting your legal practice			
7.1.4 Common pitfalls factsheet			

7.2 Professional indemnity insurance

Guidance Note	Forms & Precedents	Checklists	Other Resources
7.2.1 Principles of professional indemnity insurance			
7.2.2 Attorneys Insurance Indemnity Fund			
7.2.3 Registration of professionals associated with a practice			
7.2.4 Guidelines for professional indemnity insurance cover			
7.2.5 Non-payment of claims			

8. Client management

8.1 Client relationships

Guidance Note	Forms & Precedents	Checklists	Other Resources
8.1.1 Determining the right client base			
8.1.2 Approaching potential clients			
8.1.3 Management of new clients			
8.1.4 Meeting clients needs			
8.1.5 Client confidentiality and disclosure			
8.1.6 Conflicts of interest			

9. Costs management

9.1 Legal costs

Guidance Note	Forms & Precedents	Checklists	Other Resources
9.1.1 Types of legal costs			
9.1.2 Professional fees and tariffs			
9.1.3 Instructing corresponding attorneys and related costs			
9.1.4 Preparing bill of costs and recovering costs			
9.1.5 Taxation			

10. Practice administration

10.1 File management

Guidance Note	Forms & Precedents	Checklists	Other Resources
10.1.1 Opening new files			
10.1.2 Estimating costs			
10.1.3 Confirming client instructions			
10.1.4 Unpaid accounts and liens over files			
10.1.5 Terminating instructions and closing files			
10.1.6 Keeping of records			
10.1.7 Recording of time			
10.1.8 Managing prescription			
10.1.9 Fee agreements			
10.1.10 Referral agreements			

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11. Marketing of legal services

11.1 Pitching the firm

Guidance Note	Forms & Precedents	Checklists	Other Resources
11.1.1 Determining the firms target market			
11.1.2 Developing a marketing plan for the firm			
11.1.3 Developing and implementing a market strategy			

11.2 Advertising and pricing

Guidance Note	Forms & Precedents	Checklists	Other Resources
11.2.1 Types of legal advertising and restrictions			
11.2.2 Allocation of budgets for advertising and marketing			

11.3 Social media

Guidance Note	Forms & Precedents	Checklists	Other Resources
11.3.1 Types of social media platforms			
11.3.2 Social media legal requirements			
11.3.3 Restrictions on social media advertising			

11.4 Corporate social responsibility and pro bono

Guidance Note	Forms & Precedents	Checklists	Other Resources
11.4.1 CSR regulatory requirements			
11.4.2 Formulating the firms approach to pro bono			
11.4.3 Pro bono opportunities and marketing			