



## **Small to Medium Practice Advisory Committee**

### **Terms of Reference**

The majority of legal practices in Victoria are small firms whose agility can be a great advantage allowing them to provide services to large and small corporate clients, SMEs and individuals from all walks of life.

LIV acknowledges that small to medium practices have unique challenges and has therefore established the Small & Medium Practice Committee to provide management with advice and a forum for consultation on issues relating to the provision of legal services.

#### **Why the Committee exists:**

The SMP Advisory Committee has been established to provide LIV with a forum for consultation on the development of personalised, relevant and engaging support, advice, education and services on areas of practice and risk management.

#### **Purpose of the Committee:**

To provide management advice in relation to specific strategic questions and issue referred to it by management through the General Manager, Policy, Advocacy & Professional Standards or delegate.

The SMP Advisory Committee is an advisory committee and not a LIV Section Committee established under the Revised Model By-Laws and has no power delegated by the LIV Council

The SMP Committee has no power or authority to bind, instruct or direct the management.

#### **Key objectives of the SMP Committee:**

- provide guidance on the development of personalised, relevant and engaging support, advice, education and services on areas of practice and risk management.
- review new strategies, CPD programs and support services for members working as principals in practice including the development of complimentary Trust Account and Practice Management consulting services.

- identify best practice tools to assist in the LIV achieving a pro-active self-regulation model for all legal practitioners.
- advise on the development of enhanced value propositions for SMPs with an emphasis on identifying and communicating best practice processes.
- monitor trends and contribute to root cause analysis of data received from regulators complaint and monitoring programs to review systems, services and procedures to improve practice management and ethical behaviour.
- provide input to the annual review of LIV Professional Standards (Limited Liability) Scheme Risk Management Plan and Strategy.
- create awareness and provide guidance on issues impacting SMPs enhancing the reputation of members working as a principal in practice.

### **Structure and term**

To ensure members have an opportunity to effectively contribute to the Committee members will be expected to commit to:

- a minimum term of 2 years
- attend between 6 – 8 meetings for up to 2 hours each year
- attend meetings in person or electronically (via video / telephone conference call)
- from time to time undertake additional activities in relation to specific items that are raised in meetings based on individual preferences, skills, experience and the needs of the committee.

### **Membership Composition**

The Committee will consist of six to ten members appointed by the General Manager, Policy, Advocacy & Professional Standard.

In appointing a Committee Member, the following skills and experience are considered:

- Period of time holding a Principal Practising Certificate
- Skills and expertise in practice, insurance or risk management
- Profile of members practice, including number of partners, areas of specialisation and geographical location
- Past contribution to the profession (committees, branches, research etc)
- Understanding of the legal regulatory environment (Uniform Law, Uniform General Rules, Solicitor Conduct Rules and monitoring frameworks)

The Committee may decide to second other suitably qualified persons for a defined number of meetings, who need not to be a member of LIV based on their specific areas of expertise.

### **Appointment of Chair**

The Chair will be appointed by LIV CEO.

## **Meetings and business for the Committee**

- A yearly meeting schedule will be established for the period 1 July – 30 June each year.
- Meeting papers and agendas are distributed at least five business days prior to each meeting. It is expected that committee members will review the agenda prior to the meeting and will come to meeting prepared to discuss any agenda items.
- All Committee members are to maintain confidentiality in respect to all discussions held at Committee meetings or other deliberations of the Committee or any working group thereof. These obligations of confidentiality extend to any draft communication, submission or correspondence to external stakeholders or any other practitioner bodies.
- Meeting papers are confidential and may not be disclosed, shared or distributed and may contain content prepared to examine and stimulate discussion on specific issues or challenges. These papers should not be taken as reflecting the LIV's policy position on any matter unless expressly stated.

## **Conflicts of Interest**

Member of the Committee must:

- Declare a perceived conflict of interest and the nature and extent of the interest prior to the relevant matter being discussed at a Committee meeting
- Absent themselves from the Committee meeting while the other members discuss where a conflict exists and if so, what impact it would have on the matter being discussed and what action required.