

- Position Title:** Lay member of a Lawyers Standards Committee.
- Reports to:** The Convenor of the Standards Committee to which the lay member is appointed.
- Location:** Wellington

### **About the Law Society**

The New Zealand Law Society Te Kāhui Ture o Aotearoa is the professional body for barristers and solicitors in New Zealand. The Law Society regulates all lawyers practising in New Zealand and is the membership organisation for practising lawyers. With 13 branch offices throughout the country, the Law Society is the Kaitiaki (guardian) of the practice of law in Aotearoa New Zealand and the consumers of legal services.

### **About the Role**

Lay members of Lawyers Standards Committees are established under Part 7 of the Lawyers and Conveyancers Act 2006 (**the Act**).

The statutory functions of Standards Committees are to:

- inquire into and investigate complaints against lawyers, incorporated law firms, and their employees;
- promote the resolution of complaints by negotiation, conciliation, or mediation, where it is appropriate to do so;
- in certain circumstances, to intervene in the affairs of law firms;
- make final determinations in relation to complaints; and
- lay and prosecute charges before the New Zealand Lawyers and Conveyancers Disciplinary Tribunal.

A lay member must:

- be a person of good character and be a fit and proper person to serve on a Standards Committee;
- possess all of the attributes of skill, experience, and judgement necessary to be a contributing member of a Standards Committee undertaking the full range of its statutory functions.

In addition to being of good character and fit and proper, applicants must have the skill and judgement required to deal with contentious and sometimes complex issues. Protecting the consumers of legal services is a key purpose of the Act which is one reason why it is important to have a perspective from outside of the legal profession.

Lay members are people of proven integrity and good standing in their communities and will have an established record of achievement and responsibility in their personal and working lives.

Expressions of interest for appointment as a Lay Member should address these matters and be accompanied by a full CV and any relevant supporting material. An application form accompanies this document.

Persons who are or have been enrolled as barristers and solicitors, or as registered conveyancers, are not eligible for appointment as a lay member.

### **Conditions of Appointment**

- The position is on a part time basis and for a fixed term (as specified by the New Zealand Law Society Board at the time of appointment, but not more than three years in the initial period of appointment).
- The appointment and remuneration of lay members is the responsibility of the Law Society Board.
- Remuneration is paid at the rate of \$200 (gross) per meeting, which includes all premeeting preparation work.
- Lay members must have the ability to receive meeting papers electronically when required.
- Lay members must not be or ever have been enrolled as barrister and solicitor in New Zealand or another country.
- Lay members are required to undergo a criminal history check before being appointed and must inform the Law Society immediately if they are charged and or convicted of a criminal offence.
- Lay members must inform the Law Society immediately if allegations of workplace bullying or sexual harassment arise against them or their employer.
- Lay members are required to attend meetings of the Standards Committee to which they are appointed and to take direction from the Convenor, whilst exercising independent judgement on matters under inquiry.
- All of the activities of Standards Committees are strictly confidential, subject to publication orders and permitted disclosure to parties.
- All lay members are subject to and must work in accordance with the provisions of the Act, and all Rules and Regulations made under the Act, the Standards Committee Guidelines and any practice notes.
- Lay members must be alert to the possibility of conflicts of interest arising during the course of their duties and must make any potential or actual conflict of interest known to the Convenor as soon as it arises.
- A lay member may resign at any time by notice in writing to the Law Society.
- The Law Society Board may remove a lay member from office where it is satisfied that the member is unable to fulfil his or her role properly, including:
  - Persistent inability to competently perform the duties of a lay member;
  - Persistent neglect of those duties, including the failure to attend meetings or to be adequately prepared for meetings, or to undertake such work as is reasonably delegated to him or her.
- A lay member may also be removed in circumstances where he or she has engaged in serious misconduct or has been convicted of a criminal offence punishable by imprisonment and the Board considers that the misconduct and/or the conviction reflects on his or her fitness to continue to serve on a Standards Committee, or where the lay member has been adjudicated bankrupt.

- All Standards Committee members are protected from civil or criminal liability in the performance of their duties unless they have acted in bad faith

#### **Key Internal/External Relationships**

- Lawyer members need to relate constructively with other Standards Committee members (both lay and lawyer)
- New Zealand Law Society Professional Standards Officers assisting Standards Committees
- Special investigators, legal counsel or any other individual appointed by the Committee

#### **Competencies**

Specific competencies include:

- Critical thinking, sound judgement and analytical skills which can be constructively applied to a wide range of legal topics and human behaviour generally;
- Ability to communicate effectively and accurately, both verbally and in writing;
- Good organisational skills;
- Ability to work effectively in a team, or individually as required; and
- Microsoft Office competency and computer literacy.