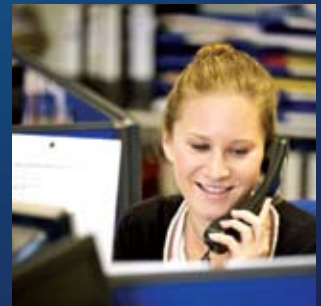




THE LAW SOCIETY
of SCOTLAND
www.lawscot.org.uk

An introduction to our services





The Law Society of Scotland promotes excellence across the solicitor profession through representation, support and regulation of its members. We also help to shape the law for the benefit of both the public and the profession.

The Society was created by an Act of Parliament in 1949 and our rules are set out in the Solicitors (Scotland) Act 1980. The organisation is funded by our members. All practising solicitors are members of the Society.

The three main areas at the Society are:

- Representation and Support
- Membership and Registrar
- Regulation and Standards



Representing the Profession



Representation and Support

The Society supports and represents solicitors throughout their careers.

Our key support services are education, continuing professional development (CPD), professional practice advice service, law reform and regulation liaison.

Our Education Policy Team focuses on the education and training of solicitors in Scotland.

The team works hand in hand with our events department, Update, which organises post-qualification CPD events for the profession, providing a range of resources and tailored programmes for solicitors, other legal providers and business people.

Practising solicitors benefit from the expert advice and guidance of the Professional Practice Department. This team provides training, delivers briefings and supports key career milestones such as becoming an accredited specialist or a solicitor advocate. The team also provides business information for firms such as converting to a limited liability partnership.

On representation, our Law Reform Department works to improve the law in Scotland and the legal system for the benefit of the profession and the public. This team analyses and responds to legislative proposals from Holyrood, Westminster, Brussels and elsewhere, always ensuring that the views of solicitors and their clients are represented.

The Society also offers help, training and support to the profession on client complaints handling, including advice on how to avoid complaints.





Membership of the Society

Membership and Registrar

Solicitors undertake several years of study and complete a traineeship before they are eligible to join the Law Society as a solicitor. The Registrar's Department maintains the record of each member throughout their working lives and ensures their eligibility to practise. This includes:

- Qualification and traineeships
- Entrance and admission
- Membership, the roll of solicitors and practising certificates
- Incidental financial business registration
- Scottish Legal Complaints Commission levy collection
- Accreditation of specialists and family law mediators

The Registrar also ensures that all solicitors in private practice have professional indemnity insurance. Called the Master Policy, this provides insurance against losses caused by a solicitor's negligence. The department also acts as the registrar for conveyancers and executry practitioners and handles the regulatory regimes for registered foreign lawyers, registered European lawyers and licenses solicitors as insolvency practitioners.





Setting Standards

Regulation and Standards

All Law Society of Scotland members are expected to work to high standards of service and conduct. The Society defines and promotes standards of conduct and service to members and their clients.



We provide information and support to the profession on handling and preventing client complaints. The system for making complaints against solicitors changed with the opening of the Scottish Legal Complaints Commission on 1 October 2008. From that date, all complaints must be sent to the Commission in the first instance. Complaints about a solicitor's conduct or a service provided before 1 October 2008 will be referred back for the Society to investigate and, where necessary, take action.

The Complaints Investigation Team is responsible for investigating complaints. This involves communicating to all relevant parties before making recommendations to one of the Society's Client Care Committees. These committees have equal numbers of solicitor and non-solicitor members who decide on complaints and can refer serious cases to the Scottish Solicitors' Discipline Tribunal.

The Financial Compliance Team inspects the accounts of firms and handles claims arising from the Guarantee Fund, which can reimburse clients who have suffered monetary loss because of the dishonesty of a solicitor or his or her staff.

The Society's Interventions Department assists solicitors' clients where a solicitor has ceased trading without making arrangements for outstanding work and client files. On the rare occasion that it is suspected client money is missing from a firm, the Society can ask the Court of Session to appoint the Judicial Factor to examine the firm's records and reassure clients that business is ongoing. Both the Interventions Department and the Judicial Factor liaise with clients and, where necessary, put them in touch with other solicitors.



Services and Protections for the Public

Although the Society cannot offer legal advice, we can help people, businesses and organisations to find a solicitor who can.

With more than 1,200 firms in Scotland, you might want help finding a solicitor who suits your needs. We have developed a comprehensive online search facility for all firms and solicitors. Whether it's a particular solicitor or service that you require or simply a firm in your area, these can be found on the Society's website (www.lawscot.org.uk) by clicking on 'Find a solicitor'.

The Society also provides online information for certain areas of the law such as buying and selling property and making a will.

The vast majority of people who consult a solicitor will be satisfied with the service they receive. Occasionally, there is a problem and clients may want to make a complaint. Along with the Scottish Legal Complaints Commission, the Society is responsible for handling complaints against solicitors.

The Society also has a role in arranging consumer and professional protections. The Guarantee Fund can be used to reimburse any clients who have suffered a monetary loss as a result of the dishonesty of a solicitor or their staff. The Master Policy is a professional indemnity insurance which guarantees that any negligence claim established against a solicitor will be paid.

As well as providing services for the public, the Society is committed to improving the law for the benefit of all. Whether it's commenting on draft legislation or improving existing laws, the Society can bring together a considerable amount of expertise.





The Solicitor Profession

Solicitors deal with a wide range of work for a variety of clients. Working in law firms, corporate organisations, government or local authorities, Scottish solicitors operate in Scotland and other jurisdictions.

A profile of the membership:

- Around 10,400 solicitors hold a practising certificate
- There are around 1,200 firms
- Practices range in size from sole practitioners to 80-partner firms
- The work of solicitors is diverse, providing services for individuals and businesses as well as dealing with both civil and criminal matters
- Approximately a quarter of solicitors work in-house for businesses and organisations such as the government, local authorities and banks

The solicitor profession makes a substantial contribution to the Scottish economy. Through expansion and diversification, solicitors have adapted to meet the changing needs of their clients.



The Society's Structure



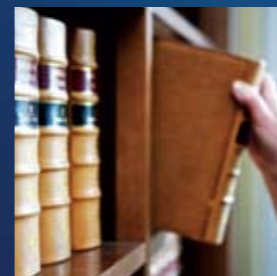
All practising solicitors are members of the Society and they elect representatives to sit on the Society's Council, our ruling body. The Council has overall responsibility for strategy and policy.

The work of the Council is supported by the Board, which draws members from the Council and the Society's executive staff. This is the principal decision making team at the Society.

The Society's president and the vice president hold office for one year.

The chief executive is responsible for the day to day operations of the Society, working with a staff of approximately 120.

The work of the Society is greatly supported by solicitors and non-solicitors who contribute their time and expertise through the many committees and working groups. These committees carry out valuable work looking at a range of issues to do with improving the law and legal practice.





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“ Clients are entitled to good standards from solicitors. Solicitors are entrusted to help people at important times of their lives. Whether buying a house, providing support and advice at a time of bereavement or acting on a client’s behalf in a court case, solicitors interact with a wide cross-section of society to protect the rights of the vulnerable and support business and economic growth. The standards that they work to reflect the legal, moral and professional obligations of solicitors to clients, the courts, the public and others in the legal profession. ”

Introduction to the Society’s *Standards for Scottish Solicitors* booklet

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