



10 things you need to know about the Legal Services (Scotland) Bill

- 1 The legislation will allow solicitor firms to adopt new business models, referred to as both alternative business structures (ABS) and Licensed Legal Services Providers (LLSP)
- 2 Solicitors will be able to go into practice and share profits with non-solicitors
- 3 Ownership of firms will be extended to include non-solicitors
- 4 Current models would exist alongside the new models
- 5 The new models would be subject to equivalent regulations to current models
- 6 The standards governing ethics and principles of individual solicitors will not change
- 7 The Society identified key safeguards: independence of the profession, professional principles, consumer protection and access to justice
- 8 Each firm adopting a new business model must have a solicitor head of legal services responsible for all legal activities
- 9 The Society believes that it should regulate these new models
- 10 The Society is currently consulting members on the regulatory framework



THE LAW SOCIETY of SCOTLAND

www.lawscot.org.uk

The facts and timings of the referendum, Legal Services Bill and SGM.

Referendum - 23 March 2010

The Society's Council has decided to hold an independent referendum that will allow every member of the profession to vote on whether they support the introduction of ABSs and also if they agree that the Society should apply to regulate ABSs. The Society's policy of supporting ABSs was decided by members at its AGM in 2008. The vote followed a full consultation with the profession. Although entirely democratic, the vote has been called into question and if it is repeated at the SGM then the same allegations could be made. A referendum will decide the matter conclusively. Members are strongly encouraged to use their vote.

The Society has received a requisition for a second referendum. This referendum is about the Society's representative functions. The Council of the Society will consider the requisition at its next meeting at the end of March.

Legal Services Bill

The Scottish Government's Legal Services Bill is at stage 1 in parliament with the debate scheduled for mid-April. The Society is pushing for amendments to the Bill to strengthen the independence of the profession, impose greater duties on ministers to consult on regulations and bring unregulated providers within the scope of the Bill.

Consultation - closes 16 April

The Society is currently consulting on the regulatory framework and members are urged to respond by 16 April. The resulting policy paper will be brought to the Society's AGM in May.

SGM - 25 March

Members of the Scottish Law Agents Society have called for an SGM which the Society will hold at Murrayfield Stadium on 25 March. The motion proposes to change the policy of the profession and the Society to one of opposition to ABSs. It would if passed exclude inhouse lawyers practising in the reserved areas. The Society will follow its current policy and oppose the motion. Members are urged to attend the SGM to vote or hand in their proxy vote to the Society by 23 March.



Referendum 2010

For more details go to www.lawscot.org.uk

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