

CERTIFICATE LICENSING TRAINING PROGRAM (CLTP)

To inform the development of minimum standards for the CLTP it is important to review how the program can be implemented in line with international best practices. The implementation methodology described below allows for the CLTP program to be implemented in classroom, or in a hybrid format (incorporating both classroom and virtual delivery platforms).

CLTP TRAINING COMPONENT

The program envisages each trainee running a general practice law firm with three other partners, while incorporating technology and online opportunities as soon as the trainee starts the CLTP. This law firm can function in a classroom setting or as a virtual law firm. Each law firm in the program should be paired with a Mentor, who must be a member of the legal profession with at least 5 years' experience. Trainees in each law firm will be instructed by a Subject Matter Expert (SME)/Assessor who is a faculty member at the program's Provider Institution or Law Faculty with practical law practice experience and responsible for assigning work and assessing performance. One SME may be instructor to a number of law firms' trainees. The number of trainees registered in the CLTP will inform the number of SMEs required to run the program. Each of the case files is to be developed by the SME who ultimately will be responsible for grading/assessing the work of the trainees.

THE TRAINING COMPONENT: INTRODUCING THE VIRTUAL LAW FIRM (VLF)

The virtual program similarly starts by placing trainees into virtual law firms (VLFs) of approximately four people. This ensures that CLTP trainees are exposed to group dynamics, which is important in successful law professional development. The program can have as many law firms as needed to accommodate the number of trainees enrolled in the CLTP. Each firm should be paired with a Mentor, who must be a member of the legal profession with at least 5 years' experience. Mentors' roster membership should cover all areas of practice and workplace settings (clinics, government, law school, private practice of all sizes, in-house counsel) incorporating lawyers with at least 5 years of experience. The Mentors' Roster is to be established by the training provider institution with volunteers from the legal profession. These Mentors act as 'Supervising Lawyers' for the VLFs, meeting with the entire firm (all 4 trainees) once weekly for the entire program period via Zoom or via web conferencing or other online platforms (e.g. video "meetings"), and may also meet bi-weekly with individual trainees on a 'per appointment' basis. During these interactions, the Mentor and the firm review the case file work that the firm has been working on that week, as well as discuss specific themes of Professionalism and Ethics, Practice and Client Management.

CORE SKILLS AND PRACTICE AREAS

Participation in the CLTP program is to be considered as "work", not school. On the basis of the expectations of the BCM's mandate, the CLTP goal is to develop and assess trainees in all of the following core practical skills:

1. Client Care and Management
2. Conducting Legal Research, Drafting and Legal Writing

3. Case and Transaction Management, including Monitoring & Negotiations
4. Advocacy
5. Ethics and Professional Responsibility

Even if the CLTP program is developed strictly in a virtual format, trainees still should be required to meet at the training institution/law faculty 3 times for a week at a time (1 week in the start of the program; 1 week at the middle of the program; and 1 week at the end of the program). These 3 weeks offer trainees the opportunity to engage in intensive workshops or panels (e.g. Trial Advocacy), be assessed in-person by the bench and bar, develop and expand their professional network with each other (future colleagues) as well as members of the profession. An **Intensive 3-day Trial Advocacy Program** should be developed for trainees to participate in during one of the last two of these meetings. During the rest of the period of the program, trainees spend their time “working” in a simulated environment (virtually or in-person), responding to lawyer and client requests on a rapid, regular, intense basis. Role playing may be used to incorporate clients into the process. Practical training work during the program should be “delivered” via case files in the different subject areas considered relevant by the BCM.

INPUT BY THE PROFESSION AND PROGRAM PROVIDERS: MENTORS AND SUBJECT MATTER EXPERTS/ASSESSORS

The SME acts as Senior Management Partner for the firm and as Assessor of the performance of trainees in the CLTP training program. The SME develops/updates a background story, online reference resources, precedents and “typical” file assignments and quizzes. These assignments include client meetings, to opening a file to research, responding to clients’ questions, to drafting or reviewing contracts or pleadings, through to arguing or presenting before a court or tribunal, and then billing and collecting fees. Trainees receive these assignments throughout the business day/week as “emails” from the SME. The case files are layered, beginning with work covering one, then a second, eventually with all eleven subject areas of law covered, therefore also building the skill of professional prioritization (i.e. practice management). Sometimes VLFs are working on a single file for a day or two; other times they are juggling the expectations of multiple files, as is the case in “real world” practice. VLFs connect with their Mentors, each other, SMEs and their simulated clients virtually through web conferencing and other online platforms (e.g. video “meetings”, emails, etc.).

Trainees may submit some work through their firm, but regularly they submit them on an individual basis. They are offered feedback by their Mentors on some of their work (particularly as they first begin the work), or self-assess based on model answers available by the SMEs and then discuss during the weekly Firm meetings with the Mentors. In addition, however, Trainees may be assessed by other members of the profession as specific Assessors for particular subject matter tasks (Motions, Client meetings, Negotiations, Opening/Closing Statements, Cross/Direct Examinations, Submissions, Bail Hearing, Supervisor Meetings), during the 2nd and 3rd in-person meetings at the training provider institution.

Trainees are assessed monthly by the SME/Assessor in consultation with trainees’ Mentors on all 5 of the core skills mandated by the BCM. Trainees are assessed as “*Developing*”, “*Meets Expectations*” or “*Exceeds Expectations*” by their Mentors and Assessors, and overall success depends on consistent and developing performance throughout the CLTP training period. At the end of the program, trainees will be assessed by the SME/Assessor with the following designations: ‘*Completed CLTP Program Successfully with Honours*’; ‘*Completed CLPP Program Successfully*’; ‘*Failed CLTP program*’.

WORK PLACEMENT COMPONENT (75 HOURS)

WORK PLACEMENT/INTERNSHIP

The CLTP program is to have a minimum work/internship placement of 75 hours under the supervision of a lawyer with at least 5 years' experience. This will allow the trainee a real-world application of learned skills under the daily supervision of an experienced lawyer, gaining practical experience with a law firm or a legal organization or institution.

It is the responsibility of the Training Provider Institution to conduct outreach to potential employers in the legal profession and to develop job/internship postings available to trainees and support them in the process of securing a work placement. It is the responsibility of the Training Provider Institution to ensure that the identified placement firm/office is an effective learning platform, including ensuring the safety and rights of the trainee.

LIST OF SUGGESTED CLTP ASSIGNMENTS

Draft Retainer Conduct Conflict Check Draft Demand Letter Legal Research Memorandum Draft Opinion Letter Draft Letter to Opposing Counsel Draft Agreement of Purchase and Sale Draft Application and Financial Statement Draft Statement of Claim Draft Pleading of opposite side Memo for bail hearing Search of title abstract Draft Requisition Letter on purchase of real estate Draft Statement of Adjustments for real estate sale Draft Reporting Letter on purchase and sale of real estate Draft Power of Attorney Contract drafting Draft Closing Agenda, Share Purchase and Non-competition Agreements Draft questions for Examination-in-Chief and Cross-Examination Discuss file strategy Draft Promissory Note Prepare Case Conference Materials Draft Affidavit of Documents Draft Will Prepare client for examinations Present submissions to the Landlord & Tenant Board or to another Board such as the National Social Protection Agency or the Board of Education under the 'Special Education Needs (SEN) Programme' Review the use of precedents Draft Statement of Accounts for client.

The BCM may consider imposing additional requirements and guidelines to the CLPP program, such as but not limited to:

- Percentage of the total program hours that may be delivered remotely and percentage that in-person delivery is required; or topics or areas of instruction that requires in-person delivery.
- No class offered remotely may be of a scheduled duration of longer than 3 hours.
- Each class must be delivered live (i.e. not pre-recorded).
- Group work and presentations should also have SME/faculty member actively monitoring and providing guidance or commentary when necessary.
- Any electronic platform used for remote courses or classes must allow for, at a minimum, audio and video interaction among trainees, mentors and with the SMEs/faculty members (i.e., not merely through chat), and such function must be enabled for any class delivered remotely.

MINIMUM STANDARDS FOR THE CERTIFICATE LICENSING TRAINING PROGRAM (CLTP)

Building upon the insights into the implementation of the CLTP, the following **minimum standards framework for the program** and a breakdown of each training component of the program is proposed.

Minimum standard framework for the Certificate Licensing Training Program (CLTP), a 500-hour skills-based lawyers' training program for the Bar Council's licensing process, should ensure that the practical work of Trainees during the CLTP is "delivered" via practical case files in the different subject areas considered relevant by the BCM.

The training program is designed to incorporate specialized workshops, tutorials or activities in the implementation of the BCM's mandated skills-based practical core skills: Client Care and Management, Conducting Legal Research, Drafting and Legal Writing, Case and Transaction Management including Monitoring Files & Negotiations, Advocacy, Ethics and Professional Responsibility.

Program Structure

I. Orientation (5 hours)

- Welcome and program overview
- Introduction to legal profession and ethics
- Methodology, study and research approaches used in CLTP
- Time management and organization expected in CLTP

II. Practical Skills Development based focused on mandated Core Skills (400 hours)

1. Client Care and Management (80 hours)

- **Simulation Exercises:**
 - Simulated client interviews to practice active listening and communication skills.
 - Role-playing scenarios to address difficult client situations.
- **Ethical Dilemma Discussions:**
 - Analysis and discussion of ethical issues related to client confidentiality and conflicts of interest.
- **Client File Management:**
 - Hands-on experience in organizing and managing client files, including documentation and record-keeping.
- **Client Communication Workshops:**
 - Training on effective written and oral communication with clients, including managing expectations and providing updates.
 - Communicating and working with *vulnerable* clients

2. Conducting Legal Research, Drafting, and Legal Writing (100 hours)

- **Research Assignments:**
 - Assignments on utilizing various legal databases for research purposes.
 - Practical exercises on synthesizing and analyzing legal information.
- **Drafting Exercises:**
 - Drafting legal documents such as contracts, pleadings, and opinions.
 - Peer review sessions for constructive feedback.
- **Legal Writing Seminars:**
 - Workshops on persuasive legal writing.
 - Editing and revising exercises to enhance writing skills.

3. Case and Transaction Management, including Monitoring & Negotiations (100 hours)

- **Case Management Simulation:**
 - Simulated exercises on managing a case from inception to resolution.
 - Utilizing case management software for organization and tracking.
- **Negotiation Workshops:**
 - Role-playing negotiation scenarios.
 - Debriefing sessions to discuss negotiation strategies.
- **Monitoring and Reporting:**
 - Training on monitoring legal developments and changes in regulations.
 - Reporting mechanisms for ongoing cases or transactions.

4. Advocacy (80 hours)

- **Moot Court Exercises:**
 - Participating in moot court competitions.
 - Constructive feedback sessions from experienced practitioners.
- **Mock Trials:**
 - Simulated trial scenarios with a focus on courtroom procedures.
 - Cross-examination and witness handling exercises.
- **Oral Advocacy Seminars:**
 - Workshops on effective oral advocacy techniques.

- Video-recorded sessions with self-assessment and feedback.

5. Ethics and Professional Responsibility (40 hours)

- **Professionalism Seminars:**
 - Interactive seminars on the legal profession's standards and expectations. Discussion and understanding of the BCM's Code of Conduct for lawyers.
 - Discussions on the lawyer's role in upholding the rule of law.
- **Case Studies:**
 - Analysis of real-world cases involving ethical challenges.
 - Group discussions on potential resolutions.
- **Ethics Assessments:**
 - Assessments of ethical decision-making skills.
 - Review sessions to understand correct responses and reasoning.

Additional Considerations for application in carrying out above trainings:

- Guest lectures by legal professionals
- Mock trials and simulations
- Courthouse and Tribunal visits
- Ethical dilemmas and discussions
- Legal writing workshops
- Workshops on legal technology tools
- Exposure to In-House Counsel Working Places and Work
- Exposure to Government Lawyers' Working Places and Work (including A-G and Prosecutor-General Offices)

III. Assessment, Evaluation and Certification (20 hours)

- Regular quizzes and assignments to gauge understanding
- Practical assessments for skills-based assignments
- Student and instructor feedback mechanisms
- Mock trials and moot court exercises
- Professional development and career planning

IV. Work Placement/Internship (75 hours)

- Practical experience with law firms or legal organizations

- Supervised by experienced lawyers
- Real-world application of learned skills

V. Graduation and Post-Program Support

- Graduation ceremony
- Alumni network and ongoing professional development
- Career counseling and job placement assistance

Note: The above framework emphasizes practical skills development in the core skills-based areas mandated by the BCM within the context of substantive law areas considered relevant by the BCM. The program should remain flexible to adapt to evolving legal practices and the unique needs of the Maldivian legal profession. Regular evaluations and feedback mechanisms should be implemented to enhance the program's effectiveness over time.

**BREAKDOWN OF PRACTICAL SKILLS DEVELOPMENT ACTIVITIES UNDER EACH
HEADING OF TARGET PRACTICAL LAWYER CORE SKILLS (Part II above: 400 Hours)**

1. Client Care and Management (80 hours)

Summary of topics to be covered under this core skill:

- **Client interviews and counseling**
- **Building client relationships**
- **Managing client expectations and communication**
- **Financial and billing management for law practitioners**
- **Networking, marketing, and law practice development**
- **Working with vulnerable clients**

1.1 Client Interviews and Counseling (25 hours):

i. Role-Playing Scenarios:

- Conduct mock client interviews and counseling sessions.
- Provide feedback on active listening, empathy, and rapport-building.

ii. Case Study Analysis:

- Analyze real or hypothetical cases.
- Identify client needs and concerns, including client's needs in terms of accessibility.
- Conduct risk assessments
- Develop strategies for addressing client issues effectively.

iii. Client Simulation Exercises:

- Engage in simulated client interactions.
- Practice eliciting relevant information.
- Focus on understanding clients' goals and objectives.

1.2 Building Client Relationships (15 hours):

i. Client Relationship Workshops:

- Discuss the importance of trust and communication.
- Share tips for establishing strong lawyer-client relationships.

ii. Ethical Considerations:

- Explore the ethical aspects of client relationships.
- Discuss confidentiality, conflicts of interest, and maintaining trust.

1.3 Managing Client Expectations and Communication (15 hours):

i. Effective Communication Skills:

- Training in clear, concise, and client-friendly communication.

- Handling difficult conversations and managing client emotions.
- ii. **Client Expectation Management:**
 - Teaching lawyers how to set realistic expectations.
 - Addressing potential misunderstandings or misconceptions.
- iii. **Client Updates and Reporting:**
 - Crafting regular client updates and reports.
 - Ensuring transparency in legal matters and progress.

1.4 Financial and Billing Management for Law Practitioners (15 hours):

- i. **Billing and Fee Structures:**
 - Understanding various fee structures (hourly, flat fee, contingency, etc.).
 - Drafting clear and ethical fee agreements.
- ii. **Financial Responsibility:**
 - Teaching financial responsibility and budgeting for lawyers.
 - Proper record-keeping and accounting practices.

1.5 Networking, Marketing, and Law Practice Development (10 hours):

- i. **Networking Strategies:**
 - Building and expanding professional networks.
 - Leveraging social media and online platforms for networking.
- ii. **Marketing and Branding:**
 - Developing a personal brand as a lawyer.
 - Creating marketing materials and an online presence.

1.6. Assessment and Practice Integration (5 hours):

- i. **Role-Playing Scenarios:**
 - Apply learned skills through role-play exercises.
 - Evaluate progress and provide constructive feedback.
- ii. **Case Studies:**
 - Analyze real-world examples of client management and development.
 - Discuss strategies for improvement and success stories.

Note: Trainees should actively engage in practical exercises, simulated client interviews, drafting client bills, discussions and self-reflection to enhance their abilities in these critical areas of legal practice.

2. Conducting Legal Research (40 hours)

Summary of topics to be covered under this core skill:

- **Advanced legal research methodologies**
- **Online and library resources (case law and statutory research)**
- **Analyzing case law and statutes**
- **Conducting due diligence**

2.1 Advanced Legal Research Methodologies (10 hours):

i. Research Planning and Strategy:

- Understanding the research process from start to finish.
- Developing research objectives and a structured plan.

ii. Effective Keyword Searching:

- Techniques for constructing effective search queries.
- Utilizing different search filters.

iii. Advanced Search Platforms:

- In-depth training on advanced legal research platforms.
- Exploring specialized databases and sources.

2.2 Online and Library Resources (10hours):

i. Online Legal Databases:

- In-depth exploration of online legal databases.
- Accessing and searching databases such as LexisNexis, Westlaw, and others.

ii. Library Research Skills:

- Effective use of legal libraries and catalogs.
- Navigating physical resources and archives.

iii. Case Law and Statutory Research:

- Finding relevant case law and statutes for various legal issues.
- Identifying jurisdiction-specific resources.

2.3 Analyzing Case Law and Statutes (15 hours):

i. Case Law Analysis:

- Reading and understanding case opinions.

- Extracting key legal principles and precedents. Conducting due diligence.
- ii. **Statutory Interpretation:**
- Methods for interpreting statutes and regulations.
 - Identifying legislative intent and canons of construction.
- iii. **Legal Memorandum and Brief Writing:**
- Translating research findings into legal memoranda.
 - Incorporating case law and statutory analysis into legal documents.

2.4 Assessment and Practice Integration (5 hours):

- i. **Research Projects:**
- Assign research projects on various legal topics.
 - Require participants to demonstrate advanced research skills and due diligence.
- ii. **Moot Research Scenarios:**
- Simulate legal research scenarios for participants to solve.
 - Evaluate their ability to find relevant case law and statutes.

Note: Throughout the CLPP training program, trainees should have access to a variety of legal research tools and databases. Practical exercises, guided research projects, and hands-on experience with legal documents will help trainees develop advanced legal research skills. Regular feedback and evaluation should be provided to measure progress and address areas for improvement.

2a. Drafting and Legal Writing (60 hours)

Summary of topics to be covered under this core skill:

- **Advanced drafting skills for various legal documents (contracts, pleadings, legal brief or memorandum, etc.)**
- **Legal writing and analysis**
- **Document review and editing**

2a.1 Advanced Drafting Skills for Legal Documents (35 hours):

- i. **Contract Drafting:**
- Principles of effective contract drafting.
 - Drafting common clauses and provisions.
 - Simulated contract drafting exercises.
- ii. **Pleadings and Litigation Documents:**
- Drafting complaints, answers, motions, and responses.
 - Structuring legal arguments in pleadings.

- Practice exercises based on hypothetical cases.
- iii. **Legal Briefs and Memoranda:**
- Drafting persuasive legal arguments.
 - Organizing legal analysis in briefs and memos.
 - Analyzing case law and statutes to support arguments.

2a.2 Legal Writing and Analysis (15 hours):

- i. **Writing Clarity and Style:**
- Techniques for clear and concise legal writing.
 - Avoiding legalese and jargon.
 - Grammar and punctuation best practices.
- ii. **Legal Analysis and Reasoning:**
- Developing sound legal arguments.
 - Applying analogical and deductive reasoning.
 - Practice legal analysis exercises on real cases.

2a.3 Document Review and Editing (5 hours):

- i. **Document Organization:**
- Effective organization of legal documents.
 - Using headings, subheadings, and numbering.
- ii. **Editing and Proofreading:**
- Techniques for proofreading and error identification.
 - Collaborative editing and peer review exercises.

2a.4 Assessment and Practice Integration (5 hours):

- i. **Drafting Projects:**
- Assign drafting projects for various legal documents.
 - Evaluate participants' drafting skills and provide feedback.
- ii. **Editing and Peer Review:**
- Peer review sessions for participants to edit and review each other's work.
 - Provide guidance on improving document clarity and precision.

Note: Trainees should have access to relevant legal documents and examples (precedents) to practice their drafting and writing skills. Regular feedback and evaluation should be provided to help lawyers refine their skills and produce high-quality legal documents.

3. Case and Transaction Management, Monitoring Files & Negotiations (100 hours)

Summary of topics to be covered under this core skill:

- **Case file organization**
- **Efficient case file management**
- **Transactional practice and record-keeping**
- **File monitoring and Analysis**
- **Negotiation techniques and strategies**
- **Case simulation exercises and due diligence**
- **Negotiation role-playing**

3.1 Case File Organization (25 hours):

i. Principles of Case File Organization:

- Introduction to effective case file management.
- Importance of organization in legal practice.
- Developing monitoring strategies for legal files.
- Analyzing progress and identifying potential issues

ii. Document Management:

- Organizing legal documents within case files.
- Developing a systematic approach to document retention.

iii. Electronic Case Management:

- Implementing electronic case management tools.
- Utilizing software for document storage and retrieval.

iv. Client Communication Records:

- Recording client interactions and correspondence.
- Maintaining a log of important communications.

3.2 Efficient Case Management (15 hours):

i. Case Assessment and Strategy:

- Identifying client goals and legal strategies.
- Developing a case plan and timeline.

ii. Task and Time Management:

- Prioritizing tasks and deadlines.
- Time-tracking techniques for billable hours.

iii. **Client Updates and Reporting:**

- Crafting regular client updates and reports.
- Ensuring transparency in legal matters and progress.

iv. **Conflict Resolution:**

- Handling conflicts and challenges in case management.
- Strategies for resolving issues with clients, opposing counsel, or team members.

3.3 Transactional Practice and Record-keeping (20 hours):

i. **Transactional Practice:**

- Preparing and reviewing transactional documents (contracts, agreements, etc.).
- Ensuring accuracy and completeness in transactions.

ii. **Record-keeping and Compliance:**

- Maintaining transaction records in compliance with regulations.
- Conducting due diligence in transactions.

iii. **Financial Record-keeping:**

- Managing financial records for transactions.
- Billing and invoicing practices for transactional work.

iv. **Ethical Considerations:**

- Discussing ethical responsibilities in transactional practice.
- Avoiding conflicts of interest and maintaining client confidentiality.

3.4 Assessment and Practice Integration (10 hours):

i. **Case File Audit:**

- Review and audit case files for organization and completeness.
- Provide feedback on improving file management.

ii. **Case Simulation Exercises:**

- Simulate real-world case management scenarios.
- Evaluate participants' ability to apply learned skills in practice.

3.5 Negotiation Techniques and Strategies (30 hours)

- Understanding negotiations fundamentals.
- Practicing negotiations skills through simulations and role-plays.

- Provide constructive feedback on negotiation techniques and strategies.

Note: Throughout the CLPP training program, trainees should actively engage in practical exercises, case simulations, and discussions on effective case and transaction management. Feedback and evaluation mechanisms should be in place to measure progress and address areas for improvement.

4. Advocacy (80 hours)

<p>Summary of topics to be covered under this core skill:</p> <ul style="list-style-type: none"> • Mock trial exercises and simulations • Courtroom advocacy skills • Oral and written advocacy skills

- **Mock trial exercises and simulations**
- **Courtroom advocacy skills**
- **Oral and written advocacy skills**

4.1 Mock Trial Exercises and Simulations (35 hours):

i. Case Analysis and Strategy:

- Reviewing case facts and evidence.
- Developing a case strategy for prosecution or defense and conducting due diligence.

ii. Witness Examination:

- Direct and cross-examination techniques.
- Conducting practice examinations with feedback.

iii. Opening Statements:

- Crafting compelling opening statements.
- Addressing the jury effectively.

iv. Closing Arguments:

- Developing persuasive closing arguments.
- Summarizing key points and evidence.

4.2 Courtroom Advocacy Skills (30 hours):

i. Courtroom Etiquette and Procedures:

- Understanding courtroom decorum and etiquette.
- Navigating court procedures and protocols.

ii. Extemporaneous Speaking:

- Improving impromptu speaking skills.
- Handling unexpected questions and challenges.

iii. Motion Practice:

- Drafting and arguing motions in court.

- Conducting due diligence in preparation for motions.
 - Responding to opposing counsel's motions.
- iv. **Evidence Handling:**
- Rules of evidence and objections.
 - Presenting and challenging evidence effectively.

4.3 Oral and Written Advocacy Skills (10 hours):

- i. **Persuasive Speaking:**
- Developing persuasive speaking techniques.
 - Enhancing tone, pacing, and delivery.
- ii. **Legal Writing for Advocacy:**
- Drafting persuasive legal documents.
 - Incorporating rhetorical techniques in written advocacy.

4.4 Assessment and Practice Integration (5 hours):

- i. **Mock Trial Competitions:**
- Organize mock trial competitions with participant teams.
 - Evaluate participants' performance in a competitive setting.
- ii. **Oral and Written Advocacy Assignments:**
- Assign advocacy exercises involving real cases.
 - Provide feedback on participants' oral and written advocacy skills.

Note: Throughout the CLPP training program, trainees should actively engage in mock trial exercises, courtroom simulations, and practical advocacy challenges. Visits to courts and board hearings should be incorporated in the program. Expert feedback and evaluation mechanisms should be in place to measure progress and help lawyers refine their advocacy skills.

5. Ethics and Professional Responsibility (40 hours)

Summary of topics to be covered under this core skill:

- **Legal ethics and professional conduct**
- **Maintaining client confidentiality**
- **Conflict of interest**
- **Handling ethical dilemmas and conflicts of interest**

5.1 In-Depth Study of Legal Ethics and Professional Conduct (15 hours):

- i. **Legal Ethics Overview:**
- Introduction to the importance of legal ethics.
 - Identifying and discussing ethical obligations and responsibilities of a lawyer.

- Exploring the role of ethics in the legal profession.
- ii. **Rules of Professional Conduct:**
- In-depth examination of the Maldives Rules of Professional Conduct and discussion of examples on its application.
 - Analyzing key rules of the Maldives Rules of Professional Conduct and their applications.
- iii. **Professional Responsibility and Accountability:**
- Observing best practice in relation to retainers, documenting the scope of services, conducting due diligence and ensuring client understands the services being provided and the fees being charged.
 - Understanding the consequences of ethical violations.
 - Discussing the lawyer's duty to society. Instilling in the trainee an understanding of a lawyer's role in the Court, in the legal profession and in society at large and the importance to be ethical and professional in all dealings inside and outside the profession.

5.2 Maintaining Client Confidentiality (10 hours):

- i. **Client Confidentiality:**
- Understanding the attorney-client privilege.
 - Discussing lawyer's duty towards client confidentiality and steps to be implemented to ensure such confidentiality.
 - Best practices for maintaining confidentiality.
- ii. **Ethical Considerations in Communication:**
- Safeguarding client information in various contexts.
 - Addressing ethical issues in client communication.

5.3 Conflict of Interest (10 hours):

- i. **Types of Conflicts:**
- Identifying different types of conflicts of interest.
 - Recognizing potential conflicts in legal practice.
 - Discussing examples of potential client conflict of interest issues and the use of a filing system that help detect and prevent conflict of interest.
- ii. **Managing Conflicts:**
- Developing conflict screening procedures.
 - Strategies for addressing conflicts when they arise.

5.4 Handling Ethical Dilemmas and Conflict of Interest (5 hours):

i. Case Studies and Scenarios:

- Analyzing real-world ethical dilemmas.
- Discussing strategies for ethical decision-making.
- Discuss steps to take when asked by a client to engage in an activity that would breach professional obligations.

ii. Ethical Decision-Making Framework:

- Introducing a structured framework for ethical decision-making.
- Applying the framework to hypothetical scenarios.

5.5 Assessment and Practice Integration (5 hours):

i. Ethical Dilemma Exercises:

- Assign exercises involving ethical dilemmas.
- Encourage participants to apply ethical principles to resolve dilemmas.

ii. Conflict of Interest Role-Playing:

- Simulate scenarios involving conflicts of interest.
- Evaluate participants' ability to identify and manage conflicts.

Note: Throughout the CLPP program, trainees should actively engage in discussions using examples of ethical dilemmas, case studies, and role-playing exercises to strengthen their understanding of legal ethics and professional responsibility. Feedback and evaluation mechanisms should be in place to assess participants' ethical decision-making skills and ensure adherence to ethical standards in legal practice.

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