

How to choose between Solicitor or Barrister

Why you should read this leaflet?

- to clarify the main differences between solicitors and barristers
- to start you thinking about the type of law you want to practice

The recruitment cycle in law can be up to twice as long as for other graduate careers. For example, if you want to be a commercial solicitor with a large firm, or a barrister at one of the larger commercial sets, you will need to apply two years in advance of when you want to start. Add in the one or two years you will spend at law school, (depending on whether you have a law degree or not) and the need for an early decision as to which arm of the profession to go for becomes clear.

Barrister

The Bar is a small profession of 13,600 practitioners (end 2002).

- 80% - the independent or self-employed Bar
- 20 % - the employed Bar, i.e. counsel working in-house in companies, charities and government organisations

Barristers offer two main services:

- advocacy
- specialist opinion

1. Working environment (barrister)

Unless you go in-house, the greatest difference between solicitors and barristers is that the latter are self-employed. Company benefits don't figure and you're responsible for all your own paperwork such

as VAT, income tax, expenses and rent in chambers.

Most barristers work in sets or groups of chambers to share premises and staff costs such as that of a barrister's clerk. While sets provide some sort of support network, your income depends on the work *you* do.

Developing and maintaining a client base is vital and much of this will depend on your track record.

2. Skills required (barrister)

The Bar Council's web site

(www.barcouncil.org.uk) lists several skills required of would-be barristers but the skills covered by the BVC provide a clearer indication of where your strengths should lie. These are:

- legal research - analytical, seeing the wood for trees, attention to detail
- fact management - able to retain and manipulate large volumes of information and detail
- opinion writing - able to argue on paper and to formulate options and recommendations
- drafting - able to write clearly and concisely
- conference - able to gather the right information from clients and solicitors
- negotiation - able to reach a satisfactory conclusion based on several factors, including cost
- advocacy - able to represent another's case in front of a court

3. Qualification route (barrister)

- Non-law students need to complete the GDL (Graduate Diploma in Law) and the BVC (Bar Vocational Course)

- Law students need to complete the BVC only

The GDL/law degree constitutes the academic stage of training while the BVC makes up the vocational stage. This is followed by one year of pupillage, compared with a two-year training contract for solicitors.

Pupillages are broken down into

- six months non-practising
- six months practising

4. Prospects (barrister)

If you want to pursue a career at the Bar, go for it wholeheartedly or not at all. 'For every three graduates who commence the BVC, only one will find a lasting career at the Bar' (Chambers and Partners Student Guide to the Legal Profession 2003) Because it's a small profession and open to increasing competition from solicitors, especially at the junior end, success rates on completion of the BVC are less rosy than for would-be solicitors at the end of their LPC.

The pass rates and percentages of BVC students securing pupillage vary from year to year. For up-to-date information, take a look at the Bar Council's web site at www.barcouncil.org.uk.

Solicitor

Solicitors form the largest part of the legal profession with just over 89,000 practitioners (August 2002).

- 80% of practitioners work in private practice
- 20 % of practitioners work in-house (within companies, charities and other employer organisations) or within government

Private practice is less dominant than it was; in the ten years to 2002, solicitors working outside private practice (employed solicitors) grew from 16% to 21% of the total.

However, in terms of who offers training contracts, most LPC students will train in private practice, where 95% of training contracts are concentrated.

1. The work (Solicitor)

Solicitors' work depends a great deal on the practice area and the size of employer. For example, in a City firm the focus of the work is almost entirely business law, given the nature of the clientele.

Solicitors work together in teams, in structured departments, with individual practitioners often looking at one small part of a large, high profile deal. Face to face contact with the client is limited in the early years and you will work alongside qualified staff, as one of many trainees.

In contrast, in a high street firm, you may be the only trainee and will probably have face to face client contact and court work from an early stage. Here, the work is for individuals or small local businesses and reflects everyday life events such as wills and probate, divorce and conveyancing.

- Selecting the right firm and practice area is a key decision
- The client base and work you undertake at a particular firm will determine the quality of experience you gain during your training contract and therefore your future marketability as a lawyer.

2. Skills required (Solicitor)

Solicitors in general require:

- an analytical and enquiring mind - seeing the key issues within a mass of documentation
- objective decision making skills - being clear about what needs to be done
- the ability to solve problems in a practical way that helps the client/saves money etc
- an ability and interest in generating new business and winning clients
- good communication skills to both gather information and articulate it to others

3. Qualification route (Solicitor)

Would-be solicitors must complete:

- the Graduate Diploma in Law (GDL) and Legal Practice Course (LPC) if they have not studied law
- the LPC if they have studied law

This is followed by a two-year training contract, usually in private practice. A few organisations offer training contracts outside private practice such as local authorities, companies and the Government Legal Service. Unlike chambers, firms are the major source of funding for the GDL/LPC, so there is a big premium to starting early.

4. Prospects (Solicitor)

The number of training contracts appears to be more or less in line with those passing the LPC - 5,385 training contracts and 5,467 LPC passes in July 2002.

However, the headline figures don't take into account students who passed the LPC in previous years and who are still seeking a training contract and those who pass their LPC later in the year after re-sits.

There is therefore likely to be a shortfall in reality between the number of training contracts available and the number of students looking: certainly vacancies are keenly fought over, and it is a very competitive market.

Many firms now look for a 2:1 and good 'A' level grades as a matter of course, although individual circumstances such as experience, languages and other qualities will always figure.

To maximise your chances of obtaining a training contract:

- Do your research: start with yourself.
 - What area of law attracts me?
 - What size of employer would suit me best?
 - Where do I want to work?

Get inside the profession by reading, web trawling and speaking to as many people as possible.

- Be realistic about your expectations:

For example, if you do not have a 2:1, As and Bs at 'A' level or equivalent, nor any commercial experience, you will not have a strong case for applying to a large commercial/corporate firm.

However, if you are realistic from the start, you can minimise the time and effort you spend on applications, increase your chances of making a successful application and keep yourself motivated during your course.

- Secure legal work experience: if at all possible! Not only will it help you to make an informed decision, it will help to convince an employer that you are committed to a career in law.

- Target your applications

Once you have decided on the type of practice area you want, you need to focus on the best employers to apply to.

If you are a mature student, for example, you can assess which firms value maturity and life experience by their entries in recruitment directories and by the content of their web site.

- Positive presentation

You need to impress on paper before you can do so in person. There is a whole range of guidance available from the Centre for Career Development to help you with applications.

Peter Kay & The College of Law 2006

Application Timetable

Date	Action	Sources of Information
At any Opportunity	Seek work experience with general high street firms, commercial law firms or mini-pupillages with chambers Research different employers/ areas of legal practice keep up to date with current affairs and business news	For firms: Use sources listed below. For Chambers: www.pupillages.com and the Pupillages and Awards Handbook (GTI) or www.doctorjob.com
From October onwards in your 2 nd /3 rd years at University	Apply for paid vacation placements, open days with commercial law firms. Attend Law Firm presentations in the Autumn Semester. Attend the Law Fair In October.	<ul style="list-style-type: none"> ▪ Vacation placements with law firms – www.prospects.ac.uk ▪ The Training Contract & Pupillage Handbook www.lawcareers.net ▪ Chambers & Partners (student edition) www.chambersandpartners.com ▪ Prospects Focus on Law www.prospects.ac.uk ▪ The Law Society's Directory of Solicitors & Barristers www.solicitors-online.com
In April-August of your 2 nd /3 rd university years	Continue to Research different employers/ areas of legal practice Consider Careers in law that do not involve being a solicitor or Barrister, for example work in the criminal justice system, advice and welfare rights etc.	<ul style="list-style-type: none"> ▪ The Legal 500 www.legalease.co.uk ▪ Chambers & Partners Directory of the Legal Profession www.chambersandpartners.com ▪ www.lawcareers.net ▪ www.pupillages.com <p>These books contain articles about different areas of law:</p> <ul style="list-style-type: none"> ▪ Target Law (GTI) www.doctorjob.com/law ▪ Prospects Focus on Law www.prospects.ac.uk ▪ Hobsons Law Casebook www.get.hobsons.co.uk
Also in April-August of your 2 nd /3 rd university year	Apply for Training Contracts penultimate year law students Final year non – law students	<ul style="list-style-type: none"> ▪ The Training Contract & Pupillage Handbook www.lawcareers.net ▪ Chambers & Partners (student edition) www.chambersandpartners.com
In March-September of your final university year	Apply for Pupillages	<ul style="list-style-type: none"> ▪ www.pupillages.com ▪ Pupillages & Awards Handbook (GTI) www.doctorjob.com
At the start of November of your Final year at university	Apply for places on full-time courses	GDL/LPC Central Applications Board PO Box 84, Guildford, Surrey, GU3 1YX Tel: 01483 451080 www.lawcabs.ac.uk