

NEW RULES

THE FOLLOWING IS THE NEWLY RELEASED, THE UNAUTHORISED, UNCENSORED PART 7 OF THE *PROFESSIONAL CONDUCT AND PRACTICE RULES 2005*.

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The rules set out in the new, unauthorised, uncensored Part 7 of the *Professional Conduct and Practice Rules 2005* have, until now, only been whispered in the corridors of law firms around Australia. Finally, Part 7 has been released to the public. These Rules should be read carefully by all newly admitted practitioners and junior lawyers as breaches may lead to more lawyers adopting the professional practices of Dennis Denuto ("as seen on TV").

RULE 1 Reputation maketh the man, or woman

As a lawyer your reputation is your most valuable asset. It takes years to build a good reputation among clients and other legal professionals, but it takes only a second to destroy it (by email or otherwise). The legal fraternity in Australia is small and in each city it is even smaller, so if you think no one knows you or your work, then think again.

RULE 2 Don't be an articulated partner

For those who are not familiar with this term, an articulated partner is an articulated clerk or a junior lawyer who believes that they are too highly qualified and intelligent to do the more menial tasks around the firm, such as filing court documents or photocopying cases for counsel. Those who adopt this attitude are likely not to have work delegated to them and to find themselves eating alone in the firm lunch room.

RULE 3 Always be honest and admit your mistakes

I learned this lesson early in my career. Being the overly organised person that I am, I used to pride myself on my efficiency with tasks such as filing court documents. Unfortunately, once or twice I was so efficient that I filed court documents and even served them, when I ought not to have. The most valuable lesson I learnt from this experience was that admitting mistakes immediately is far better than just hoping that no one will notice and saying nothing. Rarely will your mistake be something

that cannot be fixed and always keep in mind that failure to file a document with the court by 4pm, for example, will not result in death or catastrophic natural disaster. Although it might be necessary to put on a stack-hat to protect yourself from the barrage of abuse from your supervising partner, in the long term it is much better to be up front.

RULE 4 Let your personality shine through

Law firms can have the tendency to create little clone lawyers whose vocabulary is limited to "yes", "yes" and "yes". These clones appear to have no personality whatsoever and are devoid of opinion – unless of course it is in line with the views of their supervisors. The better approach, I believe, is to take your personality with you to work every day and don't be afraid to engage with people at the firm on an intellectual level about work. I am not encouraging people to throw manners out the window, but I think that there is certainly room in Australia for lawyers with personality.

RULE 5 Be proud to be an Australian lawyer

Be proud of what you have achieved. When people ask you what you do for a living, look them in the eyes and tell them that you are an Australian lawyer.

In the words of James Brown (amended slightly by me) "now we demand a chance to do things for ourselves . . . we're people just like the birds and the bees, we'd rather die on our feet than be living on our knees, say it loud, I'm a [lawyer] and I'm proud".

These are of course not the authorised, published or proper *Professional Conduct and Practice Rules 2005* with which legal practitioners are required to comply.

This article is based on a speech by Lucy Terracall at the LIV's reception for newly admitted practitioners at Waldron Hall on 22 May. ■

