

Mapping your path to the Bar



IF YOU THINK THE HARD DECISIONS ARE OVER ONCE YOU'VE SET YOUR MIND TO BECOMING A BARRISTER – THINK AGAIN.

What a joy it is to be asked to share my experience of becoming a barrister with you all. This piece addresses the process of joining the Bar, the Bar reader's course and life at the Bar for you barristers to be.

APPLICATION PROCESS

In February 2008, having decided I wanted to become a barrister, I made the first step towards joining the Bar by filling in the standard application form¹ and paying the non-refundable deposit.²

Shortly after applying, I was advised there was a position for me in the September 2011 course. I was also offered places on the waiting lists for the earlier courses – “Yes please, every list until then!” – and while I hoped I would receive an earlier offer, I knew this wasn't guaranteed. Imagine how pleased, excited and scared I was when, in late July 2008, I was offered a place in the September 2008 course.

MENTORS

Even before applying, you should be considering an appropriate mentor. This is a very important decision as your mentor will be instrumental in providing learning opportunities, advice and support at the start of your career and, of course, you will also be sharing chambers for at least nine months. The only requirement is that your mentor be of at least 10 years standing at the Bar but not silk.

If you don't have anyone in mind, ask around the profession. I spoke with a senior barrister who I really respected, admired and liked as a person. He helped me enormously in choosing a suitable mentor. My mentor had a practice similar to what I wanted and was incredibly helpful in those critical stages as a baby barrister when every court appearance, pleading and call from an opponent or instructor seemed daunting and foreign. He has kindly continued to make himself available to all his readers when they need help.

BARRISTERS' CLERKS

At the time of applying to join the Bar, you should also be applying to barristers' clerks. The clerks are

well aware of waiting lists, so if you are offered a place on a particular clerk's list they will generally hold it until you commence your reader's course.

The area in which you intend to practise will largely influence the clerks you apply to – particularly civil versus crime (or if you have a particular specialty). Ultimately, you can apply to all lists or only a few.

I knew it would be most important for me to find a clerk with floating work and capacity to help me start my practice as I had very few “networks” and no secure source of work when coming to the Bar. I found Dever's List was the best for me in both respects and was lucky enough to be offered a place on that list.

PREPARING FOR THE READER'S COURSE

Shortly before the reader's course begins, you will receive some reading material to get you started in your preparation for the course. But I still found it difficult to prepare practically because I just didn't know what to expect.

I spoke to barristers and went to seminars but really just crossed my fingers and hoped for the best. My mentor lent me a text on advocacy, which put me in the right frame of mind – these sorts of texts are a good idea if you have the time and inclination.

Saving, saving, saving is also wise! I came to the Bar relatively young so my approach was fairly sparing. I took on part-time work, took out a loan of \$15,000 and saved approximately \$3000 in order to cover:

- my living expenses during the course and the start of my career at the Bar; and
- my course fees, robes, wig, computer, business cards, etc.

More costs arrive upon renting independent chambers. Unless you enjoy sitting on the floor, you'll have to fit them out with furniture, phone and internet.

The first 9-12 months are usually limited in terms of income and a considerable amount of time and energy are spent before any money comes in.



COMPLETING THE READER'S COURSE

The reader's course is as stressful or as relaxed as you make it. In addition to reading and daily lectures, there are weekly moots, pleadings and other assignments assessed by barristers, judges and magistrates. However, successful completion of the reader's course only requires full-time attendance and a "pass" in the formal assessment moot.

I was determined to do my best and so found the course quite stressful and time-consuming. I spent any spare time researching whichever area of law was being assessed that week.

Despite that, I loved the course. Not only was it great to be learning, but the calibre of the speakers and assessors was fantastic. It was an honour to learn from such great practitioners.

LIFE AS A BARRISTER

Some people come to the Bar with a specialty or specialise immediately, while others take the opportunity to get away from their traditional specialty. This decision depends on your background and whether you wish to "re-create" yourself at the Bar.

While I intend to specialise, I currently have a general practise and love it. To get the amount of appearance work I want, I have a 50/50 commercial/criminal practice. If there is an area of law you wish not to practise in, make sure your clerk knows and be very clear on your Vic Bar profile about the areas you do practise in.

Workloads vary and are different for everyone. I had a quiet January and February but have been incredibly busy over the past few months with late nights, early mornings and short lunches. I have

learned to enjoy both the quiet periods and the busy ones in different ways.

BUILDING A PRACTICE

I have found the best way to build a practice is to take every opportunity and do the very best you can with it. Good work often leads to repeat briefing.

It is also very important to listen carefully to instructions, research what you need to know, follow through on promises and be polite and respectful. If you do "under-perform", analyse why it's happened, what you've learned and what you can do better next time.

I have received very few briefs from my previous firms or friends and my primary source of work has been through my clerk, my mentor and the relationships built with solicitors after the first brief.

I came to the Bar because I loved advocacy – the adrenaline, challenge and hard work. Now that I'm here, I love the flexibility, the sense of personal reward and the camaraderie. The number of people in the profession who take the time to help their colleagues never ceases to amaze me.

If you want more information or detail than this article provides, please contact me. I wish you all the very best in the future in this wonderful profession of ours. ●

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1. The Bar reader's course application form can be found at www.vicbar.com.au/documents/ApplictoSigntheRollofCounselJune2005revised14Jan08.pdf

2. The fees for the Bar reader's course are \$3771, with a deposit of \$903 required at the time of application.

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