



COMMENCING PRACTICE AS A SOLE PRACTITIONER – CHECKLIST

After two years of full-time supervision or part-time equivalent on a 'supervised' practising certificate you can apply to have this statutory condition removed. Detailed information on the application process can be found in the [Supervised Legal Practice Guidelines](#) on the Law Society's website.

STEP 1

Prerequisites

- (i) Finish your period of supervised legal practice (usually two years).

AND

- (ii) Successfully complete a Practice Management Course¹ through an accredited provider.

The following course providers have been accredited:

[The Law Society of NSW](#)

Visit the Legal Practice Management Course page on our website for our next available 3 day course.

[The College of Law](#)

Visit the Legal Practice Management Course page on their website for their next available 3 day course.

[FMRC Legal](#)

Visit the Legal Practice Management Course page on their website for their next available 3 day course.

Note: Accredited providers notify the Law Society when a practitioner has successfully completed a course.

STEP 2

Law practice structure

- (i) Is a **SOLE PRACTITIONER business** structure right for your purposes?

OR

- (ii) Is an **Incorporated Legal Practice** (company structure) a more suitable structure for your purposes?
 - (a) Consider obtaining financial and/or legal advice concerning the provision of legal services as a **SOLE PRACTITIONER** or **LEGAL PRACTITIONER DIRECTOR** of an incorporated legal practice.
 - (b) Refer to the 'commencing an incorporated legal practice checklist' on this webpage.

STEP 3

Name of Sole Practice

In NSW a sole trader cannot operate under any name other than the sole trader's name unless that business name is registered.

You can register your business name using ASIC's online service; www.asic.gov.au/for-business/registering-a-business-name

STEP 4

Complete

- (i) the **application form** on the following link for grant of an Australian Practising Certificate to practise as a Sole practitioner;
<https://www.lawsociety.com.au/cs/groups/public/documents/internetregistry/1151001.pdf>

OR

the **variation form** on the following link for grant of an Australian Practising Certificate to practise as a Sole practitioner;
<https://www.lawsociety.com.au/cs/groups/public/documents/internetcontent/1336181.pdf>

Note 1. The *variation of practising certificate* form has provision for advising the Law Society registry of the **name and address of a NEW SOLE PRACTITIONER law practice**.

Note 2. If applicable complete and return the prescribed form on the following link for **notification of opening a General Trust Account**.
<https://www.lawsociety.com.au/cs/groups/public/documents/internetcostguidebook/026185.pdf>

Note 3. A practising certificate entitling solicitors to practise as a Sole practitioner, **WILL NOT** be issued until confirmation is received from LawCover P/L that professional indemnity insurance is in place for the new Law Practice.

For more information about Lawcover and professional indemnity insurance visit www.lawcover.com.au.

¹ An undertaking to complete a Practice Management Course may be accepted by the Law Society to enable you to practise as a **Legal practitioner Director** of an ILP before completing the course (An audit of solicitors who have given an undertaking is conducted every 3 months to ensure that the undertakings have been complied with and a course has been completed).