

LIV Seasonal Clerkship Guidelines 2022

(Updated December 2021)

The LIV Seasonal Clerkship and Traineeship Guidelines ensure consistency and fairness throughout the legal recruitment process. The Guidelines provide the agreed framework for the dates and communication protocols for the making of offers for seasonal clerkship and traineeship positions by signatory law firms, and the acceptance of offers by law students. The LIV values the commitment that all signatories make towards ensuring compliance with these guidelines as the leading industry structure that supports the legal recruitment process.

1. To be eligible to apply for seasonal clerkships a student must be in their final or penultimate year of study, that is, they intend to commence their final semester in 2023. Students who have already completed their law degree are eligible to apply; however, applications will be accepted at the discretion of each firm.¹
2. Applications for seasonal clerkships will open no earlier than 9am on Monday, 4 July 2022.
3. Applications for seasonal clerkships will close no later than 11.59pm on Sunday, 14 August 2022.
4. Any offer made under these guidelines relates to clerkships within a one year period from the date of offer, but can be extended in circumstances agreed between the student and the law firm for a further one year period if a student requests a deferral of the clerkship.
- a. Applicants must notify any relevant signatory, to which they have applied for a clerkship, of any offer(s) they have accepted (including, but not limited to, graduate, traineeship and internship positions) as early as possible in the clerkship recruitment process and no later than one week before seasonal clerkship offers are due to be made pursuant to paragraph 6 of the Guidelines.
5. Any offer of clerkship must remain open for a minimum period of four (4) business hours from the time the offer was made or until 10am the following business day for offers made after 1pm, subject to paragraph 5(a):
 - a. Students must not hold more than four (4) seasonal clerkship offers for a period of more than 2 business hours.

For the purpose of this paragraph “business hours” is defined as the period between 9am and 5pm and “business day” means Monday to Friday.

¹ <https://www.liv.asn.au/Membership/Young-Lawyers/Seasonal-Clerkship-Traineeship-Guidelines>

6. Signatories will make offers concerning seasonal clerkships from 10am, Australian Eastern Daylight Savings Time on Wednesday, 19 October 2022.
7. All offers made pursuant to paragraph 6 of these Guidelines will be made by email. All email offers must detail:
 - a. the terms of the offer; and
 - b. that the offer is made pursuant to these Guidelines.

Signatories are permitted to make follow-up calls to offerees once the offer has been made by email.

8. Signatories who have entered sponsorship arrangements with disadvantaged students, such as those employed under the Indigenous Cadetship Program, are exempt from complying with the Guidelines in relation to those students.
9. A signatory may withdraw from the Guidelines by giving thirty (30) days written notice of its intention to the Law Institute of Victoria (LIV), the law faculties and law student societies at all Victorian law schools.
10. The LIV will maintain an up to date list of all signatory law firms which will be publicly available on the LIV website.
11. Students are encouraged to familiarise themselves with the clerkship application process and policies of any signatory to which they are applying.
12. Signatories are not obligated to offer seasonal clerkships each year but must follow the Seasonal Clerkship Guidelines in the event that they do.

13. All signatories agree to comply with all legislative requirements including those imposed by or otherwise required under the Victorian Charter of Human Rights, Victorian Anti-Bullying Legislation and Occupational Health & Safety Act 2004 (Vic).
14. These Guidelines are in place to ensure fairness throughout the graduate recruitment process. However, each signatory is responsible for setting its own application processes and this aspect is outside the scope of these Guidelines and the Law Institute of Victoria's involvement. Students are encouraged to familiarise themselves with the clerkship application processes and policies of any signatory to which they are applying and allow sufficient time for lodgement of their application.
15. Where an unforeseen error occurs in the lodgement of an application made pursuant to these Guidelines, the student may make a case for consideration to the relevant signatory, but it is at the discretion of the signatory concerned as to whether the application is accepted.

Further information

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