
Overview

This standard is about the provision of legal advice in relation to a broad range of money management and debt advice. You will establish clients' needs and expectations of services, research information which is relevant to their situation and provide them with appropriate and accurate legal advice. This includes advising clients on more complex areas of law. You will also know how to prepare and present cases in formal or informal hearings.

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Performance criteria

- You must be able to:
- P1 explain to clients the services that you can offer in line with their requirements
 - P2 check that clients' understanding of legal advice services is consistent with information you have provided
 - P3 agree with clients where situations require immediate action in line with their requirements, and:
 - P3.1 take steps to implement this
 - P4 agree next steps with clients in line with their requirements
 - P5 agree further actions with clients in line with their requirements, including;
 - P5.1 procedures
 - P5.2 responsibilities
 - P5.3 time limits
 - P6 analyse available client information to assign relevance to their case in line with your professional judgement
 - P7 review sources of information to assess applicability to clients' situations
 - P8 check that information obtained enables you to advise clients
 - P9 analyse information received from clients and the research process to formulate options in line with clients' needs
 - P10 present clients with information and possible options for action in line with organisational requirements
 - P11 advise clients on the implications of possible options in line with organisational requirements
 - P12 check clients' understanding of the advice offered in line with organisational requirements
 - P13 open client case files in line with organisational procedures
 - P14 design an action plan with clients in line with organisational processes, and:
 - P14.1 agree roles and responsibilities for progressing actions
 - P15 progress actions on behalf of clients in line with agreed timescales
 - P16 evaluate case progress against milestones and outcomes in line with organisational procedures

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P17 progress case outcomes to conclusion in line with organisational requirements

P18 record client details and agreed actions in line with organisational requirements

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Knowledge and understanding

You need to know and understand:

- K1 legislation, case law and guidance relating to consumer credit and debt in your jurisdiction
- K2 how to prepare and present defences in relation to client debt
- K3 how to prepare and present applications in relation to client debt
- K4 how to engage with insolvency proceedings
- K5 factors which can make debts unenforceable
- K6 how to challenge creditors when debts appear unenforceable
- K7 how to identify appropriate defences and strategies for dealing with different types of repossession
- K8 how to distinguish between personal debt and business debt, and why this is important
- K9 how to deal with business debts when clients have ceased trading, and:
 - K9.1 appropriate referrals for those still trading
- K10 the provisions of limitation legislation
- K11 procedures for the recovery and enforcement of debts by foreign banks and lenders in your jurisdiction
- K12 the grounds and procedures for judicial review in your jurisdiction
- K13 strategies for dealing with creditor action to repossess goods
- K14 ways that creditors can enforce judgements and other court orders
- K15 procedures for clients to suspend enforcement action
- K16 powers of enforcement agents
- K17 grounds for challenging the actions of enforcement agents

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Developed by Skills for Justice

Version number 3

Date approved November 2013

Indicative review date November 2018

Validity Current

Status Original

Originating organisation Skills for Justice

Original URN SFJ IB12

Relevant occupations Legal Advisers; Legal Associate Professionals

Suite Legal Advice

Key words complex areas of the law; present cases in court; money issues; owed; finances;