

# Job description

**Job Title:** Immigration Associate/Salaried Partner

**Reporting to:** Joint Head of the Immigration Department

## The immigration team and the role

The firm has an outstanding reputation in immigration law and is committed to maintaining excellence in this area. It is composed of ten solicitors, one trainee solicitor, four paralegals and is supported by a PA and one administrative assistant. In addition, separate teams carry out general administrative tasks and accounts.

The work of the immigration department is varied and covers all aspects of immigration, nationality and asylum law at all levels, including the higher and European courts. The current immigration team's clients are a mixture of privately paying and legally aided clients. The majority of our clients are individuals, although we also have corporate clients, including from the Third Sector. We have close links with a number of community and advisory groups. Our client base is wide, and our clients are based all over London as well as outside London and abroad. Although the firm remains committed to publicly funded work, the aim of this post is to continue to support our privately paying client base. The post holder will focus on either personal immigration including asylum, or business immigration. The post holder is expected to have a following in either area.

If the focus of the post holder is on personal immigration, she or he will be expected to achieve a balanced practice between private clients and legal aid work. The balance of the caseload will depend on the needs of the team as a whole and in discussion with the heads of the department.

The department works closely with other departments in Bindmans, particularly the family, crime, public law, employment and PI departments.

## Key responsibilities

- to undertake fee earning work;
- to make a positive contribution to the work of the department and to the firm;
- to supervise other members of the team where appropriate.

## Immigration

To be responsible for an active case load dealing with a wide range of immigration issues including both corporate and individual clients including either:

- a business/work related caseload, including applications under the Points Based System and other business/work related applications, Sponsor License applications, Association Agreements and other legacy European Union work related applications; work related prosecutions (in conjunction with our crime team) or
- a personal immigration caseload, including asylum/human rights based applications, legacy EEU/ EUSS related applications, other rules-based applications such as student and visitor applications, family reunion, removal, adoption and other children's cases, LGBT related matters, port cases, detained cases including bail and damages cases, and applications under concessions and outside the rules.

Postholders who wished to combine both areas of work within the immigration law specialism would be able to do so.

## Nationality

If the focus of the post holder's caseload was on personal immigration, to be responsible for advising and processing of all types of applications under the British Nationality Act 1981; both naturalisation and registration, including applications for the exercise of discretion.

### **Asylum**

The department deals with asylum seekers from all over the world, increasingly with privately paying asylum seekers, although the majority are publicly funded. The work includes both port and in country applications for asylum and human rights leave, as well as family reunion matters. The team works closely with the extradition team in Bindmans' criminal department. If the focus of the post holder's caseload was on personal immigration, asylum would be included.

### **Appeals and Judicial Review**

To be responsible for the preparation of immigration appeals of all types. The post holder is expected to be able to identify appropriate cases for judicial review and to conduct relevant UT JR/High Court litigation, or if the focus of the post holder's caseload was on business immigration, if appropriate to refer to other members of the team.

### **Team Work**

To work on cases with colleagues particularly in the immigration team and the public law and human rights department.

### **Practice Development**

The post holder will be actively engaged in his/ her own practice development and developing the immigration team's practice by, for example, reporting interesting cases, writing articles, giving seminars/webinars, developing links with the media, local authorities, corporate clients, the voluntary sector and other appropriate organisations.

### **General**

The fee earner is responsible to the firm as a whole for the effective and efficient conduct of the client's case, in accordance with the overall policies and objectives of the firm, and for proactive development and promotion of the firm's high standards and reputation. All the firm's qualified fee earners (other than trainees) are specialists, and although they may have some opportunity to work outside their field of specialism, it is anticipated that the specialist area will account for the very great majority of their fee earning work.

For fee earning and case management purposes the manager to whom the fee earner is responsible is one of the partners who head the team in which the fee earner works. For other purposes (e.g. in relation to issues relating to equipment or accommodation) the manager may be the partner with responsibility for the issue in question.

The post primarily involves, in each case, with the support and assistance where necessary and available of other staff including the partners:

- dealing effectively with enquiries from referral agencies and prospective new clients so as to assess the nature of the matter and whether it falls within the firm's area of practice, and in a case where the firm is unable to act, offering alternative advice where appropriate;
- accepting instructions from new clients, and in so doing if appropriate advising them (a) of the availability of public funding and of the requirements of the Public Funding scheme, and (b) of the firm's terms of business and (c) confirming all such advice in writing in accordance with the practice requirements of the Legal Aid Agency/SRA;
- taking all necessary steps to obtain public funding (and/or Legal Help/CLR cover and/or Legal Help/CLR extension(s)) for the client; alternatively obtaining a realistic sum of money on account of costs and disbursements or, subject to approval, enter into a conditional fee agreement with the client;
- notifying where appropriate the Court, Tribunal, Home Office or other body and any other party and/or their solicitors of the firm's interest, and maintaining all necessary correspondence;
- undertaking all necessary preparation of the case or matter, including the client's proof(s) of evidence, proofs of witnesses including expert witnesses, obtaining and perusal of all necessary documents, preparing and delivering instructions to experts and/or counsel,

briefing counsel and attending or arranging attendance at conferences, consultations, or hearings;

- maintaining a full and orderly electronic and hard copy file with comprehensive attendance notes of all meetings and telephone calls, following the firm's system of time recording;
- when appropriate, invoicing the client by delivery of a detailed narrative bill and applying for further private funds on account; alternatively, applying for legal aid funds on account of disbursements, where necessary making interim claims for costs; ensuring the prompt payment of disbursements; and at the conclusion of a matter delivering papers to a costs draftsman and expediting the costs assessment process; promptly costing publicly funded matters;
- at the conclusion of any matter, giving the client all advice necessary at that stage, including advice as to the firm's policy as to retention and destruction of papers;
- at all times, having strict regard to any constraint or requirement of the LAA Public Funding scheme;
- at all times, having strict regard to the Solicitors Regulation Authority and the Legal Aid Agency's Standards of Professional Conduct and Ethics, and in particular to the strict requirement of confidentiality of clients' affairs;
- liaison within the firm with other fee earners engaged in similar and / or related cases matters or clients with a view both to maximising efficiency and avoiding conflicts of interest;
- maintaining such financial records and supplying such financial information as may be required by the Legal Aid Agency, SRA or the firm, including providing calculations of work in progress from time to time; and adhering so far as possible to the billing target which will be calculated from time to time after consultation with the fee earner;
- becoming familiar with and observing the internal requirements of the firm as to file opening and closure, accounting procedures, and the maintenance of all necessary records and any other administrative requirement;
- working effectively and efficiently with the non fee earning staff, including the administrative staff within the immigration team;
- becoming familiar with and making best and most effective use of the firm's equipment;
- attending as required at meetings within departments or otherwise to review case work or for the purposes of supervision.
- to attend such training as may be approved by the firm as will be necessary to fulfil the Solicitors Regulation Authority and the Legal Aid Agency's requirements and to maintain (and to supply to the Managing Partner) a record of all training undertaken and points earned;
- to complete and maintain as necessary any professional documentation or records (such as a Practising Certificate or specialist accreditation) as the Legal Aid Agency or any other professional body may require.

## Person specification

### Skills

- Admittance to the Solicitors' Roll or Call to the Bar.
- Six years or more experience of business immigration and /or personal immigration, asylum and nationality law.
- A following in either business immigration and/or personal immigration, asylum and nationality law.
- Proven ability in business development.

### **Knowledge**

- A thorough understanding of the obligations, including ethical obligations of working as a solicitor.
- A thorough understanding of the law relating to business immigration, and/or personal immigration, nationality, asylum, including human rights, and relevant European Union Law.
- For post holders focussed on personal immigration, an understanding of the LAA Quality Mark requirements or the ability to acquire that understanding.

### **Ability**

- To advise a wide range of clients both orally and in writing on complex legal issues, including the ability to adopt a style appropriate to the needs of different clients, including those for whom English is not their first language;
- To draft advice, applications, statements, representations to the Home Office, court pleadings at both Tribunal and higher court level, etc.
- To keep up-to-date on developments in immigration, nationality, asylum and human rights law by attending appropriate courses and meetings of organisations such as the Immigration Law Practitioners' Association, attending in-house training sessions and reading legal journals etc.
- To work methodically and efficiently and to deal with private and legal aid billing procedures;
- To contribute to the development of the client base of the immigration team to a wider privately funded group;
- To contribute to the development of the immigration team's practice through attending external meetings, writing articles, giving webinars/training courses, liaising with the media, etc.
- To work productively and effectively with other lawyers in the team;
- To train other members of the team on immigration law and the conduct of cases;
- To bill private clients in a timely and efficient manner;
- Where appropriate to deal with public funding applications and other legal aid procedures for a franchised firm (particularly with the Legal Help/Controlled Legal Representation schemes and Legal Aid Authority certificated work);
- Strong knowledge of MS Office, including Word, Excel, PowerPoint and Outlook.
- Knowledge and use of time recording systems.

### **Qualities**

- Flexibility
- Team work
- Thoroughness
- Tenacity

The role of a Salaried Partner at Bindmans LLP is covered in a separate Job Description.