

Training and Skill Development In Legal Drafting & Office Management

Scope of the training programme:

One of the pitfalls and matter of grave concern of the present legal education curriculum is that it equips the young law students mainly with theoretical basis of laws or legal systems but does not give them much exposure to the working of the same which has resulted in a gap. To have the perfect blend of theory of law and practice, it is necessary to bridge this gap. Other equally perceptible lacuna is that little attention is given to the subject of drafting of instruments, commercial agreements and legislation. It is, therefore, necessary that the law schools should give adequate attention to these gaps and try to fill them by introducing short term training programmes in these specific areas and equip students and professionals with requisite skills and make the Legal education, industry and commerce friendly. The present effort is an endeavor in this direction.

Vivekananda School of Law and Legal Studies (VSLLS) is in the process of setting some Centres of Excellence devoted to training various stakeholders in the areas of contemporary importance including the areas of drafting of instruments, commercial agreements and statutes by equipping all the stakeholders with the knowledge of the fundamental principles that govern drafting of various

instruments/statutes and give them practical exposure to these processes.

The present series of special lectures - “Training and Skill Development in Legal Drafting and Office Management” is designed with the following **primary objectives**:

- a. To provide practical training in drafting and management of the cases to young professionals and law students
- b. To provide in-house training to them and equip them with the knowledge of fundamental principles relating to drafting, filing and office management of case files.
- c. To make them proficient in the basic rules of drafting including commercial agreements, power of attorneys, notices, Wills, writs, statutes, affidavits and other instruments in vogue in commercial and industrial matters
- d. Acquaint them with the procedures relating to filing of these documents, their registration, wherever applicable, and processes related to the filing of these documents before various courts, tribunals and other quasi judicial and administrative bodies.
- e. To hold mock exercise in the matter of drafting of these instruments and statutes.

The series has been divided into VII Modules. Each Module will be followed by a Module Completion Assignment. On completion of all the Modules successfully, the candidates admitted to this training shall be awarded a certificate of completion by VSLLS, VIPS.

Duration: 20 contact hours

Eligibility requirement: Students pursuing Law degree from any recognized university or institute in India, young professionals and advocates.

Registration fees for participant: For Advocate and other professionals: INR 3000/

For Student: INR 2000/

Minimum Number of Participants - 60

Course Contents

Module -I

Office Management

- Importance of office management
- Concept of office management
 - Communication
 - Etiquettes
 - Ethics
 - Efficiency in Managing/Executing work
 - Public Satisfaction
- Office stationery and its management
 - Components of office stationary
 - Opening of files subject wise
 - Maintenance of files
 - Pagination of files
 - Correspondence and maintenance of records thereof
 - Posting, delivery and acknowledgement
- Maintaining Client Database and Accounting
 - Maintenance of client database
 - Modes of communication with the clients
 - Maintenance of records of court proceedings

- Formats of communication
- Formats for preparing memo of fees
- Maintaining of therecords of receipts of fee
- Issues of privacy and confidentiality
- Importance of digitization

Importance of Language

- Language - means of communication
 - Simplicity
 - Brevity
 - Effective communication
- Basic principles governing effective communication
 - Proper addressing
 - Use of clear and unambiguous language
 - Adherence to grammatical rules
 - Proper formatting and signature
- Proper references and footnoting
 - Indexing
 - Citation
 - Footnoting
 - Annexures
 - Exhibits
 - Pagination

Module II

Statute - meaning

- Parts of statute
 - Operative part
 - Internal aids

- External Aids
- Rules of Interpretation of Statutes/Instruments
 - Primary /Literal Rule
 - Reading a statute as a whole
 - Other rules

Basics of Legislative Drafting

- Nature of statute
 - Temporary
 - Permanent
- Different categories of statute
 - Penal/Tax statute
 - Welfare/Beneficial Statute
 - Remedial Statute
 - Permanent/Temporary Statute
- Language must be unambiguous
- Language must be simple
- Rules of grammar to be adhered to
- Rules of interpretation to be kept in mind in drafting a statute
- International Covenants and practices including International Customary Law to be harmonized while drafting a statute

Module III

Drafting of Commercial Contracts

- Basics of negotiation
- Basics of drafting an agreement
- Operative Clauses
- Boilerplate Clauses
- Risk Mitigation Clauses

- Certain procedural requirements
- Certain key commercial contracts
- Due diligence

Module IV

Drafting of Instruments

- Wills
- Gift Deed
- Sale Deed
- Power of Attorney
 - Specific
 - General
- Affidavits and their attestation

Module V

Civil Litigation Documentation

- Basic rules in drafting of pleadings
- Drafting of
 - legal Notices
 - Plaint
 - Written statement
 - Rejoinder
 - Evidence by way of affidavit
 - Caveats

Module VI

Criminal Litigation Drafting

- Drafting of an FIR/Private Complaint
- Anticipatory Bail
- Bail application

- Bailable offences
- Non-bailable offences
- Execution of bail bonds
 - With sureties
 - Without sureties
- Cancellation of Bail
- Petition for Quashing of an FIR/Criminal Proceedings in the High Court

Module VII

Drafting of suits for:

- Recovery of money
- Injunction
 - Permanent
 - Temporary
 - Mandatory
- Possession
- Partition

Course contents drafted by : Prof (Dr) B T Kaul, Chairman VSLLS, VIPS and Mr Apoorv Bhardwaj, Assistant Professor, VSLLS, VIPS

Series Schedule -

Series will commence from 7th of September and continue till 27th of October.

Weekly 1 classes of 2-3 hours duration. (Days -Saturday; Time 10AM-1 PM, Venue- VSLLS)

Criteria for grant of certificate

Minimum 85% attendance and completion of all assignments.

*Chronological order of modules is subject to change depending on availability of resource person

*Class duration and timings may be changed with prior notice depending on resource person's availability