

Position Description



Position Title Solicitor – Level 1

Job Group JG 5

Division Clients

Achieve efficient, just and cost-effective injury recovery and independence outcomes for those injured in transport accidents. This division and its outcomes have a fundamental and direct impact on the performance of the TAC as a whole in the areas of client outcomes, return to work, scheme participation, financial scheme performance, common law resolution, legal, and client experience.

Group Resolutions

Branch Dispute Resolutions & Litigation

Location Geelong with travel to Melbourne as required

Reports To Senior Legal Manager or delegate

Working with Children Check Required? Yes

Financial Delegation Authorised to pay Legal Costs as per instrument of delegation and authorisation

Job Purpose

To effectively and efficiently manage a large and mixed portfolio of litigated and non-litigated including complex and strategically sensitive matters within a highly demanding legal environment.

In addition, the role is required to provide high quality and timely legal services including specific and general advice and advocacy to TAC. It requires a superior degree of organization, time management, judgment and problem solving competencies and knowledge of the Transport Accident Act 1986 and stakeholder management.

The role is critical to the ongoing success of the TAC and its ability to meet operational and branch targets and scheme viability.

Key Role Accountabilities

- **Effectively manage a mixed portfolio of litigated and non-litigated matters across a diverse and broad ranging portfolio as follows:**
 - Have conduct of a variety of matters regarding client's entitlements under the Transport Accident Act 1986 including: No Fault Dispute Resolution Protocols applications, VCAT Applications for Review, Serious Injury Originating Motions, Common Law Protocols applications and Common Law Writ's.
 - Providing both written and verbal legal advice to the TAC to ensure the firm and fair defence of matters, identifying where appropriate further information required, risks for the TAC and identifying and reporting adverse precedent matters involving scheme and/or reputational issues under supervision and mentoring.
 - Obtaining instructions from the TAC business client, acting in accordance with the business client's lawful, proper and competent instructions and keeping the business client advised and updated during the running of matters.
 - Communicating and negotiating with Plaintiff solicitors and self-represented litigants to ensure proactive progression of matters and early and effective resolutions.

Our values

We value life / We will find a better way, today / We make every conversation count / We make the complicated simple

- Delegation of duties to Legal Assistant's requiring the provision of detailed instructions, following up on delegated tasks where required and provided constructive guidance and feedback to maintain and develop a positive working relationship.
 - Attending and participating in various alternative dispute resolution processes, initially under supervision including: Pre-Issue Conferences (by phone), Compulsory Conferences, OM Pre- Hearing Conferences, Common Law Protocols Conferences and Common Law Mediations.
 - Appearing, with appropriate supervision and support on behalf of the TAC in various jurisdictions including in the Victorian Civil and Administrative Tribunal, County Court and Supreme Court at Directions Hearings and to take judgment
 - Where appropriate for matters to be run to Hearing, preparing relevant documentation, briefing counsel and instructing counsel at the Hearing.
 - Participating in the negotiation and settlement of legal costs claims, preparation for Cost Recovery Committee matters and providing legal costing advice in briefs and advices.
- **Providing informal and ad hoc legal advice and quality legal service to the TAC to assist to achieve results for our client's, Branch and the TAC, including:**
 - Attending various forums and round tables to assist the TAC with decision making: Eligibility Mental Health Round Table, Eligibility Forum, general Legal Consults, Serious Injury Forum, Serious Injury Mental Health Forum, Independence Forum and Surgery Forum. This requires the undertaking of file reviews and provision of guidance on complex issues in relation to the information gathering, file preparation and decision making.
 - Providing ad hoc advice and recommendations to various branches in the TAC (Return to Work, Return to Health, Client Assist, Independence, Informal Review, Forensics) to assist in their decision making processes and functions.
 - Develop strong and effective working relationships with external & internal stakeholders including clients, Plaintiff solicitors, barristers, Courts and Tribunals and medical practitioners.
 - Contribute to the delivery of Practice Group specific KPI's related to legal service, quality and efficiency.
 - In consultation with Solicitors, Senior Solicitors and Senior Legal Managers, formulate and implement strategies for the successful attainment of targets, and to manage future liabilities or changing precedents in law.
 - Maintain, develop and share relevant knowledge and expertise through formal and informal avenues.
 - Participate in projects and other business activities as required (e.g. working groups) to support continuous improvement of the branch and the TAC's processes and frameworks.
 - **Ensure compliance with relevant rules, regulations and work practices including:**
 - Ensure compliance with all relevant rules, regulations and work practices and maintaining requirements to hold a Legal Practicing Certificate, acting professionally at all times, develop and maintain a detailed knowledge of the relevant legislation and associated case law.
 - Comply with the requirements of the Civil Procedure Act 2010.
 - Comply with the terms of the Legal Services Agreement.
 - Brief counsel in accordance with the Equal Briefing Policy.
 - Act professionally and ethically and in accordance with the Model Litigant Guidelines and the Charter of Human Rights and Responsibilities.
 - Comply with the Transport Accident Act Protocols and other pre-litigation processes.

Key Selection Criteria

Relevant Qualifications, Work Experience & Specialised Knowledge

- Knowledge of the relevant sections of the Transport Accident Act, common law principles or relevant jurisdictions, legislation and legal precedents preferred.
- Sound knowledge of the Courts and Tribunal Rules processes and procedures in all relevant jurisdictions
- Demonstrate proficiency in managing VCAT, serious injury and common law claims.
- Demonstrated litigation and alternative dispute resolution experience
- Strong conceptual, analytical and strategic skills and demonstrated ability to handle complex matters.

Our values

We value life / We will find a better way, today / We make every conversation count / We make the complicated simple

- Effective time management, organisation skills and ability to work under demanding time frames and changing priorities.
- Demonstrated ability to exercise judgement and well-developed problem solving, influencing and negotiating skills.
- Well-developed negotiating, verbal and written communication skills.
- Demonstrated experience in building relationships with stakeholders, including clients, the legal fraternity and medical practitioners.
- Bachelor of Laws
- Entitled to or holds a current practicing certificate and admitted as an Australian Lawyer

Capabilities

As well as the technical skills required for the role above, our TAC capabilities are our building blocks for success.

- **Courage** – Taking action or speaking up, despite uncertainty or opposition
- **Accountability** – Taking accountability and seeing it through.
- **Adaptability** – Adapting to changing needs and conditions.
- **Curiosity** – Openness to new ideas and learning.
- **Systems thinking** – Seeing the whole beyond the parts.
- **Critical thinking** – Analysing issues to form judgements.
- **Empathy** – Connecting with the experience of others.
- **Collaboration** – Working together to achieve shared goals.

Organisational Responsibilities

As per the Victorian Occupational Health and Safety Act 2004, TAC employees must take reasonable care for the health and safety of themselves and others, and not put others at risk by any act or omission. Employees must cooperate with the TAC about any action taken to meet OHS obligations, this includes; following safe work practices and reporting incidents and hazards. Employees must not intentionally or recklessly interfere with or misuse anything at the workplace to support health, safety and welfare.

Uphold the TAC's commitment to inclusion and diversity by role modelling inclusive and respectful behaviours, in line with the TAC's values, capabilities and policies.

Participate in identification and development of initiatives, risks, changes, recommendations and implementation of appropriate work practices, policies and guidelines to improve efficiency and/or effectiveness of work.

Version Number	1
Revision Number	3
Record Number	TACD23-16781
Date Updated	28/03/2023 10:55:40 AM
Date Created	02/12/2016
Position Number/s	Multiple

Our values

We value life / We will find a better way, today / We make every conversation count / We make the complicated simple