

Legal Practitioner

Statement of Duties – October 2017

Title	Legal Practitioner
Number	355211
Award	Legal Practitioners Agreement
Classification	Level 1
Output Group	Administration of Justice
Full Time Equivalent	0.6
Division	Legal Aid Commission of Tasmania
Branch	Family Advocacy and Support Service
Supervisor	Family Practice Manager
Direct Reports	0
Location	Hobart
Terms of Employment	Fixed Term part-time until 30 June 2019, 44.10 hours per fortnight, 52 weeks per year
Position category and funding	T167

The Department of Justice

Aim

A safe, fair and just Tasmania.

Purpose

To support the Tasmanian Government to promote the rule of law by

- ensuring an effective, efficient and accessible justice system.
- protecting and respecting rights.
- improving laws.
- influencing positive behaviour and enforcing responsibilities.

Visit the [Department of Justice website](#) for more information.

Divisional Information

The role of the Legal Aid Commission is to ensure that legal aid is provided in the most effective, efficient and economical manner based on a commitment to all Tasmanians to provide equal access to justice in a manner which overcomes social and financial disadvantage. These aims are achieved by the granting of legal aid to both the private profession and the in-house practice to represent clients. The Commission also provides State-wide services for dispute resolution conferencing, face to face legal advice, telephone advice, duty lawyer representation, community legal education and Safe at Home and mental health assistance programs.

The Commission is jointly funded by the Commonwealth and State. The Commission's functions encompass both Commonwealth and State jurisdictions. The Commission is accountable to both Commonwealth and State Attorneys General for the expenditure of allocated funds and effective provision of legal aid services.

The Commission is an independent body governed by a Board of Commissioners. It conducts its operations in an independent manner, its staff are provided under the *Legal Aid Commission Act 1990* by the Secretary of the Department of Justice and are employed under the *State Service Act 2000*. The Commission supports all of its functions, programs and business streams from its own organisational structure and resources.

Visit the [website](#) for more information.

About the position

Objective

The position provides duty lawyer services to the Family Advocacy and Support Service.

Duties

- Provide duty lawyer services, including information, advice, drafting documents and representation of clients of the Family Advocacy and Support Service in Family Law Court Registries and other locations.
- Provide information to stakeholders and promote the Family Advocacy and Support Service to clients and other stakeholder groups.
- Establish and maintain effective referral relationships both in and out of the Family Advocacy and Support Service.
- Contribute to and comply with the reporting obligations to the Commonwealth and State in relation to the delivery of the Family Advocacy and Support Service including keeping and supplying proper records of all services delivered.
- Perform such other professional work in the child protection jurisdiction, family law jurisdiction and Safe at Home area of practice, as may be directed from time to time.

Level of responsibility

- Responsible for the effective and efficient delivery of services in accordance with the directions, policies and guidelines of the Legal Aid Commission of Tasmania and within allocated resources and agreed timeframes.
- Expected to exercise initiative, discretion and sensitivity in the resolution of both routine and non-standard issues. Responsible for maintaining current knowledge of relevant departmental policies and procedures.
- Conduct your work in a safe manner such that it does not put yourself or others at risk.

- Comply with any reasonable instruction contained in WHS policies, procedures and instructions and report hazards, near misses and incidents to your supervisors.

Direction and supervision received

- This position reports to the Family Practice Manager.

Selection criteria

The following specific selection criteria must be addressed by candidates by describing their relevant personal and professional skills and abilities; qualifications, training and competencies; past achievements; and potential for development. The position objective and duties can also be used to assist in addressing the selection criteria.

1. An understanding of the law, including practice and procedure in relation to:
 - The *Family Law Act 1975* (including associated Rules of the Family Court of Australia and Federal Circuit Court of Australia).
 - The *Children, Young Persons and their Families Act 1997*; and
 - The *Family Violence Act 2004* and related legislation.
2. Demonstrated ability in drafting and evidence-gathering including drafting applications and affidavits, issuing Subpoenas, drafting terms of reference for reports, making applications for reports and/or the appointment of Court Experts.
3. Proven advocacy skills in Family Violence, Family Law and Child Protection jurisdictions.
4. An understanding of policy and social science research relevant to family violence, including screening processes, risk assessment and safety planning.
5. High-level interpersonal, client-management and relationship-management skills including:
 - Proven ability to work collaboratively with other legal and non-legal professionals, sharing a commitment to the goals of the Family Advocacy and Support Service and the Legal Aid Commission of Tasmania.
 - Proven ability to form and maintain effective professional relationships with stakeholders.
 - Ability to contribute to the promotion of the Family Advocacy and Support Service, and network with other service providers to establish effective referrals in and out of the service.
6. A keen awareness of legal professional ethics and State Service Principles and other responsibilities in the role.

Working environment

Employment in the State Service is governed by the *State Service Act 2000*. Both employees and officers are required to uphold and comply with the State Service Principles (Section 7) and the Code of Conduct (section 9).

Department of Justice state service employees:

- treat all users of our services with respect and courtesy;
- listen to what users of our services have to say;

- personalise services to the needs and circumstances of each user of our services where practical;
- always do what they say they are going to do, or update the appropriate people promptly if things change, offering an explanation for the change;
- respond to enquiries promptly and efficiently; and
- consult the public and users of our services about their service needs.

The minimum standard of behaviour expected of all Department of Justice employees is to:

- Consider people equally without prejudice or favour.
- Act professionally with honesty, consistency and impartiality.
- Take responsibility for situations, showing leadership and courage.
- Place the public interest over personal interest.
- Appreciate difference and welcome learning from others.
- Uphold the law, institutions of government and democratic principles.
- Communicate intentions clearly and invite teamwork and collaboration.
- Provide transparency to enable public scrutiny.
- Be fiscally responsible and focus on efficient, effective and prudent use of resources.

Further information about employee expectations is on the Department of Justice Intranet site under Statement of Intent.

The department is committed to high standards of performance in the application of contemporary management practices and principles including workplace health and safety and workplace diversity. The department recognises and uses the diversity of the community it serves. In doing this it acknowledges the individual differences that can contribute to the capacity of a person to perform the inherent requirements of the duties. All employees are expected to participate in maintaining safe working conditions and practices and to promote and uphold the principle of fair and equitable access to employment/promotion, personal development and training and the elimination of workplace harassment and discrimination.

All employees are responsible for participating actively and constructively in discussions regarding performance and for the implementation of agreed outcomes in accordance with the Performance Management policies and strategies of the Department.

Smoking is prohibited in State Government workplaces and vehicles.

Requirements

Essential requirements

- Admitted or eligible for admission as a Barrister or Practitioner of the Supreme Court of Tasmania and the relevant federal courts.

Desirable

- Knowledge and understanding of the *Children Young Persons and their Families Act* and the *Family Law Act*.