



Australian Government

Department of Education, Employment and Workplace Relations

BSALC301A Use legal terminology in order to carry out tasks

Release: 1

Modification History

Not Available

INTRODUCTION

This Unit covers understanding and using legal terminology in order to undertake tasks.

This unit of competency underpins all units of competency in the Legal Services stream of the Administration Training Package.

This unit can be assessed alone or in combination with other units making up a job role.

Element of Competency

Use appropriate legal terminology in written and oral communication with internal and external parties

Extend understanding of legal terminology

Performance Criteria

- Appropriate legal terminology is used in both written and oral communication with internal and external parties
- Legal terminology is spelt and pronounced correctly and used in appropriate context
- Gaps in knowledge are identified and clarification is sought through appropriate source or person
- Abbreviations for commonly used legal terms and associated processes are identified and used where appropriate
- Questions relating to legal terminology can be answered and terms defined

RANGE STATEMENT

Clarification regarding commonly used legal terminology may be sought from:

- legal dictionary
- relevant handbook eg. Legal Secretary's Handbook
- glossary of commonly use legal terminology and processes
- designated person/s

Commonly used legal terminology may relate to:

- courts and tribunals
- legal personnel
- legal procedures
- legal documentation
- legislation and regulations

Commonly used legal terminology may vary according to:

- the area of law
- legal setting eg. community legal work, Crown Solicitor's Office
- a particular legal procedure
- the jurisdiction

Tasks may include:

- taking and forwarding messages
- producing office memos
- typing legal practitioner's notes
- drafting letters in response to queries
- filing
- maintenance/update of clients' files, eg. file notes, certificates, results of public search, correspondence with a barrister
- preparing court documentation
- contacting external parties
- organising payments
- preparing accounts

Designated person may include:

- lawyer
- partner
- legal practice manager
- supervisor
- work colleague

The area of law may include*:

- commercial law
- corporate law
- criminal law
- family law
- industrial relations

- property law
- tax law
- litigation
- wills and probate
- * These are nine common areas of law; the area of law is not restricted to this list. Other areas of law may be applicable and may require specialised legal terminology.

EVIDENCE GUIDE

Critical aspects:	<ul style="list-style-type: none">• instructions containing commonly used legal terminology and abbreviations are responded to appropriately• evidence of attempts to increase knowledge of legal terminology• legal terminology is used appropriately for the situation• appropriate person/source of information can be accessed to clarify unclear instructions or to locate missing information• legal terminology and processes can be explained to others in simple, non-legal language• non-disclosable information is not communicated• consequences of misusing legal terminology can be articulated• legal and financial consequences of misusing legal terminology are understood• all work is conducted within accepted codes of conduct including those relating to:<ul style="list-style-type: none">• maintaining confidentiality, and compliance with reasonable direction
Resource implications:	<p>The assessor must have access to appropriate documentation and resources normally found in the work environment and required to allow the job or task to be properly performed. These may include:</p> <ul style="list-style-type: none">• appropriate legislation and regulations• glossary of legal terms and processes• workplace manuals and reference materials such as legal dictionary, company policy, procedural manuals and checklists
Consistency in performance:	<p>This unit of competency will require evidence to be collected across a range of events, eg. Dealing with different legal office requirements, and over a period of time to ensure that situational variables are consistently achieved.</p>
Context of assessment:	<p>Evidence of competency can be met in different situations, including:</p> <ul style="list-style-type: none">• on the job assessment• off the job assessment• placement in an enterprise• participation in a New Apprenticeship (traineeship) arrangement• use of a Practice Firm or simulated work environment• flexible delivery methods used by training providers to cater for distance education students• Recognition of Prior Learning, Recognition of Current Competencies (in skill areas where there has been no significant change to work practice in recent times). <p>Evidence gathering methods may include:</p>

- demonstration
- questioning
- workplace performance
- role-play
- projects/assignments
- written tests (verbal usage and verbal comprehension)
- portfolio of work documents
- third party reports

Underpinning
knowledge and
skills

Knowledge

- procedures in relation to communication and the release of information, security and confidentiality
- commonly used legal terminology
- appropriate use of legal terminology within employee's area of responsibility
- relevant legal process
- sufficient knowledge of relevant current legislation to complete tasks

Skills

- literacy: reads and interprets legal documents; understands and uses vocabulary for a specific purpose; clarifies intended meaning and legal context; follows written and oral sequenced instructions involving legal terminology
- communication: accurate pronunciation of legal terminology; uses strategies to confirm, repair or clarify understanding of terms and context
- research: increases own knowledge of legal terminology

KEY COMPETENCIES

Utilisation of the Key Competencies required in the performance of this unit

Communicating ideas and information	Collecting, analysing and organising information	Planning and organising activities	Working with others in a team	Using mathematical ideas and techniques	Solving problems	Using technology
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Performance Levels

Level 1

- carries out established processes
- makes judgements of quality using given criteria

Level 2

- manages processes
- selects the criteria for the evaluation process

Level 3

- establishes principles and processes
- evaluates and reshapes processes
- establishes criteria for evaluation of processes