



Australian Government

Department of Education, Employment and Workplace Relations

BSBLEG306A Maintain records for time and disbursements in a legal practice

Revision Number: 1

BSBLEG306A Maintain records for time and disbursements in a legal practice

Modification History

Not applicable.

Unit Descriptor

Unit descriptor	This unit describes the performance outcomes, skills and knowledge required to maintain time records and enter disbursements incurred. All aspects of legal practice may be subject to a range of legislation, rules, regulations and/or codes of practice relevant to different job roles and jurisdictions.
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Application of the Unit

Application of the unit	This unit applies to individuals who provide services to support legal practitioners, while under supervision. This unit underpins all units of competency in the Legal Services stream. All aspects of legal practice may be subject to a range of legislation, rules, regulations and/or codes of practice relevant to different job roles and jurisdictions.
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Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Prerequisite units	

Employability Skills Information

Employability skills	This unit contains employability skills.
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Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a unit of competency.	Performance criteria describe the performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the required skills and knowledge section and the range statement. Assessment of performance is to be consistent with the evidence guide.
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Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Record fee earner time	1.1. Access <i>time sheets</i> submitted by <i>fee-earners</i> 1.2. Organise self or other to enter time recording onto the accounting system against the relevant client or client matter file, or other relevant codes eg. training, marketing 1.3. Note irregularities and/or uncertainties and follow standard resolution procedures or alert <i>designated person</i> as appropriate 1.4. Make entries within agreed timelines
2. Enter disbursements incurred	2.1. Record details of <i>disbursements</i> accurately against the relevant client or client master file according to <i>a firm's policies and procedures</i> 2.2. Note irregularities and/or uncertainties and ensure standard resolution procedures are followed or alert designated person as appropriate 2.3. Attach file/master number to all <i>relevant documentation</i> and file such documentation appropriately

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

This section describes the skills and knowledge required for this unit.

Required skills

- numeracy skills to apply combination of oral and written mathematical and general language for the record keeping process
- communication skills to listen to clear, sequenced instructions; clarify information by questioning as necessary; and consult where necessary with team members and clients
- technology skills to use a range of software applications
- literacy skills to follow a firm's legal procedures and sequenced, written instructions
- problem-solving skills to apply resolution procedures to standard problems
- organisational skills to select and apply the procedures and strategies needed to perform a range of tasks within designated time lines.

Required knowledge

- scope of legal practitioner/support role and own responsibilities and obligations to provide legal advice, complete or sign off on legal work and/or appear in court as described by relevant jurisdiction(s)
- firm's policies and procedures
- accepted codes of conduct including those relating to:
 - privacy and confidentiality
 - use of company property
 - duty of care
 - ethical behaviour
 - non-discriminatory practice
 - conflict of interest
 - compliance with reasonable direction
- overview knowledge of relevant; court processes, current legislation, legal processes and required documentation

Evidence Guide

EVIDENCE GUIDE	
<p>The Evidence Guide provides advice on assessment and must be read in conjunction with the performance criteria, required skills and knowledge, range statement and the Assessment Guidelines for the Training Package.</p>	
Overview of assessment	
Critical aspects for assessment and evidence required to demonstrate competency in this unit	<p>Evidence of the following is essential:</p> <ul style="list-style-type: none"> • demonstrating honesty and integrity in all financial dealings • accurately entering time recording and disbursements onto the accounting system in accordance with firm's policies and procedures • presenting relevant documentation to designated person/s for approval within agreed timelines • consistently handling and administering trust accounts in accordance with firm's policies and procedures and legislative requirements • applying standard procedures to resolve irregularities and/or uncertainties and/or alerting designated person/s as appropriate.
Context of and specific resources for assessment	<p>Assessment must ensure:</p> <ul style="list-style-type: none"> • wherever possible the context is a real or simulated workplace • access to workplace manuals and reference materials such as company policy, procedural manuals and checklists • access to list of relevant sources of documentation and sample forms • access to background information on courts, their jurisdiction and behavioural requirements • access to appropriate technology such as computers with relevant software • access to appropriate texts and access to person's with expert knowledge such as legal practitioners • access to appropriate legislation and regulations relevant to common legal matters, such as that accessible via: <ul style="list-style-type: none"> • http://www.law.gov.au • http://www.ag.gov.au • http://www.austlii.edu.au/

EVIDENCE GUIDE	
	<ul style="list-style-type: none"> • http://www.australia.gov.au/states-territories • http://www.act.gov.au • http://www.nsw.gov.au • http://www.nt.gov.au • http://www.qld.gov.au • http://www.sa.gov.au • http://www.tas.gov.au • http://www.vic.gov.au • http://www.wa.gov.au
Method of assessment	<p>A range of assessment methods should be used to assess practical skills and knowledge. The following examples are appropriate for this unit:</p> <ul style="list-style-type: none"> • analysis of responses to case studies and scenarios • assessment of examples of records • direct questioning combined with review of portfolios of evidence and third party workplace reports of on-the-job performance by the candidate • questioning (oral or written) • review of authenticated documents from the workplace or training environment • review of testimony from team members, colleagues, supervisors or managers • tests of knowledge on relevant legislation, rules, regulations, codes of practice and research resources.
Guidance information for assessment	<p>Holistic assessment with other units relevant to the industry sector, workplace and job role is recommended, for example:</p> <ul style="list-style-type: none"> • BSBLEG301A Apply knowledge of the legal system to complete tasks • other legal services administration or general administration units.

Range Statement

RANGE STATEMENT	
<p>The range statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance. Bold italicised wording, if used in the performance criteria, is detailed below. Essential operating conditions that may be present with training and assessment (depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts) may also be included.</p>	
<i>Time sheets</i> may be:	<ul style="list-style-type: none"> • electronic • paper-based.
<i>Fee-earners</i> may include:	<ul style="list-style-type: none"> • accountant • conveyancer • law clerk • paralegal • qualified legal practitioner.
<i>Designated person</i> may include:	<ul style="list-style-type: none"> • accountant • business manager • lawyer • legal practice manager • partner • supervisor • teacher/trainer.
<i>Disbursements</i> may include:	<ul style="list-style-type: none"> • cost of duty stamps • courier fees • court costs • filing fees • photocopying • postage • search fees • telephone charges • other disbursements as described by state/territory requirements
<i>A firm's policies and procedures</i> may include:	<ul style="list-style-type: none"> • accessing accounting system • availability of information • definition of disbursement and amount to charge • detailing disbursements • information specific to the firm • liaising with financial institutions • office procedure manual

RANGE STATEMENT	
	<ul style="list-style-type: none"> • recording information • security/confidentiality/privacy procedures • time recording procedures • verifying and authorising information.
<i>Relevant documentation</i> may relate to:	<ul style="list-style-type: none"> • exchange of information • financial transaction • public search of record • verbal communication with external parties.
Methods for maintaining records for time and disbursements may include:	<ul style="list-style-type: none"> • specialised electronic software packages eg. LAW 2000, BillBack, LawLedger • standard books of account - trust account receipt book, cash book, cheque book, ledger, bank deposit book • timesheet.
The area of law may include:	<ul style="list-style-type: none"> • commercial law • corporate law • criminal law • family law • industrial relations • litigation • property law • tax law • wills and probate • other areas of law not included in this listing
Legislative requirements may relate to:	<ul style="list-style-type: none"> • Australian Taxation Office regulations • court scales in each State/Territory • definition of a disbursement • establishing a trust account • Governing Legal Practice Acts in each State/Territory • Law Society/Institute procedures in each State/Territory • relevant State/Territory/Commonwealth legislation • schedules of fees and duties payable • taxation and banking requirements • the area of law • the client and a firm (eg. Consumer Credit Code, Privacy Act, secrecy laws, Codes of Practice, common law and Statutory Duties of Care involving financial relationships)

RANGE STATEMENT

	<ul style="list-style-type: none">• Tort, Equity and Statute law• trust accounting regulations in each State/Territory.
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Unit Sector(s)

Unit sector	
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Competency field

Competency field	Administration - Legal Services Administration
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Co-requisite units

Co-requisite units	