



Australian Government

DEFDPL009 Manage and analyse a legal file

Release: 1

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Modification History

Release 1. This is the first release of this unit of competency in the DEF Defence Training Package.

Application

This unit specifies the skills and knowledge required to manage the conduct of a legal file under the instruction of a qualified legal practitioner.

It includes initiating preliminary file activities and carrying out a conflict of interest test to open a file. It also includes determining appropriate processes and steps to facilitate running a file, contacting relevant persons about the file, then facilitating file administration and closure.

This unit applies to Defence personnel who are required to provide paralegal support services.

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.

The skills and knowledge described in this unit must be applied within the legislative, regulatory and policy environment in which they are carried out. Organisational policies and procedures must be consulted and adhered to.

Persons undertaking this unit apply a well-established, sound, theoretical knowledge base in the provision of administrative support to legal professionals.

No licensing, legislative or certification requirements apply to this unit at the time of publication.

Pre-requisite Unit

Not applicable

Competency Field

Defence Paralegal Operations

Unit Sector

Not applicable.

Elements and Performance Criteria

ELEMENTS

PERFORMANCE CRITERIA

Elements describe the essential outcomes.

Performance criteria describe the performance needed to demonstrate achievement of the element.

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|---|--|
| 1 Initiate preliminary file activities | 1.1 Arrange a meeting with legal officer to discuss new file, and to plan and prioritise preliminary work

1.2 Obtain details of legal matter from client in accordance with organisational procedures

1.3 Clarify matter with legal officer and client, and document agreed mutual expectations

1.4 Prepare initial file documentation in accordance with organisational procedures |
| 2 Carry out conflict of interest test | 2.1 Carry out conflict of interest check in accordance with organisational and legal procedures

2.2 Record on preliminary file notes, results of conflict of interest check and discuss and/or resolve any areas of potential conflict with legal officer |
| 3 Open file | 3.1 Locate, access and extract relevant information for initiating files in accordance with organisational procedures

3.2 Select and brief support staff to assist, in consultation with legal officer, as required

3.3 Forward to client, on behalf of legal officer, confirmation of instructions, details of those working on the file, a summary of work to be performed and associated timelines, in accordance with organisational procedures |
| 4 Determine process and steps to facilitate running a file | 4.1 Plan work, assign staff and allocate resources to tasks in conjunction with legal officer

4.2 Obtain, prepare and submit relevant background information and submit documents to legal officer for checking

4.3 Conduct research to identify and review relevant legislation and cases

4.4 Outline relevant legal requirements clearly to client and answer or refer questions to legal officer for follow-up |

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| | 4.5 | Submit summary of future activities and preliminary work already performed to legal officer for sign-off and forward to client within agreed timelines |
| 5 | Contact other persons about the file | 5.1 Contact and obtain statements from relevant people, as required |
| | 5.2 | Update file notes detailing all activities, actions and outcomes in accordance with organisational procedures |
| 6 | Facilitate file administration and closure | 6.1 Package and disseminate file notes in accordance with organisational and legal procedures |
| | 6.2 | Close and archive file in accordance with organisational policies and procedures |

Foundation Skills

Foundation skills essential to performance are explicit in the performance criteria of this unit of competency.

Range of Conditions

Range is restricted to essential operating conditions and any other variables essential to the work environment.

Non-essential conditions may be found in the Companion Volume Implementation Guide.

Unit Mapping Information

This unit replaces and is equivalent to DEFPL022 Run a file.

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=6bdbab1e-11ed-4bc9-9cba-9e1a55d4e4a9>