



**Australian Government**

**Department of Education, Employment and Workplace Relations**

# **PSPCRT601B Manage court practice and process**

**Revision Number: 1**

## PSPCRT601B Manage court practice and process

### Modification History

Not applicable.

### Unit Descriptor

<b>Unit descriptor</b>	<p>This unit covers the competencies required to implement legislative change as it applies to courts, in conjunction with judicial officers. It includes providing advice, modifying systems and procedures, fostering commitment to changed systems and procedures, and implementing and monitoring new or improved systems and procedures.</p> <p>In practice, managing court practice and process may overlap with other generalist or specialist public sector work activities, such as managing client service delivery, managing policy implementation, applying government systems, networking and managing change.</p> <p>No licensing, legislative, regulatory or certification requirements apply to this unit at the time of endorsement.</p>
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### Application of the Unit

<b>Application of the unit</b>	<p>The task of managing court practice and process may be performed in a court environment and will be undertaken by authorised court officials.</p>
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### Licensing/Regulatory Information

Not applicable.

### Pre-Requisites

<b>Prerequisite units</b>	
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## Employability Skills Information

<b>Employability skills</b>	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
<p>1. <b>Provide information and options on rules and legislation.</b></p>	<p>1.1. Consultative links are established with other agencies, organisations and the public having regular dealings with the court.</p> <p>1.2. Consulting and <i>advisory service</i> is provided on <i>issues</i> relating to the operation of the court.</p> <p>1.3. Legislation is interpreted, explained and applied in the context of specific as well as general practice and procedures.</p> <p>1.4. Impact of legislative change is interpreted and assessed for its effect on practice and procedures, and advice is provided on its application.</p> <p>1.5. Input is provided to the development of organisational policy and procedures to implement <i>changes</i> in legislation.</p>
<p>2. <b>Modify systems and procedures.</b></p>	<p>2.1. Policies, procedures and practices are evaluated and problems are identified and analysed.</p> <p>2.2. Systems and methods of work are reviewed and staffing levels are managed to achieve agreed objectives.</p> <p>2.3. Consultations are undertaken with a range of <i>stakeholders</i> to improve practice and procedures.</p> <p>2.4. Alternative approaches are identified and assessed, and strategies and solutions are developed.</p> <p>2.5. New or improved <i>systems and procedures</i> are designed to comply with legislation, and rules and resource implications of changes are determined.</p>
<p>3. <b>Foster commitment to changed systems and procedures.</b></p>	<p>3.1. Range of <i>strategies</i> is used to foster a positive attitude to changed systems and procedures.</p> <p>3.2. Information and strategies are provided to staff on the requirements for effective change management and any transition arrangements.</p> <p>3.3. Resources required to implement procedures within court administration are obtained and applied.</p> <p>3.4. <i>Leadership strategies</i> are used to assist others to deal with ambiguity and adapt to change.</p>

## Required Skills and Knowledge

### REQUIRED SKILLS AND KNOWLEDGE

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

#### Required skills

- initiative and enterprise skills to:
  - apply change management to implement new or improved practice and processes
  - apply principles of leadership
  - assess alternative approaches
  - apply procedures relating to public sector legislation, such as OHS and environment in the context of court practice and process
- literacy and numeracy skills to:
  - perform statistical analyses
  - use research and analysis to evaluate policies and procedures
- interpersonal skills to respond to diversity, including gender and disability
- initiative and enterprise skills to apply legislation, regulations and organisational policy and procedures relating to court practice and process
- communication skills to:
  - consult with a diverse range of people, particularly the judiciary, legal profession and litigants
  - effect leadership
  - explain legislation
  - foster positive attitudes to change

#### Required knowledge

- courts administration structure
- equal employment opportunity principles
- equity and diversity principles
- legislation conferring jurisdiction on the courts
- practice, processes and systems used in courts
- principles of analysis
- principles of change management
- principles of judicial independence
- public sector legislation, such as OHS and environment in the context of court practice and process
- structure, roles and functions of courts
- working ethically

## Evidence Guide

<b>EVIDENCE GUIDE</b>	
<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>	
<b>Overview of assessment</b>	<p>Competency must be demonstrated in implementing legislative change as it applies to courts, in conjunction with judicial officers</p>
<b>Critical aspects for assessment and evidence required to demonstrate competency in this unit</b>	<p>Assessment must confirm the ability to:</p> <ul style="list-style-type: none"> <li>• interpret, explain and apply legislation</li> <li>• consult with a range of stakeholders on court operation</li> <li>• assess impact of legislative change on relevant policies and procedures</li> <li>• evaluate policies and procedures to identify problems</li> <li>• manage staff to achieve required outcomes</li> <li>• implement strategies to improve policies and procedures</li> <li>• apply strategies to foster effective management of change.</li> </ul> <p><b>Consistency in performance</b></p> <p>Competency should be demonstrated by managing court practice and process on a range of occasions, over time.</p>
<b>Context of and specific resources for assessment</b>	<p>Assessment must comply with:</p> <ul style="list-style-type: none"> <li>• applicable regulations and codes</li> <li>• workplace procedures and protocols.</li> </ul> <p>Access may be required to:</p> <ul style="list-style-type: none"> <li>• a workplace environment or one that closely resembles normal work practices and replicates the range of conditions likely to be encountered when managing court practice and process, including coping with difficulties, irregularities and breakdowns in routine</li> <li>• legislation, policy, procedures and protocols relating to managing court practice and process</li> <li>• case studies and workplace scenarios to capture the range of situations likely to be encountered when managing court practice and process</li> <li>• internal operational manuals and training publications.</li> </ul>
<b>Guidance information for assessment</b>	<p>The following assessment methods are suggested:</p> <ul style="list-style-type: none"> <li>• oral questioning about relevant legislation, acting ethically, and applying processes</li> </ul>

**EVIDENCE GUIDE**

- observation of the candidate responding to a range of contexts to ensure achievement of the unit outcomes
- feedback from peers and/or supervisor that the candidate consistently applies relevant workplace procedures
- review of records completed by candidate or reports of performance.

In all cases, practical assessment should be supported by questions to assess underpinning knowledge and those aspects of competency that are difficult to assess directly. Questioning techniques should suit the language and literacy levels of the candidate.

## Range Statement

### RANGE STATEMENT

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.

<i>Advisory service</i> may be provided to:	<ul style="list-style-type: none"> <li>• court users</li> <li>• government agencies</li> <li>• heads of jurisdiction</li> <li>• presiding officials</li> <li>• public sector officials</li> <li>• service providers</li> <li>• staff.</li> </ul>
<i>Issues</i> may include:	<ul style="list-style-type: none"> <li>• case flow management</li> <li>• enquiries and complaints from court users</li> <li>• implementation of change</li> <li>• listing practices and procedures</li> <li>• media liaison</li> <li>• release of information</li> <li>• technology.</li> </ul>
<i>Changes</i> may include:	<ul style="list-style-type: none"> <li>• administration</li> <li>• jurisdiction</li> <li>• operation</li> <li>• wording.</li> </ul>
<i>Stakeholders</i> may include:	<ul style="list-style-type: none"> <li>• court users</li> <li>• judicial officers</li> <li>• media</li> <li>• other public sector departments and agencies</li> <li>• presiding officials</li> <li>• private and public partnership parties</li> <li>• service providers</li> <li>• staff.</li> </ul>
<i>Systems and procedures</i> may include:	<ul style="list-style-type: none"> <li>• building management</li> <li>• case management</li> <li>• court administration</li> <li>• customer focus</li> <li>• jurisdictional practices</li> <li>• listing practices</li> </ul>



<b>RANGE STATEMENT</b>	
	<ul style="list-style-type: none"> <li>• personnel management practices</li> <li>• staff development</li> <li>• system design</li> <li>• workforce planning.</li> </ul>
<i>Strategies</i> may include:	<ul style="list-style-type: none"> <li>• action learning/research</li> <li>• process consultation</li> <li>• staff development and training.</li> </ul>
<i>Leadership strategies</i> may include:	<ul style="list-style-type: none"> <li>• coaching</li> <li>• mentoring</li> <li>• offering guidance and direction</li> <li>• positive role modelling</li> <li>• training and support.</li> </ul>

### Unit Sector(s)

<b>Unit sector</b>	
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### Competency field

<b>Competency field</b>	Courts
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### Co-requisite units

<b>Co-requisite units</b>	
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