



Australian Government

Department of Education, Employment and Workplace Relations

BSALPP303A Deliver court documentation

Release: 1

Modification History

Not Available

INTRODUCTION

This Unit covers organising court documents for delivery, planning a schedule of delivery, delivering documents to the appropriate courts and returning proof of document lodgment.

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

Element of Competency

Performance Criteria

Organise self or other to copy and collate court/tribunal documents

- Documents for the same court/s are identified
- Self or other is organised to copy and collate documents according to court requirements and a firm's policies and procedures
- File/matter number is attached to copies of all relevant documents where appropriate
- Copies of all documents to be delivered are filed appropriately

Plan court/tribunal delivery schedule

- Times of delivery are established to ensure court/tribunal timelines are met
- Appropriate delivery method is selected
- Monies for court filing fee are prepared and disbursement is recorded appropriately

Organise self or other to deliver documents

- Documents are transported securely to court/tribunal
- Documents and if necessary monies for court filing fees are handed over to appropriate court official
- If documents are deficient and cannot be lodged, information regarding deficiency is sought from court official and recorded
- Proof of lodgements and any associated documents are collected and filed appropriately
- Difficulties with lodgement are appropriately resolved

RANGE OF VARIABLES

Courts and tribunals may include:

- High Court
- Supreme Court
- Federal Court
- Magistrates Court
- District/County Court
- Family Court
- Children's Court
- Industrial Relations Court
- Courts of Petty Sessions
- Coroner's court
- State and Commonwealth Administrative Appeals Tribunals
- Equal Opportunity Tribunal
- Small Claims Tribunal

NOTE: Names and functions of some courts/tribunals are subject to change and differ between states.

Court requirements may include:

- nature of binding
- margins
- front cover sheet
- back cover sheet
- ribbon
- paper size
- colour and weight of paper

Documents to be delivered may include:

- witness statements
- exhibits
- affidavits
- pleading documents
- briefs
- expert reports
- notices
- writs

Delivery method may include:

- AUSDOC
- post
- personal service
- courier

- | | |
|---|---|
| Appropriate court official may include | <ul style="list-style-type: none">• bailiff• sheriff• court clerk |
| Proof of lodged documents may involve: | <ul style="list-style-type: none">• affidavit of services• receipt• signature of court official |
| Lodgment difficulties may relate to: | <ul style="list-style-type: none">• insufficient monies• failure to meet court/case deadlines• incorrect address• incomplete forms and documents |
| A firm's policies and procedures may include: | <ul style="list-style-type: none">• office procedure manual• information specific to the firm• privacy/security/confidentiality procedures• contingencies• time recording procedures• verifying and authorising information• recording information• transferring monies• delivering a firm's business• emergency procedures• keeping files up to date |
| Designated person may include: | <ul style="list-style-type: none">• lawyer• partner• supervisor• teacher/trainer |

EVIDENCE GUIDE

Critical aspects:	• a firm's policies and procedures are understood and followed • any photocopying undertaken is recorded for purposes of client invoicing • file/matter number is recorded on copies documents according to a firm's policies and procedures • where instructing others, instructions are clear with adequate explanation to enable tasks to be completed • documentation for each court is collated correctly, with correct number of copies, signatures if necessary, and relevant attachments according to a firm's policies and procedures and the court's requirements • court delivery schedule is planned to accommodate agreed timelines, closing times of courts and the number of documents to be lodged • clients' trust monies are accessed according to a firm's policies and procedures and used to pay court fees • documents are lodged correctly • designated person is kept up-to-date with actions, activities and outcomes and where difficulties arise, is contacted if standard resolutions are not applicable • all work is conducted within accepted codes of conduct including those relating to: maintaining confidentiality, use of company property, duty of care, ethical behaviours, privacy, non-discriminatory practice, conflict of interests and compliance with reasonable direction
Resource implications:	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: • appropriate legislation and regulations relevant to delivering court documentation and using trust account monies • workplace manuals and reference materials such as company policy, procedural manuals, checklists, directory of courts and legal dictionaries • collection of sample documents eg. Writ and Originating Motions, Affidavit as to Failure to Appear, Witness Summons, Application for an Order on a Claim for Damages, Exhibit Certificate • appropriate technology such as photocopiers and binders
Consistency in performance:	This unit of competency will require evidence to be collected for a range of information requirements and from a range of information sources and over a period of time to ensure that situational variables are consistently achieved.

Context of assessment:

Evidence of competency can be met in different situations, including:

- 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
- Recognition of Prior Learning, Recognition of Current Competencies (in skill areas where there has been no significant change to work practice in recent times).

Evidence gathering methods may include:

- questioning
- workplace performance
- role-play
- portfolio of completed searches
- third party reports

Underpinning knowledge and skills**Knowledge**

- authorised 'signing parties'
- relevant current state/Commonwealth legislation relating to: litigation documents, court documentation procedures, rules of relevant court, schedule of fees and duties payable, disbursements from a trust account
- transferring monies
- court jurisdiction/functions
- court's document collation and lodgement requirements
- roles and responsibilities of those involved in preparing, delivering and lodging court documentation

Skills

- literacy: follows legal procedures; issues and follows written or verbal instructions about routine legal procedures; completes routine forms about legal matters according to established workplace procedures
- communication: listens to clear sequenced instructions; clarifies information by questioning as necessary
- numeracy : uses knowledge of mathematical concepts in relation to court filing fees and record keeping; adheres to deadlines; copies and collate documents
- problem solving: planning appropriate and efficient methods of delivery with regards to deadlines; negotiates task distribution with other members of the group

- teamwork: clarifies defined purposes and objectives to be achieved by working with others
- organisational: plans and prioritises own and other's activities and time

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
1	2	2	1	1	1	1

Performance levels:

Level 1	Level 2	Level 3
• carries out established processes • makes judgements of quality using given criteria	• manages processes • selects the criteria for the evaluation process	• establishes principles and processes • evaluates and reshapes processes • establishes criteria for evaluation of processes