



Australian Government

BSBLEG414 Establish and maintain a file in legal services

Release: 1

BSBLEG414 Establish and maintain a file in legal services

Modification History

Release	Comments
Release 1	This version first released with BSB Business Services Training Package Version 1.0.

Application

This unit describes the skills and knowledge required to manage the conduct of a file under the instruction of a designated individual.

It applies to individuals who apply well established, sound theoretical knowledge in the provision of administrative support in legal services.

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

Unit Sector

Administration – legal administration

Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
<i>Elements describe the essential outcomes.</i>	<i>Performance criteria describe the performance needed to demonstrate achievement of the element.</i>
1. Initiate preliminary file activities	1.1 Arrange meeting with designated individual to discuss new file, and to plan and prioritise preliminary work 1.2 Obtain details of the legal matter from the client according to organisation's policies and procedures 1.3 Develop a quote in line with organisation's fee structure and forward it to instructing legal practitioner for approval 1.4 Forward quote and instructions for establishing a trust account to client on behalf of instructing legal practitioner 1.5 Clarify terms of engagement with instructing legal practitioner and client and ensure expectations are agreed upon and documented 1.6 Prepare initial file documentation

ELEMENT	PERFORMANCE CRITERIA
2. Carry out conflict of interest check	2.1 Organise self or other person to carry out conflict of interest check 2.2 Record results of conflict of interest check in preliminary file notes, and discuss and resolve areas of potential conflict
3. Open file	3.1 Locate, access and extract relevant information for initiating files 3.2 Select and brief support staff to assist on file, in consultation with designated individual 3.3 Forward confirmation of instructions, details of those working on the file, a summary of work to be performed and associated timelines to client on behalf of instructing legal practitioner 3.4 Plan work in conjunction with designated individual and allocate resources
4. Contact other persons about the file	4.1 Undertake liaison with other persons and obtain statements if necessary 4.2 Undertake liaison with experts where appropriate 4.3 Update file notes detailing activities, actions and outcomes and record time
5. Undertake legal process according to plan	5.1 Carry out legal process as planned with designated individual 5.2 Maintain information flow to designated individual on progress of matter 5.3 Immediately refer issues or problems outside own range of responsibility to designated individual for resolution 5.4 Monitor trust account to ensure sufficient monies are present and contact instructing legal practitioner to facilitate the transfer of additional funds if necessary 5.5 Keep client up-to-date on matter through progress reports and, where necessary, meetings with designated individual
6. Facilitate file administration and closure	6.1 Organise self or other person to reconcile time records with costing 6.2 Organise self or other person to undertake final costing 6.3 Organise self or other person to prepare invoice 6.4 Arrange meeting with designated individual to review final invoice and relevant documentation in order to facilitate sign-off before forwarding to client 6.5 Update and complete file notes

ELEMENT	PERFORMANCE CRITERIA
	6.6 Ensure final accounting of trust account and resolve outstanding disbursements
	6.7 Close and archive file according to organisation's policies and procedures

Foundation Skills

This section describes language, literacy, numeracy and employment skills incorporated in the performance criteria that are required for competent performance.

Skill	Performance Criteria	Description
Reading	1.2, 1.3, 1.5, 2.1, 3.1, 5.2, 5.4, 6.4	Reviews text from both hard copy and online sources to identify correct procedures and processes, to maintain information flow and to obtain specific information relevant to the current client and/or file
Writing	1.2, 1.5, 1.6, 2.2, 3.3, 3.4, 4.1, 4.3, 5.1, 5.2, 5.5, 6.5	- Uses correct terminology, grammatical structures, spelling and organisational style guides to prepare documentation - Uses clear and detailed language and paraphrasing techniques to accurately transcribe events
Oral Communication	1.1, 1.2, 1.5, 2.2, 3.2, 4.1, 4.2, 5.4, 5.5, 6.4	- Uses effective questioning and listening techniques to clarify needs and to obtain information from others - Relates information obtained, progress made and requirements using clear and concise language appropriate to the audience and environment
Numeracy	1.2, 1.3, 5.4, 6.1, 6.2, 6.3, 6.4	Extracts and evaluates numerical information and using a calculator or relevant software applies basic arithmetic functions, fractions and percentages to calculate billable hours, prepare invoices, monitor trust accounts and finalise disbursements
Navigate the world of work	1.2, 1.3, 2.1, 2.2, 5.3, 5.4, 6.7	Takes personal responsibility for following explicit and implicit policies, procedures and legislative requirements
Interact with others	2.1, 3.3, 5.1, 5.2, 5.3, 6.1, 6.2, 6.3	Selects the appropriate form, channel and mode of communication for a specific purpose relevant to own role
Get the work done	1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 2.1, 2.2, 3.3, 3.4, 5.4, 6.1,	Takes responsibility for planning and organising own workload, determining when to allocate work to team members

	6.2, 6.3	• Makes routine decisions and implements standard procedures for routine tasks, using formal decision making processes for more complex and non-routine situations • Uses familiar digital technologies and systems to access information, enter and store data, present information and communicate with others
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Unit Mapping Information

Code and title current version	Code and title previous version	Comments	Equivalence status
BSBLEG414 Establish and maintain a file in legal services	BSBLEG414A Establish and maintain a file in legal services	Updated to meet Standards for Training Packages	Equivalent unit

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=11ef6853-ceed-4ba7-9d87-4da407e23c10>

Assessment Requirements for BSBLEG414 Establish and maintain a file in legal services

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Performance Evidence

Evidence of the ability to:

- document and file information according to organisation's policies, procedures and legal requirements, and within agreed timeframes
- apply organisation's financial systems and procedures according to legal requirements and within agreed timeframes
- provide appropriate information, advice and assistance to clients within own scope of responsibility
- explain legal and legislative requirements underlying actions.

Note: If a specific volume or frequency is not stated, then evidence must be provided at least once.

Knowledge Evidence

To complete the unit requirements safely and effectively, the individual must:

- outline scope of role and responsibilities, and obligation to refer matters to supervisor
- outline organisation's policies and procedures, including quotation and invoicing procedures
- list 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
- identify legal terminology, including that specific to area of law
- outline archiving procedures and appropriate file retention periods

- outline relevant court processes, current legislation, legal processes and required documentation.

Assessment Conditions

Assessment must be conducted in a safe environment where evidence gathered demonstrates consistent performance of typical activities experienced in the legal services administration field of work and include access to:

- workplace manuals and reference materials
- information on courts, their jurisdiction and behavioural requirements
- people with expert knowledge
- legislation and regulations relevant to common legal matters.

Assessors must satisfy NVR/AQTF assessor requirements.

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