



Australian Government

Department of Education, Employment and Workplace Relations

BSBLEG305A Use legal terminology in order to carry out tasks

Revision Number: 1

BSBLEG305A Use legal terminology in order to carry out tasks

Modification History

Not applicable.

Unit Descriptor

Unit descriptor	This unit describes the performance outcomes, skills and knowledge required to understand and use legal terminology in order to undertake tasks. 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. Use appropriate legal terminology in written and oral communication with internal and external parties	1.1. Use appropriate <i>legal terminology</i> in both written and oral communication with internal and external parties 1.2. Spell and pronounce <i>legal terminology</i> correctly and use in appropriate context when completing <i>work tasks</i>
2. Extend understanding of legal terminology	2.1. Identify gaps in knowledge and seek <i>clarification</i> through appropriate source or <i>designated person</i> 2.2. Identify and use abbreviations for commonly used legal terms and associated processes where appropriate 2.3. Ensure questions relating to <i>legal terminology</i> can be answered and terms defined

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

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

Required skills

- communication skills to accurately pronounce legal terminology; follow oral, sequenced instructions involving legal terminology ; and apply strategies to confirm, repair or clarify understanding of terms and context
- literacy skills to read and interpret legal documents; understand and use vocabulary for a specific purpose; and follow written, sequenced instructions involving legal terminology
- research skills to clarify intended meaning and legal context of instructions or legal terminology; and increase own knowledge of legal terminology.

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

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.

Overview of assessment

Critical aspects for assessment and evidence required to demonstrate competency in this unit

Evidence of the following is essential:

- proactively applying research and communication skills to increase own knowledge of legal terminology
- consistently seeking clarification from appropriate person/source of information when instructions are unclear or to locate missing information
- competently carrying out instructions containing commonly used legal terminology and abbreviations
- accurately identifying and communicating the legal and financial consequences of misusing legal terminology
- using simple, non-legal language to explain legal terminology and processes to others
- using legal terminology appropriate to the situation when completing delegated administrative tasks.

Context of and specific resources for assessment

Assessment must ensure:

- 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:
 - <http://www.law.gov.au>
 - <http://www.ag.gov.au>

EVIDENCE GUIDE	
	• http://www.austlii.edu.au/ • 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	A range of assessment methods should be used to assess practical skills and knowledge. The following examples are appropriate for this unit: • analysis of responses to case studies and scenarios • demonstration of techniques in a workplace or simulated environment • direct questioning combined with review of portfolios of evidence and third party workplace reports of on-the-job performance by the candidate • observation of presentations • 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	Holistic assessment with other units relevant to the industry sector, workplace and job role is recommended, for example: • BSBLEG301A Apply knowledge of the legal system to complete tasks • other legal services administration or general administration units.

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.

Commonly used <i>legal terminology</i> may relate to:	• courts and tribunals • legal documentation • legal personnel • legal procedures • legislation and regulations.
Commonly used <i>legal terminology</i> may vary according to:	• a particular legal procedure • legal setting eg. community legal work, Crown Solicitor's Office • the area of law • the jurisdiction.
<i>Work tasks</i> may include:	• contacting external parties • drafting letters in response to queries • filing • maintenance/update of clients' files, eg. file notes, certificates, results of public search, correspondence with a barrister • organising payments • preparing accounts • preparing court documentation • producing office memos • taking and forwarding messages • typing legal practitioner's notes.
<i>Clarification</i> regarding commonly used legal terminology may be sought from:	• designated person/s • glossary of commonly use legal terminology and processes • legal dictionary • relevant handbook eg. Legal Secretary's Handbook.
<i>Designated person</i> may include:	• lawyer • legal practice manager • partner • supervisor • work colleague.

RANGE STATEMENT

The area of law may include:

- 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

Unit Sector(s)

Unit sector

Competency field

Competency field

Administration - Legal Services Administration

Co-requisite units

Co-requisite units