



Australian Government

Department of Education, Employment and Workplace Relations

BSBRES404A Research legal information using primary sources

Revision Number: 1

BSBRES404A Research legal information using primary sources

Modification History

Not applicable.

Unit Descriptor

Unit descriptor	This unit describes the performance outcomes, skills and knowledge required to work under supervision researching primary sources of legal information, locating relevant information and writing up a basic summary. A range of legislation, rules, regulations and codes of practice may apply to this unit at the time of endorsement, depending on job roles and jurisdictions.
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Application of the Unit

Application of the unit	This unit applies to individuals who provide legal support services while under supervision. Its application in the workplace will be determined by the job role of the individual and the legislation, rules, regulations and codes of practice relevant to different 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. Receive and process request for information	1.1. Document request using appropriate recording system 1.2. Confirm client identity and other party's right to receive information 1.3. Clarify client needs and establish relevant criteria in consultation with designated person to ensure client needs are met 1.4. Research and identify appropriate response methods and format 1.5. Forward request for information to others where appropriate
2. Identify information sources	2.1. Identify and research relevant sources and locations of information 2.2. Obtain access to identified sources 2.3. Resolve problems with accessing information promptly and efficiently
3. Prepare to extract information	3.1. Locate and extract information relevant to particular request 3.2. Discuss and implement resolutions to problems in accessing information with designated person where appropriate 3.3. Copy extracted information according to organisation's security and confidentiality procedures 3.4. Maintain integrity of content /information
4. Ensure information meets request	4.1. Analyse, evaluate and edit extracted information to fit client needs 4.2. Combine different types of information , where appropriate, to provide response to request
5. Compose report or correspondence	5.1. Develop plan and synopsis for report or correspondence 5.2. Write report or correspondence using clear and concise language 5.3. Check spelling, punctuation and grammar, and amend where necessary
6. Prepare to format report or correspondence	6.1. Format report or correspondence according to organisation's requirements, policies and procedures 6.2. Check report or correspondence for accuracy and to

ELEMENT	PERFORMANCE CRITERIA
	ensure that intended meaning will be readily understood by recipient
7. Finalise report or correspondence	7.1. Arrange review and sign-off of report or correspondence with designated person within designated timelines 7.2. Apply <i>organisation's information-recording procedures</i> 7.3. Forward report or correspondence to client

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

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

Required skills

- communication skills to provide clear and specific instructions about required information
- literacy skills to:
 - follow complex legal procedures
 - consider aspects of context, purpose and audience when generating and formatting texts
 - edit and proofread documents to ensure clarity of meaning, accuracy and conformity to organisational requirements
- numeracy skills to collate and present data, graphs and annotated references
- organisational skills to select and apply the procedures and strategies needed to perform a range of tasks within designated timelines
- problem-solving skills to use processes flexibly and interchangeably
- research skills to locate specific information
- technology skills to use a range of software applications

Required knowledge

- organisation's required policies and procedures for the full range of tasks covered
- legal terminology in relation to area of law and relevant legal process
- relevant state, territory and commonwealth legislation, rules, regulations and codes in relation to client and firm, including:
 - copyright and intellectual property
 - freedom of information
 - Privacy Act
- accepted codes of practice relevant to the organisation, including those relating to:
 - privacy and confidentiality
 - use of company property
 - duty of care
 - ethical behaviour
 - non-discriminatory practice
 - conflict of interest

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 ability to:

- locate and provide appropriate information, which meets client needs and is in required format
- adhere to relevant codes of practice, in particular those relating to privacy and confidentiality
- provide materials that meet organisation's policies and procedures
- demonstrate knowledge of relevant legislation, rules, regulations, codes of practice and research resources.

Context of and specific resources for assessment

Assessment must ensure access to:

- an actual workplace or simulated environment
- appropriate legislation and regulations relevant to common legal matters
- workplace manuals and reference materials, such as company policies, procedural manuals and checklists
- list of relevant sources of documentation and sample forms
- background information on courts, their jurisdiction and behavioural requirements
- appropriate technology, such as computers with relevant software
- appropriate texts and people with expert knowledge, such as legal practitioners
- appropriate legislation and regulations relevant to common legal matters.

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
- observation of role plays
- direct questioning combined with review of portfolios of evidence and third-party workplace reports of on-the-job performance by the candidate
- review of report or correspondence compiled in response to client request and its formatting

EVIDENCE GUIDE	
	• evaluation of how organisation's information-recording procedures have been applied • oral or written questioning to assess knowledge of accepted codes of practice relevant to the workplace.
Guidance information for assessment	Holistic assessment with other units relevant to the industry sector, workplace and job role is recommended, for example: • BSBLEG413A Identify and apply the legal framework • BSBLEG414A Establish and maintain a file in legal services.

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>Request</i> for information may come from:	• barrister • external client • internal staff • other parties • staff from another office.
<i>Appropriate recording system</i> may be:	• electronic • paper-based.
<i>Designated person</i> may include:	• external client • external official • lawyer • legal practice manager • partner • supervisor.
<i>Appropriate response methods</i> may include:	• providing letters and reports • sending copies of original information • sending original information.
<i>Appropriate format</i> may include:	• completion of proforma • photocopies • preparation of original documents.
<i>Relevant sources</i> of information may be online or hard copy and may include:	• agreements • articles, including: • academic • journal • newspaper • briefs • client files • closed matter files • financial information, including: • commonwealth, state and territory • international • specific to another organisation

RANGE STATEMENT	
	• specific to organisation • internal correspondence • letters, including opinion letters • market research information • media, including: • audio • television • video • memorandums of law • non-legal reports • original research • libraries • pleadings • precedents • previous case histories and common law • relevant legislation • specialist texts • statistics • transcripts from supervisor's notes.
Organisation's security and confidentiality procedures may relate to non-disclosable information and may include:	• addresses • court dates • fees • other clients • health status • legal history • personal history.
Integrity of content may include:	• completeness • neatness • order of pages.
Different types of information may include:	• certificates • correspondence • entitlements • legislation • reports.
Organisation's requirements for document formatting may include:	• appropriate use of letterhead • correct line spacing • correct margins • correct use of reference • dual column system

RANGE STATEMENT	
	• list of enclosures • paragraph numbering • placing of headings • presence or absence of a back sheet • presence or absence of a cover sheet • specific sign-off clauses • table of contents • use of font features • use of document headers and footers.
Organisation's policies and procedures may include:	• customer service protocols • document recording procedures • format of report or correspondence • information sources • protocols for accommodating specific client needs, e.g. case manager, social worker, parole officer, translator or interpreter • recording information • security, confidentiality and privacy procedures • verifying and authorising information.
Organisation's information-recording procedures may include:	• attaching file name and matter number • ensuring client file is updated • maintaining time records • storing and securing copy.

Unit Sector(s)

Unit sector	
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Competency field

Competency field	Knowledge management - research
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Co-requisite units

Co-requisite units		