



Australian Government

CHCADV003 Represent clients in court

Release: 1

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Modification History

Release	Comments
Release 1	This version was released in <i>CHC Community Services Training Package release 2.0</i> and meets the requirements of the 2012 Standards for Training Packages. Significant changes to performance criteria. New evidence requirements for assessment including volume and frequency requirements. Significant changes to knowledge evidence.

Application

This unit describes the skills and knowledge required to adequately support and represent clients as they work through the court or tribunal process.

This unit applies to workers at any level in community services or advocacy settings who are responsible for providing formal advocacy services to clients in this capacity.

The skills in this unit must be applied in accordance with Commonwealth and State/Territory legislation, Australian/New Zealand standards and industry codes of practice.

Elements and Performance Criteria

ELEMENT

PERFORMANCE CRITERIA

Elements define the essential outcomes

Performance criteria specify the performance needed to demonstrate achievement of the element

1. Prepare for court

1.1 Communicate with client to ensure representation is based on needs and is relevant

1.2 Inform client of court processes and clarify roles and responsibilities

1.3 Follow appropriate court preparation procedures and format in line with organisation requirements

1.4 Liaise and brief solicitor or legal representative at all stages of court or tribunal process

1.5 Check files and relevant paperwork and update for accuracy

1.6 Deliver relevant and appropriate legal notice/s with

ELEMENT**PERFORMANCE CRITERIA**

Elements define the essential outcomes

Performance criteria specify the performance needed to demonstrate achievement of the element

adequate time allowed prior to court appearance

2. Represent client in court

2.1 Observe appropriate court dress, grooming and etiquette and professional attitude

2.2 Answer questions and present facts clearly, concisely, confidently and accurately

3. Follow up court appearance according to organisation procedures

3.1 Prepare accurate records, reports and updates resulting from the court appearance

3.2 Undertake appropriate debriefing with client, colleagues, supervisor and/or solicitor

3.3 Discuss and confirm with solicitor, supervisor and/or colleagues a process for monitoring any actions during the period of adjustment following the court or tribunal appearance

Foundation Skills

The Foundation Skills describe those required skills (language, literacy, numeracy and employment skills) that are essential to performance.

Foundation skills essential to performance are explicit in the performance criteria of this unit of competency.

Unit Mapping Information

No equivalent unit.

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=5e0c25cc-3d9d-4b43-80d3-bd22cc4f1e53>

Assessment Requirements for CHCADV003 Represent clients in court

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Performance Evidence

The candidate must show evidence of the ability to complete tasks outlined in elements and performance criteria of this unit, manage tasks and manage contingencies in the context of the job role. There must be demonstrated evidence that the candidate has:

- represented 3 clients in court, completed organisation requirements and determined follow up requirements

Knowledge Evidence

The candidate must be able to demonstrate essential knowledge required to effectively complete tasks outlined in elements and performance criteria of this unit, manage the task and manage contingencies in the context of the work role. This includes knowledge of:

- legal and ethical considerations, including:
 - duty of care
 - human rights
 - discrimination
 - rights and responsibilities of clients
- processes and structure of the Australian legal system, including:
 - court or tribunal processes
 - role of different tribunals
 - knowledge of different court types and relevant procedures and etiquette
 - common law and statute law
- legal representation option's open to client including:
 - duty solicitor

- legal aid
- social justice principles, including access, equity, participation and fairness

Assessment Conditions

Skills must have been demonstrated in the workplace with the addition of simulations and scenarios where the full range of contexts and situations have not been provided in the workplace. The following conditions must be met for this unit:

- use of suitable facilities, equipment and resources
- modelling of industry operating conditions and contingencies, including:
 - case studies of court cases in line with privacy and confidentiality requirements
 - interactions with people with a range of needs
 - typical workplace reporting processes

Assessors must satisfy the Standards for Registered Training Organisations (RTOs) 2015/AQTF mandatory competency requirements for assessors.

Links

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