



Australian Government

DEFDPL018 Manage and analyse a legal matter file

Release: 1

DEFDPL018 Manage and analyse a legal matter file

Modification History

Release 1. This is the first release of this unit of competency in the DEF Defence Training Package.

Application

This unit describes the skills and knowledge required to manage the conduct of a legal matter file under the instruction of a qualified legal practitioner.

It includes initiating preliminary file activities and carrying out a conflict of interest test to open a file. It also includes determining appropriate processes and steps to facilitate running a file, contacting relevant persons about the file, then facilitating file administration and closure.

This unit applies to Defence personnel who are required to provide paralegal support services.

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.

The skills and knowledge described in this unit must be applied within the legislative, regulatory and policy environment in which they are carried out. Organisational policies and procedures must be consulted and adhered to.

Persons undertaking this unit apply a well-established, sound, theoretical knowledge base in the provision of administrative support to legal professionals.

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

Pre-requisite Unit

Not applicable.

Competency Field

Defence Paralegal Operations.

Unit Sector

Not applicable.

Elements and Performance Criteria

ELEMENTS

PERFORMANCE CRITERIA

Elements describe the essential outcomes.

Performance criteria describe the performance needed to demonstrate achievement of the element.

1 Initiate preliminary file activities

- 1.1** Liaise with legal officer to discuss new legal matter file, and to plan and prioritise preliminary work
- 1.2** Obtain details of legal matter from client in accordance with organisational procedures
- 1.3** Clarify matter with legal officer and client, and document agreed mutual expectations
- 1.4** Prepare initial file documentation in accordance with organisational procedures

2 Carry out conflict of interest test

- 2.1** Carry out conflict of interest check in accordance with organisational and legal procedures
- 2.2** Record on preliminary file notes results of conflict of interest check and discuss and resolve any areas of potential conflict with legal officer

3 Open legal matter file

- 3.1** Locate, access and extract relevant information for initiating files in accordance with organisational procedures
- 3.2** Select and brief support staff to assist, in consultation with legal officer, as required
- 3.3** Forward to client, on behalf of legal officer, confirmation of instructions, details of those working on the matter, a summary of work to be performed and associated timelines, in accordance with organisational procedures

4 Manage a legal matter

- 4.1** Plan work, assign staff and allocate resources to matter in conjunction with legal officer
- 4.2** Obtain, prepare and submit relevant background information and submit documents to legal officer for checking
- 4.3** Conduct research to identify and review relevant legislation and cases
- 4.4** Outline relevant legal requirements clearly to client and answer within the scope of the paralegal's responsibility or refer questions to legal officer for follow-up

	4.5	Record progress of matter in accordance with organisational policies and procedures
5 Contact stakeholders about the legal matter file	5.1	Contact stakeholders and obtain supporting information, as required
	5.2	Update file notes detailing all activities, actions and outcomes in accordance with organisational procedures
6 Facilitate legal matter file administration and closure	6.1	Package and disseminate file notes in accordance with organisational and legal procedures
	6.2	Close and archive file in accordance with organisational policies and procedures

Foundation Skills

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

Range of Conditions

Range is restricted to essential operating conditions and any other variables essential to the work environment.

Non-essential conditions may be found in the DEF Defence Training Package Companion Volume Implementation Guide.

Unit Mapping Information

This unit replaces and is equivalent to DEFDPL009 Manage and analyse a legal file.

Links

Companion Volume Implementation Guides are found on VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=6bdbab1e-11ed-4bc9-9cba-9e1a55d4e4a9>

Assessment Requirements for DEFDPL018 Manage and analyse a legal matter file

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Performance Evidence

Evidence required to demonstrate competence in this unit must be relevant to and satisfy all the requirements of the elements and performance criteria on at least one occasion and include:

- classifying and sorting information to extract relevant information and identify timelines
- communicating effectively across legal matters with legal officer and clients
- coordinating with instructing legal officer to plan the support and resourcing of the legal matter
- determining processes and steps to facilitate running a file
- filing and maintaining records in accordance with Defence policy
- implementing instructions to prepare effective briefs for support staff and clients
- opening a file for the legal matter at hand, including:
 - assembling and evaluating background information and critical documents
 - carrying out conflict of interest test
 - ensuring file administration is completed in accordance with legal and operational procedures
 - establishing timelines and criteria
 - initiating preliminary file activities
 - obtaining relevant documents
 - preparing and processing documents involved across legal matters
- undertaking research to support instructing legal officer.

Knowledge Evidence

Evidence required to demonstrate competence in this unit must be relevant to and satisfy all the requirements of the elements and performance criteria and include knowledge of:

- client and staff engagement techniques
- conflict of interest test check procedure
- Defence legal practices, procedures and standards
- information sharing in accordance with organisational policies and procedures
- legal terminology relevant to simple and complex legal matters within the legal office
- privacy principles and records management in accordance with Defence policy

- records management in accordance with Defence policy
- relevant legal process, documents and exhibits, legislation and sections, and stages involved in the legal process for matters within the legal office
- running a file procedure and required tasks.

Assessment Conditions

Assessors must hold credentials specified within the Standards for Registered Training Organisations current at the time of assessment.

Assessment must satisfy the Principles of Assessment and Rules of Evidence and all regulatory requirements included within the Standards for Registered Training Organisations current at the time of assessment.

Assessment must occur in workplace operational situations where it is appropriate to do so; where this is not appropriate, assessment must occur in simulated workplace operational situations that replicate workplace conditions.

Assessment processes and techniques must be appropriate to the language, literacy and numeracy requirements of the work being performed and the needs of the candidate.

Resources for assessment must include access to:

- a range of relevant exercises, case studies and/or simulations
- applicable documentation, including legislation, regulations, codes of practice, workplace procedures and operation manuals
- relevant and appropriate materials, tools, equipment and personal protective equipment (PPE) currently used in industry.

Links

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