



Australian Government

Department of Education, Employment and Workplace Relations

DEFPL011B Provide support in legal assistance matters

Release: 1

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Modification History

Not applicable.

Unit Descriptor

Unit Descriptor

This unit covers the competency required to analyse information and prepare documents in legal assistance matters.

This competency includes researching case histories and assisting the instructing legal officer or senior paralegal to prepare for legal assistance matters.

Application of the Unit

Application of the Unit

The application of this unit in the workplace - the environments, complexities and situations involved - will be written during Phase II of the Review of the PUA00 Public Safety Training Package.

This text will be useful for the purposes of job descriptions, recruitment advice or job analysis; where possible, it will not be too job specific to allow other industries to import it into other Training Packages, where feasible.

Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Prerequisite Unit/s

Nil

Employability Skills Information

Employability Skills

This unit contains employability skills.

Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a Unit of Competency.

Performance Criteria describe the required performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the Required Skills and Knowledge and/or the Range Statement. Assessment of performance is to be consistent with the Evidence Guide.

Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Plan and prepare for the provision of support in legal assistance	1.1 Instructions that require the provision of support in legal assistance are received and acted upon 1.2 Circumstances are analysed and the legal assistance issues are interpreted and clearly defined
2. Prepare and process documents involved in legal assistance matters	2.1 Documents are identified, prepared and processed in accordance with legal practices and procedures 2.2 Documents are despatched/served in accordance with legal practices and procedures 2.3 Incoming documents are checked for completeness and timely delivery and sender is contacted where insufficient information is provided or deadlines are not honoured 2.4 Requests for information are reviewed with legal officer and identified documents are retrieved, copied and despatched in accordance with legal practices and procedures
3. Perform research to support instructing legal officer	3.1 Files are reviewed and research requirements are determined in conjunction with instructing legal officer 3.2 Relevant documents and exhibits are retrieved and processed 3.3 Precedent and case law are retrieved, researched and reviewed and summaries are made where appropriate 3.4 Interviews are conducted in accordance with legal and ethical frameworks 3.5 Summaries are forwarded to instructing legal officer and explanations are presented where necessary
4. Assist instructing legal officer to prepare for legal assistance matter	4.1 Where appropriate, the different legal assistance matters are identified 4.2 Communications from client, police and other authorities and details of client's status are communicated to instructing legal officer 4.3 File is discussed with instructing legal officer and work is planned and diarised 4.4 Availability of legal officers is canvassed and details are forwarded to instructing legal officer to facilitate engagement

5. **Conduct legal assistance administration**

- 4.5 Where applicable, opposing party's legal representative is contacted on behalf of instructing legal officer and relevant information is exchanged
- 4.6 Briefs for legal officers are prepared and delivered in conjunction with instructing legal officer
- 4.7 Liaison and communication between instructing legal officer and other parties is facilitated
- 4.8 Reminders of pending **critical dates** are forwarded to relevant persons
- 5.1 Relevant administrative instruction is prepared/processed
- 5.2 Participants are notified of **relevant details**
- 5.3 Court/tribunal personnel are notified
- 5.4 Post trial/tribunal/case resolution all documents are collected and archived as appropriate, outcomes are processed, accounts are prepared and relevant reviewing authority is notified where appropriate

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

This describes the essential skills and knowledge and their level, required for this unit.

Required Skills

- communicate ideas, arguments and conclusions logically
- conduct research
- conflict resolution
- follow complex legal procedures
- follow written and oral instructions with regards to preparation of briefs
- identify and evaluate status of information
- prepare complex legal documents
- prepare summaries of cases
- use appropriate legal terminology

Required Knowledge

- applicable legal practices and procedures required in the full range of tasks covered
- defence legal service policy on legal assistance
- relevant legal process, legislation and sections, and stages involved in the legal process
- legal terminology
- legal terminology specific to legal assistance
- relationships between different legal assistance matters
- summary hearing/court/tribunal process

Evidence Guide

EVIDENCE GUIDE

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

Assessment must confirm the ability to identify the issues surrounding the provision of support in legal assistance matters, and to research and analyse information in relation to these issues; to comply with professional codes of practice and ethical standards at all times; and to implement access, equity and diversity principles and practices

Assessment must also confirm the ability to support the legal officer or senior paralegal to prepare for legal assistance matters.

Consistency in performance

Competency should be demonstrated providing a range of support services over time.

Context of and specific resources for assessment

Context of assessment

Competency should be assessed in the workplace or simulated workplace environment providing a range of support services that could be expected in the workplace.

Specific resources for assessment

Access to appropriate documentation and resources normally found in the work environment and required for the job or task to be properly performed.

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 in the Performance Criteria is detailed below.

Instructions may include	Documentary material, exhibits and evidence Oral or written correspondence, including from the command structure, commanding officer or an individual Record of prior convictions Summary of matter Witness statements
Legal assistance may include	Civil debt Civil police charges Conveyancing Family law Insurance Landlord and tenancy matters Minor commercial matters Power of attorney Probate Vehicle accidents Wills
Legal assistance may be limited	By legal aid that may be provided to Australian Defence Force (ADF) members when overseas By the Defence legal service policy and may include: • formal or informal advice • oral or written advice To referring the client to an external subject matter expert
Documents may include	Letters of referral Power of attorney Wills

RANGE STATEMENT**Legal practices and procedures may include**

Engaging/referral to experts
 Equity
 Extent of legal aid available
 Instructing legal officer practitioner supervisory procedures
 Practice notes
 Protocol for accommodating special client needs e.g. case manager, social worker, parole officer
 Protocol for contacting clients e.g. translator, interpreter
 Recording information
 Security/confidentiality/privacy procedures
 Verifying and authorising information

Relevant documents and exhibits may include

Artefacts
 Briefs
 Clinical reports
 Defendant's statement of claims
 Expert reports
 Further and better particulars
 Hospital discharge summaries
 Medical reports
 Photographs/videos
 Plaintiff's statement of claims
 Pleading documents
 Service history
 Witness statements/affidavits
 Writ of summons

Critical dates may include

Appointments
 Arrest conditions
 Meeting bail conditions
 Summary hearings/court/tribunal dates

Relevant details include

Date
 Time

RANGE STATEMENT

Venue

Unit Sector(s)

Not applicable.

Corequisite Unit/s

Co-requisite Unit/s	Nil
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