

Position Description

Position:	Civil Litigation Advocate
Reports to:	Principal Lawyer
Hours:	(full time) 38 hours per week

Position Context

Springvale Monash Legal Service (SMLS) is an incorporated community legal service managed by a Board of Directors. It provides legal advice and assistance to vulnerable members of the community, engages in community legal education and ensure the voices of its client group are heard by decision makers by undertaking community development and law reform activities.

SMLS has a long term partnership with the Law Faculty, Monash University to provide clinical legal education experiences for law students. These units comprise a component of their undergraduate law degrees.

SMLS receives funding from the Commonwealth and State governments' Community Legal Services Program, as well as financial support from Monash University Faculty of Law and the City of Greater Dandenong.

Purpose and function

The Civil Litigation program offers support to members of the community as well as other community legal centre staff. In addition, the program provides community legal education and analysis of the impact of laws and regulations on marginalised members of the community. In this way, the program can ensure decision makers are informed of these impacts.

Characteristics of the position

1. To contribute to the operational objectives of the work area.
2. To provide consultation and assistance relevant to the workplace specifically related to the civil litigation program. Employees will be required to set outcomes for the work areas for which they are responsible so as to achieve the objectives of the organisation.
3. To work independently as well as a member of the broader organisational team in order to achieve program and organisational objectives; exercise judgement and provide expert advice to students, volunteers and staff.
4. To ensure outcomes can be achieved. A high level of interpersonal skills is required to resolve organisational issues, negotiate contracts, develop and motivate staff.
5. To manage time to ensure outcomes can be achieved. A high level of interpersonal skills is required to resolve organisational issues.

Responsibilities

The employee will:

- provide advice, casework and representation to eligible clients of SMLS;
- provide assistance with alternative dispute resolution processes;
- provide representation and supervision of employment law;
- accept referrals in all matters involving civil litigation, to act on behalf of plaintiffs or defendants, as the matter requires;
- specialist litigation in unpaid entitlements;
- take instructions from clients to prepare necessary Court documents including Complaints, Notices of Defence etc;
- advise the client of his or her claim(s) and/or defence(s), the merits of pursuing litigation, alternative options, and options for recovery;
- conduct the matter throughout the litigation process up to and including hearing, including all necessary attendances and letters and drafting and perusing all other associated documents;
- brief and prepare detailed instructions for Counsel where appropriate at hearings;
- appear at mediations, pre-hearing conferences, compulsory conferences (at VCAT), hearings at the Magistrates' Court and or other jurisdictions where appropriate;
- conduct enforcement proceedings, where appropriate and necessary;
- ensure all files are maintained to the highest standards including communications, documentation, record keeping and storage of files;
- maintain compliance with relevant professional standards including public indemnity insurance, trust account management and legal practice requirements;
- advice and support other staff, students and volunteers, including preparing workshops and seminars;
- uphold the reputation of the Legal Service and promote the Legal Service by participating in the community orientated activities including public forums, community talks, media and publicity work including public speaking for the Legal Service, regarding ongoing issues and issues affecting the legal system.

Community Engagement

- law reform work as required;
- network with appropriate organisations relevant to the operation of the Civil Litigation Advocate program including the Federation of Community Legal Centres, Victoria Legal Aid, other community legal centres, Courts, the Department of Justice and the Law Institute;

- participate in the development of policy in areas relevant to the position.

General Administration

- Attendance at or monitoring of regular staff meetings;
- Participation in annual planning and strategic development;
- General administrative duties as required eg., client database, client correspondence, telephone etc.

Requirements of the position

1. Skills, knowledge, experience, qualification and/or training
 - a. comprehensive knowledge of organisational policies and procedures;
 - b. specialist knowledge gained through experience, training or education;
 - c. appreciation of the long term goals of the organisation;
 - d. detailed knowledge of program activities and work practices relevant to the work area;
 - e. knowledge of organisation structures and functions;
 - f. comprehensive knowledge of requirements relevant to the discipline.
2. Prerequisites
 - degree with experience;
3. Organisational relationships
 - works under direction from Legal Practice Manager;
 - assistance to staff, students and volunteers.
4. Extent of authority
 - exercise a degree of autonomy;
 - establish priorities and monitor work flow in areas of responsibility.