

# Role Description

## Family Dispute Practitioner

<b>Cluster</b>	Stronger Communities
<b>Agency</b>	Legal Aid NSW
<b>Division/Branch/Unit</b>	Family Law
<b>Classification/Grade/Band</b>	Legal Officer Grade IV
<b>ANZCO Code</b>	511112
<b>PCAT Code</b>	1119183
<b>Date of Approval</b>	011222
<b>Agency Website</b>	<a href="http://www.legalaid.nsw.gov.au">www.legalaid.nsw.gov.au</a>

### Agency overview

Legal Aid NSW is the largest legal aid agency in Australia, comprising a Central Sydney office and 28 regional offices in metropolitan and regional centres across NSW and a number of specialist services and advice clinics. It was established under the Legal Aid Commission Act 1979 as an independent authority to assist economically and socially disadvantaged people to understand and protect their rights in the legal system. People with disabilities, from people from culturally and linguistically diverse backgrounds, women and children, Indigenous people and people with mental illness are some of the groups who may experience difficulties when enforcing and defending their rights.

Working in partnership with private lawyers, Legal Aid NSW provides legal advice, information and minor assistance and legal representation to eligible people in many areas of law. Legal Aid NSW also provides alternative dispute resolution services, community legal education programs, and publications on legal issues.

### Primary purpose of the role

Provide senior management and leadership in the provision of Family Law Dispute Resolution Services to socially and economically disadvantaged people in accordance with the Legal Aid NSW Strategic Plan and the Family Law Division Business Plan. This includes directly providing FDR services, including but not limited to conducting legally aided FDR conferences in complex family law matters at various locations.

### Key accountabilities

- Providing an efficient and effective dispute resolution service to clients in accordance with legislation and directions, policy, guidelines and practice standards.
- Providing professional guidance and support to team leaders and Mediation Organisers including the exercise of professional discretion
- Working with the Manager and Operations Administrator to develop best practice and new models of dispute resolution in the context of emerging legislative changes, new projects and social research in respect to alternative dispute resolution.

- Assisting Legal Aid FDR in the development, improvement and application of policies, guidelines, and practices to enhance services to clients, practitioners, and stakeholders in enabling mediations to be conducted in a timely and effective manner.
- Supporting quality assurance by Supervising and training FDRPs and internal staff under the direction/supervision of the Manager FDR
- Keeping up to date on legal and alternative dispute resolution developments and procedure's and identifying training needs and attend training to maintain professional standards and maintain a practising certificate and FDRP accreditation.
- Developing and maintaining key stakeholder relationships, organising and presenting information settings for current and potential clients and conducting community education as required.
- Effectively utilising the LANSW IT systems including entering data, preparing required documentation and maintaining appropriate records in both soft and hard copy forms and providing reports to senior management as required.

## Key challenges

- Providing quality services in the context of increasing demand and available resources
- Managing a reasonable Family Dispute Resolution caseload while supporting Teams and contributing to project work and providing clinical supervision to Family Dispute Resolution Practitioners under the direction and supervision of the Manager FDR.
- Keeping abreast of social research and developments in FDR practice and Family Law legislation and practice as well as an overall understanding of the justice system and the FDR place within it.

## Key relationships

Who	Why
<b>Internal</b>	
Manager FDR	<ul style="list-style-type: none"> <li>• Operational issues and policy parameters</li> </ul>
Operations Administrator	<ul style="list-style-type: none"> <li>• Provides advice and collaborates</li> </ul>
FDR clerical staff	<ul style="list-style-type: none"> <li>• Provides professional direction, guidance and mentoring</li> </ul>
<b>External</b>	
Panel family dispute resolution practitioners, Private legal practitioners, professional associations, courts, community-based providers of dispute resolution services	<ul style="list-style-type: none"> <li>• Provide direction, clinical supervision and training</li> <li>• Identification and setting of priorities for the review and development of standards, the documentation of policy, guidelines, systems, practices and procedures</li> </ul>
Parties to a mediation and their legal representatives	<ul style="list-style-type: none"> <li>• Conducting family dispute resolutions.</li> </ul>

## Role dimensions

### Decision making

The role operates with autonomy in respect of their day-to-day work priorities and the coordination of work and resources of the team to meet service levels. It also provides guidance to non legal staff.

## Reporting line

Manager, Family Dispute Resolution

## Direct reports

n/a

## Budget/Expenditure

n/a

## Essential requirements

- Legal qualifications
- Eligible to obtain Practising Certificate
- Accreditation as a Family Dispute Resolution Practitioner
- Must hold valid NSW drivers license and some roles may require the ability for remote travel

## Capabilities for the role





The NSW Public Sector Capability Framework applies to all NSW public sector employees. The Capability Framework is available at [www.psc.nsw.gov.au/capabilityframework](http://www.psc.nsw.gov.au/capabilityframework)

This role also utilises an [occupation specific capability set](#).


## Capability summary

Below is the full list of capabilities and the level required for this role. The capabilities in bold are the focus capabilities for this role. Refer to the next section for further information about the focus capabilities.

## NSW Public Sector Capability Framework

Capability Group	Capability Name	Level
 Personal Attributes	<b>Display Resilience and Courage</b>	<b>Adept</b>
	<b>Act with Integrity</b>	<b>Adept</b>
	Manage Self	Intermediate
	Value Diversity	Intermediate
 Relationships	<b>Communicate Effectively</b>	<b>Advanced</b>
	<b>Commit to Customer Service</b>	<b>Adept</b>
	Work Collaboratively	Adept
	Influence and Negotiate	Adept
 Results	<b>Deliver Results</b>	<b>Adept</b>
	Plan and Prioritise	Adept
	Think and Solve Problems	Adept
	Demonstrate Accountability	Adept
 Business Enablers	Finance	Intermediate
	Technology	Intermediate
	Procurement and Contract Management	Intermediate
	<b>Project Management</b>	<b>Intermediate</b>

## Legal Professionals Capability Set

Capability Group	Capability Name	Level
 Legal	Statutory Interpretation	not applicable
	Legal Research	not applicable
	Legal Advice	Level 2
	Legal Drafting	Level 2
	<b>Litigation and Dispute Resolution</b>	<b>Level 3</b>
	Prosecution	not applicable
	Advocacy	not applicable
	Legislative Development and Drafting	not applicable

### Focus capabilities

The focus capabilities for the role are the capabilities in which occupants must demonstrate immediate competence. The behavioural indicators provide examples of the types of behaviours that would be expected at that level and should be reviewed in conjunction with the role's key accountabilities.

## NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
<b>Personal Attributes</b> Display Resilience and Courage	Adept	<ul style="list-style-type: none"> <li>• Be flexible, show initiative and respond quickly when situations change</li> <li>• Give frank and honest feedback/advice</li> <li>• Listen when ideas are challenged, seek to understand the nature of the criticism and respond constructively</li> <li>• Raise and work through challenging issues and seek alternatives</li> <li>• Keep control of own emotions and stay calm under pressure and in challenging situations</li> </ul>
<b>Personal Attributes</b> Act with Integrity	Adept	<ul style="list-style-type: none"> <li>• Represent the organisation in an honest, ethical and professional way and encourage others to do so</li> <li>• Demonstrate professionalism to support a culture of integrity within the team/unit</li> <li>• Set an example for others to follow and identify and explain ethical issues</li> <li>• Ensure that others understand the legislation and policy framework within which they operate</li> <li>• Act to prevent and report misconduct, illegal and inappropriate behaviour</li> </ul>
<b>Relationships</b> Communicate Effectively	Advanced	<ul style="list-style-type: none"> <li>• Present with credibility, engage varied audiences and test levels of understanding</li> <li>• Translate technical and complex information concisely for diverse audiences</li> <li>• Create opportunities for others to contribute to discussion and debate</li> <li>• Actively listen and encourage others to contribute inputs</li> <li>• Adjust style and approach to optimise outcomes</li> <li>• Write fluently and persuasively in a range of styles and formats</li> </ul>
<b>Relationships</b> Commit to Customer Service	Adept	<ul style="list-style-type: none"> <li>• Take responsibility for delivering high quality customer-focused services</li> <li>• Understand customer perspectives and ensure responsiveness to their needs</li> <li>• Identify customer service needs and implement solutions</li> <li>• Find opportunities to co-operate with internal and external parties to improve outcomes for customers</li> <li>• Maintain relationships with key customers in area of expertise</li> <li>• Connect and collaborate with relevant stakeholders within the community</li> </ul>
<b>Results</b> Deliver Results	Adept	<ul style="list-style-type: none"> <li>• Take responsibility for delivering on intended outcomes</li> <li>• Make sure team/unit staff understand expected goals and acknowledge success</li> <li>• Identify resource needs and ensure goals are achieved within budget and deadlines</li> <li>• Identify changed priorities and ensure allocation of resources meets new business needs</li> </ul>

## NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
<b>Business Enablers</b> Project Management	Intermediate	<ul style="list-style-type: none"> <li>• Ensure financial implications of changed priorities are explicit and budgeted for</li> <li>• Use own expertise and seek others' expertise to achieve work outcomes</li> <li>• Perform basic research and analysis which others will use to inform project directions</li> <li>• Understand project goals, steps to be undertaken and expected outcomes</li> <li>• Prepare accurate documentation to support cost or resource estimates</li> <li>• Participate and contribute to reviews of progress, outcomes and future improvements</li> <li>• Identify and escalate any possible variance from project plans</li> </ul>

## Legal Professionals Capability Set

Group and Capability	Level	Behavioural Indicators
<b>Legal</b> Litigation and Dispute Resolution	Level 3	<ul style="list-style-type: none"> <li>• Model behaviour expected of government lawyers, provide guidance on model litigant and ethical issues.</li> <li>• Apply extensive knowledge of court and/or tribunal rules, practice notes and procedures to conduct litigation efficiently and effectively in accordance with best practice.</li> <li>• Review and supervise conduct and planning of litigation, settle pleadings, formulate and recommend appropriate strategy.</li> <li>• Conduct high level forensic and strategic analysis and preparation of evidence with regard to the case plan, and confer with expert and other key witnesses.</li> <li>• Apply high level strategy and negotiation skills to resolve disputes; represent clients in dispute resolution processes including mediation and arbitration, and protect the client from associated risks and unnecessary costs.</li> <li>• Provide guidance to others on selection of external legal services providers and approve briefing of external legal services providers.</li> <li>• Conduct quality assurance of external legal services provided and provide feedback.</li> </ul>