



State Solicitor's Office

Job Description Form

Assistant State Solicitor

State Solicitor's Office

Position details

Position Number: Generic

Classification Level: L5 Legal Grade

Award/Agreement: PSCSA 2022

Position Status: Permanent

Organisation Unit: State Solicitor's Office

Physical Location: Perth CBD

Reporting relationships

Responsible to: Deputy State Solicitor

This position: Assistant State Solicitor

Direct reports:

Overview

The State Solicitor's Office provides a broad range of legal services to the Attorney General, the Government, its departments and agencies. These services include the provision of legal advice, representation as counsel in courts and tribunals and safeguarding the interest of the State. The State Solicitor's Office aims to provide these services in a cost effective and timely manner.

Job description

The provision of legal advice and advocacy on a range of complex legal matters in one or more the following areas:

- Advice and Policy
- Native Title and State Land issues
- Commercial transactions
- Civil and regulatory litigation

Role specific responsibilities

Characteristics

This level is for legal officers who because of their degree of experience, competence and ability, operate with very high levels of professional autonomy. The officer would have demonstrated by personal performance the capacity to undertake professional work with great efficiency, effectiveness and reliability. Very high degrees of initiative judgement and originality in the performance of professional work are required at this level.

General Features of Duties and Responsibilities

Provides legal advice and/or advocacy (as appropriate to their allocated work area from time to time) in accordance with the skill level expected from the Position Characteristics and Statement of Essential Skills including:

- the preparation of formal legal opinions
- advocacy in courts and tribunals
- representation in negotiations
- the drafting of documents affecting the legal rights and obligations of persons
- the management of legal matters (and more junior legal, paralegal and administrative staff in relation to those matters)
- the commencement and undertaking of prosecutions in courts of summary jurisdiction under Part 3 of the *Criminal Procedure Act 2004*

Corporate Citizenship

Demonstrate high standards and practice of ethical conduct and behaviour as required under the Departments frameworks of Code of Conduct and Public Sector Code of Ethics.

Demonstrate a commitment to the ethos of Equal Employment Opportunity principles through personal conduct and daily interaction with colleagues.

Demonstrate commitment to the legislative obligations set out in the *Work Health and Safety Act 2020*.

Occupational health and Safety

Take reasonable care to ensure their own safety and health, and that of others at work, and comply with the department's policies and any other direction given for their safety and health in the workplace.

Job related requirements

In the context of the roles specific responsibilities, demonstrates the following capabilities, skills, knowledge and experience.

Qualifications

Bachelors degree (or equivalent) in law (usually with honours), or

undergraduate degree and postgraduate (JD or equivalent) degree in law from an University recognised for admission as a practitioner in Western Australia. Admission as a practitioner, however described, of the Supreme Court of Western Australia. Registration on the roll of practitioners of the High Court of Australia.

Overall legal ability

Demonstrates a high degree of legal ability and knowledge in advising on matters of policy and of considerable legal and factual complexity.

Conduct of practice

Conducts and co-ordinates litigation across all courts, complex legal advice across a wide variety of areas of statute and general law, or significant commercial transactions, sensitive to policy issues.

Legal skills

Demonstrates a highly competitive level of capacity and skill in the conduct of one or more of complex litigation, the provision of advice, or the conduct of commercial transactions. Demonstrates specialist skills within one or more the fields of litigation, advice, commercial law or native title and state land law.

Teamwork

Provides professional leadership and assistance to more junior legal officers. Is developing strong internal networks within the practice area and across the office. Mentors and coaches more junior legal officers.

Supervision of others

As required, supervises small teams of legal officers within SSO to achieve specific outcomes in particular matters. Assists in the supervision of the undertaking of retainers by private law Offices and/or external counsel as required including cost planning and control.

Policy sensitivity

Deals with legal issues involving political or departmental sensitivity appropriately, including seeking guidance where appropriate.

As counsel

Acts as counsel in routine matters at trial, and on some appeals, in all State Courts, the Federal Court and as junior counsel in complex appellate matters up to and including the High Court.

Negotiations

Conduct negotiations in complex matters involving claims according to the risk and responsibility matrix from time to time.

Desirable skills

May have undertaken post graduate study in law at Masters degree level or equivalent.

Special requirements/equipment

Nil

Certification

The details contained in this document are an accurate statement of the duties, responsibilities and other requirements of the job.

State Solicitor

Signature: _____ Date: _____

HR certification
date: April 2023