

New

Ministry

Service Alberta and Red Tape Reduction

Describe: Basic Job Details

Position

Position ID

Position Name (200 character maximum)

Legal Officer

Requested Class

Job Focus

Supervisory Level

Agency (ministry) code

Cost Centre

Program Code: (enter if required)

Employee

Employee Name (or Vacant)

Organizational Structure

Division, Branch/Unit

 Current organizational chart attached?

Supervisor's Position ID

Supervisor's Position Name (30 characters)

Supervisor's Current Class

Design: Identify Job Duties and Value

Job Purpose and Organizational Context

Why the job exists:

The Condominium Tribunal's mandate is to provide timely, fair, and independent dispute resolution services and adjudicative proceedings, consistent with relevant legislation, regulations, bylaws, rules, guidelines, and the principles of natural justice. The quasi-judicial Tribunal decides matters of importance to condominium corporations, owners, lawyers in relation to the Condominium Property Act (CPA), The Condominium Property Regulation (CPR), the Condominium Tribunal Regulation and condominium corporation bylaws and rules of individual condominium corporations. The Tribunal derives its jurisdiction from the CPA, the CPR and the Tribunal Regulation.

The Legal Officer role advises the Tribunal and management on legal, regulatory, procedural, and policy matters to inform dispute resolution and adjudication. Procedural rules and policy are developed to ensure legislative and regulatory compliance, tribunal efficiency, and consistent operations across multiple diverse dispute applications. The Legal Officer also plays a key role in staff and Tribunal Member professional development and training initiatives.

As needed, the Legal Officer liaises with solicitors in Alberta Justice on appeal and judicial review matters and provides or solicits legal opinions as necessary.

Responsibilities

Job outcomes (4-6 core results), and for each outcome, 4-6 corresponding activities:

1) Legal guidance is provided to inform Tribunal operations and decisions.

- Provide expert legal advice and guidance for any dispute resolution applications to facilitate fair, impartial and timely resolution of all applications within the Tribunal mandate.
- Conduct comprehensive and timely legal research, synthesizing relevant case law, legislation and policies and preparing accurate written summaries of the law.
- Advise Tribunal Members in adjudicative matters.
- Coordinate and engage with other legal services as needed.
- Provide legal advice, briefing papers, recommendations, and perspective to support adjudication of disputes.
- Liaise with Solicitors from Justice and other government/agency partners to ensure they understand the Tribunal's procedures, jurisdiction and impact on these other entities including appeal and judicial review applications as needed.
- Lead and/or participate in the development of responses to queries from the Tribunal, the Office of the Ombudsman and others.

2) Legal guidance is provided to the management team and staff.

- Provide advice and recommendation to senior and executive leaders to inform their decision-making and to shape responses, strategic plans and directions.
- Inform and advise the Director and Chair on emergent issues and recommend go-forward options.
- Provide advice and consultation on corporate matters to ensure the Tribunal's operations comply with relevant Government of Alberta and Ministry requirements.
- Collaborate on the development and implementation of strategic options and plans relating to issues, opportunities and challenges associated with Tribunal services and functions.
- Foster an engaging work environment to enable staff to increase capacity and achieve goals aligned with Tribunal and Ministry business objectives.

3) Legal content and perspectives are provided to inform the development and implementation of Tribunal policy and procedure.

- Provide legal expertise to the development of policy and procedural rules to govern all dispute resolution pathways in compliance with the appropriate legislation, and principles of administrative law, natural justice and procedural fairness.
- Ensure Tribunal Members and Case Officers have access to up-to-date materials and information needed negotiations, mediations and for drafting quality decisions including court cases, Tribunal decisions, texts and other materials.
- Participate on policy, procedure and process review initiatives to integrate legal considerations and ensure revisions do not negatively impact the Tribunal's operations and services.
- Provide legal expertise and guidance in the development of research tools, including a database of relevant case law.

4) Tribunal Members and staff are trained in multiple topics to enhance the quality and integrity of all Tribunal services and operations.

- Train Tribunal Members and staff on procedures and responsibilities and relevant changes in administrative law or precedent that impacts Tribunal operations.
- Assist in the development of training for newly appointed Tribunal Members and staff, including administrative law basics, legislative and regulatory training and decisions making and writing. Present training to new staff or Members as necessary.
- Provide expert advice and opinion to the Chair, Tribunal Members and staff regarding the development and implementation of changes in dispute resolution, adjudication, and administrative law.
- Participate in Tribunal Member and staff orientation.

Problem Solving

Typical problems solved:

The legal services and advice provided by the position must sound, practical, and respond appropriately to address and resolve the issues faced by the Tribunal. In some situations, the legal issues could be without precedent, requiring the Legal Officer to research, assess, and provide advice on resolution. The incumbent must be able to locate, organize, and assimilate extensive amounts of complex legal and related information and distinguish between essential and non-essential information. The position identifies issues and presents alternative courses of action to resolve the problems and issues. The complexity of the cases can involve difficult legislative interpretations requiring extensive and well researched and thorough legal opinions.

One of the challenges for this position is to provide legal assistance and guidance throughout dispute resolution and adjudication processes without interfering in the Tribunal's decision-making and maintaining the impartiality of the Chair and Tribunal Members. This draws on comprehensive legal knowledge, tact and diplomacy to bring attention to factors without influencing the panel's decision. The Legal Officer is challenged to justify the decision in the writing of the decision document and ensure that it is intelligible, rational and defensible. The Tribunal is new, making many of the cases novel and subject to influencing future precedent and process. The interface of multiple types of law and legislation adds to the complexity of the environment in which the position operates. For example, the incumbent must know which agreements and commitments can be made in mediation; some decisions in mediation might need to be first approved by the Minister before the parties can act; other agreements can be entered into a contract one the day of the mediation. The wording is essential so that intended actions are clearly articulated and understood.

Types of guidance available for problem solving:

Guidance for problem solving is also available via legislation, legal precedent, administrative case law, and direction provided by the Director and Chair. The Tribunal mandate, ministry requirements (e.g., policy development process), and Code of Conduct requirements, also shape the context for problem-solving. Professional expertise and experience and consultation with legal and other stakeholders involved in the specific case also shape how solutions are identified, assessed and implemented. A broad view of risks and opportunities must be taken to identify effective solutions (e.g., might this decision set precedent?). The ability to weigh multiple needs is applied to problem-solving. Within this framework, when problems arise, the Legal Officer synthesizes and evaluates multiple inputs to determine the best path forward.

Direct or indirect impacts of decisions:

The work of this position impacts:

- The integrity and quality of the Tribunal's policy, procedures, and processes, which impact the provision of fair, efficient, and timely resolution of multiple and varied disputes. The Tribunal's procedures and decisions impact Albertans including and could shape Tribunal legal precedents. They also reflect upon the Minister, Ministry, and the Tribunal's reputation in the community. The legal advice provided by the position helps ensure public confidence in the Tribunal's ability to provide a fair, impartial, and efficient forum for the resolution of disputes.
- Recommendations and advice to senior and executive leaders to inform their decision-making and to shape Tribunal plans.

Key Relationships

Major stakeholders and purpose of interactions:

Internal:

- Director and Managers - Participate in the broad planning and priorities Tribunal and staff; provide legal advice, briefings and updates and responses to inquiries; provide consultation, advice and recommendations; facilitate appeal files; and resolve legal and procedural issues and concerns.
- Chair and Tribunal Members - Discuss files and provide legal advice, consultation, and recommendations; resolve more complex legal and procedural issues and concerns; provide training, guidance and mentoring; share knowledge and research; provide mediation support; review decisions.
- Tribunal staff - resolve more complex legal and procedural issues and concerns to support case management; provide training, guidance and mentoring; share legal and procedural knowledge and research; lead legal research.

- Ministry or other ministry Solicitors - liaise with legal staff in Justice on appeals, judicial reviews and other specific topics; share information; represent the Tribunal process and information.

Required Education, Experience and Technical Competencies

Education Level	Focus/Major	2nd Major/Minor if applicable	Designation
Applied Degree	Law		

If other, specify:

Job-specific experience, technical competencies, certification and/or training:

Experience:

- Membership in good standing with the Law Society of Alberta
- Minimum 6 years of legal experience in administrative law
- Experience with agencies, boards or commissions (municipal, provincial, federal)
- Equivalent mix of education and experience will be considered

Knowledge:

- Expert knowledge in interpreting and applying legislative, and regulatory frameworks to support the Tribunal's mandate
- Knowledge of the related legislation, regulations, regulatory and non-regulatory frameworks, and policies in the context of the Tribunal's mandate
- Demonstrated skill in preparing legal advice and briefs to support and inform Tribunal processes and decisions
- Knowledge of strategic, business and operational planning processes and techniques
- Knowledge of the stakeholder community and the current and emerging issues that could come before the Tribunal is an asset

Skills:

- Demonstrated skill in preparing legal advice and briefs to support and inform Tribunal processes and decisions
- Excellent consultation/collaboration skills to provide legal advice that meets the needs of the Tribunal, ministry and stakeholders.
- Excellent communication skills, both written and oral, with diverse stakeholders.
- Ability to lead and manage a variety of initiatives within and across cases before the Tribunal
- Ability to analyze complex issues and synthesize findings to identify actions and solutions
- Well-developed coaching and training skills to suit diverse learning styles and contexts
- Advanced analytical, problem-solving, and critical thinking skills
- Professional demeanor and political acumen
- High degree of proficiency with MS Office applications (Word, Excel, PowerPoint)
- Highly developed organizational skills and experience managing projects and programs, including the ability to manage multiple deadlines and priorities
- Strong business, project and change management acumen with a results focus
- Strong strategic, analytical, and decision-making skills
- Skilled negotiator, finding ways to create mutually beneficial solutions

Behavioral Competencies

Pick 4-5 representative behavioral competencies and their level.

Competency	Level A B C D E	Level Definition	Examples of how this level best represents the job
Systems Thinking	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	<p>Takes a long-term view towards organization's objectives and how to achieve them:</p> <ul style="list-style-type: none"> • Takes holistic long-term view of challenges and opportunities 	Ensures legal research, advice and recommendations align to legal requirements / administrative law, GoA requirements and the Tribunal mandate.

		<ul style="list-style-type: none"> • Anticipates outcomes and potential impacts, seeks stakeholder perspectives • Works towards actions and plans aligned with APS values • Works with others to identify areas for collaboration 	Considers the impact to Tribunal mandate when making decisions. Identifies opportunities to improve policy, process and services that directly and effectively support Tribunal operations.
Creative Problem Solving	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	<p>Engages the community and resources at hand to address issues:</p> <ul style="list-style-type: none"> • Engages perspective to seek root causes • Finds ways to improve complex systems • Employs resources from other areas to solve problems • Engages others and encourages debate and idea generation to solve problems while addressing risks 	Engages multiple stakeholders (e.g., other legal professionals to identify root causes of challenges, facilitating open discussions to generate innovative solutions while mitigating risks. Engages others to scope and solve issues and find the best solution; guides staff through complex problem-solving, applying different methods as needed to find the best path forward.
Agility	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	<p>Identifies and manages required change and the associated risks:</p> <ul style="list-style-type: none"> • Identifies alternative approaches and supports others to do the same • Proactively explains impact of changes • Anticipates and mitigates emotions of others • Anticipates obstacles and stays focused on goals • Makes decisions and takes action in uncertain situations and creates a backup plan 	Anticipates, prepares and adapts to new priorities, responding swiftly to emerging challenges, and guides the team through changes while maintaining alignment with organizational goals. Takes advantage of opportunities to improve work processes and workflows; anticipates and removes obstacles for high-quality service delivery; proactively explains how anticipated change will impact daily work processes.
Build Collaborative Environments	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/> <input type="radio"/> <input type="radio"/>	<p>Collaborates across functional areas and proactively addresses conflict:</p> <ul style="list-style-type: none"> • Encourages broad thinking on projects, and works to eliminate barriers to progress • Facilitates communication and 	Develops, maintains and leverages positive relationships with internal and external stakeholders. Supports and recognises the performance of direct-report teams; promotes collaboration and positive relationships across

		<p>collaboration</p> <ul style="list-style-type: none">• Anticipates and reduces conflict at the outset• Credits others and gets talent recognized• Promotes collaboration and commitment	teams and units
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