

Working Title Business & Resolution Services Legal Counsel		Name	
Position Number	Reports to Position No., Class & Level Legal Counsel	Division, Branch/Unit Court & Justice Services Business & Resolution Services Legal and Legislative Initiatives	Ministry Justice
Present Class Civil Crown Counsel 2/3		Requested Class	
Dept ID	Program Code	Project Code (if applicable)	

PURPOSE: Give a brief summary of the job, covering the main responsibilities, the framework within which the job has to operate and the main contribution to the organization (see Non-Management Job Description Writing Guide [Pages 7-8](#)).

Legal and Legislative Initiatives (LLI) is a part of the Court & Justice Services division of the Ministry of Justice. LLI's focus is on developing and implementing policies, programs, and legislative and regulatory initiatives specifically related to the courts, court administration, judicial officers, court processes and services. Other functions that also fall under LLI are:

- Managing the judicial compensation process for Court of Justice justices and justices of the peace
- Providing legal support to Business & Resolution Services (BRS)
- Administering and supporting inter-jurisdictional support matters" in the Court of King's Bench (Edmonton and Calgary) including acting as "friend of the court"
- Providing interpretive and advisory support for legal policy and legislation as it relates to the courts, BRS, and various areas outside of Court & Justice Services

This position primarily assists the BRS branch which is mandated to assist Albertans who have legal issues which could result in a court appearance by educating them about their legal rights and responsibilities; explaining and encouraging out-of-court dispute resolution; and, if they must go to court, providing forms and information on the court process.

Business & Resolution Services (BRS) Legal Counsel is a lawyer whose primary responsibility is to conduct legal research, prepare legal documents and appear in court with respect to Interjurisdictional Support matters. This responsibility will take up to 70% of their time. In addition, BRS Legal Counsel contributes to the successful delivery of BRS programs by providing legal and strategic advice, and by assisting the BRS Leadership team with oversight and training of staff and program development.

BRS Legal Counsel maintains active relationships with the judiciary, court administration, staff, and management, as well as external and internal stakeholders. This position also works extensively with self-represented litigants and private counsel by providing information and direction on Interjurisdictional Support matters and assisting staff working with clients with complex legal issues.

RESPONSIBILITIES AND ACTIVITIES: The purpose of the job can be broken down in different responsibilities and end results. Each end result shows what the job is accountable for, within what framework and what the added value is. Normally a job has 4-8 core end results. For each end result, approximately 3-6 activities should be described (see Writing Guide [Pages 9-10](#)).

Detailed responsibilities, include:

Acting as Designated Authority and Friend of the Court for Interjurisdictional support matters in the Court of King's Bench requires:

- Reviewing files received from the designated authority to ensure jurisdictional and statutory requirements are

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- Overseeing the administration of files by court and BRS staff; advising staff on processes to ensure court applications are handled efficiently and correctly
- Preparing and/or reviewing legal documents
- Researching, reviewing and synthesizing the relevant case law, legislation, and policies
- Preparing a summary of the facts, issues, and law on each file for the presiding justice
- Appearing in court to outline facts, examine parties, and provide assistance as requested by the presiding justice
- Preparing complex court orders
- Working closely with the ISO Clerk to ensure appropriate options are provided to parties when one party lives outside of Alberta, parties receive the proper forms to complete, parties' forms are properly reviewed for completeness as required by the legislation.
- Liaising with designated authorities in Alberta and in other provinces to standardize and improve practices and to ensure files are completed accurately and efficiently
- Attending and contributing to the work of the Federal, Provincial, Territorial (FPT) Interjurisdictional Support Working Group and other FPT initiatives as required.

Working collaboratively with BRS Management to ensure BRS staff have the legal and practical knowledge necessary to provide accurate information and referrals to Albertans requires:

- Assisting Senior Legal Counsel with:
 - Preparing written training materials
 - Reviewing and editing training materials prepared by BRS staff
 - Providing group training to RS and Court & Justice Services staff regarding:
 - legal issues which may result in a court appearance and the use of child support software
 - how to triage / assess an individual's needs / options based upon legislation, court processes, rules and case law.
 - New or amended legislation or court processes.
- Acting as a conduit for legal information to BRS and Court & Justice Services staff by:
 - Answering queries, providing legal information, and providing information about court process
 - Assisting with the assessment of legal issues which may result in a court appearance
 - Communicating in writing with BRS staff to discuss common questions, provide further explanation of training materials, and discuss changes in law, policies or procedures.
 - Reviewing, revising or drafting complex court orders, as requested by BRS staff
 - Explaining and preparing complex child/spousal support calculations for BRS staff
 - Acting as a resource for those doing one-on-one staff training, by reviewing materials, offering suggestions and answering questions
 - Upon request of RS Leaders, using knowledge of related community and government agencies to review training materials relating to referrals given to individuals accessing BRS.
 - Upon request of BRS Managers and Team Leads, provide advice as they perform ongoing evaluations of BRS staff's provision of legal services to the public.
- Administering the Commissioner for Oaths exam for BRS staff in the incumbent's court location.

Providing legal education and information to Albertans by:

- Assisting Senior Legal Counsel or other Court & Justice Services legal counsel with:
 - Drafting public legal education materials, including information sheets, informational booklets, instructions, website content and fillable court forms as requested
 - Preparing materials for various community and cross ministerial presentations or communications, for example, to advise of legislative or procedural changes

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- Assisting individuals with complex procedural and legal questions that BRS staff do not have the expertise to answer
- Answering queries from members of the bar about legal process, court procedures, and policies
- Preparing and/or explaining complex child / spousal support calculations, as requested by BRS staff
- Notarizing Interjurisdictional Support Orders applications going to other provinces or countries

Providing guidance based on legal knowledge and practical experience to ensure the successful operation of BRS Programs and Court Administration by:

- Assisting with the Child Support Resolution Program (CSRP) by providing guidance and advice to Assessment Services Leaders as they improve the program or recruit new officers.
- Collaborating with BRS to determine which PLEI materials can and should be made available through BRS and advising as to content to be included in the BRS portions of the alberta.ca website.
- Assisting Senior Legal Counsel with reviewing, revising and drafting clauses and templates for the Court Generated Orders (CGO) Program.
- Providing legal advice and support to the BRS Leaders and Management, as requested, on various matters including:
 - Choosing appropriate contractors and/or software e.g. support calculation software, document generation software and client management systems
 - Policy development
 - Answering practical, procedural, or legal questions
 - Supporting strategic projects and committees.
- Answering practical, procedural and legal questions from court administration, staff and Managers.
- Attending meetings, as requested and as time and responsibilities permit:
 - BRS Management or BRS Management and Directors meetings and learning events
 - Team Meetings
 - Meetings of Team Leads and Supervisors
 - Court & Justice Services Managers and/or Senior Leadership meetings

Providing assistance to the judiciary by:

- Preparing and/or explaining complex child / spousal support calculations
- Reviewing and/or preparing complex Orders
- Providing legal and practical information to both the judiciary and counsel, for example relating to filing procedures, Maintenance Enforcement practices or quick questions about legislation
- Attending meetings or sitting on committees to provide "front line" experience
- As requested, meeting with the judiciary as they plan Town Hall or other meetings.

SCOPE: List specific information that illustrates the challenges, problem solving and creativity requirements and decision making capacity of the position. Also identify the internal or external areas the job impacts (see Writing Guide [Pages 11-12](#)).

The BRS Legal Counsel acts as friend of the court to the Court of King's Bench with the Interjurisdictional Support files by ensuring they are properly administered, preparing or reviewing the necessary legal documents, analyzing and researching the issues, presenting the information, both in memo form and in court and preparing complex Orders. In addition, BRS Legal Counsel provides legal and strategic advice to BRS Management, and, using their extensive knowledge of the law and practice, assists BRS Management in preparing and presenting training programs to staff, as well as being available to assist and answer questions on a regular basis.

SCOPE: List specific information that illustrates the challenges, problem solving and creativity requirements and decision making capacity of the position. Also identify the internal or external areas the job impacts (see Writing Guide [Pages 11-12](#)).

This position is complex and creative. The incumbent must have a broad, practical knowledge of every area of law that might result in a court application, as well as in-depth knowledge of litigation (especially family law) and practice. The incumbent must have the ability to transmit their knowledge in a plain language manner to both staff and the public and must have a clear understanding of the difference between legal advice and legal information. The incumbent must maintain and develop networks with internal and external stakeholders.

An LO2 hired to this position would be expected to consult with senior counsel on more complex/impactful items. Latitude would depend on the issue, the level of complexity, the clarity of the question, the level of risk, whether it's highly sensitive, a priority item, and time frame.

BRS Legal Counsel must be able to provide complex legal solutions with little guidance.

KNOWLEDGE, SKILLS & ABILITIES: Include information on required diplomas and degrees along with identifying the most important knowledge factors, including knowledge about practical procedures, administrative, technical or professional techniques, technical, scientific or program related processes, etc. Detail specific training if there is an occupational certification/registration requirement for the position. Specify the type of experience required for the position (see Writing Guide [Pages 12-14](#)).

Bachelor of Law (LLB) Degree or Juris Doctor (JD) with a demonstrably solid foundation in court policies, procedures and protocols, and legal research. Legal research is a specific body of analytical and practical skills, requiring legal training and experience to analyze and apply solutions. This includes the ability to develop research strategies and interpret legislation and regulations especially those relating to the justice system.

Member in good standing with the Law Society of Alberta or eligible for immediate membership. Ensures that the person in this position practices ethically and competently and understands their professional development obligations.

A minimum of 11 years at the bar (5 years for LO2), preferably in private or Legal Aid practice, with extensive practical experience.

Extensive knowledge of the Alberta Rules of Court, court forms and procedures, court administration functions and BRS services.

Thorough knowledge of the statutes relating to court matters, and the associated regulations, court forms and procedures to provide accurate legal advice and appropriately assess risks. Such as:

- Bankruptcy Act
- Canada Evidence Act
- Civil Marriage Act
- Divorce Act
- Adult Guardianship and Trusteeship Act
- Adult Interdependent Relationships Act
- Alberta Evidence Act
- Child Youth and Family Enhancement Act
- Civil Enforcement Act
- Drug-endangered Children Act
- Estate Administration Act
- Extra-Provincial Enforcement of Custody Orders Act
- Family Law Act
- Family Property Act
- Interjurisdictional Support Orders Act
- Law of Property Act
- Limitations Act

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- Maintenance Enforcement Act
- Mental Health Act
- Notaries and Commissioners Act
- Personal Property Security Act
- Powers of Attorney Act
- Protection Against Family Violence Act
- Protection of Children Abusing Drugs Act
- Protection of Sexually Exploited Children Act
- Reciprocal Enforcement of Judgments Act
- Residential Tenancies Act
- Vital Statistics Act
- Wills and Succession Act

General knowledge of other statutes and associated regulations which may affect BRS clients and be peripherally related to their court matters.

CONTACTS: Identify the main contacts the position communicates with and the purpose of the communication (See Writing Guide [Pages 14-15](#)).

The Judiciary, BRS Management and Directors, Court Administration Leaders and Directors, Resolution Services staff, Court Administration staff, Other Lawyers within Team / Practice group, Interjurisdictional Support Orders applicants in Alberta and other jurisdictions, Interjurisdictional Support Orders Designated Authorities in other provinces/territories or countries

Purpose: Provide legal, practical, and strategic advice and direction and legal services.

Legal Aid, Community Legal Clinics, Maintenance Enforcement Program, Human Services (e.g. Child Support Services), Children's Services (e.g. Family and Surrogate Court Litigation Team), Clients seeking assistance from Resolution Services, Clients appearing at Interjurisdictional Support hearings, Members of the bar, Community Agencies

Purpose: Create or maintain positive relationships between BRS and external agencies, provide practical and strategic advice and direction to staff, Leaders and Directors, based upon knowledge of external agencies.

SUPERVISION EXERCISED: List position numbers, class titles, and working titles of positions directly supervised (see Writing Guide [Page 15](#))

No formal supervision.

Informal supervision of staff administering the Interjurisdictional Support files.

Oversight of BRS staff to ensure accurate legal information is provided to clients.

CHANGES SINCE LAST CLASSIFICATION REVIEW: Identify significant changes that have impacted the responsibilities assigned to your position since the last review (see Writing Guide [Pages 15-16](#)).