

Update

Ministry

Describe: Basic Job Details**Position**

Position ID

Position Name (30 characters)

Current 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**Changes Since Last Reviewed**

Date yyyy-mm-dd

Responsibilities Added:

Responsibilities Removed:

Job Purpose and Organizational Context

Why the job exists:

processes are met and liaising with court staff, debtors, collectors, employers and other related writ holders. This position also oversees the receipt and distribution of all monies received as a result of Writs, Garnishee Summonses and other legal actions, including costs. This frequently includes extensive and detailed payment breakdowns which can involve multiple debts from multiple judicial districts and may encompass many program areas. In addition, the Recoveries & Legal Administrative Assistant is responsible for the registration, renewal and discharge of all assigned accounts through the Alberta Personal Property Registry Electronic System (APPRES). This position is responsible for the organization and management of all legal files and related documentation, maintaining a diary system to monitor accounts and ensuring timely follow-up on legal actions initiated. The Recoveries & Legal Administrative Assistant will access Government of Alberta (GoA) and other databases to verify and obtain information pertinent to various phases of the collection process.

Responsibilities

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

1. Prepare and process all pertinent legal documentation for enforcement action recommended. This is done in compliance with the Civil Enforcement Act, Alberta Rules of Court and processes and procedures established within the programs. It is imperative that compulsory documentation is processed and filed with accuracy to ensure the end result is compliance in the administration of justice and the efficient and successful recovery of debt owed to the Province of Alberta.

Activities:

- Assist with Judgment renewals, discharges, creation of new accounts, through execution of database searches and preparation of documentation as required for various enforcement actions such as Assignment of Wage and cheque requests, as well as initiate process for bankruptcy accounts.
- Prepare Proofs of Claim and Proofs of Debt in cases of Bankruptcy, Consumer Proposals or Receivership. Will also monitor said files to ensure that the individual and/or corporation completes their responsibility with which ever procedure they filed in.
- Prepares Orders to Amend Style of Cause on files where it has been found that the debtor has an alias so we may add the name to the judgment. Also prepares the Amended Writ of Enforcement and amends Alberta Personal Property Registry Electronic System (APPRES).
- Reviews the legal documentation provided by the Courts or MVAC and drafts the appropriate legal documentation.
- Have an ability to interpret the relevancy of information provided by debtors, their counsel, the courts and other government departments and how it affects the collectability of an account.
- Negotiate payment arrangements or resolution of a legal action, enforcement action, postponement or discharge of writ of enforcement with debtors or their representatives based on debt, policy and procedures.
- Verify accuracy and validity of information provided through detailed review of court documentation and the electronic court records available to the program through the Justice Online Information Network (JOIN) and Civil and Sheriff Entry System (CASES) as well as ensuring all relevant documents have been provided and completed in accordance with actions allowable through the Civil Enforcement Act.
- Generate and prepare required legal documents for approval/signature by the appropriate authority and ensure completed documentation is correctly executed through appropriate filing with the courts and service of documents. All steps in the process will be monitored carefully to ensure compliance with the Alberta Rules of Court.
- It is the responsibility of the incumbent to ensure all actions are documented within the program databases in a timely and accurate manner to track the progress of the action and enable all internal stakeholders (collection officers, supervisors, manager, client ministries etc.) to access the most current information when necessary to address concerns for the external stakeholders (debtor, employer, courts, legal counsel, MLA's, etc.). In addition, it facilitates prompt and effective follow-

up to ensure compliance and/or determine what "next steps" are appropriate.

2. Oversee the processing of all monies received through collection action. This is done in compliance with the Civil Enforcement Act, Alberta Rules of Court and processes and procedures established within the program and the court system. The receipt and distribution of these monies must be completed promptly and with the utmost accuracy. The repercussions of errors made during this process can negatively impact current enforcement action, external stakeholders and Albertans. The end result is the appropriate distribution of monies received through collection action to debt owed to the Province of Alberta and other enforcement creditors.

Activities:

- Generate and prepare request for mandatory administration fee to be included with all Garnishee Summonses and obtain approval/signature from the appropriate authority. All tasks related to the receipt and distribution of the administration fee is to be monitored and executed by the legal assistant.
 - Monitor and review all notices received from the Court of King's Bench of monies paid into court through legal actions initiated by the program and in some cases initiated by other enforcement creditors as well as the pro rata distribution of these monies to each enforcement creditor, all of which may be represented by FEP. Ensure payments and the proposed disbursement of these monies is accurately and thoroughly documented in program databases to ensure all internal stakeholders have access to potential financial activity.
 - Generate and prepare disbursement instructions to the applicable Traffic, Criminal or King's Bench court location(s), providing a detailed breakdown of how each cheque is to be applied in JOIN to the overdue fine(s), ticket(s) and/or bail forfeiture(s), in accordance with the notice(s) of distribution. Additional instructions may be required if payment includes reimbursement of the administrative fee as indicated in the filed Bill of Costs. Follow-up in JOIN to ensure monies have been applied correctly; contact courthouse immediately if any discrepancies are noted.
 - Maintain comprehensive statistical spreadsheets for all legal actions requested, including detailed payment information. Enter payments into the program databases promptly and accurately to ensure amended debt balance will be electronically transferred to Canada Revenue Agency (CRA). All other financial activity in program database and JOIN must be constantly monitored and if required, recorded in the appropriate spreadsheets for reconciliation purposes.
 - It is the responsibility of the legal assistant to process all Bail Forfeiture related payments received by FEP and in some situations Criminal and Traffic related payments. This must be completed in compliance with internal controls and procedures established within the program. Payment information is to be conveyed to the appropriate authority for disbursement instructions. Once verified for accuracy, detailed disbursement instructions are forwarded along with payments to the applicable court jurisdiction to be applied in JOIN.
3. Coordinate the search, registration, renewal and discharge of debts on all assigned accounts through the Alberta Personal Property Registry Electronic System (APPRES). This is done in compliance with the Civil Enforcement Act and Personal Property Security Act through the utilization of APPRES. Only accredited Alberta Government users have access to this system and it is critical that information entered is accurate. The end result is the entitlement to share in monies paid into court as a result of civil enforcement action initiated by the program or other enforcement creditors and ensure GoA interests in personal property are accurately reflected in the system.

Activities:

- Conduct debtor name search to verify debt information, locate potential skip-tracing leads and determine whether or not legal action is viable. As part of the initial enforcement process, it is the responsibility of the legal assistant to complete a distribution seizure search (DSS) to determine whether or not any related Writs or Liens are filed against the debtor as legal action initiated must be done so on behalf of all creditors.
- The registration of all Writs of Enforcement in APPRES and the timely renewal of all registrations

due to expire as well as discharges on satisfied debts is the sole responsibility of the legal assistant. Information must be accurately entered and verified to ensure our interest in the civil enforcement process.

- Changes to information within the Writ such as alias name, debtor particulars, amount owing or costs are to be completed by way of registration of a status report. Accounts in the program database are to be monitored for any changes to debtor information as well as any financial activity which has occurred outside the scope of civil enforcement proceedings.

4. Organization and management of all legal files and related documentation. The set-up and file management of all legal related accounts and correspondence is completed by following policies and procedures established within the Support Services area of the program. The end result is an organized, accurate and up to date filing system.

Activities:

- Confirm accuracy and integrity of court documentation through detailed review and comparison with electronic court records available to the program through JOIN and CASES and ensure criteria for registration and enforcement of the debt has been met.
- Notices and correspondence from the courts are to be electronically recorded in program databases and systematically added to the file to support a specific diary system. The legal assistant is also responsible for the receipt and disposition of all correspondence related to legal actions initiated by the program

5. Access Government of Alberta (GoA) and other databases to verify and obtain information pertinent to various phases of the collection process. This is achieved through official access agreements with numerous stakeholders and partners, the use of policy and procedures manuals established for each database as well as in house processes and procedures. The end result is the authentication and retrieval of key information during the collection process.

Activities:

- Verify accuracy and legitimacy of key information contained within documentation provided through the utilization of:
 - Justice Online Information Network (JOIN)
 - Alberta Registries Online Access Delivery System (ROADS)
 - Offender Records and Correctional Administration (ORCA)
 - Alberta Healthcare (AHC)
- Obtain pertinent information required for the advancement of the collection process through the utilization of:
 - Alberta Registries Online Access Delivery System (ROADS)
 - Offender Records and Correctional Administration (ORCA)
 - Alberta Healthcare (AHC)
- Confirm, include and obtain debt information specific to legal action initiated through the utilization of:
 - Alberta Personal Property Registry Electronic System (APPRES)
 - Civil and Sheriff Entry System (CASES)
 - Corporate Registry Electronic System (CORES)
- Obtain pertinent information required for the advancement of collection action or to validate data through requests for access to:

- Land Titles Office (LTO)
- Credit bureaus
- Income Support Program
- Vital Statistics (VISTAS)
- The collection paralegal will also use on a daily basis, program databases and ACCESS as well as the internet (search engines, Canada Post, etc.)

6. Other legal and administrative duties as required. As part of the Paralegal Services Team, this position will perform their assigned duties and provide assistance to other members of the team in support of goals established for the program and division. The end result is the efficient and effective delivery of services by the support services team to the program which contributes to the successful achievement of set goals.

Problem Solving

Typical problems solved:

The Fines Enforcement Program (FEP) encompasses three distinct areas of collection, Criminal, Traffic and Bail and is the only program within the province with a mandate to recover these types of debts. The MVAR program recovers funds paid out through the Motor Vehicle Accident Claims (MVAC) Program in accordance with the MVAC Act. Furthermore, these fines, tickets, judgments and forfeitures originate from court locations across Alberta each of which have their own established procedures, preferences and priorities. As such, the preparation and completion of legal documentation and related tasks varies with the type of action requested and often leads to numerous follow-up discussions in particular when actions such as a Garnishee Summons involve multiple debts from the three collection areas, multiple court jurisdictions and multiple enforcement creditors. As a result, the duration and outcome of the Garnishee will vary. In addition, all payments received and disbursed as a result of action initiated by the program must be directed to the appropriate court jurisdiction and frequently lead to new, unique or complex scenarios as debts can be variable based on other collection or court related activities.

As the program continues to evolve, changes to processes and procedures are frequently required to accommodate new collection initiatives and enforcement tools.

The degree of complexity involved in files referred to the paralegal for legal action will depend upon the number of debts included, from which program area they belong, the number of different court jurisdictions covered, the amount of each debt and the number of enforcement creditors. For example, a Garnishee may involve multiple Criminal, Traffic, Bail and Judgment debts from court locations in Calgary, Edmonton and Wetaskiwin with two enforcement creditors. In such cases, the disbursement of monies paid into court on a pro-rata basis may result in a significant number of cheques received over a lengthy period of time which must be meticulously tracked and disbursed to the appropriate court jurisdiction.

The paralegal must demonstrate creativity in their position in a number of ways, including the retrieval of pertinent information from various databases and other sources when fundamental information provided by the courts is limited or incomplete. Also, debtors may have multiple alias names or employment information provided is misspelled, illegible or erroneous.

Types of guidance available for problem solving:

The Recoveries & Legal Administrative Assistant will work with team members. Direction and guidance will be provided by the Supervisor and Management.

Direct or indirect impacts of decisions:

Legal action initiated by the Recoveries & Legal Administrative Assistant, their Supervisors or the program Manager must be executed with accuracy and efficiency to support the successful recovery of debt owed to the province. Performance level will also influence the degree of success in the achievement of targets set as well as team, program and divisional goals.

The accurate and successful execution of all legal documentation and payments is imperative to ensure

external partners such as Court Services (Court of King's Bench, Alberta Court of Justice, etc.) and the Garnishee (place of employment or bank) can properly accomplish their responsibilities in the civil enforcement process. Failure to do so may result in refusal by the courts to file required documentation, payment of monies by the Garnishee or misapplied monies in JOIN. The consequences of which may jeopardize the successful recovery of debt owed to the province. Other external partners impacted by this job include GoA Finance areas with respect to the receipt and recovery of the mandatory administrative fee on Garnishee requests. Also, the proper execution of legal documentation can impact the distribution of monies to other enforcement creditors.

Key Relationships

Major stakeholders and purpose of interactions:

This position has significant contact with:

Collectors, Supervisors and Program Managers:

- to discuss legal action(s) recommended
- to suggest or recommend a course of action through consultation with the assigned Collector
- the implications of: payment arrangements with the debtor, monies received outside the scope of legal action initiated and other enforcement creditors involved in the civil enforcement process
- search results obtained through various sources
- to obtain approval and/or an authorize signature in order to proceed with a specific legal action

Paralegal Admin. Supervisor:

- at Monthly Team Meetings
- to discuss issues or concerns with regard to legal action initiated
- process or procedure changes or issues, both internally and externally (with the Courts)
- present, review and discuss new and/or complex accounts during the civil enforcement process
- precedents

Court Services (Court of King's Bench, Alberta Court of Justice):

- extensive contact with court staff at various levels (Clerk of the Court, Judicial Clerk, Administrator, Supervisor, QB Accountant) to discuss, follow-up or execute filing of legal documents, service of legal documents and the resulting monies paid into court
- to confirm or clarify incomplete debtor or debt information and obtain appropriate documentation
- receive, confirm, notify and/or disburse monies received through civil enforcement or from the debtor to the appropriate court jurisdiction and ensure monies are posted correctly in JOIN

Garnishee (Employer/Bank) and other Enforcement Creditors:

- the Garnishee may represent the debtor's employer, financial institution or other such

sources

- for follow-up on service of documents, employment status and payment remittance obligations
- respond to questions with regard to instructions contained in the Garnishee Summons and re-direct callers to appropriate parties such as the collector, bankruptcy trustee, clerk of the court or QB accounting
- respond to inquiries from other enforcement creditors involved in the civil enforcement process such as the Maintenance Enforcement Program (MEP) and other parties with an interest in civil enforcement action initiated by the Recoveries Program

Debtors and/or their agents (lawyer/bankruptcy trustee, etc.):

- provide information to debtors, their employers, lawyers, bankruptcy trustee or debtor agent as required during the civil enforcement process

Required Education, Experience and Technical Competencies

| Education Level | Focus/Major | 2nd Major/Minor if applicable | Designation |
|----------------------|----------------------|-------------------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |

If other, specify:

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

This position requires:

- A comprehensive knowledge of the legal documentation required in the civil enforcement process and the procedures to be followed when filing these documents with the appropriate court.
- A high level of accuracy and attention to detail when preparing legal documents and processing payments.
- Strong organizational skills
- Knowledge of the Alberta Personal Property Registry Electronic System (APPRES); Accreditation must be obtained in order to access this system
- Knowledge of the Alberta Rules of Court, Civil Enforcement Act, MVAC Act, Consumer Protection Act, Criminal Code of Canada, Traffic Safety Act, Personal Property Security Act, Provincial Offences Procedures Act, Freedom of Information and Protection of Privacy Act, Personal Information Protection Act, Federal Bankruptcy & Insolvency Act
- Excellent keyboarding skills and experience with Word, Excel and Outlook as well as search data bases such as ROADS, ORCA and AHC
- Knowledge of JOIN, CORES and CASES
- The ability to independently research the legal requirements for recommended enforcement actions where no precedent exists for the Recoveries Program
- An understanding of administrative processes involved in a collection environment.
- The ability to communicate in a clear, concise and diplomatic manner when dealing with a diverse group of internal and external partners or stakeholders
- A diploma from an accredited legal assistant program and/or completion of related training/courses or directly related experience

- Familiarity with basic accounting principles and statistics
- Knowledge of basic records management guidelines

Behavioral Competencies

Pick 4-5 representative behavioral competencies and their level.

| Competency | Level | | | | | Level Definition | Examples of how this level best represents the job |
|----------------------------------|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|---|--|
| | A | B | C | D | E | | |
| Creative Problem Solving | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <p>Is open to new ideas and breaks problems down to identify solutions:</p> <ul style="list-style-type: none"> • Breaks down problems into small parts • Constructively questions and challenges the norm • Open to other's perspectives and aware of own • Contributes ideas for improving processes, and adapts existing practice to address problems | |
| Build Collaborative Environments | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <p>Works in an open honest manner with colleagues:</p> <ul style="list-style-type: none"> • Creates sharing opportunities • Actively shares, accepts and listens to others • Recognizes conflict, respects and discusses opinions openly • Supports group even to learn from mistakes • Recognizes differing interpretations | |
| Drive for Results | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <p>Actively sets goals and remains open to advice on reaching them:</p> <ul style="list-style-type: none"> • Sets goals and prioritizes work • Identifies and corrects areas for improvement • Suggests actions; asks for advice when lacking information or multiples priorities • Operates within APS value system | |
| Agility | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <p>Understands need for change and manages own emotions:</p> <ul style="list-style-type: none"> • Uses common sense and past experience to | |

