

DEFENCE LEGAL OFFICE
CAREER AND PROFESSIONAL DEVELOPMENT COMMITTEE
MEETING OF 28 APR 00
COMMITTEE DECISION 11/00

**Subject: Legal Officers' Specialist Career Structure –
Applications for Competency Level (LL) 3 by Legal Officers in the Rank of
CAPT(E) with Prior Legal Experience**

The Committee decided that:

1. For the purposes of this decision the following definitions apply:
 - a. *legal experience* means experience in legal matters as a lawyer admitted to practice in Australia; and
 - b. *paralegal experience* means experience in legal matters as a person not admitted to practice and includes experience as a legal clerk or articled clerk, but does not include time as a student undertaking work experience or a Graduate Diploma of Legal Practice or equivalent course.
2. The Committee will confine its considerations to the granting of competency level (LL) 3 and, where appropriate, the granting of seniority for the purposes of making an application for competency level (LL) 3 in the future.
3. In considering applications for competency level (LL) 3, the Committee will take into account the following factors to the extent applicable:
 - a. the terms of the application made in this regard to the Committee by the Legal Officer concerned;
 - b. whether or not the applicant has successfully passed the Legal Level Two Module (formerly the Legal Officers' Initial Course);
 - c. the post graduate qualifications gained by the Legal Officer;
 - d. the demonstrated legal skills of the Legal Officer;
 - e. the length and nature of the Legal Officer's legal experience as a legal officer in the permanent ADF;
 - f. the length and nature of the Legal Officer's legal or paralegal experience prior to becoming a legal officer in the permanent ADF; and
 - g. the Legal Officer's pay and rank seniority.
4. When considering an application the Committee normally will apply the following guidelines:
 - a. prior legal experience will be credited at the rate of 50%, up to a maximum of three years;
 - b. prior paralegal experience will be credited at a rate of up to 25% depending on the circumstances of each case, including the relevancy and recency of

the experience, up to a maximum of one year;

- c. credit will be given in months and/or years;
- d. the applicant will have successfully completed the Legal Level Two Module (formerly the Legal Officers' Initial Course) before being eligible for competency level (LL)3; and
- e. during the transitional phase Legal Officers will not be disadvantaged by the introduction of the new Specialist Structure and the criteria to be applied in its mature state.

5. When the Committee decides to grant seniority for purposes of making an application for competency level (LL) 3 in the future, its decision will indicate the following:

- a. the credit given for prior legal or paralegal experience;
- b. the date on which the Legal Officer may be eligible for granting of Competency Level (LL) 3;
- c. any prerequisites that must be satisfied by the Legal Officer; and
- d. the date by which the Legal Officer should submit an application for that competency.

G.J. EARLEY

CDRE RAN

Director General Defence Legal Office

Chairman, Career and Professional Development Committee