

DEFENCE LEGAL OFFICE
CAREER AND PROFESSIONAL DEVELOPMENT COMMITTEE
MEETING OF 28 APR 00
COMMITTEE DECISION 12/00

**Subject: Legal Officers' Specialist Career Structure –
Applications for Appointment/Transfer as a Legal Officer with Prior Experience
Suitability, Competency Status and Seniority Recommendations**

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. When it considers applications for appointment or transfer as a legal officer with prior experience it will:
 - a. assess the suitability of the applicant to be appointed a Legal Officer in a particular Service, on the recommendation of the HOC;
 - b. subject to the terms of Defence Force Remuneration Tribunal Determination No.2 of 2000, grant seniority for the purposes of making an application for competency level (LL) 3 in the future or, where appropriate, grant competency level (LL) 3; and
 - c. recommend to the appropriate Career Manager the seniority in pay and rank and the length of appointment that should apply to the applicant.

2. In considering applications the Committee will take into account the following factors to the extent applicable:
 - a. the particulars of the applicant;
 - b. the post graduate qualifications gained by the applicant;
 - c. the demonstrated legal skills of the applicant;
 - d. the length and nature of the applicant's legal or paralegal experience;
 - e. whether or not the applicant has successfully passed the Legal Level Two Module (formerly the Legal Officers' Initial Course);
 - f. the applicant's pay and rank seniority; and
 - g. the applicant's prior service experience.

3. When considering an application the Committee normally will apply the

following guidelines in granting seniority for competency purposes:

- 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; and
- c. credit will be given in months and/or years.

4. When considering an application the Committee normally will apply the following guideline in recommending to the appropriate career manager seniority for pay and rank purposes of the applicant:

- a. seniority should be credited at the rate of one year for each two years of prior legal experience, up to a maximum of three years seniority.

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

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

G.J. EARLEY

CDRE RAN

Director General Defence Legal Office

Chairman, Career and Professional Development Committee