



## Position Details

<b>Title</b>	Executive Director Court and Tribunal Operations
<b>Classification</b>	Senior Executive Service Band 1 (SES 1)
<b>Salary</b>	A suitable remuneration package will be negotiated for successful candidates which will include base salary, Executive Vehicle Allowance and Superannuation of 15.4% of base salary
<b>Job Type</b>	Ongoing, Full-time
<b>Location</b>	Any capital city (depends on the location of the successful applicant)
<b>Position No</b>	TBC
<b>Reports to</b>	National Director Court and Tribunal Services

## Agency Overview

The Federal Court of Australia (the Entity) is a combined Courts Agency established under the *Public Governance, Performance and Accountability Act 2013* (PGPA Act). The Entity has been established as a non-corporate Commonwealth entity under the PGPA Act to manage the operations of the Federal Court of Australia (FCA), Family Court of Australia (FCoA), the Federal Circuit Court of Australia (FCC) and the National Native Title Tribunal (NNTT). The FCA, FCoA and FCC (the federal courts) are Chapter III Courts under the Australian Constitution and continue to operate as individual judicial jurisdictions.

## Position Overview

The Federal Court has successfully implemented a number of important reforms through the National Court Framework (NCF) underpinned by a Digital Court Program (DCP). The DCP informs the operations of all the federal courts and through a well-articulated digital transformation strategy and reform agenda the federal courts are reshaping their registry services so as to operate as a truly national entity.

This role will play a critical part in re-shaping the administrative functions of the Federal, Family and Federal Circuit Courts so as to deliver an effective and highly professional service to all three courts (Shared Services). It will report to the National Director Court and Tribunal Services and work closely with the Executive Directors in Corporate Services, Service Reform, and People Culture and Communications, as well as senior officers within other key areas of the Courts' operations. The role will have a number of direct reports, delivering court services across multiple locations. The position will work collaboratively with others to undertake significant change management as well as line management responsibility particularly relating to the development and delivery of the Shared Services model.

## Key responsibilities

As a key member of the executive team, the role has responsibility for the strategic leadership in the development, improvement and delivery of all facets of administrative services in general federal and family law. In respect of operational responsibilities the role has direct national oversight of the effective delivery of administrative services of the courts. The role includes supervision of managers in all court registries and carries a significant representational and liaison function across a wide range of government and non-government relationships to further the strategic and client service goals of the Courts.

Other key responsibilities include:

- Develop and lead a national registry management team, associated budgets and service standards so as to meet the courts expectations of excellence in court operations
- Provide operational support and advice to the Heads of Jurisdictions, judges and court executives
- Ensure effective use of resources to meet the Court's objectives, with a particular focus on enabling continuous improvement in shared registry services
- Develop and maintain a wide network of internal and external relationships to promote feedback on court services and the development of effective strategic partnerships.
- Be part of senior committees and management teams to develop strategies for change and business improvement.

## Key Relationships

- *National Director, Court and Tribunal Services*: report to, consult and liaise with, and provide high level advice to in relation to the federal courts shared service operations.
- *Executive Director Service Reform*: work collaboratively to build best practice in court administration.
- *Directors Court Services and other leadership roles*: supervise and oversee the effective operation of the courts.
- *Government and non-government stakeholders, legal profession & court users*: liaise with key external stakeholders locally and nationally as necessary to further the strategic and client service goals of the Courts.

## Competencies & Attributes

To undertake this role the successful applicant must have:

- strong leadership skills and exemplary communication, negotiation, interpersonal and relationship building skills in accordance with the Australian Public Service Leadership requirements of senior executives.

- the capacity to develop strong strategic, analytical, change management and project management skills with a focus on achieving exceptional standards in the delivery of judicial support and court services.
- extensive experience managing and implementing change in a complex organisational context
- an understanding of the jurisdiction and practices and procedures of the federal courts, particularly in relation to registry services
- a proven ability to:
  - work autonomously and with the necessary authority and accountability in a senior role;
  - manage multiple responsibilities effectively and prioritise matters appropriately; and
  - build and sustain positive relationships with a network of key stakeholders internally and externally.

## **Formal Qualifications and Experience**

1. Significant senior management experience, which is to include significant operational management responsibility.
2. Proven experience at working across a range of functions and locations with highly developed communication and negotiation skills.

## **Other Requirements**

The ability to be able to travel when required.

## **Selection Criteria – SES**

### **1. Shapes Strategic Thinking**

Relevant capabilities include:

- Inspires a sense of purpose and direction
- Focuses strategically
- Harnesses information and recognises opportunities
- Shows judgement, intelligence and common sense.

### **2. Achieves Results**

Relevant capabilities include:

- Builds organisational capability and responsiveness
- Marshals professional expertise
- Steers and implements change and deals with uncertainty
- Ensures closure and delivers on intended results.

### **3. Exemplifies Personal Drive and Integrity**

Relevant capabilities include:

- Demonstrates public service professionalism and probity
- Engages with risk and shows personal courage
- Commits to action
- Displays resilience
- Demonstrates self-awareness and a commitment to personal development.

4. Cultivates Productive Working Relationships

Relevant capabilities include:

- Nurtures internal and external relationships
- Facilitates cooperation and partnerships
- Values individual differences and diversity
- Guides, mentors and develops people.

5. Communicates with Influence

Relevant capabilities include:

- Communicates clearly
- Listens, understands and adapts to different audiences
- Negotiates persuasively.

## Eligibility

Employment with the Federal Court of Australia is subject to the requirement of the *Public Service Act 1999*. The following requirements also apply:

- Australian citizenship – the successful applicant must be an Australian citizen, unless the Chief Operating Officer waives that requirement.
- National Police Check – the successful applicant must satisfy a Police Records Check, and may also be required to complete security clearances during the course of their employment.
- Health clearance – the successful applicant must be fit for duties and will be required to complete a health declaration and may be required to attend a medical assessment to confirm their fitness for duty.

Interested candidates who have received a redundancy benefit from an Australian Public Service agency are welcome to apply, but note that they cannot be engaged until their redundancy benefit period has expired, unless the Public Service Commissioner agrees.

PD – Executive Director Court and Tribunal Operations  
Revised January 2019



## Position Details

<b>Title</b>	Deputy Principal Registrar and National Family Law Registrar
<b>Division</b>	Family Court and Federal Circuit Court
<b>Section</b>	Registrars
<b>Classification</b>	Senior Executive Service Band 1 (SES B1)
<b>Salary</b>	Salary negotiated based on skills and experience
<b>Job Type</b>	Ongoing, full-time
<b>Location</b>	Any Capital city in Australia
<b>Reports to</b>	Chief Executive Officer and Principal Registrar, Family Court of Australia

## Agency Overview

The Federal Court of Australia (the Entity) is a non-Corporate listed entity for the purposes of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) and a statutory agency for the purposes of the *Public Service Act 1999*. The Entity supports the operations of the Federal Court of Australia (FCA), Family Court of Australia (FCoA), the Federal Circuit Court of Australia (FCC) and the National Native Title Tribunal (NNTT). The FCA, FCoA and FCC are Chapter III Courts under the Australian Constitution and continue to operate as individual judicial jurisdictions.

## Jurisdiction

### *Family Court of Australia*

The Family Court of Australia, through its specialist judges and staff, assists Australians to resolve their most complex legal family disputes. The Family Court is a superior court of record established by Parliament in 1975 under Chapter III of the Constitution.

The purpose of the Court, as Australia's superior court in family law, is to:

- determine cases with the most complex law, facts and parties
- cover specialised areas in family law, and
- provide national coverage as the appellate court in family law matters.

The Court maintains registries in all Australian states and territories except Western Australia.

### *Federal Circuit Court of Australia*

The Federal Circuit Court of Australia was established by the *Federal Circuit Court of Australia Act 1999* as an independent federal court under Chapter III of the Constitution. Prior to 12 April 2013, under the *Federal Magistrates Act 1999*, the Court was known as the Federal Magistrates Court and its

judicial officers as federal magistrates. The Court was established to handle less complex matters in the areas of family law and general federal law.

The Federal Circuit Court sits in all capital cities, selected major regional centres and circuits to a number of regional locations. The Court is a federal court of record and a court of law and equity.

## **Position Overview**

The position of Deputy Principal Registrar and National Family Law Registrar is multi-faceted and will play a critical role within the Courts through a key leadership role in the following areas:

- Undertaking the national management of Registrars, including building a consistent practice, oversight of the nature of their casework and workload and leadership in respect of professional development.
- Liaising with internal and external stakeholders in areas of Registrar practice.
- Engaging with judges to identify critical work to be undertaken by Registrars in support of judges for the effective case management and disposition of proceedings.

## **Major Activities**

The major components of this role include:

- National management and leadership of Family Law Registrars.
- provide high level legal, policy and management advice and support to the Chief Justice of the Family Court of Australia, Chief Judge of the Federal Circuit Court of Australia, CEO and Principal Registrar and staff of the Family Court and Federal Circuit Court, as it relates to the Family Law Jurisdiction, as well as CEO and Principal Registrar of the Federal Court of Australia (the entity).
- provide high level legal, policy and management support to specific Judges' and other Committees.
- manage projects concerning the Family Law jurisdiction, practice and procedure, administration and related matters.
- manage the processes for the Court effectively and efficiently complying with statutory and administrative guidelines such as those concerning privacy and freedom of information.
- respond to enquiries and complaints received by the Courts.
- exercise delegated statutory functions of a Registrar in the Family Law Jurisdiction and perform other legal work in accordance with the relevant law and practice in a manner consistent with the Court's objectives.
- co-ordinate briefings and other responses to support the CEO and Principal Registrar in managing external accountabilities such as Senate Estimates and Questions on Notice.
- assist the CEO and Principal Registrar in building strategic relationships with other stakeholders in the family law system.
- contribute to the Court's Annual Report, including drafting, statistical analysis and collation of information.

The person for this role will have strong leadership skills and possess exemplary communication, negotiation, interpersonal and relationship building skills in accordance with the Australian Public Service Leadership requirements of senior executives.

He/she will have strong strategic, analytical, change management and project management skills with a focus on achieving exceptional standards.

He/she will have substantial management knowledge and significant experience working in a complex courts administration environment with competing demands.

Personally, he/she will be an effective communicator and negotiator.

As this position has national responsibility interstate travel will be required.

## **Key Relationships**

The Deputy Principal Registrar reports to the CEO and Principal Registrar of the Family Court of Australia.

The position involves significant responsibilities in support of judges and judicial processes as well as contributing to reporting on performance including the annual report.

The nature of the work demands a sound knowledge of the unique situation of self-managing courts within the Australian Constitution.

## **Mandatory Qualifications**

- Mandatory qualifications apply and admission as a practitioner, however described, of the High Court of Australia or of the Supreme Court of a State or Territory of Australia is essential. It is also expected that applicants have a minimum of 5 years' post admission experience, in legal practice or related area.
- Successful candidates may be required to exercise limited delegations under section 37A, *Family Law Act 1975* and as necessary powers under section 102 of the *Federal Circuit Court of Australia Act 1999*.

## **Desirable Experience**

- Applicants should possess highly developed organisational, analytical and problem solving and dispute resolution skills and be able to demonstrate experience in and knowledge and understanding of the *Family Law Act 1975*, Rules and Regulations; *Federal Circuit Court of Australia Act 1999*, Rules and Regulations.

## **Selection Criteria**

The capabilities outlined under each of the main headings below are provided to assist prospective candidates to frame their applications against the selection criteria, taking into account the particular capabilities and accountabilities that have been identified for the position.

### **Criterion 1 - Shapes strategic thinking**

#### **Demonstrated ability to:**

- Focus strategically
- Recognise opportunities and harness information and opportunities

- Show judgement, intelligence and common-sense

## **Criterion 2 - Achieves results**

### **Demonstrated ability to:**

- Marshal professional expertise
- Steer and implement change, deal with uncertainty and clarify ambiguities
- Ensure closure and deliver on intended results

## **Criterion 3 - Exemplifies personal drive and integrity**

### **Demonstrated ability to:**

- Display professionalism and probity
- Show personal courage
- Commit to action
- Display resilience
- Be self-aware

## **Criterion 4 - Cultivates productive working relationships**

### **Demonstrated ability to:**

- Nurture internal and external relationships
- Facilitate co-operation and partnerships
- Value differences and diversity

## **Criterion 5 - Communicates with influence**

### **Demonstrated ability to:**

- Communicate clearly
- Listen, understand and adapt to different audiences
- Negotiate persuasively

## **Eligibility**

Employment with the Federal Court of Australia is subject to the requirement of the *Public Service Act 1999*. The following requirements also apply:

- Australian citizenship – the successful applicant must be an Australian citizenship, unless the Chief Operating Officer waives that requirement.
- National Police Check – the successful applicant must satisfy a Police Records Check, and may also be required to complete security clearances during the course of their employment.
- Health clearance – the successful applicant must be fit for duties and will be required to complete a health declaration and may be required to attend a medical assessment to confirm their fitness for duty.



Interested candidates who have received a redundancy benefit from an Australian Public Service agency are welcome to apply, but note that they cannot be engaged until their redundancy benefit period has expired, unless the Public Service Commissioner agrees.

## **How to Apply**

To apply for this position please click on the “apply now” button on the Family Court [website](#)

To be considered you will need to upload a concise expression of interest (2 page/1000 word maximum) detailing how your experience and skills relate to the position description and selection criteria and attach an up to date resume by 11:55pm on 12 March 2019.

For more information contact Louise Anderson on ( [REDACTED] [REDACTED] [REDACTED] ) or email [Louise.Anderson@fedcourt.gov.au](mailto:Louise.Anderson@fedcourt.gov.au)

## SES Role Evaluation Template

Job title: Deputy Principal Registrar and National Family Law Registrar	Evaluation date: 29/11/2018
Agency: Federal Court of Australia	Evaluated by: Matt Asquith, Recruitment Advisor

Primary purpose of the job:

The major components of this role include:

- National management and leadership of Registrars.
- provide high level legal, policy and management advice and support to the Chief Justice of the Family Court of Australia, Chief Judge of the Federal Circuit Court of Australia, CEO and Principal Registrar and staff of the Family Court and Federal Circuit Court, as it relates to the Family Law Jurisdiction, as well as CEO and Principal Registrar of the Federal Court of Australia (the entity).
- provide high level legal, policy and management support to specific Judges' and other Committees.
- manage projects concerning the Family Law jurisdiction, practice and procedure, administration and related matters.
- manage the processes for the Court effectively and efficiently complying with statutory and administrative guidelines such as those concerning privacy and freedom of information.
- respond to enquiries and complaints received by the Courts.
- exercise delegated statutory functions of a Registrar in the Family Law Jurisdiction and perform other legal work in accordance with the relevant law and practice in a manner consistent with the Court's objectives.
- co-ordinate briefings and other responses to support the CEO and Principal Registrar in managing external accountabilities such as Senate Estimates and Questions on Notice.
- assist the CEO and Principal Registrar in building strategic relationships with other stakeholders in the family law system.
- contribute to the Court's Annual Report, including drafting, statistical analysis and collation of information.

The person for this role will have strong leadership skills and possess exemplary communication, negotiation, interpersonal and relationship building skills in accordance with the Australian Public Service Leadership requirements of senior executives.

He/she will have strong strategic, analytical, change management and project management skills with a focus on achieving exceptional standards.

He/she will have substantial management knowledge and significant experience working in a complex courts administration environment with competing demands.

Personally, he/she will be an effective communicator and negotiator.

As this position has national responsibility interstate travel will be required.

Sources of information used:

1. Position Description
2. Discussion with SME
3. Broader understanding of where role fits in the Court.

<b>Factor</b>	<b>Score</b>	<b>Rationale/Evidence</b>
Leadership: Knowledge	8	This role heads up the national management and leadership of registrars in the family law jurisdiction. The role is the SME providing advice to the Chief Judge/Justice and the CEO/s.
Leadership: Accountability	7	This role not only is critical for delivery policy and program outcomes, but it assists with the shaping of the court now and well into the future.
Diversity/Span	7	Using the table provided in the WLS this role manages a number of registrars, and a range of functions that registrar's undertake with some being very complex.
Stakeholder Management	8	This role regularly deals with and provides advice to the most senior internal and external stakeholders. The incumbent will focus on both short and long-term outcomes.
Job context and environment	7	This role is required to work with complex and novel problems and issues that require innovative solutions. A high level of risk management is required to mitigate risks.
Judgement and Independence	7	This role has freedom to determine how to achieve results. The incumbent will have strong strategic, analytical, change management and project management skills with a focus on achieving exceptional standards. Policy review/development and program delivery are vital to this role.
<b>Total score: 44</b>		<b>Band: SES1</b>

Approximate time taken: 1 hour
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**Scoring Key**

SES B1            34 – 44 points

SES B2            45 – 53 points

SES B3            54 – 60 points

**Delegate Approval**

Delegate approval / assignment of approved classification level: ☐

Name:

Job Title:

Signature:

Date:



# FEDERAL COURT OF AUSTRALIA



## Position Details

Title:	Executive Director People, Culture and Communications
Registry:	Principal
Location:	Sydney, NSW
Section:	Corporate Services
Classification:	Senior Executive Service Level 1 (SES Band 1)
Salary (per annum):	\$200,000 plus car allowance of \$22,000 plus superannuation
Job Type:	Ongoing, Full-time
Position Number:	5597
Reports to:	Executive Director Corporate Services

## Agency Overview

The Federal Court of Australia (the Entity) is a combined Courts Agency established under the Public Governance, Performance and Accountability Act 2013 (PGPA Act). The Entity has been established as a non-corporate Commonwealth entity under the PGPA Act to manage the operations of the Federal Court of Australia (FCA), Family Court of Australia (FCoA), the Federal Circuit Court of Australia (FCC) and the National Native Title Tribunal (NNTT). The FCA, FCoA and FCC are Chapter III Courts under the Australian Constitution and continue to operate as individual judicial jurisdictions.

## Overview of the role

The Executive Director People, Culture and Communications will deliver sophisticated human resources and communications leadership and practices. The role will have a key influence in driving a contemporary, entrepreneurial and flexible people agenda. He or she will have a legacy of fostering cultures that are ready to embrace change and will have achieved success with major people transformation agendas and in driving continuous improvement.

The role will directly contribute to the development of short, medium and long-term HR and communications strategies to achieve business outcomes, shape people policy development, manage change and build organisational culture.

The role delivers strategic communications advice and services to support the business, culture and operations of the Courts/Tribunal. The role is a key point of contact and advice on communications issues to the Chief Justices, Chief Judge and Judiciary, NNTT Members, CEO, the Executive and the Courts/Tribunal. The role oversees all policy, protocols and guidelines relating to communication, including the Courts/Tribunal style guide, branding, media handling, social and digital media management and communication processes.

He or she will contribute senior strategic consultative services around Corporate Governance, organisational design and critical professional behaviour.

The role will provide advice to the Executive Director Corporate on legal employment decisions relating to underperformance, code of conduct, recruitment and case management. Representing the Courts/Tribunal at the Fair Work Commission is also a requirement of the role. A key deliverable for the role is the negotiation of a new Enterprise Agreement with staff representatives and the Community and Public Sector Union.

## **Key duties**

The Executive Director People, Culture and Communications is responsible for the strategic and operational delivery of the following core functions:

- People strategy and workforce planning
- Leading and managing a team of specialist staff to effectively deliver communications services
- Enterprise bargaining
- Providing high level strategic advice to the Executive Director Corporate
- Recruitment and selection
- Pay and conditions
- Workplace health and safety
- Pay and conditions
- Performance management
- Learning and development
- Diversity and equity
- Library services
- Judgments
- Information Management

## **Qualifications and experience**

To be a strong contender for this role you will:

- Have broad people and communications management knowledge and skills and advanced professional and public administration expertise
- Academic qualifications in human resource management and/or specialised skills or knowledge can be supplemented by substantial, relevant high level work experience in public sector human resource management
- Have the capacity to deliver Coaching to the leadership team and assist in developing strategies for succession planning
- Have high level strategic thinking skills, a track record in organisational capability building, and leading and managing a high performing team
- Have the ability to engender trust and respect, complemented by sound judgement, intellectual rigor, first class communications skills and an impressive achievement orientation

## **Eligibility**

Employment with the Court is subject to the terms and conditions in the Public Service Act 1999, and the following conditions:

- Australian citizenship – the successful applicant must hold Australian citizenship;

- National Police Check – the successful applicant must satisfy a Police Records Check, and may also be required to complete security clearances during the course of their employment;
- Health clearance – the successful applicant will be required to complete a health declaration and may be required to attend a medical assessment to confirm their fitness for duty.

Interested candidates who have received a redundancy benefit from an APS agency are welcome to apply, but note that they cannot be engaged until their redundancy benefit period has expired.

## **Selection criteria**

The following selection criteria are based on the Australian Public Service Commission's Integrated Leadership System.

### *Shapes Strategic Thinking*

- Inspires a sense of purpose and direction
- Focuses strategically
- Harnesses information and opportunities
- Shows judgement, intelligence and common-sense

### *Achieves Results*

- Builds organisational capability and responsiveness
- Marshals professional expertise
- Steers and implements change and deals with uncertainty
- Ensures closure and delivers on intended results

### *Cultivates Productive Working Relationships*

- Nurtures internal and external relationships
- Facilitates cooperation and partnerships
- Values individual differences and diversity
- Guides, mentors and develops people

### *Exemplifies Personal Drive and Integrity*

- Demonstrates public service professionalism and probity
- Engages with risk and shows personal courage
- Commits to action
- Displays resilience
- Demonstrates self-awareness and a commitment to personal development

### *Communicates with Influence*

- Communicates clearly
- Listens, understands and adapts to audience
- Negotiates persuasively

### *Job Specific*

- Demonstrate skills and experience as they relate to the role, particularly managing and leading a significant corporate function.

## **How to Apply**

To apply for this position please click on the “apply now” button on the Federal Court website.

To be considered you will need to upload a comprehensive **statement of claims against the selection criteria OR A concise expression of interest (2 page maximum)** detailing how your experience and skills relate to the position description and selection criteria and attach an up to date resume **by 11:55PM on DATE.**

For more information contact NAME, TITLE, by email ADDRESS or phone NUMBER.





## Position Details

<b>Title:</b>	National Appeals Registrar
<b>Section:</b>	National Operations Team
<b>Classification:</b>	Senior Executive Service Band 1 (SES 1)
<b>Salary range:</b>	A competitive package will be offered to the successful applicant, depending on the relevant skills, knowledge and experience of the person.
<b>Job Type:</b>	Ongoing; Full-time
<b>Location:</b>	Melbourne, VIC
<b>Reports to:</b>	National Operations Registrar (NOR)

## Organisational Context

The Federal Court of Australia was created by the *Federal Court of Australia Act 1976* (Cth) as a superior court of record and a court of law and equity. Its overarching goal is to contribute to the social and economic development and wellbeing of all Australians by applying and upholding the rule of law. It sits in all capital cities and elsewhere in Australia when necessary. The Court has jurisdiction in relation to almost all civil matters and some summary and indictable criminal matters arising under Australian federal law. The Court is able to hear cases in relation to admiralty, commercial and insolvency (including corporations and bankruptcy), competition, consumer protection, fair work, human rights, intellectual property and native title. It also has the power to review some Federal Government decisions in areas such as social security, immigration and taxation.

The Court also has a substantial and diverse appellate jurisdiction. It hears appeals from decisions of single judges of the Court, from the Federal Circuit Court (FCC) (in general federal law matters) and from other courts and tribunals (including matters 'on appeal' from the Administrative Appeals Tribunal and the Fair Work Commission arising under the Court's original jurisdiction).

## Position Overview

The Court has successfully implemented a number of important reforms through the National Court Framework (NCF). The NCF is a fundamental reform of the Court and the way it operates. The key purpose of the NCF is to reinvigorate the Court's approach to case management by further modernising the Court's operations so that the Court is better placed to meet the demands of litigants and can operate as a truly national and international Court.

Under the NCF, it is critical that the original jurisdiction and appellate arms of the Court work cohesively to ensure that matters (both original jurisdiction and appellate) are allocated, case managed and determined as effectively and efficiently as possible. As part of that aim, the National Operations Registrar (NOR) and the National Operations Team are responsible for the appellate arm of the Court. This national responsibility for the appellate workload of the Court, involves:

- Analysing all Full Court and appellate matters that are filed with the Court.
- Working collaboratively with the Chief Justice, National Appeals Coordinating Judges and Migration Liaison Judges to identify the character of each appeal and provide recommendations regarding case management.

- Directly undertaking a substantial proportion of the case management steps in Full Court and appellate matters, including liaison with litigants and legal representatives.
- Working closely with the Chief Justice, judges and the NOR in respect of the allocation and listing of Full Court and appellate matters during and outside dedicated sitting periods, including dealing with expedited appeals.

The National Appeals Registrar (**NAR**) is a critical role within the reformed structure of the Court and will support the NOR by being primarily responsible for the management and coordination of the Court's Full Court and appellate workload. This includes all Full Court matters, as well as single judge non-migration and migration appeals. In doing so, the NAR will play a key leadership role in the following areas:

- Working collaboratively with the Chief Justice, National Appeals Coordinating Judges, Migration Liaison Judges, the NOR and other registrars regarding the management and coordination of the Court's Full Court and appellate workload.
- Performing delegated judicial functions in relation to the case management of Full Court and appellate matters, including making or overseeing the making of orders.
- Working closely with and managing staff undertaking work in the appellate jurisdiction.
- Liaising with internal and external stakeholders in relation to the Court's appellate workload.

## **Major Activities**

### Management and coordination of the Court's appellate workload

Under the NCF, the management of appeals is characterised by a flexible needs-based case management approach, which focuses on the character of the appeal and sets up a mechanism for the careful overview of an appeal through case management.

The NAR will work directly and collaboratively with the Chief Justice, National Appeals Coordinating Judges, Migration Liaison Judges, NOR, other registrars and other key stakeholders, in relation to the management and coordination of all aspects of the Court's appellate workload in the following areas:

- Undertaking in-depth analyses, reporting and monitoring of the nature of the Court's appellate workload, including analysing important trends in filings and providing recommendations regarding the management of the Court's appellate workload.
- Being a key internal and external point of contact in relation to the management and coordination of the Court's appellate workload.
- Ensuring a nationally consistent approach to the case management and disposition of appellate matters through the application of NCF principles.
- Undertaking in-depth analyses of the legal characteristics of the appellate cases filed in the Court.
- Undertaking, and overseeing the preparation of, case summaries for Full Court and appellate matters for consideration by the Chief Justice and judges, including reviewing case summaries with a view to identifying common legal issues across appeals.
- Undertaking case management support and analysis, including preparing briefing material regarding the nature of the each matter and providing recommendations as to the appropriate case management of Full Court and appellate matters for consideration by the National Appeals Coordinating Judges and the Migration Liaison Judges.

- Directly undertaking or overseeing the case management steps in a substantial number of appeals, including liaison with legal representatives and performing delegated judicial functions by making appropriate orders.
- Consulting with the Chief Justice, judges and the NOR in respect of the allocation and listing of Full Court and appellate matters during and outside dedicated sitting periods, taking into account judicial workload considerations in both the appellate and original jurisdiction.
- Consulting with the Chief Justice, National Appeals Coordinating Judges and the NOR in respect of the management and listing of expedited appeals.
- Liaising with judges about any specific issues arising in relation to their Full Court and appellate caseload.
- Keeping up to date with significant developments in appellate jurisprudence to support judges working in appeals.
- Communicating with staff regarding any special listing arrangements for Full Court and appellate matters and communicating with parties in matters that require special managements or are being held in abeyance pending the outcome of related proceedings.

#### Management of staff working in appeals

The NAR will be responsible for managing, coordinating and supporting staff within the National Operations Team who undertake work in relation to appellate matters. This will involve meeting regularly with staff, providing leadership and training and developing internal staff support material such as training guides for appeals.

#### Policy and Practice

The NAR will work collaboratively with the Deputy National Operations Registrar (**DNOR**) to review and develop the policy and practice for the management of the Court's appellate work. This will involve assisting the DNOR with reviewing the Court's practice documents relating to appeals and assisting with the development of new practice documents following consultation with key internal and external stakeholders.

#### Internal and external liaison

The NAR will liaise with key internal and external stakeholders regarding the Court's appellate workload, including with:

- The Chief Justice and judges of the Court, including National Appeals Coordinating Judges
- NOR, DNOR and other registrars and staff of the Court.
- Relevant Courts, Tribunals and Government Agencies.
- Any relevant User Groups of the Court.
- The legal profession practicing in appeals.

A key component of this liaison is to actively seek feedback from such stakeholders in relation to the Court's appellate workload.

#### Performing delegated judicial functions

The NAR will perform delegated judicial functions in relation to the case management of appeals. In addition, it is envisaged that where appropriate the NAR will perform delegated judicial functions as

performed by other registrars of the Court, such as conducting registrar lists or mediations relevant to appeals.

#### Statutory Role

Perform the statutory duties, powers and functions of a registrar pursuant to the *Federal Court of Australia Act 1976* (Cth) and other relevant legislative instruments, as required.

#### **Key Relationships**

- *Judges*: engage with and support the Chief Justice, National Appeals Coordinating Judges and Migration Liaison Judges in relation to the management and coordination of the Full Court and appellate workload.
- *NOR*: consult and liaise with, and provide high level advice in relation to management and coordination of the Court's appellate workload.
- *DNOR*: work closely with the DNOR to develop policy and practice in relation to the Court's appellate workload.
- *National Operations Team*: manage, coordinate and support staff who undertake work in appeals within the National Operations Team.
- *Director of National Operations*: liaise and consult with the Director of National Operations regarding the management of staff who undertake work in appeals.
- *External*: liaise with key external stakeholders, including representatives of other Courts, Tribunals and Government Agencies and the legal profession regarding Full Court and appellate matters.

#### **Competencies & Attributes**

To undertake this role the successful applicant must have:

- Experience in high level civil litigation (including appellate).
- A thorough understanding of the Court's jurisdiction and appellate-related jurisprudence and practice and procedure.
- Demonstrated background in undertaking high level analytical and legal work and critically evaluating a large volume of information in a high pressure environment.
- A proven ability to:
  - work autonomously to undertake a wide range of complex tasks in a senior managerial role;
  - lead and manage staff with the necessary authority and accountability;
  - manage multiple responsibilities effectively and prioritise matters appropriately; and
  - build and sustain positive relationships with a network of key stakeholders internally and externally.

#### **Formal Qualifications**

This position requires the occupant to perform statutory legal functions, as required, including conducting case management. Therefore, legal qualifications and admission as a practitioner of the High Court and/or the Supreme Court of a State or Territory of Australia is essential.

## **Selection Criteria – SES**

### **1. Shapes Strategic Thinking**

Relevant capabilities include:

- Inspires a sense of purpose and direction
- Focuses strategically
- Harnesses information and recognises opportunities
- Shows judgement, intelligence and common sense.

### **2. Achieves Results**

Relevant capabilities include:

- Builds organisational capability and responsiveness
- Marshals professional expertise
- Steers and implements change and deals with uncertainty
- Ensures closure and delivers on intended results.

### **3. Exemplifies Personal Drive and Integrity**

Relevant capabilities include:

- Demonstrates public service professionalism and probity
- Engages with risk and shows personal courage
- Commits to action
- Displays resilience
- Demonstrates self-awareness and a commitment to personal development.

### **4. Cultivates Productive Working Relationships**

Relevant capabilities include:

- Nurtures internal and external relationships
- Facilitates cooperation and partnerships
- Values individual differences and diversity
- Guides, mentors and develops people.

### **5. Communicates with Influence**

Relevant capabilities include:

- Communicates clearly
- Listens, understands and adapts to different audiences
- Negotiates persuasively.

### **6. Legal Qualifications & Experience**

- Legal qualifications and admission as a practitioner of the High Court and/or the Supreme Court of a State or Territory of Australia is essential.
- Experience in appellate litigation and case management in superior courts of Australia.

### Eligibility

Employment with the Court is subject to the conditions prescribed in the *Public Service Act 1999*, and the following:

1. Australian citizenship – the successful applicant must hold Australian citizenship;
2. Security and character clearance – the successful applicant must satisfy a Police Records Check, and may also be required to complete security clearances during the course of their employment;
3. Health clearance – the successful applicant may be required to complete a health declaration or attend a medical assessment to confirm their fitness for duty.

Interested candidates who have received a redundancy benefit from an APS agency are welcome to apply, but should note that they cannot be engaged until their redundancy benefit period has expired.

### How to Apply

To apply for this position please click on the “apply now” button on the Federal Court website ([www.fedcourt.gov.au](http://www.fedcourt.gov.au))

To be considered you will need to upload a concise **expression of interest** detailing how your experience and skills relate to the position description and selection criteria and attach an up to date resume **by 11:55PM on 20 March 2018**.

For more information please contact Sia Lagos, National Operations Registrar, by email at [Sia.Lagos@fedcourt.gov.au](mailto:Sia.Lagos@fedcourt.gov.au) or phone [REDACTED]



### Position Details

<b>Title:</b>	National Judicial Registrar – Native Title
<b>Classification:</b>	SES Level 1
<b>Salary:</b>	A suitable remuneration package will be negotiated for successful candidates which will include base salary, Executive Vehicle Allowance and Superannuation of 15.4% of base salary
<b>Job Type:</b>	Ongoing, Full-time
<b>Location:</b>	Any capital city (depends on the location of the successful applicant)
<b>Position No:</b>	TBC
<b>Reports to:</b>	Principal Judicial Registrar & National Operations Registrar

### Agency Overview

The Federal Court of Australia (the Entity) is a combined Courts Agency established under the Public Governance, Performance and Accountability Act 2013 (PGPA Act). The Entity has been established as a non-corporate Commonwealth entity under the PGPA Act to manage the operations of the Federal Court of Australia (FCA), Family Court of Australia (FCoA), the Federal Circuit Court of Australia (FCC) and the National Native Title Tribunal (NNTT). The FCA, FCoA and FCC are Chapter III Courts under the Australian Constitution and continue to operate as individual judicial jurisdictions.

### Organisational Context

The Federal Court of Australia (FCA) was created by the *Federal Court of Australia Act 1976* (Cth) as a superior court of record and a court of law and equity. Its overarching goal is to contribute to the social and economic development and wellbeing of all Australians by applying and upholding the rule of law. It sits in all capital cities and elsewhere in Australia when necessary. The Court has jurisdiction in relation to almost all civil matters and some summary and indictable criminal matters arising under Australian federal law. The Court is able to hear cases in relation to admiralty, commercial and insolvency (including corporations and bankruptcy), competition, consumer protection, Fair Work, human rights, intellectual property and native title. It also has the power to review some Federal Government decisions in areas such as social security, immigration and taxation.

Under the *Native Title Act 1993* (Cth), the Federal Court is responsible for the management and determination of all applications relating to native title in Australia. Native title describes the recognition by the Australian legal system of rights and interests of Aboriginal and Torres Strait Islander peoples to land and waters according to their traditional laws and customs. The Court is responsible for managing all aspects of native title cases and has wide powers in relation to native title cases. All applications for a determination of native title must be filed with the Court. The Native Title National Practice Area (NPA) includes applications relating to:



- native title claims, including determinations, revised native title determination applications, compensation applications, claim registration applications, applications to remove agreements from the Register of Indigenous Land Use Agreements and applications about the transfer of records;
- reviews or appeals from decisions of the NNTT;
- matters arising under or in relation to any Indigenous Land Use Agreement or other agreement made under the Native Title Act or concerning a Prescribed Body Corporate (which holds or manages native title under the Act).

The Court manages and organises its native title case work through a national set of arrangements, which includes management of the Native Title NPA by National Native Title Coordinating Judges and the arrangement of native title work within a number of geographic regions across Australia.

## Position Overview

The Court has successfully implemented a number of important reforms through the National Court Framework (NCF). The NCF is a fundamental reform of the Court and the way it operates. The key purpose of the NCF is to reinvigorate the Court's approach to case management by further modernising the Court's operations so that the Court is better placed to meet the demands of litigants and can operate as a truly national and international Court. The NCF reforms have focused on matters relevant to the work undertaken by the judges of the Court, including the allocation of case work to judges on a national basis, the organisation and management of the Court's work nationally through the introduction of nine NPAs, the introduction of a national duty system and the reform of the Court's practice and procedure through the introduction of a suite of new practice notes, including the Central Practice Note. The Court is now extending the NCF (and its core principles) to other broader and related areas of judicial and registrar work across both the FCA and the FCC (general federal law), in its aim to ensure an efficient, effective and nationally consistent approach to the allocation and management of that work and to create opportunities for the advancement and career development of Judicial Registrars.

Judicial Registrars are registrars of the FCA and FCC and undertake a diverse range of work. In the FCA, Judicial Registrars undertake work across all nine NPAs and sub-areas, primarily by conducting mediations, as well case management support, such as conducting conferences of experts. They also carry out delegated judicial functions in the area of corporations law, presiding in Court over winding up and other corporations insolvency cases.

The Principal Judicial Registrar & National Operations Registrar (PJR) and the National Operations Team are responsible for ensuring the proper implementation of the NCF and its ongoing functions. More particularly, the National Operations Team has a number of key responsibilities as part of the implementation and operations of the NCF, including:

- assisting with the design and coherent operation of the NCF (across first instance and appellate work);
- the national allocation, management and workload analysis of all judicial and registrar general federal law work; and
- judicial support, including mediation and high level case management support.

The National Judicial Registrar – Native Title (NJR) will play an important role within the reformed structure of the Court, both locally and nationally, including in the following areas:



- performing delegated judicial functions at a high level, including conducting complex mediations and case management in native title cases;
- engaging with and supporting Native Title NPA Judges at a local and national level;
- carrying out a key advisory role within the Court in the area of native title generally;
- supporting National Native Title NPA Coordinating Judges with their management of the Native Title NPA; and
- liaising with internal and external stakeholders in relation to native title, on a local and national basis.

## Major Activities

### Performing delegated judicial functions

The NJR will perform delegated judicial functions at a high level, including:

- conducting high level and complex mediations in native title in support of judges;
- carrying out high level and complex case management support for judges in native title, such as expert witness conferences;
- carrying out delegated judicial functions by way of presiding over case management conferences in native title cases; and
- carrying out other judicial registrar practice, including duty registrar practice, for native title matters.

In addition, the NJR may also perform similar delegated judicial functions in other NPAs, as required.

### Engaging with judges collaboratively

The NJR will engage with Native Title Judges to identify and undertake critical work in support of judges for the effective case management and disposition of native title proceedings. This will involve meeting with judges on a regular basis and understanding the character and complexity of native title cases in the dockets of judges.

The NJR will also undertake additional national roles and responsibilities, including supporting the National Coordinating Native Title NPA Judges with their management of the Native Title NPA and supporting regional case management and NPA judges as needed. This will involve supporting judges with the development of coherent and consistent practice and procedure in the NPA, the analysis of workload in the NPA, assisting with judicial education for judges and registrars in the NPA and liaison with, and education of, the profession in the NPA.

### National native title leadership role

The NJR will also play a key advisory role within the Court in the area of native title generally. As part of that role, the NJR will perform an important and leading role in the area of native title within the Court at a local, regional and national level, providing mentoring and support to other native title registrars where needed. In addition, the NJR may be required to play a key leadership and mentoring role with the legal support staff that provide support to other Judicial Registrars in native title.

### Internal and external liaison

The NJR will liaise with key internal and external stakeholders in the area of native title practice, including with:

- the Chief Justice and National Native Title Coordinating Judges;
- the PJR, Deputy PJR and other Judicial Registrars and Court staff;
- the National Native Title Tribunal and relevant government agencies;
- any relevant User Group of the Court; and
- State and Federal Law Societies and Bar Associations.

### Statutory Role

The NJR will perform statutory duties, powers and functions of a registrar pursuant to the *Federal Court of Australia Act 1976* (Cth) and other legislative instruments, as required.

### **Key Relationships**

- *The Chief Justice, National Native Title Coordinating Judges and Native Title NPA Judges:* engage with judges collaboratively to identify and perform critical work in support of judges. In addition, support National Native Title NPA Coordinating Judges in their management of the Native Title NPA.
- *PJR / Senior National Judicial Registrar:* consult and liaise with, and provide high level advice to in relation to Native Title NPA workload.
- *Deputy PJR:* work with the Deputy PJR to develop practice and procedure relevant to native title practice consistent with NCF principles.
- *Judicial Registrars – Native Title:* assist in supporting and mentoring Judicial Registrars, on a local and national basis.
- *Legal profession & Court users:* liaise with key external stakeholders locally and nationally in areas of native title practice.

### **Competencies & Attributes**

To undertake this role the successful applicant must have:

- extensive specialist experience in native title practice;
- a thorough understanding of how high level case management and complex mediations are undertaken in native title matters and generally;
- a detailed understanding of the jurisdiction and practices and procedures of the Federal Court, particularly in relation to native title matters;
- a proven ability to:
  - work autonomously and with the necessary authority and accountability in a senior role;
  - manage multiple responsibilities effectively and prioritise matters appropriately; and
  - build and sustain positive relationships with a network of key stakeholders internally and externally.

## Formal Qualifications

This position requires the occupant to perform statutory legal functions, as required, including conducting mediations and case management. Therefore, legal qualifications and admission as a practitioner of the High Court and/or the Supreme Court of a State or Territory of Australia is essential. The applicant must also have an extensive experience in native title practice (including exposure to high level case management). In addition, it is desirable for the applicant to be accredited as a mediator with experience in conducting mediations.

## Special Requirements

NIL

## Selection Criteria – SES

### 1. Shapes Strategic Thinking

Relevant capabilities include:

- Inspires a sense of purpose and direction
- Focuses strategically
- Harnesses information and recognises opportunities
- Shows judgement, intelligence and common sense.

### 2. Achieves Results

Relevant capabilities include:

- Builds organisational capability and responsiveness
- Marshals professional expertise
- Steers and implements change and deals with uncertainty
- Ensures closure and delivers on intended results.

### 3. Exemplifies Personal Drive and Integrity

Relevant capabilities include:

- Demonstrates public service professionalism and probity
- Engages with risk and shows personal courage
- Commits to action
- Displays resilience
- Demonstrates self-awareness and a commitment to personal development.

### 4. Cultivates Productive Working Relationships

Relevant capabilities include:

- Nurtures internal and external relationships
- Facilitates cooperation and partnerships
- Values individual differences and diversity
- Guides, mentors and develops people.

5. Communicates with Influence

Relevant capabilities include:

- Communicates clearly
- Listens, understands and adapts to different audiences
- Negotiates persuasively.

6. Legal Qualifications & Litigation Experience

- Legal qualifications and admission as a practitioner of the High Court and/or the Supreme Court of a State or Territory of Australia is essential.
- High level experience in litigation and case management in superior courts of Australia.
- Accredited as a mediator with experience in conducting mediations, is highly desirable.

## Eligibility

Employment with the Court is subject to the conditions prescribed in the *Public Service Act 1999*, specifically:

- Australian citizenship – the successful applicant must hold Australian citizenship;
- Security and character clearance – the successful applicant must satisfy a Police Records Check, and may also be required to complete security clearances during the course of their employment;
- Health clearance – the successful applicant may be required to complete a health declaration or attend a medical assessment to confirm their fitness for duty.

Interested candidates who have received a redundancy benefit from an APS agency are welcome to apply, but should note that they cannot be engaged until their redundancy benefit period has expired.



## Position Details

<b>Title:</b>	National Judicial Registrar & District Registrar
<b>Classification:</b>	Senior Executive Service Band 1 (SES 1)
<b>Salary:</b>	A suitable remuneration package will be negotiated for successful candidates which will include base salary, Executive Vehicle Allowance and Superannuation of 15.4% of base salary
<b>Job Type:</b>	Ongoing, Full-time
<b>Locations:</b>	3 positions total. One based in Perth, Brisbane and Melbourne.
<b>Position No:</b>	TBC
<b>Reports to:</b>	Principal Judicial Registrar & National Operations Registrar

## Agency Overview

The Federal Court of Australia (the Entity) is a combined Courts Agency established under the Public Governance, Performance and Accountability Act 2013 (PGPA Act). The Entity has been established as a non-corporate Commonwealth entity under the PGPA Act to manage the operations of the Federal Court of Australia (FCA), Family Court of Australia (FCoA), the Federal Circuit Court of Australia (FCC) and the National Native Title Tribunal (NNTT). The FCA, FCoA and FCC are Chapter III Courts under the Australian Constitution and continue to operate as individual judicial jurisdictions.

## Court Jurisdiction

The Federal Court of Australia was created by the *Federal Court of Australia Act 1976* (Cth) as a superior court of record and a court of law and equity. Its overarching goal is to contribute to the social and economic development and wellbeing of all Australians by applying and upholding the rule of law. It sits in all capital cities and elsewhere in Australia when necessary. The Court has jurisdiction in relation to almost all civil matters and some summary and indictable criminal matters arising under Australian federal law. The Court is able to hear cases in relation to admiralty, bankruptcy, competition, consumer protection, corporations, fair work, human rights, intellectual property and native title. It also has the power to review some Federal Government decisions in areas such as social security, immigration and taxation.

## Position Overview

The Court has successfully implemented a number of important reforms through the National Court Framework (NCF). The NCF is a fundamental reform of the Court and the way it operates. The key purpose of the NCF is to reinvigorate the Court's approach to case management by further modernising the Court's operations so that the Court is better placed to meet the demands of litigants and can operate as a truly national and international Court. The NCF reforms have focused on matters relevant to the work undertaken by the judges of the Court, including the allocation of



case work to judges on a national basis, the organisation and management of the Court's work nationally through the introduction of nine National Practice Areas (**NPA**s), the introduction of a national duty system and the reform of the Court's practice and procedure through the introduction of a suite of new practice notes, including the Central Practice Note. The Court is now extending the NCF (and its core principles) to other broader and related areas of judicial and registrar work across both the FCA and the Federal Circuit Court (**FCC**) (general federal law), in its aim to ensure an efficient, effective and nationally consistent approach to the allocation and management of that work and to create opportunities for the advancement and career development of Judicial Registrars.

Judicial Registrars are registrars of the FCA and FCC and undertake a diverse range of work. In the FCA, Judicial Registrars undertake work across all nine NPAs and sub-areas, primarily by conducting mediations, as well case management support, such as conducting expert conferences. They also carry out delegated judicial functions in the area of corporations law, presiding in Court over winding up and other corporations insolvency cases. In the FCC, Judicial Registrars undertake similar work, including conducting mediations and presiding in Court over bankruptcy and migration cases. In addition, some Judicial Registrars have separate appointments requiring them to undertake specific work with various Courts or Tribunals such as the Registrar of the Australian Competition Tribunal and the Supreme Court of Norfolk Island.

The Principal Judicial Registrar & National Operations Registrar (**PJR**) and the National Operations Team are responsible for ensuring the proper implementation of the NCF and its ongoing functions. More particularly, the National Operations Team has a number of key responsibilities as part of the implementation and operations of the NCF, including:

- assisting with the design and coherent operation of the NCF (across first instance and appellate work);
- the national allocation, management and workload analysis of all judicial and registrar general federal law work; and
- judicial support, including mediation and high level case management support.

The National Judicial Registrar & District Registrar (**NJR**) is a multi-faceted position and will play a critical role within the reformed structure of the Court, both locally and nationally, including in the following areas:

- performing delegated judicial functions at a high level, including conducting complex mediations and case management;
- engaging with judges collaboratively at a local and national level to identify and perform critical work in support of judges for the effective case management and disposition of proceedings;
- performing a leadership role for Judicial Registrars and legal support staff at a local and national level;
- supporting National Coordinating judges with the management of NPAs; and
- liaising with internal and external stakeholders in areas of Judicial Registrar practice, on a local and national basis.

In the respective registry, the NJR will undertake the statutory responsibilities and functions, in particular the leadership role, of the “District Registrar” pursuant to the *Federal Court of Australia Act 1976* (Cth).

## **Major Activities**

### Performing delegated judicial functions

The NJR will perform delegated judicial functions at a high level, including:

- conducting high level and complex mediations, including in large, multi-party or cross-registry proceedings, class actions and in high profile matters in support of judges;
- carrying out high level and complex case management support for judges, such as expert witness conferences and case management;
- carrying out delegated judicial functions by way of presiding over Court hearings in the area of corporations, bankruptcy and migration law and return of subpoenas; and
- carrying out other judicial registrar practice, including substituted service applications, costs and duty registrar practice.

### Engaging with judges collaboratively

The NJR will engage with judges to identify and undertake critical work in support of judges for the effective case management and disposition of proceedings. This will involve meeting with judges on a regular basis and understanding the character and complexity of cases in the dockets of judges, in particular judges based locally.

The NJR may also undertake additional national roles and responsibilities, including supporting National Coordinating Judges with the management of NPAs. This will involve supporting the judge with the development of coherent and consistent practice and procedure in the NPA, analyses of workload in the NPA, judicial education for judges in the NPA and liaison with, and education of, the profession in the NPA.

### Local leadership role – Judicial Registrars

The NJR will play a key leadership role in support of Judicial Registrars and the work that they undertake, particularly on a local basis, including:

- Providing advice and assistance in relation to the allocation and reallocation of Judicial Registrar work and the nature of Judicial Registrar practice and workload
- Assist in supporting and mentoring Judicial Registrars.
- Ensuring that appropriate legal and administrative support is provided to local Judicial Registrars so that they can carry out their work effectively.
- Assisting with the development of practice and procedure in all areas of Judicial Registrar practice.

In addition, the NJR will play a key leadership and mentoring role with the legal support staff that provide support to Judicial Registrars.

### Internal and external liaison

The NJR will liaise with key internal and external stakeholders in areas of Judicial Registrar practice, including with:

- the Chief Justice and National Coordinating judges;
- the PJR, Deputy PJR and other Judicial Registrars and Court staff;
- relevant Courts, Tribunals and other government agencies;
- any relevant User Groups of the Court; and
- State and Federal Law Societies and Bar Associations.

The NJR will play a key local role in liaison with the legal profession. A key component of this liaison is to actively seek feedback from local stakeholders in relation to areas of Judicial Registrar practice.

### Statutory Role

The NJR will perform statutory duties, powers and functions of a registrar pursuant to the *Federal Court of Australia Act 1976* (Cth) and other legislative instruments, as required.

## **Key Relationships**

- *Judges*: engage with judges collaboratively to identify and perform critical work in support of judges. In addition, support National Coordinating Judges in the management of NPAs.
- *PJR/Senior National Judicial Registrar*: consult and liaise with, and provide high level advice to in relation to all areas of Judicial Registrar practice and workload.
- *Deputy PJR*: work with the Deputy PJR to develop practice and procedure relevant to Judicial Registrar practice consistent with NCF principles.
- *Judicial Registrars*: assist in supporting and mentoring Judicial Registrars, in particular on a local basis.
- *Legal profession & Court users*: liaise with key external stakeholders locally in areas of Judicial Registrar practice.

## **Competencies & Attributes**

To undertake this role the successful applicant must have:

- extensive experience in high level civil litigation;
- a thorough understanding of how high level case management and complex mediations are undertaken;
- a detailed understanding of the jurisdiction and practices and procedures of the Federal Court and the FCC;
- a proven ability to:
  - work autonomously and with the necessary authority and accountability in a senior role;
  - manage multiple responsibilities effectively and prioritise matters appropriately; and
  - build and sustain positive relationships with a network of key stakeholders internally and externally.



## Formal Qualifications

This position requires the occupant to perform statutory legal functions, as required, including conducting mediations and case management. Therefore, legal qualifications and admission as a practitioner of the High Court and/or the Supreme Court of a State or Territory of Australia is essential.

In addition, it is desirable for the applicant to:

- have an extensive experience in civil litigation (including exposure to high level case management) in superior courts of Australia; and
- be accredited as a mediator with experience in conducting mediations.

## Selection Criteria

### 1. Shapes Strategic Thinking

Relevant capabilities include:

- Inspires a sense of purpose and direction
- Focuses strategically
- Harnesses information and recognises opportunities
- Shows judgement, intelligence and common sense.

### 2. Achieves Results

Relevant capabilities include:

- Builds organisational capability and responsiveness
- Marshals professional expertise
- Steers and implements change and deals with uncertainty
- Ensures closure and delivers on intended results.

### 3. Exemplifies Personal Drive and Integrity

Relevant capabilities include:

- Demonstrates public service professionalism and probity
- Engages with risk and shows personal courage
- Commits to action
- Displays resilience
- Demonstrates self-awareness and a commitment to personal development.

### 4. Cultivates Productive Working Relationships

Relevant capabilities include:

- Nurtures internal and external relationships
- Facilitates cooperation and partnerships
- Values individual differences and diversity

- Guides, mentors and develops people.
5. Communicates with Influence  
Relevant capabilities include:
- Communicates clearly
  - Listens, understands and adapts to different audiences
  - Negotiates persuasively.
6. Legal Qualifications & Litigation Experience
- Legal qualifications and admission as a practitioner of the High Court and/or the Supreme Court of a State or Territory of Australia is essential.
  - High level experience in litigation and case management in superior courts of Australia.
  - Accredited as a mediator with experience in conducting mediations, is highly desirable.

## **Eligibility**

Employment with the Court is subject to the terms and conditions in the Public Service Act 1999, and the following conditions:

- Australian citizenship – the successful applicant must hold Australian citizenship;
- National Police Check – the successful applicant must satisfy a Police Records Check, and may also be required to complete security clearances during the course of their employment;
- Health clearance – the successful applicant will be required to complete a health declaration and may be required to attend a medical assessment to confirm their fitness for duty.

Interested candidates who have received a redundancy benefit from an APS agency are welcome to apply, but note that they cannot be engaged until their redundancy benefit period has expired.

## **How to Apply**

To apply for this position please click on the “apply now” button on the Federal Court website ([www.fedcourt.gov.au](http://www.fedcourt.gov.au))

To be considered you will need to upload a concise expression of interest (2 page/1000 word maximum) detailing how your experience and skills relate to the position description and selection criteria, and attach an up to date resume **by 11:55PM on 21 May 2018.**

For more information contact Matt Asquith, Recruitment Advisor on [REDACTED]



## Position Details

<b>Title:</b>	National Judicial Registrar
<b>Classification:</b>	Senior Executive Service Band 1 (SES 1)
<b>Salary:</b>	A suitable remuneration package will be negotiated for successful candidates which will include base salary, Executive Vehicle Allowance and Superannuation of 15.4% of base salary
<b>Job Type:</b>	Ongoing, Full-time
<b>Location:</b>	NSW
<b>Position No:</b>	TBC
<b>Reports to:</b>	Principal Judicial Registrar & National Operations Registrar

## Agency Overview

The Federal Court of Australia (the Entity) is a combined Courts Agency established under the Public Governance, Performance and Accountability Act 2013 (PGPA Act). The Entity has been established as a non-corporate Commonwealth entity under the PGPA Act to manage the operations of the Federal Court of Australia (FCA), Family Court of Australia (FCoA), the Federal Circuit Court of Australia (FCC) and the National Native Title Tribunal (NNTT). The FCA, FCoA and FCC are Chapter III Courts under the Australian Constitution and continue to operate as individual judicial jurisdictions.

## Court Jurisdiction

The Federal Court of Australia was created by the *Federal Court of Australia Act 1976* (Cth) as a superior court of record and a court of law and equity. Its overarching goal is to contribute to the social and economic development and wellbeing of all Australians by applying and upholding the rule of law. It sits in all capital cities and elsewhere in Australia when necessary. The Court has jurisdiction in relation to almost all civil matters and some summary and indictable criminal matters arising under Australian federal law. The Court is able to hear cases in relation to admiralty, bankruptcy, competition, consumer protection, corporations, fair work, human rights, intellectual property and native title. It also has the power to review some Federal Government decisions in areas such as social security, immigration and taxation.

## Position Overview

The Court has successfully implemented a number of important reforms through the National Court Framework (NCF). The NCF is a fundamental reform of the Court and the way it operates. The key purpose of the NCF is to reinvigorate the Court's approach to case management by further modernising the Court's operations so that the Court is better placed to meet the demands of litigants and can operate as a truly national and international Court. The NCF reforms have focused on matters relevant to the work undertaken by the judges of the Court, including the allocation of

case work to judges on a national basis, the organisation and management of the Court's work nationally through the introduction of nine National Practice Areas (**NPA**s), the introduction of a national duty system and the reform of the Court's practice and procedure through the introduction of a suite of new practice notes, including the Central Practice Note. The Court is now extending the NCF (and its core principles) to other broader and related areas of judicial and registrar work across both the FCA and the Federal Circuit Court (**FCC**) (general federal law), in its aim to ensure an efficient, effective and nationally consistent approach to the allocation and management of that work and to create opportunities for the advancement and career development of Judicial Registrars.

Judicial Registrars are registrars of the FCA and FCC and undertake a diverse range of work. In the FCA, Judicial Registrars undertake work across all nine NPAs and sub-areas, primarily by conducting mediations, as well case management support, such as conducting expert conferences. They also carry out delegated judicial functions in the area of corporations law, presiding in Court over winding up and other corporations insolvency cases. In the FCC, Judicial Registrars undertake similar work, including conducting mediations and presiding in Court over bankruptcy and migration cases. In addition, some Judicial Registrars have separate appointments requiring them to undertake specific work with various Courts or Tribunals such as the Registrar of the Australian Competition Tribunal and the Supreme Court of Norfolk Island.

The Principal Judicial Registrar & National Operations Registrar (**PJR**) and the National Operations Team are responsible for ensuring the proper implementation of the NCF and its ongoing functions. More particularly, the National Operations Team has a number of key responsibilities as part of the implementation and operations of the NCF, including:

- assisting with the design and coherent operation of the NCF (across first instance and appellate work);
- the national allocation, management and workload analysis of all judicial and registrar general federal law work; and
- judicial support, including mediation and high level case management support.

The National Judicial Registrar (**NJR**) is a multi-faceted position and will play a critical role within the reformed structure of the Court, both locally and nationally, including in the following areas:

- performing delegated judicial functions at a high level, including conducting complex mediations and case management;
- engaging with judges collaboratively at a local and national level to identify and perform critical work in support of judges for the effective case management and disposition of proceedings;
- performing a leadership role for Judicial Registrars and legal support staff at a local and national level;
- supporting National Coordinating judges with the management of NPAs; and
- liaising with internal and external stakeholders in areas of Judicial Registrar practice, on a local and national basis.

## Major Activities

### Performing delegated judicial functions

The NJR will perform delegated judicial functions at a high level, including:

- conducting high level and complex mediations, including in large, multi-party or cross-registry proceedings, class actions and in high profile matters in support of judges;
- carrying out high level and complex case management support for judges, such as expert witness conferences and case management;
- carrying out delegated judicial functions by way of presiding over Court hearings in the area of corporations, bankruptcy and migration law and return of subpoenas; and
- carrying out other judicial registrar practice, including substituted service applications, costs and duty registrar practice.

### Engaging with judges collaboratively

The NJR will engage with judges to identify and undertake critical work in support of judges for the effective case management and disposition of proceedings. This will involve meeting with judges on a regular basis and understanding the character and complexity of cases in the dockets of judges, in particular judges based locally.

The NJR may also undertake additional national roles and responsibilities, including supporting National Coordinating Judges with the management of NPAs. This will involve supporting the judge with the development of coherent and consistent practice and procedure in the NPA, analyses of workload in the NPA, judicial education for judges in the NPA and liaison with, and education of, the profession in the NPA.

### Local leadership role – Judicial Registrars

The NJR will play a key leadership role in support of Judicial Registrars and the work that they undertake including:

- Assisting with the development of practice and procedure in all areas of Judicial Registrar practice.
- Assist in supporting and mentoring Judicial Registrars.
- Providing advice and assistance in relation to the allocation and reallocation of Judicial Registrar work and the nature of Judicial Registrar practice and workload

In addition, the NJR will play a key leadership and mentoring role with the legal support staff that provide support to Judicial Registrars.

### Internal and external liaison

The NJR will liaise with key internal and external stakeholders in areas of Judicial Registrar practice, including with:

- the Chief Justice and National Coordinating judges;
- the PJR, Deputy PJR and other Judicial Registrars and Court staff;
- relevant Courts, Tribunals and other government agencies;

- any relevant User Groups of the Court; and
- State and Federal Law Societies and Bar Associations.

The NJR will play a key local role in liaison with the legal profession. A key component of this liaison is to actively seek feedback from local stakeholders in relation to areas of Judicial Registrar practice.

### Statutory Role

The NJR will perform statutory duties, powers and functions of a registrar pursuant to the *Federal Court of Australia Act 1976* (Cth) and other legislative instruments, as required.

## **Key Relationships**

- *Judges*: engage with judges collaboratively to identify and perform critical work in support of judges. In addition, support National Coordinating Judges in the management of NPAs.
- *PJR/Senior National Judicial Registrar*: consult and liaise with, and provide high level advice to in relation to all areas of Judicial Registrar practice and workload.
- *Deputy PJR*: work with the Deputy PJR to develop practice and procedure relevant to Judicial Registrar practice consistent with NCF principles.
- *Judicial Registrars*: assist in supporting and mentoring Judicial Registrars, in particular on a local basis.
- *Legal profession & Court users*: liaise with key external stakeholders locally in areas of Judicial Registrar practice.

## **Competencies & Attributes**

To undertake this role the successful applicant must have:

- extensive experience in high level civil litigation;
- a thorough understanding of how high level case management and complex mediations are undertaken;
- a detailed understanding of the jurisdiction and practices and procedures of the Federal Court and the FCC;
- a proven ability to:
  - work autonomously and with the necessary authority and accountability in a senior role;
  - manage multiple responsibilities effectively and prioritise matters appropriately; and
  - build and sustain positive relationships with a network of key stakeholders internally and externally.

## **Formal Qualifications**

This position requires the occupant to perform statutory legal functions, as required, including conducting mediations and case management. Therefore, legal qualifications and admission as a practitioner of the High Court and/or the Supreme Court of a State or Territory of Australia is essential.

In addition, it is desirable for the applicant to:

- have an extensive experience in civil litigation (including exposure to high level case management) in superior courts of Australia; and
- be accredited as a mediator with experience in conducting mediations.

## **Selection Criteria**

### **1. Shapes Strategic Thinking**

Relevant capabilities include:

- Inspires a sense of purpose and direction
- Focuses strategically
- Harnesses information and recognises opportunities
- Shows judgement, intelligence and common sense.

### **2. Achieves Results**

Relevant capabilities include:

- Builds organisational capability and responsiveness
- Marshals professional expertise
- Steers and implements change and deals with uncertainty
- Ensures closure and delivers on intended results.

### **3. Exemplifies Personal Drive and Integrity**

Relevant capabilities include:

- Demonstrates public service professionalism and probity
- Engages with risk and shows personal courage
- Commits to action
- Displays resilience
- Demonstrates self-awareness and a commitment to personal development.

### **4. Cultivates Productive Working Relationships**

Relevant capabilities include:

- Nurtures internal and external relationships
- Facilitates cooperation and partnerships
- Values individual differences and diversity
- Guides, mentors and develops people.

### **5. Communicates with Influence**

Relevant capabilities include:

- Communicates clearly
- Listens, understands and adapts to different audiences

- Negotiates persuasively.

#### 6. Legal Qualifications & Litigation Experience

- Legal qualifications and admission as a practitioner of the High Court and/or the Supreme Court of a State or Territory of Australia is essential.
- High level experience in litigation and case management in superior courts of Australia.
- Accredited as a mediator with experience in conducting mediations, is highly desirable.

### **Eligibility**

Employment with the Court is subject to the terms and conditions in the Public Service Act 1999, and the following conditions:

- Australian citizenship – the successful applicant must hold Australian citizenship;
- National Police Check – the successful applicant must satisfy a Police Records Check, and may also be required to complete security clearances during the course of their employment;
- Health clearance – the successful applicant will be required to complete a health declaration and may be required to attend a medical assessment to confirm their fitness for duty.

Interested candidates who have received a redundancy benefit from an APS agency are welcome to apply, but note that they cannot be engaged until their redundancy benefit period has expired.

### **How to Apply**

To apply for this position please click on the “apply now” button on the Federal Court website ([www.fedcourt.gov.au](http://www.fedcourt.gov.au))

To be considered you will need to upload a concise expression of interest (2 page/1000 word maximum) detailing how your experience and skills relate to the position description and selection criteria, and attach an up to date resume **by 11:55PM on 21 May 2018.**

For more information contact Matt Asquith, Recruitment Advisor on [REDACTED]





## Position Details

<b>Title:</b>	Deputy National Operations Registrar
<b>Section:</b>	National Operations Team
<b>Classification:</b>	Senior Executive Service band 2 (SES 2)
<b>Salary:</b>	A competitive package will be offered to the successful applicant, depending on the relevant skills, knowledge and experience of the person.
<b>Job Type:</b>	Ongoing; Full-time
<b>Location:</b>	Melbourne, Victoria
<b>Reports to:</b>	National Operations Registrar

## Organisational Context

The Federal Court of Australia (FCA) was created by the *Federal Court of Australia Act 1976* (Cth) as a superior court of record and a court of law and equity. Its overarching goal is to contribute to the social and economic development and wellbeing of all Australians by applying and upholding the rule of law. It sits in all capital cities and elsewhere in Australia when necessary. The Court has jurisdiction in relation to almost all civil matters and some summary and indictable criminal matters arising under Australian federal law. The Court is able to hear cases in relation to admiralty, commercial and insolvency (including corporations and bankruptcy), competition, consumer protection, fair work, human rights, intellectual property and native title. It also has the power to review some Federal Government decisions in areas such as social security, immigration and taxation.

## Position Overview

The Court has successfully implemented a number of important reforms through the National Court Framework (NCF). The NCF is a fundamental reform of the Court and the way it operates. The key purpose of the NCF is to reinvigorate the Court's approach to case management by further modernising the Court's operations so that the Court is better placed to meet the demands of litigants and can operate as a truly national and international Court. The NCF reforms have focused on matters relevant to the work undertaken by the Judges of the Court, including the allocation of case work to Judges on a national basis, the organisation and management of the Court's work nationally through the introduction of nine National Practice Areas (NPAs), the introduction of a national duty system and the reform of the Court's practice and procedure through the introduction of a suite of new practice notes, including the Central Practice Note. The Court is now extending the NCF (and its core principles) to all areas of general federal law judicial and registrar work, in its aim to ensure an efficient, effective and nationally consistent approach to the allocation and management of that work and to create opportunities for the advancement and career development of registrars.

The National Operations Registrar (NOR) and the National Operations Team are responsible for ensuring the proper implementation of the NCF and its ongoing functions. More particularly, the National Operations Team has five key responsibilities as part of the implementation and operations of the NCF:

1. Assisting with the design and implementation of key NCF structures, including undertaking a pivotal role in organisational change within the Court;

2. Allocation, management and workload analysis of all federal law work (across First Instance and Appellate work) and registrar work on a national basis;
3. The coherent operation of the NCF (across First Instance and Appellate work);
4. Judicial support including high level case management support; and
5. Ensuring the effective support and management of all general federal law work.

The Deputy National Operations Registrar (**DNOR**) is a critical role within the reformed structure of the Court. The DNOR works closely with the NOR, the Chief Justice and other Judges and plays a leading role in the development, implementation and ongoing operation of the NCF, including:

- Policy and practice development through the DNOR's role in the co-ordination and management of the National Practice Committee and more broadly (e.g. reviewing and developing Court practice documents).
- Designing and implementing key NCF structures (including in policy and practice, as well as part of any organisational change within the Court).
- Supporting the NOR to ensure the coherent operation of the NCF, (e.g. allocation and reallocation of work to judges on a national basis across all NPAs, management of the Court's judicial workload and liaison with key internal and external stakeholders) and the extension of the NCF to all registrar and general federal law areas.
- High level case management support for judges nationally (e.g. conducting complex mediations).
- Performing the role of Acting-NOR in the NOR's absence.

## Major Activities

### Development and Management of the NCF

- Supporting the NOR in relation to the performance of all NOR functions, including leadership and management roles within the National Operations Team.
- Being a member of the management group of the Court.
- Performing the role of Acting-NOR in the NOR's absence.
- Playing a key leadership role in the development, implementation and ongoing operation of the NCF and the extension of the NCF. In conjunction with the NOR, managing the allocation and reallocation of work to judges and registrars on a national basis across all NPAs in accordance with the NCF Allocation Protocols.
- Assisting with the design and implementation of key NCF structures including playing a leading role in organisational change.

### Policy and practice

- Strategic review and development of the Court's policy, practice and procedure:
  - engagement with and being responsive to key stakeholder needs, including internal stakeholders (Chief Justice, Judges, Registrars, key judicial committees and other staff) and external stakeholders (legal profession, public and private agencies and litigants).
  - Managing internal and external consultation processes, including analysis of feedback and developing new practice documents or developing appropriately amended practice documents.
  - high order analysis and appreciation of policy and practice, including key documentation, and provision of strategic advice relating to policy and practice.

- Working with the Chief Justice, other Judges and the NOR to develop appropriate practice and procedure.
- Actively promoting flexibility, innovation and responsiveness to the needs of Court-users.
- Reviewing and developing essential resources to support the key policies, practice and procedure (e.g. website resources).
- Supporting the National Co-ordinating Judges, the National Practice Committee and other judicial committees in a variety of ways, including the management of NPAs.
- Leveraging the various case management and accessibility benefits available under the Electronic Court File to enhance the NCF.

#### Case Management Support for Judges

Provide high level case management support for judges including:

- Conducting mediations and case management conferences of complex and high profile matters within the Court nationally.
- Specialist assistance and leadership in support of registrars in the conduct of their case management and mediation work for judges.
- Acting as a Class Actions Registrar in the management of Class Actions matters.
- Assisting judges with the case management of multi-party or cross-registry proceedings.

#### Workload Analysis and Monitoring

As the Deputy NOR, support the NOR in the following areas:

- Undertake in-depth analysis, reporting and monitoring of judicial and registrar workload, including analysing trends in filings (e.g. nature, complexity, filing party, location, allocation and resolution of matters across NPAs).
- Provide advice and recommendations to the Chief Justice and NOR regarding the management of judicial and registrar workload.
- In consultation with the Chief Justice, other Judges and the NOR, develop national workload management practices to improve consistency in practice and responsiveness.

#### Judicial & Staff Support

As the Deputy NOR, support the NOR in the following areas:

- Facilitate support for Judges and registrars in each NPA to assist with the management of caseloads, conflicting commitments and re-allocation of matters.
- Provide leadership, guidance and training for staff regarding the implementation and ongoing operation of the NCF.
- Development of training and practice guides to support the successful implementation and ongoing operation of the NCF.

#### Internal/External NCF-related Liaison

- Promoting internal and external engagement with the NCF, including by judges, public and private agencies and the legal profession, and actively seeking feedback from such stakeholders in relation to the operation of the NCF. This includes promoting internal engagement during periods of organisational change.
- Liaise with practitioners in regard to queries arising from the operation of the NCF.

#### Statutory Role

- Perform the statutory duties, powers and functions of a registrar pursuant to the *Federal Court of Australia Act 1976* (Cth) and other relevant legislative instruments, as required.

## Key Relationships

- *Judges:* Chief Justice and Judges (including National Consulting, National NPA Co-ordinating and Registry NPA Co-ordinating Judges). Consult and liaise with, and provide high level advice to, judges in relation to the implementation and ongoing operation of the NCF, policy and practice and the management of judicial workload.
- *NOR:* Consult and liaise with, and provide high level advice to, the NOR in relation to the implementation and ongoing operation of the NCF (including organisational change), policy and practice and the management of judicial and registrar workload.
- *Director of National Operations:* Liaise and consult with the Director of National Operations regarding the development of practice and procedure to support the successful implementation and ongoing operation of the NCF.
- *Chambers/ Registry staff:* Provide high level leadership and guidance on practice and procedure relevant to the operation of the NCF.
- *Legal profession and other Court users:* Provide high level guidance on practice and procedure.

In addition, cultivate corresponding key relationships to those set out above in respect of any extension of the NCF.

## Competencies & Attributes

To undertake this role the successful candidate must have:

- Attained a legal qualification and have extensive experience in legal practice, including civil litigation in superior courts of Australia.
- An extensive understanding of general Federal law jurisdiction and practices and procedure.
- Be experienced in high level case management, including complex mediations.
- The ability to undertake high level analytical and legal work and critically evaluate a large volume of information in a high pressure environment.
- The ability to work autonomously and with the necessary authority and be accountable for the management of NCF-related work but also to work collaboratively as part of a small team.
- The ability to manage multiple tasks and priorities.
- The ability to build and sustain positive relationships with a network of key stakeholders internally (Chief Justice, judges, NOR and chambers and registry staff) and externally (legal profession, public and private agencies and Court users).

## Formal Qualifications

This position requires the occupant to perform statutory legal functions, as required. Therefore, legal qualifications and admission as a practitioner of the High Court or the Supreme Court of a State or Territory of Australia is essential. In addition, the role requires the applicant to be experienced in high level case management and conducting complex mediations and, as such, it is highly desirable that the applicant be formally accredited as a mediator with experience in conducting mediations.

## Selection Criteria – SES

### 1. Shapes Strategic Thinking

Relevant capabilities include:

- Inspires a sense of purpose and direction
- Focuses strategically
- Harnesses information and recognises opportunities
- Shows judgement, intelligence and common sense.

## **2. Achieves Results**

Relevant capabilities include:

- Builds organisational capability and responsiveness
- Marshals professional expertise
- Steers and implements change and deals with uncertainty
- Ensures closure and delivers on intended results.

## **3. Exemplifies Personal Drive and Integrity**

Relevant capabilities include:

- Demonstrates public service professionalism and probity
- Engages with risk and shows personal courage
- Commits to action
- Displays resilience
- Demonstrates self-awareness and a commitment to personal development.

## **4. Cultivates Productive Working Relationships**

Relevant capabilities include:

- Nurtures internal and external relationships
- Facilitates cooperation and partnerships
- Values individual differences and diversity
- Guides, mentors and develops people.

## **5. Communicates with Influence**

Relevant capabilities include:

- Communicates clearly
- Listens, understands and adapts to different audiences
- Negotiates persuasively.

## **6. Legal qualifications and experience**

- Legal qualifications, including admission to practice in Supreme or High Court.
- High level experience in litigation and case management in superior courts of Australia. Extensive experience in legal practice, including civil litigation in superior courts of Australia.
- Current accreditation as a mediator, with experience in conducting mediations, is highly desirable.

## Eligibility

Employment with the Court is subject to the conditions prescribed in the *Public Service Act 1999*, and the following:

1. Australian citizenship – the successful applicant must hold Australian citizenship;
2. Security and character clearance – the successful applicant must satisfy a Police Records Check, and may also be required to complete security clearances during the course of their employment;
3. Health clearance – the successful applicant may be required to complete a health declaration or attend a medical assessment to confirm their fitness for duty.

Interested candidates who have received a redundancy benefit from an APS agency are welcome to apply, but should note that they cannot be engaged until their redundancy benefit period has expired.

## How to Apply

To apply for this position please click on the “apply now” button on the Federal Court website ([www.fedcourt.gov.au](http://www.fedcourt.gov.au))

To be considered you will need to upload a concise **expression of interest** detailing how your experience and skills relate to the position description and selection criteria and attach an up to date resume **by 11:55PM on 20 March 2018**.

For more information please contact Sia Lagos, National Operations Registrar, by email at [Sia.Lagos@fedcourt.gov.au](mailto:Sia.Lagos@fedcourt.gov.au) or phone [REDACTED]





## Position Details

<b>Title:</b>	National Director Court & Tribunal Services
<b>Classification:</b>	Senior Executive Service Band 2
<b>Salary:</b>	A competitive package will be offered to the successful applicant, depending on the relevant skills, knowledge and experience of the person.
<b>Job Type:</b>	Ongoing, Full-time
<b>Location:</b>	Sydney, NSW or Melbourne, VIC
<b>Position No:</b>	TBC
<b>Reports to:</b>	Chief Executive Officer (CEO) and Principal Registrar

## Court Overview

The Federal Court of Australia was created by the Federal Court of Australia Act 1976 (Cth) as a superior court of record and a court of law and equity. Its overarching goal is to contribute to the social and economic development and wellbeing of all Australians by applying and upholding the rule of law. It sits in all capital cities and elsewhere in Australia when necessary.

The Court has jurisdiction in relation to almost all civil matters and some summary and indictable criminal matters arising under Australian federal law. The Court is able to hear cases in relation to admiralty, bankruptcy, competition, consumer protection, corporations, fair work, human rights, intellectual property and native title. It also has the power to review some Federal Government decisions in areas such as social security, immigration and taxation.

## Organisational Context

The Federal Court, with the Family Court of Australia, and the Federal Circuit Court, is working with government and stakeholders to deliver a modern, accessible, efficient and effective court services to all court users and the Australian community.

There is good evidence that the significant productivity benefits made by the FCA have been the result of increased specialisation combined with effective docket management and the principles of case management, increased delegation and effective teamwork.

The challenge now for the FCA is to sustain and accelerate the improvements delivered and to extend those reforms over time and where appropriate to the Family and Federal Circuit Courts in order to build a coherent, flexible operating model and set of support structures for the federal courts.

The implementation of the national practice areas and a National Operations Registrar (NOR) in federal law has strengthened case management while maintaining the quality of docket management for all matters in the Court. This model may also be applicable to the family law jurisdiction. What is



now required is the development and implementation of a service structure that delivers substantial productivity benefits to better position the Courts to meet future workload demands, reduce costs for court users, and create an agile, responsive business model, able to respond or indeed anticipate change in demand and jurisdiction.

Work to create agile but formal structures necessary to increase the likelihood that the Court's resources are effectively utilised is underway. The model of collaboration and specialisation being realised in the national practice areas of the Federal Court at the judicial level, can be replicated in the registry and case management models so that teams can more effectively communicate and work through problems in areas in which they specialise. This, in turn, increases satisfaction for all court users and allows for the identification of opportunities for improvement and promotes a culture of excellence.

## **Position Overview**

The newly created National Director Court & Tribunal Services will assist the CEO and Principal Registrar with the administrative affairs of the Federal Court and assist the CEO and PR and the Executive Director Corporate Services with the delivery of efficient and effective corporate services for those courts and tribunals supported by the Federal Court shared services model.

The National Director Court & Tribunal Services will play a key role in the design and implementation of the courts reform and modernisation agenda. Reporting to the Principal Registrar and CEO the successful candidate will join an innovative and results driven leadership team, and be instrumental in the design and development of a unified administrative and practice model that leverages transformative technology and innovative shared corporate services to drive operational efficiencies across and within the courts and tribunals.

To be successful the National Director Court & Tribunal Services will work effectively and persuasively with the executive and senior managers to identify synergies across all courts and, opportunities for operational efficiencies and the streamlining and simplification of process, where possible.

As a key member of the Court's executive leadership team, the role will provide high level legal/management advice to the CEO and heads of jurisdiction, as well as contribute to the leadership and strategic management of the Courts. The role will make a substantial contribution to the delivery of key government decisions relating to the Courts and engage with a broad range of stakeholders to deliver systems and outcomes that improve the experience of all who use the courts and tribunal and the overall capacity of the Courts.

## **Major Activities**

- 1. Lead the design and delivery of improved case management and administrative services across the courts and tribunals to deliver greater efficiency and effectiveness.**

Lead and develop a transition strategy from traditional state based registry models, to a system of court administration that will enable court services and case management to be delivered in a modern, effective and accessible way, enhancing the reputation of the Courts.

Lead and oversight the management of changes to the Court's management structure through a move to an agile case management model & Shared Services consistent with Government protocols and APS standards.

Provide strategic leadership to key managers and staff within the evolved structure.

## **2. Streamline and improve support services**

Ensure support services reflect 'best practice' in the relevant area – lead/oversight the review of processes and practices to achieve this end.

Work collaboratively across the court to ensure consistency of operations, effective resource allocation and the creation of efficiencies through continuous improvement.

Leverage technology to simplify and improve work processes and better meet stakeholder needs with more accessible services that are timely, flexible and easy to understand and use.

Establish standards and monitor performance to ensure they meet the needs of the diverse client base of the courts.

## **3. Help develop and lead national business strategy**

Lead and oversight the development and implementation of innovative business strategies and policies that support the reform and shared services agenda.

## **4. Deliver a unified digitalisation strategy across the courts and tribunals.**

Develop and oversight the delivery of the modernisation and digitalisation strategy particularly in relation to the digitisation of files in the Family Law jurisdiction. Work collaboratively with all stakeholders to drive the necessary changes to current practices and procedures to ensure they support the future digital environment.

## **5. Lead stakeholder engagement**

Lead Court staff in engaging with judges, management, staff and other stakeholders to understand and better meet their needs.

Ensure key messages, policies and initiatives are communicated to stakeholders clearly and appropriately

Foster a culture of consultation and collaboration with stakeholders including involving them in initiatives that affect them.

Represent the Court and Branch in internal and external forums as required by the CEO.

## **Key Relationships**

- Principal Registrar and CEO, National Operations Registrar, Executive Director, Corporate Services – to devise and determine strategic, tactical and operational issues relating to the provision of core functions and business services, across all Courts and the reform of Registry functions which enhance organisational performance and improve service delivery.
- Chief Justices of the Federal Court and Family Court and Chief Judge of the Federal Circuit Court. Senior Executive and management within the courts and tribunals- to provide advice, assistance and support regarding strategic issues. Central agencies, including Attorney-General's Department, Department of Finance and Administration, Australian National Audit Office, Australian Public Service Commission – to determine relevant policy issues, ensure statutory, reporting and other external accountabilities are met.

## **Competencies & Attributes**

To be a strong contender for these roles, you will have outstanding leadership skills, a substantial record of achievement, excellent interpersonal skills and sound judgement. You will be committed to innovation in service delivery and to creating workplace cultures that are collaborative and supportive. You will be comfortable in working in a fast-paced environment and ideally have experience in a large and complex organisation.

The successful applicant will possess exceptional influencing and relationship management skills to engender buy-in at the highest level for the overall management and modernisation and service delivery improvements.

Experience in provision of senior management services to the judiciary and highly developed understanding of government administration would be highly regarded.

It is essential that the successful candidate is legally qualified.

## **Selection Criteria**

### **1. Shapes Strategic Thinking**

Relevant capabilities include:

- Inspires a sense of purpose and direction;
- Focuses strategically;
- Harnesses information and recognises opportunities;
- Shows judgement, intelligence and common sense.

### **2. Achieves Results**

Relevant capabilities include:

- Builds organisational capability and responsiveness;
- Marshals professional expertise;
- Steers and implements change and deals with uncertainty;
- Ensures closure and delivers on intended results.

### **3. Exemplifies Personal Drive and Integrity**

Relevant capabilities include:

- Demonstrates public service professionalism and probity;
- Engages with risk and shows personal courage;
- Commits to action;

- Displays resilience;
- Demonstrates self-awareness and a commitment to personal development.

#### **4. Cultivates Productive Working Relationships**

Relevant capabilities include:

- Nurtures internal and external relationships;
- Facilitates cooperation and partnerships;
- Values individual differences and diversity;
- Guides, mentors and develops people.

#### **5. Communicates with Influence**

Relevant capabilities include:

- Communicates clearly;
- Listens, understands and adapts to different audiences;
- Negotiates persuasively.

#### **6. Proven experience in driving strategic direction in corporate functions.**

Relevant capabilities include:

- Strong business acumen and planning skills to manage substantial resources;
- Experience in leading strategic management of corporate services to support the business needs of a large and/or complex organisation;
- Building relationships across government to support the most effective and efficient delivery of corporate services.

### **Eligibility**

Employment with the Court is subject to the terms and conditions in the Public Service Act 1999, and the following conditions:

1. Australian citizenship – the successful applicant must hold Australian citizenship;
2. National Police Check – the successful applicant must satisfy a Police Records Check, and may also be required to complete security clearances during the course of their employment;
3. Health clearance – the successful applicant will be required to complete a health declaration and may be required to attend a medical assessment to confirm their fitness for duty.

Interested candidates who have received a redundancy benefit from an APS agency are welcome to apply, but note that they cannot be engaged until their redundancy benefit period has expired.

## SES Role Evaluation Template

Job title: National Director Court & Tribunal Services & Development - Principal Registry		Evaluation date: 17 November 2017
Agency: Federal Court of Australia		Evaluated by: Matt Asquith (Recruitment Advisor)
<p>Primary purpose of the job: To assist the Chief Executive Officer and Principal Registrar (CEO/PR) with the administrative affairs of the Federal Court and assist the CEO/PR and the Executive Director Corporate Services (EDCS) with the delivery of efficient and effective corporate services for those courts and tribunals supported by the Federal Court shared services model.</p>		
<p>Sources of information used:</p> <ol style="list-style-type: none"> <li>1. Position Description.</li> <li>2. Knowledge of the Court and where this role fits within its structure.</li> </ol>		
<b>Factor</b>	<b>Score</b>	<b>Rationale/Evidence</b>
Leadership: Knowledge	9	<p>The role requires legal qualifications, extensive specialist knowledge of all Federal Court jurisdictions and exceptional skills in providing legal advice on policy, case management and operational matters.</p> <p>The role also requires advanced levels of strategic management skills, given its national policy responsibilities, and high levels of general management skills as part of the Court's senior management team.</p>
Leadership: Accountability	8	<p>The position is personally accountable for delivering immediate and longer-term outcomes agency wide in line with the agencies' strategic direction.</p>
Diversity/Span	8	<p>This role is responsible for national service standards and development of service moving forward.</p>
Stakeholder Management	8	<p>The role has significant responsibilities for dealing with internal and external stakeholders, including the CEO/PR, EDCS, National Operations Registrar, the Chief Justices, Chief Judge, Judges, and the Senior Management Team.</p>

Job context and environment	8	The position has a wide area of focus and must consider all issues within all areas of the Court's services. The ability to deal with a wide range of complex issues at any given time is expected. Risk factors are high.
Judgement and Independence	9	The role is expected to exercise high levels of independent judgment – and the Court must be confident in the judgments exercised.
<b>Total score: 50</b>		Band: SES Band 2
Approximate time taken: Approximately 2 hour		



## Position Details

<b>Title</b>	Senior National Judicial Registrar - Federal Criminal Jurisdiction
<b>Division</b>	Federal Court of Australia
<b>Section</b>	National Operations (Legal)
<b>Classification</b>	Senior Executive Service Band 2
<b>Salary</b>	A suitable remuneration package will be negotiated for successful candidates which will include base salary, Executive Vehicle Allowance and Superannuation of 15.4% of base salary
<b>Job Type</b>	TBA
<b>Location</b>	Any capital city (depends on the location of the successful applicant)
<b>Position No.</b>	TBC

## Agency Overview

The Federal Court of Australia (the Entity) is a non-Corporate listed entity for the purposes of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) and a statutory agency for the purposes of the *Public Service Act 1999*. The Entity supports the operations of the Federal Court of Australia (FCA), Family Court of Australia (FCoA), the Federal Circuit Court of Australia (FCC) and the National Native Title Tribunal (NNTT). The FCA, FCoA and FCC are Chapter III Courts under the Australian Constitution and continue to operate as individual judicial jurisdictions.

## Court Jurisdiction

The Federal Court of Australia was created by the *Federal Court of Australia Act 1976* (Cth) as a superior court of record and a court of law and equity. Its overarching goal is to contribute to the social and economic development and wellbeing of all Australians by applying and upholding the rule of law. It sits in all capital cities and elsewhere in Australia when necessary. The Court has jurisdiction in relation to almost all civil matters and some summary and indictable criminal matters arising under Australian federal law. The Court is able to hear cases in relation to admiralty, bankruptcy, competition, consumer protection, corporations, fair work, human rights, intellectual property and native title. It also has the power to review some Federal Government decisions in areas such as social security, immigration and taxation.

## Position Overview

The Court has successfully implemented a number of important reforms through the National Court Framework (NCF). The NCF is a fundamental reform of the Court and the way it operates. The key purpose of the NCF is to reinvigorate the Court's approach to case management by further



modernising the Court's operations so that the Court is better placed to meet the demands of litigants and can operate as a truly national and international Court. The NCF reforms have focused on matters relevant to the work undertaken by the judges of the Court and it is now extending the NCF to the work undertaken by registrars. Key reforms include the allocation of case work to judges and registrars on a national basis, reform of the Court's practice and procedure through the introduction of a suite of new practice notes, including the Central Practice Note and the organisation and management of the Court's work nationally through the introduction of nine National Practice Areas (**NPA**s).

The Court manages and organises its criminal case work through a national set of arrangements under the Federal Crime and Related Proceedings NPA ("Federal Crime NPA"). The NPA is managed by National NPA Coordinating Judges. Recently, the Government responded to the Financial Services Royal Commission's Report by stating that it will expand the Federal Court's jurisdiction in relation to criminal corporate crime. The Government stated that *'Extending the Federal Court's jurisdiction will boost the overall capacity within the Australian court system to ensure the prosecution of financial crimes does not face delays as a result of heavy caseloads in the Courts. The Federal Court has considerable expertise in civil commercial matters and is well-positioned to accommodate the conferral of a greater corporate criminal jurisdiction, which will help to increase the speed with which such matters are dealt with.'*

As a result of the pending conferral of a greater corporate criminal jurisdiction on the Court, a number of new positions have been created to support its implementation, including the Senior National Judicial Registrar – Federal Criminal Jurisdiction, Judicial Registrar – Federal Criminal Jurisdiction, Jury Supervisor and Senior Legal Case Managers. The Senior National Judicial Registrar – Federal Criminal Jurisdiction (**SNJRFC**) is a national role within National Operations (Legal). This position is multi-faceted and will play a critical leadership role in the implementation and ongoing operation of the Court's expanded corporate crime jurisdiction and criminal jurisdiction more generally, in the following areas:

- In consultation with the Chief Justice, National NPA Coordinating Judges and NPA Judges develop the Court's policy and practice relating to the expanded corporate crime jurisdiction and the Federal Crime NPA.
- Support the Chief Justice, National NPA Coordinating Judges and the Principal Judicial Registrar & National Operations Registrar (**PJR**) with the management of the Federal Crime NPA.
- Perform delegated judicial functions at a high level, which may include presiding in Court in committal hearings, "Basha" inquiries and other ancillary and interlocutory hearings.
- Engage with judges collaboratively to identify critical judicial support work to be undertaken by Judicial Registrars for the effective case management and disposition of proceedings.
- Undertake workload analysis and reporting in relation to criminal proceedings.
- Lead and mentor Judicial Registrars, the Jury Supervisor and staff supporting the Federal Crime NPA.
- Liaise with internal and external stakeholders in relation to the Court's criminal jurisdiction on a local and national basis.

In addition, the SNJRFC will play a leadership role within the Court, in particular a leading role in the ongoing development, implementation and operation of the NCF. The SNJRFC will also perform delegated judicial functions such as conducting complex case management in other NPAs, as required.

## Major Activities

### Policy and practice development

The SNJRFC will undertake strategic review and development of the Court's policy, practice and procedure relating to the expanded corporate crime jurisdiction and Federal Crime NPA, including:

- Managing internal and external consultation processes, including analysis of feedback and developing any new practice documents or developing appropriately amended practice documents.
- Engaging with and being responsive to key stakeholder needs, including internal stakeholders (Chief Justice, National Coordinating NPA Judges, NPA Judges, Registrars, key judicial committees and other staff) and external stakeholders (legal profession, public agencies and parties to proceedings).
- Developing *Memoranda of Understanding* with law enforcement agencies on various operational and logistical aspects of criminal proceedings. For example, developing an established protocol with the Australian Federal Police and State and Territory Police, Corrective Services and Sheriffs in relation to securing and detaining defendants who are bail refused, remanded or sentenced and conveying them to and from Court.
- Reviewing and developing essential resources to support the key policies, practice and procedure, including:
  - Developing and maintaining training material for staff which covers all operational aspects of criminal proceedings; and
  - Developing resources for the Court's website.

### Performing delegated judicial functions & case management support for judges

The SNJRFC will perform statutory duties, powers and functions of a registrar pursuant to the *Federal Court of Australia Act 1976* (Cth) and other legislative instruments, as required.

The SNJRFC will perform delegated judicial functions and case management at a high level, which may include:

- Presiding in Court, in circumstances where the Federal Court and its registrars are also conferred with appropriate jurisdiction and powers, which may include
  - committal hearings;
  - "*Basha*" Inquiries (a mechanism already provided for in s 23CQ of the *Federal Court of Australia Act*); and
  - other ancillary and interlocutory hearings as delegated by a judge, such as subpoena disputes, case management and bail applications.
- Engaging with the National NPA Coordinating Judges and NPA judges on a regular basis regarding the character and complexity of criminal cases in their dockets to identify and undertake critical judicial support work for the effective case management and disposition of proceedings.

- Undertaking case management support and analysis, including preparing summaries for summary matters, hybrid matters (summary/indictable) and strictly indictable matters (both defended and where pleas of guilty are entered).
- If conferred with the powers of a Deputy Sheriff of the Federal Court, to oversight the juries and jury panels, as well as manage security aspects such as exercise powers of detention of defendants who are bail refused, remanded or sentenced.

In addition, the SNJRFC may also perform delegated judicial functions in other NPAs, as required. This may include:

- Conducting high level and complex mediations, including in large, multi-party or cross-registry proceedings, class actions and in high profile matters in support of judges.
- Carrying out high level and complex case management support for judges, such as expert witness conferences and case management.

#### Workload Analysis

The SNJRFC will undertake workload analysis and reporting in relation to criminal proceedings, including:

- Undertaking in-depth analysis and reporting of judicial and registrar workload, including analysing trends in filings (e.g. nature, complexity, filing party, location, allocation and resolution of matters across the NPA).
- Providing advice and recommendations to the Chief Justice, NPA Coordinating Judges and the PJR regarding the management of judicial and registrar workload in the Federal Crime NPA.
- Preparing workload reports and information for auditing purposes and reporting to Senate Estimates Committee.

#### Leadership & Management - Judicial Registrars and Staff

The SNJRFC will play a critical leadership and mentoring role to Judicial Registrars, Jury Supervisor and Senior Legal Case Managers, supporting the Federal Crime NPA, including:

- Providing specialist assistance and leadership in support of registrars in the conduct of their case management and Court work for judges.
- Providing specialist assistance and leadership in support of the Jury Supervisor, Senior Legal Case Managers, Court Officers and Deputy Sheriffs in the conduct of jury trials.
- Developing training and practice guides for registrars and staff.
- Providing opportunities for registrars and staff to broaden their skills and areas of practice and interests through training and mentoring.

#### Internal and external liaison

The SNJRFC will play a key advisory role within the Court in the area of Federal Crime and will liaise with key internal stakeholders, including the:

- Chief Justice, National Coordinating NPA Judges and NPA Judges regarding the development of coherent and consistent practice and procedure in the NPA, the analysis of workload in the NPA, assisting with judicial education for judges and registrars in the NPA and liaison with, and education of, the profession in the NPA.

- PJR and National Operations Team regarding the identification of cases to be allocated to NPA Judges and providing updates on the status of matters.
- Director Public Information regarding press releases or public announcements, such as the publishing of judgments and sentences delivered.

The SNJRFC will undertake extensive, and ongoing liaison, with key external stakeholders, including:

- Relevant Commonwealth agencies (e.g. Attorney-General's Department, Commonwealth Director of Public Prosecutions, Australian Electoral Commission, , Australian Federal Police, Australian Securities and Investments Commission, Australian Competition and Consumer Commission).
- Relevant State and Territory Courts, Sheriffs and Corrective Services.
- Legal profession and relevant representative bodies (e.g. Law Council)
- External parties and the public.
- Public and private research sources (e.g., legal publishers including online legal information providers) regarding dissemination of judgments.

In addition, the SNJRFC will represent the Court in policy-related meetings and seminars.

## Key Relationships

- *Chief Justice and NPA Coordinating Judges:* Consult and liaise with, and provide high level advice to, in relation to the operation of the Federal Crime NPA.
- *NPA Judges:* engage with judges collaboratively to identify critical judicial support work to be undertaken by Judicial Registrars to support the effective disposition of matters.
- *PJR:* consult and liaise with, and provide high level advice to, the PJR in relation to criminal proceedings.
- *Judicial Registrars & staff:* critical leadership and mentoring role.
- *Government organisations, legal profession & Court users:* liaise with these key external stakeholders regarding the operation of the criminal jurisdiction in the Court and criminal proceedings.

## Competencies & Attributes

To undertake this role the successful applicant must have:

- extensive experience in high level criminal litigation, practice and procedure, and experience in high level civil litigation is also desirable;
- a comprehensive understanding of how high level case management is undertaken;
- extensive understanding of the jurisdiction and practices and procedures of the Federal Court, in particular the criminal jurisdiction;
- extensive experience leading and managing staff in a senior management role;
- a proven ability to:
  - work autonomously and with the necessary authority and accountability in a senior managerial role;
  - manage multiple responsibilities effectively and prioritise matters appropriately; and

- build and sustain positive relationships with a network of key stakeholders internally and externally.

## **Formal Qualifications**

This position requires the occupant to perform statutory legal functions, as required, including presiding in Court. Therefore, legal qualifications and admission as a practitioner of the High Court and/or the Supreme Court of a State or Territory of Australia is essential.

## **Selection Criteria**

### **1. Shapes Strategic Thinking**

Relevant capabilities include:

- Inspires a sense of purpose and direction
- Focuses strategically
- Harnesses information and recognises opportunities
- Shows judgement, intelligence and common sense.

### **2. Achieves Results**

Relevant capabilities include:

- Builds organisational capability and responsiveness
- Marshals professional expertise
- Steers and implements change and deals with uncertainty
- Ensures closure and delivers on intended results.

### **3. Exemplifies Personal Drive and Integrity**

Relevant capabilities include:

- Demonstrates public service professionalism and probity
- Engages with risk and shows personal courage
- Commits to action
- Displays resilience
- Demonstrates self-awareness and a commitment to personal development.

### **4. Cultivates Productive Working Relationships**

Relevant capabilities include:

- Nurtures internal and external relationships
- Facilitates cooperation and partnerships
- Values individual differences and diversity
- Guides, mentors and develops people.

5. Communicates with Influence

Relevant capabilities include:

- Communicates clearly
- Listens, understands and adapts to different audiences
- Negotiates persuasively.

6. Legal Qualifications & Litigation Experience

- Legal qualifications and admission as a practitioner of the High Court and/or the Supreme Court of a State or Territory of Australia is essential.
- High level experience in criminal law litigation, practice and procedure, and exercised case management responsibilities in superior courts of Australia.



## Position Details

<b>Title:</b>	Senior National Judicial Registrar
<b>Classification:</b>	Senior Executive Service Band 2 (SES 2)
<b>Salary:</b>	A suitable remuneration package will be negotiated for successful candidates which will include base salary, Executive Vehicle Allowance and Superannuation of 15.4% of base salary
<b>Job Type:</b>	Ongoing, Full-time
<b>Location:</b>	Capital city – (depends on the location of the successful applicant)
<b>Position No:</b>	TBC
<b>Reports to:</b>	Principal Judicial Registrar & National Operations Registrar

## Agency Overview

The Federal Court of Australia (the Entity) is a combined Courts Agency established under the Public Governance, Performance and Accountability Act 2013 (PGPA Act). The Entity has been established as a non-corporate Commonwealth entity under the PGPA Act to manage the operations of the Federal Court of Australia (FCA), Family Court of Australia (FCoA), the Federal Circuit Court of Australia (FCC) and the National Native Title Tribunal (NNTT). The FCA, FCoA and FCC are Chapter III Courts under the Australian Constitution and continue to operate as individual judicial jurisdictions.

## Court Jurisdiction

The Federal Court of Australia was created by the *Federal Court of Australia Act 1976* (Cth) as a superior court of record and a court of law and equity. Its overarching goal is to contribute to the social and economic development and wellbeing of all Australians by applying and upholding the rule of law. It sits in all capital cities and elsewhere in Australia when necessary. The Court has jurisdiction in relation to almost all civil matters and some summary and indictable criminal matters arising under Australian federal law. The Court is able to hear cases in relation to admiralty, bankruptcy, competition, consumer protection, corporations, fair work, human rights, intellectual property and native title. It also has the power to review some Federal Government decisions in areas such as social security, immigration and taxation.

## Position Overview

The Court has successfully implemented a number of important reforms through the National Court Framework (NCF). The NCF is a fundamental reform of the Court and the way it operates. The key purpose of the NCF is to reinvigorate the Court's approach to case management by further modernising the Court's operations so that the Court is better placed to meet the demands of litigants and can operate as a truly national and international Court. The NCF reforms have focused on matters relevant to the work undertaken by the judges of the Court, including the allocation of



case work to judges on a national basis, the organisation and management of the Court's work nationally through the introduction of nine National Practice Areas (**NPAs**), the introduction of a national duty system and the reform of the Court's practice and procedure through the introduction of a suite of new practice notes, including the Central Practice Note. The Court is now extending the NCF (and its core principles) to other broader and related areas of judicial and registrar work across both the FCA and the Federal Circuit Court (**FCC**) (general federal law), in its aim to ensure an efficient, effective and nationally consistent approach to the allocation and management of that work and to create opportunities for the advancement and career development of Judicial Registrars.

Judicial Registrars are registrars of the FCA and FCC and undertake a diverse range of work. In the FCA, Judicial Registrars undertake work across all nine NPAs and sub-areas, primarily by conducting mediations, as well case management support, such as conducting expert conferences. They also carry out delegated judicial functions in the area of corporations law, presiding in Court over winding up and other corporations insolvency cases. In the FCC, Judicial Registrars undertake similar work, including conducting mediations and presiding in Court over bankruptcy and migration cases. In addition, some Judicial Registrars have separate appointments requiring them to undertake specific work with various Courts or Tribunals such as the Registrar of the Australian Competition Tribunal and the Supreme Court of Norfolk Island.

The Principal Judicial Registrar & National Operations Registrar (**PJR**) and the National Operations Team are responsible for ensuring the proper implementation of the NCF and its ongoing functions. More particularly, the National Operations Team has a number of key responsibilities as part of the implementation and operations of the NCF, including:

- assisting with the design and coherent operation of the NCF (across first instance and appellate work);
- the national allocation, management and workload analysis of all judicial and registrar general federal law work; and
- judicial support, including mediation and high level case management support.

The Senior National Judicial Registrar (**SNJR**) is a new national role within the National Operations Team. This position is multi-faceted and will play a critical role within the reformed structure of the Court and will support the PJR through a key leadership role in the following areas:

- Engaging with judges collaboratively to identify critical judicial support work to be undertaken by Judicial Registrars for the effective case management and disposition of proceedings.
- Ensuring the application of NCF principles to the work undertaken by Judicial Registrars and the support they provide to judges nationally.
- Performing delegated judicial functions at a high level, including conducting complex mediations and case management.
- Undertaking the national management of Judicial Registrars, including analysing the nature of their casework and workload, and overseeing the national allocation of registrar work.
- Ensuring that appropriate legal and administrative support is provided to Judicial Registrars, so that they can carry out their work effectively.
- Liaising with internal and external stakeholders in areas of Judicial Registrar practice.

- Supporting one or more National Coordinating NPA judges with the management of NPAs.
- Undertaking the national management of the service arrangements for litigants in person, in both the original and appellate jurisdiction.

## Major Activities

### Engaging with judges collaboratively

The SNJR will engage with judges collaboratively to identify critical work to be undertaken by Judicial Registrars in support of judges for the effective case management and disposition of proceedings. This will involve meeting with judges on a regular basis, understanding the character and complexity of cases in the dockets of judges nationally and identifying Judicial Registrars with the relevant skill and expertise to undertake specific case management and mediation work.

The SNJR will also support National Coordinating judges with the management of NPAs. This will involve supporting the judge with the development of coherent and consistent practice and procedure in the NPA, analyses of workload in the NPA, judicial education for judges in the NPA and liaison with, and education of, the profession in the NPA.

### Performing delegated judicial functions

The SNJR will perform delegated judicial functions at a high level for judges locally and nationally, including:

- conducting high level and complex mediations in large, multi-party or cross-registry proceedings, class actions and in high profile matters; and
- carrying out high level and complex case management support for judges, such as expert witness conferences and case management in large, multi-party or cross-registry proceedings.

In addition, the SNJR may also carry out delegated judicial functions by way of presiding over Court hearings.

### Management of Judicial Registrars

The SNJR will play a critical leadership role in the management of Judicial Registrars and the work that they undertake on a national basis, including:

- The allocation and reallocation of Judicial Registrar work in accordance with applicable protocols, taking into account matters such as:
  - the character, complexity and other demands of registrar work, including urgency;
  - the specialised knowledge, skill and practice area expertise of registrars;
  - consideration of the workload and availability of each registrar; and
  - the volume and location of filings in areas of registrar practice.
- Ensuring a collaborative and nationally consistent approach to the efficient case management and disposition of Judicial Registrar work.
- Undertaking in-depth analyses, reporting and monitoring of the nature of Judicial Registrar practice and workload, including analysing important trends in filings.
- Providing advice and recommendations to the PJR regarding the management of Judicial Registrar workload.

- The support and development of Judicial Registrars nationally, including:
  - ensuring that appropriate legal and administrative support is provided to Judicial Registrars, so that they can carry out their work effectively;
  - providing opportunities for all Judicial Registrars to broaden their skills and areas of practice and interests; and
  - furthering the legal education of Judicial Registrars, and where appropriate, provide training and mentoring.

#### Application of NCF principles to the work of Judicial Registrars

The SNJR will ensure the application of NCF principles to the work that Judicial Registrars undertake by ensuring an effective and nationally consistent approach to how Judicial Registrar practice is undertaken, including in the following areas:

- Mediation and case management work in support of judges.
- Delegated judicial functions in the area of regular list work, including corporations, bankruptcy, migration and subpoena matters.
- Other Judicial Registrar practice, including substituted service applications, costs and duty registrar practice.

The SNJR will strategically review and develop practice and procedure in all areas of Judicial Registrar practice on an ongoing basis to improve consistency in the approach to practice by:

- working with the PJR and Deputy Principal Judicial Registrar & Deputy National Operations Registrar (**DPJR**) and other Judicial Registrars to develop appropriate practice and procedure;
- reviewing and developing essential resources to support the work undertaken by Judicial Registrars (e.g. internal and external practice guides and other practice material); and
- actively promoting flexibility, innovation and responsiveness to the needs of the Court's users.

#### Internal and external liaison

The SNJR will liaise with key internal and external stakeholders in areas of Judicial Registrar practice, including with:

- the Chief Justice and National Coordinating judges;
- the PJR, DPJR and other Judicial Registrars and Court staff;
- relevant Courts, Tribunals and other government agencies;
- any relevant User Groups of the Court; and
- State and Federal Law Societies and Bar Associations.

A key component of this liaison is to actively seek feedback from such stakeholders in relation to areas of Judicial Registrar practice.

#### Statutory Role

The SNJR will perform statutory duties, powers and functions of a registrar pursuant to the *Federal Court of Australia Act 1976* (Cth) and other legislative instruments, as required.

### National management of services for litigants in person

The SNJR will be responsible for the national management of the service arrangements for litigants in person, in both the original and appellate jurisdiction. This will involve:

- management and coordination of the Court's Pro-Bono Scheme nationally, including reviewing the current Pro-Bono Scheme arrangements; and
- developing a national management plan for the provision of services to litigants in person, including:
  - consulting extensively with key internal stakeholders (Chief Justice, National Coordinating judges, Migration Liaison judges, the PJR and DPJR and other Judicial Registrars) and external stakeholders (relevant Courts and Tribunals, government agencies and other relevant agencies - e.g. interpreter services) to actively seek their feedback and requirements in relation to services provided to litigants in person;
  - in consultation with the DPJR, strategically review current national service arrangements for litigants in person and develop national practice and procedure to improve the service arrangements, including reviewing registry arrangements and practices relevant to interpreter services and the management and conducting of migration lists;
  - reviewing the resources required at a national and local level to provide services to litigants in person. In addition, undertake a leadership role for national and local staff providing services to litigants in person (e.g. Self-Represented Litigant Coordinators), including development of a national learning and development program; and
  - developing support material for litigants in person. This will involve reviewing and updating, to the extent required, existing local and national information and support material, and reviewing the Court's website to ensure information for litigants in person is up to date and useful.

### **Key Relationships**

- *Judges*: engage with judges collaboratively to identify critical work to be undertaken by Judicial Registrars. In addition, provide support to National Coordinating Judges with the management of NPAs.
- *PJR*: consult and liaise with, and provide high level advice to, the PJR in relation to all areas of Judicial Registrar practice and workload.
- *DPJR*: work with the DPJR to develop practice and procedure relevant to Judicial Registrar practice and the service arrangements for litigants in person.
- *Judicial Registrars*: play a critical leadership role in the management of Judicial Registrars nationally.
- *Director of National Operations*: liaise and consult with the Director of National Operations regarding the national management of Judicial Registrars and how they are supported.
- *Legal profession & Court users*: liaise with key external stakeholders in areas of Judicial Registrar practice and the national service arrangements for litigants in person.

### **Competencies & Attributes**

To undertake this role the successful applicant must have:

- extensive experience in high level civil litigation;
- a comprehensive understanding of how high level case management and complex mediations are undertaken;
- extensive understanding of the jurisdiction and practices and procedures of the Federal Court and the FCC;
- extensive experience leading and managing staff in a senior management roles;
- a proven ability to:
  - work autonomously and with the necessary authority and accountability in a senior managerial role;
  - manage multiple responsibilities effectively and prioritise matters appropriately; and
  - build and sustain positive relationships with a network of key stakeholders internally and externally.

## Formal Qualifications

This position requires the occupant to perform statutory legal functions, as required, including conducting mediations and case management. Therefore, legal qualifications and admission as a practitioner of the High Court and/or the Supreme Court of a State or Territory of Australia is essential.

In addition, it is highly desirable for the applicant to:

- have extensive experience in civil litigation (including exposure to high level case management) in superior courts of Australia; and
- be accredited as a mediator with experience in conducting mediations.

## Selection Criteria

### 1. Shapes Strategic Thinking

Relevant capabilities include:

- Inspires a sense of purpose and direction
- Focuses strategically
- Harnesses information and recognises opportunities
- Shows judgement, intelligence and common sense.

### 2. Achieves Results

Relevant capabilities include:

- Builds organisational capability and responsiveness
- Marshals professional expertise
- Steers and implements change and deals with uncertainty
- Ensures closure and delivers on intended results.

### 3. Exemplifies Personal Drive and Integrity

Relevant capabilities include:

- Demonstrates public service professionalism and probity
  - Engages with risk and shows personal courage
  - Commits to action
  - Displays resilience
  - Demonstrates self-awareness and a commitment to personal development.
4. Cultivates Productive Working Relationships  
Relevant capabilities include:
- Nurtures internal and external relationships
  - Facilitates cooperation and partnerships
  - Values individual differences and diversity
  - Guides, mentors and develops people.
5. Communicates with Influence  
Relevant capabilities include:
- Communicates clearly
  - Listens, understands and adapts to different audiences
  - Negotiates persuasively.
6. Legal Qualifications & Litigation Experience
- Legal qualifications and admission as a practitioner of the High Court and/or the Supreme Court of a State or Territory of Australia is essential.
  - High level experience in litigation and case management in superior courts of Australia.
  - Accredited as a mediator with experience in conducting mediations, is highly desirable.

## **Eligibility**

Employment with the Court is subject to the terms and conditions in the Public Service Act 1999, and the following conditions:


- Australian citizenship – the successful applicant must hold Australian citizenship;
- National Police Check – the successful applicant must satisfy a Police Records Check, and may also be required to complete security clearances during the course of their employment;
- Health clearance – the successful applicant will be required to complete a health declaration and may be required to attend a medical assessment to confirm their fitness for duty.

Interested candidates who have received a redundancy benefit from an APS agency are welcome to apply, but note that they cannot be engaged until their redundancy benefit period has expired.

## **How to Apply**

To apply for this position please click on the “apply now” button on the Federal Court website ([www.fedcourt.gov.au](http://www.fedcourt.gov.au))

To be considered you will need to upload a concise expression of interest (2 page/1000 word maximum) detailing how your experience and skills relate to the position description and selection criteria, and attach an up to date resume **by 11:55PM on 21 May 2018.**

For more information contact Matt Asquith, Recruitment Advisor on 



## SES Role Evaluation Record

<b>Job title:</b> National Judicial Registrar, SES Band 2	<b>Evaluation date:</b> 23 October 2017
<b>Agency:</b> Federal Court of Australia	<b>Evaluated by:</b> Mike Frawley (Senior HR Adviser)
<p>Primary purpose of the job:</p> <p>The Executive Judicial Registrar (EJR) and the National Operations Team are responsible for the design, implementation and coherent operation of the NCF. This includes the allocation and workload analysis of all Federal Court first-instance and appellate judicial and registrar work on a national basis and conducting high level case management and complex mediations of cases in judges' dockets.</p> <p>The National Judicial Registrar (NJR) is a new national role within the National Operations Team. The NJR position is multi-faceted and will play a critical role within the reformed structure of the Court and will support the EJR through a key leadership role in the following areas:</p> <ul style="list-style-type: none"><li>– engaging with judges collaboratively to identify critical work to be undertaken by Judicial Registrars in support of judges for the effective case management and disposition of proceedings;</li><li>– performing delegated judicial functions at a high level, including conducting complex mediations and case management;</li><li>– undertaking the national management of Judicial Registrars, including analysing the nature of their casework and workload and allocation of matters to them;</li><li>– ensuring the application of NCF principles to the work undertaken by Judicial Registrars and the support they provide to judges nationally;</li><li>– liaising with internal and external stakeholders in areas of Judicial Registrar practice.</li></ul>	
<p>Sources of information used:</p> <ul style="list-style-type: none"><li>– Job description</li><li>– Immediate knowledge of the NCF and its history and function in the Court</li><li>– Broader awareness of the Court and the role of the position within it, based on extensive knowledge, observation and personal experience.</li></ul>	

Factor	Score	Rationale / Evidence
Leadership: Knowledge	9	<p>The role requires legal qualifications, extensive specialist knowledge of all Federal Court jurisdictions and exceptional skills in providing legal advice on policy, case management and operational matters.</p> <p>The role also requires advanced levels of strategic management skills, given its national policy responsibilities, and high levels of general management skills as part of the Court's senior management team.</p> <p>The role provides a source of authoritative advice to the Chief Justice, judges, National Operations Registrar, Executive Judicial Registrar, Judicial Registrars, Court executive and external practitioners and agencies on a wide range of Judicial Registrar practice.</p>
Leadership: Accountability	7	<p>The position is personally accountable for delivering immediate and longer-term outcomes in the advice and guidance it provides. Others, nationally, also depend on the role in achieving their outcomes (e.g. the Chief Justice, judges, NOR, EJR and JRs).</p> <p>This span of the position's responsibilities covers all areas of Judicial Registrar practice on an allocation, case management, policy and practical/practice level. Accountability is particularly high in areas of policy and practice development and high level case management and mediation.</p>
Diversity/Span	8	The position is responsible nationally on case management, policy and Judicial Registrar practice issues. Advice is also provided to the Chief Justice, judges, NOR, EJR and JRs.
Stakeholder Management	8	The role has significant responsibilities for dealing with internal and external stakeholders, including the Chief Justice and judges, NOR, EJR, JRs, State and Federal Law Societies and Bar Associations, other Courts and Tribunals and the legal profession.
Job context and environment	8	The position has a wide area of focus and must consider all issues within all areas of Judicial Registrar practice. The ability to deal with a wide range of complex issues at any given time is expected. Risk factors are high.
Judgement and Independence	9	The role is expected to exercise high levels of independent judgment – and the Court must be confident in this judgment being exercised appropriately.
Total score: 49		Band: SES Band 2
Approximate time taken: Approximately 2 hours.		