

Position Details

Title:	Senior National Judicial Registrar
Classification:	Senior Executive Service Band 2 (SES 2)
Salary:	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
Job Type:	Ongoing, Full-time
Location:	Capital city – (depends on the location of the successful applicant)
Position No:	TBC
Reports to:	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)

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 02 4253 6230.