



## Position Details

<b>Title</b>	National Judicial Registrar & District Registrar
<b>Division</b>	Federal Court of Australia
<b>Branch</b>	National Operations
<b>Salary</b>	A competitive remuneration package will be negotiated for the successful candidate based on qualifications, skills and experience.
<b>Employment type</b>	Ongoing, Full-time
<b>Location</b>	Brisbane, QLD
<b>Position number</b>	5043
<b>Reports to</b>	Senior National Judicial Registrar & National Operations Registrar

## Agency Overview

The Federal Court of Australia entity is the administrative organisation that engages employees under the [Public Service Act 1999](#) to work in support of one or more of the following courts or Tribunal:

- Federal Court of Australia (FCA)
- Family Court of Australia (FCoA)
- Federal Circuit Court of Australia (FCC), and
- National Native Title Tribunal (NNTT).

[The Courts Administration Legislation Amendment Act 2016](#) established the Federal Court entity however, each court continues to maintain its distinct statutory identity, with separate functions and judicial independence. Employees are covered by the [Federal Court of Australia Enterprise Agreement 2018–2021](#).

## 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 with the key purpose to reinvigorate the Court's approach to case management and further modernising its operations so it 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**) and 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 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 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 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.

The National Judicial Registrar & District Registrar (**NJR**) is a multi-faceted position and plays a key 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;
- supporting National Coordinating NPA Judges with the management of NPAs;
- supporting the development of a nationally consistent approach to the conduct of Judicial Registrar practice; and
- performing a mentoring role for Judicial Registrars and legal support staff on a local and national level.

In addition, 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) in the QLD Registry.

This role is suitable for Partner level lawyers and will expose candidates to a high calibre of legal work, while offering an enviable work environment within a national superior Court.

### **Major Activities**

The National Judicial Registrar & District Registrar will undertake the following:

#### PERFORM DELEGATED JUDICIAL WORK

Perform high level legal work, including

- 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.
- Perform delegated judicial functions 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.

- Carry out delegated judicial functions by way of presiding over Court proceedings, including winding up and other corporations insolvency cases.
- Carrying out other judicial registrar practice, as required.

#### MANAGEMENT OF NPAs

- Support National Coordinating NPA 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 through mechanisms such as user groups.

#### POLICY & PRACTICE - JUDICIAL REGISTRAR WORK

- Support the development of a nationally consistent approach to the conduct of Judicial Registrar practice. This will involve:
  - Working with registrars to review and develop practice and procedure in specific areas of registrar practice, including developing internal and external practice guides and other practice material; and
  - Engaging with key internal and external stakeholders regarding Judicial Registrar practice. A key component of this liaison is to actively seek feedback from local stakeholders in relation to Judicial Registrar practice.

#### LEADERSHIP ROLE

The NJR will play a key leadership role supporting judges, registrars and staff, particularly on a local basis, including:

- 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) in the QLD registry.
- Engage with judges regarding the mediation and case management work they have referred to registrars to support the effective case management and disposition of proceedings in their docket; and
- Support and mentor Judicial Registrars and legal support staff in relation to the work they undertake.

#### **Key Relationships**

- *Judges (including National and Registry NPA Co-ordinating Judges):* Perform critical case management and mediation work in support of judges. In addition, provide support to National Coordinating NPA Judges with the management of NPAs.
- *Senior National Judicial Registrar & National Operations Registrar:* consult and liaise with, and provide high level advice to in relation to all areas of Judicial Registrar practice.
- *Judicial Registrars/legal support staff:* play a critical leadership and mentoring role for Judicial Registrars, National Registrars and legal support staff.
- *Legal profession & Court users:* liaise with key external stakeholders locally in relation to areas of Judicial Registrar practice.

#### **Competencies & Attributes**

To undertake this role the successful applicant must have:

- extensive experience in high level civil litigation in one or more of the Court’s National Practice Areas;

- a comprehensive understanding of how case management and mediations are undertaken;
- a detailed understanding of the jurisdiction and practices and procedures of the FCA and the FCC;
- a proven ability to:
  - to undertake high level analytical and legal work and critically evaluate a large volume of information in a high pressure environment;
  - 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 in superior courts of Australia; and
- be accredited as a mediator with experience in conducting mediations.

### **Selection Criteria**

1. Demonstrated extensive experience in civil litigation and practice in superior courts of Australia.
2. Demonstrated experience in, or the ability to, conduct complex mediations.
3. Demonstrated experience and understanding, or ability to acquire such knowledge quickly, of the jurisdiction and practices of general federal law work in the Federal Court and FCC.
4. Excellent analytical skills and demonstrated ability to critically evaluate large volumes of information and demonstrate sound judgment in decision-making in a high pressure environment.
5. Highly developed communication skills, including the ability to represent the Court at a senior level, when interacting with the public and legal profession, and the ability to influence behaviour and attitudes at all levels.
6. Demonstrated experience leading a team and implementing improved and innovative practices.

### **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:

- enter a statement of claims against the selection criteria
- upload an up to date resume
- upload relevant qualifications

**by 11:55pm AEST on 18 September 2020.**

For more information contact Andrea Jarratt on 03 8600 3504.