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## ✓ Latest release

Sub-major Group

# 28 Legal Professionals

## OSCA - Occupation Standard Classification for Australia

Reference period: 2024, Version 1.0

Released 6/12/2024

### 28 Legal Professionals

Provide legal advice, prepare and draft legal documents, conduct negotiations on behalf of clients, plead cases in courts and tribunals, hear legal and other matters in courts and tribunals, and interpret, analyse, administer and review the law.

#### OSCA skill level

The occupations in this sub-major group have a skill level corresponding to the qualifications and experience below.

- Skill Level 1: Bachelor Degree, higher qualification, or at least five years of relevant experience

Minor Group

### 281 Legal Professionals

Provide legal advice, prepare and draft legal documents, conduct negotiations on behalf of clients, plead cases in courts and tribunals, hear legal and other matters in courts and tribunals, and interpret, analyse, administer and review the law.

#### OSCA skill level

The occupations in this minor group have a skill level corresponding to the qualifications and experience below.

- Skill Level 1: Bachelor Degree, higher qualification, or at least five years of relevant experience

**Unit Group**

## 2811 Barristers

Plead cases before civil, criminal and industrial courts and other tribunals.

### OSCA skill level

The occupations in this unit group have a skill level corresponding to the qualifications and experience below.

- Skill Level 1: Bachelor Degree, higher qualification, or at least five years of relevant experience

**Occupation**

## 281131 Barrister

Pleads cases before civil, criminal and industrial courts and other tribunals.

Registration or licensing is required.

### Specialisations

- King's Counsel
- Senior Counsel

### Skill level: 1

### Main tasks

- Receives briefs and verbal instructions concerning cases from Solicitors, other specialist legal professionals, and clients
- Provides advice and written opinions on points of law
- Confers with clients and witnesses in preparation for court proceedings
- Draws up pleadings, affidavits and other court documents
- Researches statutes and previous court decisions relevant to cases
- Outlines the facts to the court, calls and questions witnesses, and makes addresses to the court to argue a client's case
- May draw up or settle documents

**Unit Group**

## 2812 Judicial and Other Legal Professionals

Hear legal and other matters in courts and tribunals, interpret, analyse, administer and provide advice on family, intellectual property and migration law, and represent the state in the lower courts.

Solicitors are excluded from this unit group. Solicitors are included in Occupation 281331 Solicitor.

### OSCA skill level

The occupations in this unit group have a skill level corresponding to the qualifications and experience below.

- Skill Level 1: Bachelor Degree, higher qualification, or at least five years of relevant experience

Occupation

## 281231 Family Dispute Resolution Practitioner

Assists people to resolve disputes over care of children, property and financial arrangements that arise from family separation or divorce.

Registration or licensing is required.

### Skill level: 1

### Main tasks

- Conducts intake interviews with clients to gather information about their dispute
- Assesses the suitability of clients for family dispute resolution
- Facilitates communication and negotiation between parties to help them reach agreements
- Provides information and education to clients about their rights and responsibilities
- Refers clients to other support services as needed, such as counselling or legal advice
- Maintains accurate and confidential records of client interactions and agreements reached

Occupation

## 281232 Intellectual Property Lawyer

Provides legal advice, prepares and drafts legal documents, and conducts negotiations on behalf of clients on matters associated with protecting intellectual capital, utilising patent law, copyright law and licensing.

Registration or licensing is required.

## Specialisations

- Patent Attorney
- Trade Mark Attorney

## Skill level: 1

## Main tasks

- Provides legal advice to clients on matters related to intellectual property
- Prepares and drafts legal documents such as patent applications, copyright registrations and licensing agreements
- Conducts negotiations on behalf of clients to protect their intellectual property
- Advises clients on the enforcement of their intellectual property rights
- Assists clients in resolving intellectual property disputes through mediation, arbitration or litigation
- Provides guidance to clients on the commercialisation and monetisation of their intellectual property
- Researches and analyses intellectual property laws and regulations

## Occupation

# 281233 Judge

Presides over civil and criminal proceedings in a court of law.

## Specialisations

- District Court Judge
- Supreme Court Judge

## Skill level: 1

## Main tasks

- Reviews legal documents and evidence presented in court
- Listens to arguments from both prosecution and defence
- Interprets and applies laws and regulations to make decisions
- Presides over criminal cases in which the guilt of defendants is determined, and delivers judgments and opinions
- Resolves disputes and issues rulings in civil cases
- Sentences convicted individuals and decides appropriate penalties

- Provides guidance to juries and instructs them on legal matters
- Ensures that court proceedings are conducted in a fair and impartial manner
- Maintains order and decorum in the courtroom

#### Occupation

## 281234 Judge's Associate

Supports a Judge by undertaking research and administrative tasks, maintaining records of proceedings in court, and liaising with legal parties and the public.

**Skill level: 1**

### Main tasks

- Undertakes administrative tasks on behalf of a Judge
- Conducts research and prepares briefs for a Judge
- Drafts court orders, judgments and other legal documents under a Judge's direction
- Maintains records of court proceedings and case files
- Assists in the preparation of legal arguments and opinions
- Liaises with legal practitioners, members of the media, and parties involved in court cases

#### Occupation

## 281235 Magistrate

Hears criminal matters to determine whether defendants will be committed for trial, and adjudicates minor criminal offences and civil matters without a jury.

**Skill level: 1**

### Main tasks

- Conducts hearings to determine whether defendants should be committed for trial
- Presides over minor civil and criminal proceedings without a jury
- Reviews evidence presented by prosecution and defence
- Examines witnesses and defendants
- Makes decisions on guilt based on evidence and legal principles
- Sentences defendants convicted of minor criminal offences
- Awards damages in civil matters
- Ensures that defendants' rights are protected during the legal process
- Maintains order and decorum in the courtroom

- Prepares written judgments and decisions
- Keeps up to date with changes in criminal law and legal precedents

#### Occupation

## 281236 Migration Agent

Provides information and advice to potential migrants, prepares and lodges visa applications, and acts as an intermediary to legally represent clients during visa processing and before review bodies. Liaises with Legal Professionals in relation to judicial review matters.

Registration or licensing is required.

### Alternative titles

- Immigration Consultant
- Migration Consultant

### Skill level: 1

### Main tasks

- Conducts research and provides immigration advice and assistance to clients
- Prepares and lodges immigration, citizenship and visa applications
- May represent clients at tribunals and before administrative bodies
- Liaises with Legal Professionals in relation to judicial matters

#### Occupation

## 281237 Police Prosecutor

Pleads cases on behalf of the prosecution in lower courts.

### Skill level: 1

### Main tasks

- Prepares and presents cases on behalf of the prosecution in lower courts, such as local and magistrates courts
- Prepares legal documents such as briefs of evidence, statements and subpoenas
- Examines and cross-examines witnesses in court
- Presents arguments and evidence to the court
- Advises police officers on legal matters and provides guidance on the preparation of cases

**Occupation**

## 281238 Tribunal Member

Hears industrial, administrative or other disputes to assist in resolving differences and to arbitrate on issues.

**Skill level: 1**

### Main tasks

- Conducts hearings and listens to arguments and evidence presented by parties involved in disputes
- Interprets and applies relevant laws, regulations and policies to make decisions on disputes
- Reviews and analyses evidence and legal arguments to determine the merits of each case
- Conducts research and gathers information to support decision-making
- Facilitates and mediates negotiations between parties to encourage settlement
- Writes and delivers decisions and rulings on disputes
- Exercises arbitral powers if resolution is not achieved or seems improbable through conciliation

**Occupation**

## 281299 Judicial and Other Legal Professionals nec

This occupation group covers Judicial and Other Legal Professionals not elsewhere classified.

Registration or licensing may be required.

**Skill level: 1**

### Occupations in this group include:

- Conciliator
- Judicial Registrar
- Law Interpretation Officer
- Legal Officer
- Legal Researcher
- Mediator

- Parliamentary Counsel
- Tribunal Officer
- Youth Justice Convenor

### Unit Group

## 2813 Solicitors

Provide legal advice, prepare legal documents, conduct negotiations on behalf of clients on matters associated with the law, and plead cases before civil, criminal and industrial courts and tribunals.

### OSCA skill level

The occupations in this unit group have a skill level corresponding to the qualifications and experience below.

- Skill Level 1: Bachelor Degree, higher qualification, or at least five years of relevant experience

### Occupation

## 281331 Solicitor

Provides legal advice, prepares legal documents, conducts negotiations on behalf of clients on matters associated with the law, and pleads cases before civil, criminal and industrial courts and tribunals.

Registration or licensing is required.

### Specialisation

- In-house Solicitor

### Skill level: 1

### Main tasks

- Interviews clients to determine the nature of cases and recommends appropriate legal action
- Prepares cases by conducting investigations, undertaking research, arranging witness preparation and attendance, and giving notice of court actions
- Represents clients in civil, criminal and industrial courts and tribunals
- Prepares and critically reviews legal documents between parties
- Prepares wills



- Provides advice on family, company, commercial and property law, as well as partnerships and trusts
- May act as trustee or guardian
- May act as executor of clients' wills