

Duty Counsel - Family & Criminal (Permanent)

Union: The Society

Job Number: J0123-0949

Job Title: Duty Counsel - Family & Criminal (Permanent)

Job Type: Permanent Full Time

City, Province, Country: Sarnia, Ontario, Canada

Job Location: Sarnia

Job Category: Legal

Job Classification: SL

Open Positions: 1

Posting Date: January 27, 2023

Closing Date: February 10, 2023

Salary: \$82,607.00 - \$142,422.00/Year

Primary function

This Duty Counsel will be required to provide family and criminal duty counsel services in Sarnia . This role may require travel to other locations within the district on occasion. As such, applicants with readily available transportation or an ability to rent a vehicle are preferred.

Family Duty Counsel is responsible for providing client service for family law matters in the courthouse, both virtually and in person. Family Duty Counsel will be responsible for the intake and assessment of family law clients to determine the appropriate service for the clients, including but not limited to providing procedural and summary legal advice; drafting, reviewing and commissioning of family court documents and pleadings such as Applications, Answers, Motions, Affidavits and Financial Statements; in court representation at various stages of a family court, FRO and/or child protection proceeding; and other duties as assigned.

Criminal Duty Counsel is responsible for providing client service for criminal law matters in the courthouse, both virtually and in person. Criminal Duty Counsel will be responsible for the intake and assessment of criminal law clients to determine the appropriate service for those charged with criminal offences, including but not limited to providing procedural and summary legal advice; drafting and reviewing criminal court documents; in court representation at various stages of criminal court

proceedings; and other duties as assigned.

As per Legal Aid Ontario's Hybrid Work Policy, this role has been designated as LAO Workplace based: Role is physically based in an in-person LAO workplace up to five (5) days per week with the potential for hybrid work based on the nature of the role, and as client service and operational needs permit.

Home Position: Sarnia

Secondary/Tertiary locations can include: Walpole Island First Nation

Reports to: Manager of Duty Counsel Services, Sarnia

Key accountabilities

- Act as Family and Criminal Duty Counsel
- Representing clients both in-person and remotely
- Ensure high quality of legal work in a cost effective manner
- File management as per LAO requirements including use of computer technology; data input for statistics measurements in a timely manner

Family:

- Advocate for clients in court and on court forms
- Provide family law duty counsel services, including providing instructions to Legal Aid Workers (and students), preparation of court documents for eligible clients, make appropriate referrals when required, including to mediation services
- Providing representation in the Ontario Court of Justice (OCJ), at first appearances, conferences, motions, negotiations, Family Responsibility Office (FRO) matters, Children's Aid Societies matters and other court hearings and services as required
- Assist unrepresented eligible clients with LAO family settlement conferences as required
- Assist unrepresented clients with Child Youth and Family Services Act (CYFSA) matters (with document preparation and in court appearances)
- Ability to provide advice lawyer services at the Family Law Information Centre (FLIC) and through LAO's Summary Legal Advice Program
- Demonstrated ability to provide sensitive and compassionate client service to those who may be victims of domestic violence
- Provide advice lawyer services on the Summary Legal Advice (SLA) telephone service for family
- Maintain client files and conflict lists
- Updating LAO's data management systems as required
- Other duties as assigned

Criminal

- Assisting unrepresented clients who have been charged with criminal matters
- Representing clients at bail hearings, guilty pleas and remands both in-person and remotely
- Assessing clients' needs, including the early identification of vulnerable clients, to facilitate referrals to appropriate services.
- Provide criminal law services as defense counsel in the Ontario Court of Justice
- Providing assistance and representation at federal, provincial, and youth, remand, bail and plea courts, including specialty courts (Drug Treatment Court / Mental Health Court / Gladue Court)
- Providing summary legal advice (SLA)
- Interviewing clients, sureties, and witnesses
- Disclosure review and Crown pre-trials meetings
- Assisting with various motions and hearings (may include trials), including judicial pre-trials
- Preparing and arguing bail hearings
- Updating LAO's data management systems as required
- Other duties as assigned

Required skills & experience

- Member in good standing with the Law Society of Ontario

Family

- Demonstrated Knowledge and experience of relevant family law legislation and in particular child protection law and in court experience in both family and child protection matters. Experience being lead on family files.
- Ability to work independently in a busy environment
- Ability to draft legal documents without need for review

Criminal

- Demonstrated experience in representing clients with complex legal issues including conducting bails hearings, and guilty pleas.
- Sound knowledge of the Criminal Code of Canada, Canadian Charter of Rights and Freedoms, criminal law procedures, rules of evidence and case law
- Demonstrated experience in providing criminal law services including experience with complex legal issues and bails hearings, guilty pleas, remands and youth court.
- Sound knowledge of the Criminal Code of Canada, Youth Criminal Justice Act, Controlled Drugs and Substances Act, Canadian Charter of Rights and Freedoms,

criminal law procedures, rules of evidence and case law

- Practical understanding of the Rules of Professional Conduct
- Proven interpersonal, communication, presentation and negotiation skills coupled with strong advocacy skills
- Proven judgment and analytical ability to determine appropriate legal remedies and demonstrated research skills
- Knowledge and appreciation of impact of court proceedings on immigration, criminal, family and other poverty law issues; and the integrated nature of legal issues faced by LAO clients
- Proven experience in providing excellent client service to vulnerable populations such as racialized communities, First Nations, youth and those experiencing mental health or addiction challenges or victims of domestic violence and/or homelessness
- Ability to communicate with accuracy and fluency when speaking with clients and providing advice, as well as when representing clients in court.
- Ability to work independently and unsupervised in a busy environment while also demonstrating collaboration and teamwork with colleagues and other stakeholders
- Ability to work as a team with other Legal Aid Workers, staff lawyers, and per diem Duty Counsel
- Sound knowledge and understanding of Legal Aid Ontario's operations and mandate
- Demonstrated ability to use latest communication technologies including tablets and smartphones and ability to utilize video conferencing platforms in order to deliver services virtually (Zoom/Teams)
- Demonstrated knowledge of Word, Excel, Outlook and PowerPoint, and Divorcemate
- Ability and willingness to travel between the district court locations when in-person services resume.
- The ability to communicate (orally and written) in French is strongly preferred

Preferred Skills & Experiences:

- Sound Knowledge of Legal Aid Ontario's operations and mandate
- Prior family and CYFSA law experience
- Demonstrated interest in aboriginal legal issues
- Training or advocacy experience in relation to mental health issues

To apply submit a cover letter & résumé.

This position is represented by The Society of United Professionals and the employee will be governed by the provisions of the collective agreement and union dues will be deducted bi-weekly from date of hire.

First Preference will be given to current members of the Society of United Professionals.

Please note that all applicants are encouraged to provide a valid email address for communication purposes. Applicants may receive written correspondence regarding this job posting directly to the email address provided on their resume or to the one used to set up their Candidate Profile if applying on Njoyn. As an applicant, it is your responsibility to ensure that you check your email regularly.

First time applying to a position with LAO? You will need to create a profile AND then apply for the position.

Already have an Njoyn account? Just sign in and select "my jobs" to apply. Once you have successfully applied you will receive a confirmation email.

Trouble applying? For telephone support please call 1-877-427-7717 or email support: candidate.njoynhelp@cgi.com.

Legal Aid Ontario values integrity, respect, responsiveness, excellence, independence, accountability, openness and consistency. Our recruitment process reflects our commitment to diversity and inclusion. Accommodations are available upon request.

Legal Aid Ontario encourages applicants from equity seeking groups, including but not limited to individuals who are First Nations, Inuit or Métis descent, persons with disabilities, women, members of racialized communities and the 2SLGBTQ+ community. We recognize the value of diversity, equity and inclusion and are committed to addressing systemic barriers, and attracting and retaining diverse staff. All interested and eligible people will be considered, with due consideration to all protected grounds under the Ontario Human Rights Code.

Are you interested in this job?

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