

## Position Description

<b>Role:</b>	Litigator
<b>Business Unit:</b>	Professional Services
<b>Classification:</b>	Career Level 4
<b>Location:</b>	Footscray
<b>Reporting to:</b>	Senior Litigator
<b>Direct Reports:</b>	None

### State Trustees

State Trustees is the public trustee for Victoria, providing a vital service for more than 49,000 Victorians in financial year 2018, including more than 11,000 Victorians who, due to mental illness, injury or disability, are unable to independently manage their own financial and/or legal affairs.

Will writing, power of attorney, executor services, trustee services and financial administration are just some of the services State Trustees provides to its clients, while maximising its contribution to the economy and wellbeing of the State of Victoria.

State Trustees is a state-owned company and operates from three offices, Footscray, Dandenong and Bendigo. We employ over 440 people, look after more than \$2.26 billion in client assets and last financial year generated more than \$72 million in revenue.

At State Trustees, we are passionate about raising awareness and educating the community on issues that impact all Victorians, including the importance of wills and preventing financial elder abuse.

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### Professional Services

The Professional Services Division work in partnership with the Trustee Services and Financial Administration Services Divisions to provide a range of specialist professional services to support State Trustees clients. These Services include financial planning, taxation advice, property sales, conveyancing, and client legal advice. The Division also delivers, on a contract basis, a review of appointed administrators' activity for the Victorian Civil and Administrative Tribunal. A key focus for the Division is maintaining currency and market knowledge in the service areas in which it operates.

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### The impact you'll have....

The Litigator provides a broad range of legal services for State Trustees. This would include in its capacity as the administrator of persons lacking in legal capacity, the attorney of clients pursuant to Powers of attorney, the trustee of trusts and the executor of deceased estates.

## Accountabilities

Accountability	Key activities to deliver on accountability
Legal Advice	<ul style="list-style-type: none"> <li>Assess requests for legal advice and identify options and strategies</li> <li>Undertake legal research</li> <li>Advise and make recommendations and referrals where appropriate</li> <li>Draft memoranda of advice</li> <li>Provides legal services to State Trustees Limited (STL) clients as directed by STL from time to time</li> </ul>
Litigation	<ul style="list-style-type: none"> <li>Assess merits of proposed litigation</li> <li>Identify appropriate course of actions, emphasising cost containment and dispute resolution strategies</li> <li>commence and defend litigation</li> <li>Preparation of relevant court documents</li> <li>Attend court hearings and mediation</li> </ul>
Stakeholder Engagement	<ul style="list-style-type: none"> <li>Liaise with the court</li> <li>Engage with other State Trustee employees in their capacity as administrators, attorneys, trustees and executors</li> <li>Engage with Solicitors, professional legal bodies, beneficiaries, witnesses and other interested parties</li> </ul>

## Decision making

Decisions made independently by this position:	<ul style="list-style-type: none"> <li>Providing legal and policy advice</li> <li>Recommendations to supervisor about how to manage risks</li> <li>Response to matters within levels authorised in the Corporate Delegation of Authority</li> </ul>
Decisions made after consultation with supervisor:	<ul style="list-style-type: none"> <li>Departing from usual business processes to account for unusual complexity/risk</li> </ul>
Decisions referred to supervisor:	<ul style="list-style-type: none"> <li>Escalation of issues due to complexity and/or risk</li> <li>Response to matters beyond levels authorised in the Corporate Delegation of Authority</li> </ul>

## Key communications

Contact / organisation	Purpose of communication
<b>Internal</b>	
Senior Litigator	To keep manager informed of achievements, plans, issues/challenges and learnings

Contact / organisation	Purpose of communication
Financial Administration and Trustee Services division	Provision of in-house Client Legal services
<b>External</b>	
Courts, counsel, third party solicitors, expert witnesses and professional legal bodies	As required in the course of the provision of the Client Legal services to State Trustees

### Knowledge, skill and experience requirements

#### Essential:

- Tertiary qualification in Law
- Holds a current Full Practising Certificate for jurisdiction of Victoria
- Extensive litigation experience which must include experience in litigation in respect of Wills and Estates matters in Victoria
- Extensive post admission experience in providing legal advice and services
- Highly developed professional communication skills (written and spoken)
- Highly developed analytical, conceptual and problem solving skills

#### Desirable:

- Minimum 5 years post admission experience
- Knowledge and understanding of all legislation governing State Trustees

### Key Competencies

<b>Client Focus:</b> Add long term value to clients and stakeholders
<b>Results orientation/execution:</b> Help others achieve results
<b>Problem solving and decision making:</b> Make complex decisions
<b>Dispute Resolution:</b> Assist others to resolve conflict
<b>Influencing and negotiating:</b> Influence and negotiate complex issues
<b>Commercial Orientation:</b> Understand commercial issues relevant to the role and the business