

Legal Counsel – Opted out and Excluded

APS Benchmark Listings

Sub. No.	Bench- mark No.	Dept.	Working Title Job Title	Know-How				Creativity/ Problem Solving		Responsibility		Total Points
				Prof./ Cont.	Comp. Div.	H.R. Skills	Points	%	Points	Profile	Points	
Legal Counsel (Point Range 371 - 438)												
OO/E	522LC01	Justice & Sol. Gen.	Legal Counsel	E+	1	2	230	38	87	B	87	404

Last Review / Update: 2016-03-11

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Opted out and Excluded Benchmark Evaluation - 522LC01

Identification Section

Working Title: Legal Counsel

Department: Justice and Solicitor General

Division, Branch/Unit: Legal Services

Reports To: Team Leader

Levels to D.M.: 4

Job Description: [522LC01](#)

MRS: See the [Minimum Recruitment Standards](#) for Legal Counsel

Job Code: 522LC – Legal
(See [Opted out and excluded pay plans and salary ranges](#) – Schedule 1, Part 2-A)

Evaluation Knowledge
E+I2 230
↓
Creativity/Problem Solving
38% 87
↓
Responsibility
B 87
↓
TOTAL JOB POINTS
404

[Organization Chart](#)

(requires login)

Comments on Role

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The position is for the provision of legal and related strategic advice to the Alberta Government. This is accomplished by providing legal opinions, representation of the Crown before court and tribunals, drafting and reviewing legal documents, general legal representation, conducting legal research and writing memos, review and comment on legislation and provision of legal services to the Minister of Justice and Attorney General, through thorough understanding of relevant legislation (Acts and Regulations – provincial, federal and international), policies, and procedures. Alberta Justice's mandate is legal advisor to the Government of Alberta. The Legal Counsel class is exclusive to the Department and represents the entry point for lawyers in Government.

Comments on Evaluation

- **Knowledge:**

- **Content:**

- **E+:** Roles require theoretical knowledge of the law supplemented by articling experience and successful completion of the bar exams in order to apply content knowledge to wide variety of legal issues. The depth of legal knowledge acquired through a law degree and eligibility to practice law is required and supports the push (+) on the E rating as opposed to the E. Decisions may affect the work of co-workers and the court through precedent but does not shape the direction of the department's vision of the administration of justice nor affect the direction of case law in the Canadian Legal system.

- **Complexity and Diversity:**

- **I:** The Legal Officer 1 position completes complex work that requires an understanding of the needs and impact of their work on the Ministries they support.

- **Human Relations Skills:**

- **2:** Positions are required to influence judges, juries and negotiate with opposing counsel. As Legal Counsel provide support to other Government Ministries, excellent consultation/collaboration skills are required in order to provide legal advice that meets the needs of the client.

- **Creativity/Problem Solving:**

38%: Lawyers work within a broadly defined legal environment, are required to justify, define and analyze alternative courses of legal action. However, solutions to legal issues are found within case law, legislation and statutes.

- **Responsibility:**

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B: Entry level lawyers are providing day to day legal services to other Ministries within Government. May have input into development of Branch direction through committee participation.

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Opted Out and Excluded Benchmark Job Description - 522LC01

Identification Section

Working Title:	Legal Counsel
Department:	Justice and Solicitor General
Division, Branch/Unit:	Legal Services
Reports To:	Team Leader
Levels to D.M.:	4

Purpose

(Brief summary of the job, covering the main responsibilities, the framework within which the job has to operate and the main contribution to the organization.)

The position is for the provision of legal and related strategic advice to the Alberta Government. This is accomplished by providing legal opinions, representation of the Crown before court and tribunals, drafting and reviewing legal documents, general legal representation, conducting legal research and writing memos, review and comment on legislation and provision of legal services to the Minister of Justice and Attorney General, through thorough understanding of relevant legislation (Acts and Regulations – provincial, federal and international), policies, and procedures. Alberta Justice's mandate is legal advisor to the Government of Alberta. The Legal Counsel class is exclusive to the Department and represents the entry point for lawyers in Government.

Responsibilities and Activities

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(Each end-result/responsibility shows what the job is accountable for, within what framework and what the added value is.)

The outcome of the responsibilities and activities of the Legal Officer is to ensure the Alberta Government has been provided appropriate legal and related strategic advice and appropriate legal representation in all matters. The main end results expected from this position are as follows:

1. Providing legal opinions/advice in verbal or written form. Legal opinions are prepared for the client Ministry for the purpose of providing legal advice in a particular situation.

Activities:

Identifying relevant legal issues;

Ascertaining all relevant facts from the client, including interviewing the client and reviewing all necessary documentary material;

Researching, reviewing and synthesizing the relevant case law, legislation and policies;

Drafting thorough and clear legal advice for the client, and providing conclusions or options;

Responding to questions from the client Ministry.

2. Representation of the Crown before courts and tribunals.

Activities:

Preparation of relevant pleadings and legal briefs;

Collection of documentary and other evidence;

Preparation of witnesses for examination and cross examination;

Attendance at all required proceedings;

Preparation of risk assessment;

Preparation of all documents related to the legal proceedings.

3. Drafting and review of legal documents. The documents could be in any number of forms which could include:

Contracts;

Memorandums of Understanding;

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Orders in Council;
Delegations of authority.

4. General legal representation of the Crown in various matters.

Activities:

Attendance at meetings with internal or external contacts;
Negotiating on behalf of the client;
Advocating a client's position to another party.

5. Conducting legal research and preparation of memos. These memos could be either sent to the client directly or could be used by Justice internally for the further preparation of such items as a legal opinion, court or administrative tribunal briefs or arguments, pleadings, or client education sessions.

Activities:

Conducting comprehensive and current legal research;
Synthesizing relevant case law, legislation and policies;
Providing an accurate written summary of the law, with conclusions.

6. Review and comment on Legislation. Proposed or existing legislation is reviewed to ensure the legislation meets the ongoing legal and policy requirements for the Government.

Activities:

Providing comments on proposed changes to Acts and Regulations;
Identifying legislation that requires amendment;
Identification of legal issues.

7. Provision of legal services for the Minister of Justice and Attorney General.

Activities:

Preparation of briefing notes;
Preparation of correspondence for the Minister of Justice and the Attorney General;

Preparation of legal opinions and other legal services for the Department of Justice.

8. Other duties related to the provision of legal and related strategic advice.

Scope

(Illustrates what internal or external areas the job impacts, and the diversity, complexity, and creativity of the job.)

The Legal Officer provides legal and related strategic advice to the Government of Alberta. The position assists the Government of Alberta, through its various Ministries, to meet the specific mandates as set out by the Government. Legal advice has a significant impact on client Ministries' program development, direction and operations.

The position is both a complex and creative position since a Legal Officer is responsible to understand and identify legal issues, provide practical options to prevent or mitigate legal risk, enable the advancement of the objectives of the Government, and ensure the Government is properly represented. The role often requires the interaction with a very wide range of contacts (see Contacts section below). More support and guidance is provided through mentoring at early stages of Legal Officer positions. Typically less complex files are assigned at the Legal Officer 1 level.

Knowledge, Skills and Abilities

(Diplomas, degrees and the most important knowledge factors, skills and abilities including knowledge about practical procedures, specialized techniques, etc.; analytical and conceptual skills and abilities; and skills needed for direct interaction with others. Specific training if it is an occupational certification/registration required for the job.)

This position requires a Bachelor of Laws (LLB) as well is required to be an active member of the Alberta Law Society.

Ongoing Continuing Professional Development Plan for the Law Society of Alberta.

Analytical and Problem Solving Skills: sound judgment, thorough, ability to identify issues, present different options and solutions.

Communication Skills: excellent written, verbal, listening, negotiation and advocacy skills.

Productivity: handles appropriate quantity of work in a timely manner, works independently and takes initiative.

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Teamwork: good working relationship with peers, support staff, management and clients, an ability to work on group projects and files, shares knowledge and research, contributes to consensus, shares credit for accomplishments.

Client Focus: legal advice focuses on client needs, provides practical advice, has good working relationship with clients, keeping clients informed. Practices preventative law.

Knowledge: thorough understanding of relevant legislation (Acts and Regulations – provincial, federal and international), policies, and procedures and is able to apply them to issues. Often required to have very specialized legal knowledge in a particular area. Legal research skills required.

Flexibility: ability to handle a variety of legal files, ability to deal with a variety of clients.

Organizational Commitment: supports and promotes the organizational goals and activities, internal and external to Justice.

Professional Characteristics: possesses integrity, presents self with professionalism in all circumstances, maintains a positive and productive attitude, and assumes responsibility for work undertaken. Representative of the Minister of Justice and Attorney General of Alberta.

Strategic Thinking: understands organizational goals, accurately assesses legal impacts of files and develops plans to provide direction on files.

Leadership: models desirable behaviour to both internal and external contacts, and demonstrates the vision of Alberta Justice.

Contacts

(Main contacts of this position and the purpose of those contacts.)

Internal Contacts

Purpose: the collective provision of legal and related strategic advice to the Alberta Government. Advice, recommendations, consultation, direction.

Minister of Justice and Attorney General
 Deputy Minister of Justice and Attorney General
 ADM Legal Services Division
 Director – Reporting
 Other Justice Directors
 Lawyers within Team/Practice Group
 Other Lawyers within Justice

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External Contacts

Purpose: the provision of legal and related strategic advice to the Alberta Government. Advice, recommendations, consultation, direction.

Ministers, Deputy Ministers/ ADMs

Directors/Senior Managers/Managers

Other provincial employees

Outside counsel retained by Government

Purpose: the legal representation of the Government of Alberta in matters.

Courts – appearance at - various levels

Administrative tribunals – appearance at (provincial and federal)

Opposing legal counsel and their clients

Opposing parties – unrepresented by legal counsel

Supervision Exercised

(List position numbers, class titles, and working titles of positions directly supervised.)

Typically no formal supervision required. Informal supervision of legal assistants, paralegals, legislative planners, more junior legal counsel, articling students.

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