

# Volunteer Roles

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The free legal advice sessions are held at three locations during the month, and are as follows:

<b>Palmerston 4th Monday</b> 6.00 – 8.00 pm Monthly Palmerston Library Goyder Square Palmerston	<b>Darwin – Tuesday and Thursday</b> 5.30 – 7.30 pm DCLS Level 2, 75 Woods Street Darwin	<b>Casuarina – 2<sup>nd</sup> Saturday</b> 10.00 – 11.45 am monthly Casuarina Library Bradshaw Terrace Casuarina
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The advice sessions are structured in the following way:

## The Supervising Solicitor

The Supervising Solicitor must have 2 years post admission experience and be eligible for an unrestricted practising certificate as they are responsible for all advice given during the advice session.

The supervising solicitor must check and sign legal advice given by a volunteer without an unrestricted-practising certificate. This should be done prior to the client leaving the session. The Supervising Solicitor is responsible for ensuring that the 'client advice' form (yellow) has been correctly completed, signed, and the client has been informed of relevant limitation date(s).

How this procedure is carried out is at the discretion of the Supervising Solicitor and according to the demand during the clinic. If several volunteers are articulated clerks or have restricted practising certificates, the supervising solicitor may elect not to see clients, making themselves available to assist volunteers. Alternatively, the Supervising Solicitor may see clients, and request to be consulted by volunteers to have their advice checked and signed before the client leaves.

The Co-ordinator will be requested to conduct conflict of interest checks on the DCLS laptop or computer and identify when a conflict may exist. It is the role of the Supervising Solicitor to determine whether this is in fact a conflict and advise the solicitors accordingly, as to whether we can assist the client or not. It is important that all parties in a dispute are listed on the front page of the advice form and conflict checked (e.g in the case of a motor vehicle incident, the names of both drivers needs to be obtained, as well as the name of the other party's insurer and the owner of the vehicles, as they may differ from the drivers).

## The Advising Solicitor

The Advising Solicitor, unless suitably qualified, must advise clients under the supervision of the Supervising Solicitor. It is the Advising Solicitor's duty to ensure that the client advice form is completed, including the back page and all relevant limitation periods advised.

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VolunteerRoles.doc

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## The Assistant

The Assistant will assist the advisor by taking both legible initial instructions from the client as required, as well as legible notes for the lawyer if assisting with a client interview. Further, they will ensure that the advice form is completed in sufficient detail; ensure any applicable limitation periods have been identified and advised; and conduct research, printing or scanning of documents during the advice session. All notes taken by the Assistant during a session should be attached to the advice sheet.

The Assist's role is aimed at assisting the Advising Lawyer to ensure that the advice sessions are completed in a timely manner and that the quality of advice given during the session is of a high and comprehensive standard.

As an Assistant, you will be expected to have good communication skills, and act in a professional manner as you will be interacting with lawyers, other volunteers and a diverse range of clients.

## The Co-ordinator

As the Co-ordinator you are to ensure that the advice session runs smoothly. Clients are to be greeted and asked to complete the first page of the 'client advice' form. Some clients may require assistance with this. The Co-ordinator should ensure that the clients' and the Advising Solicitors' names are entered into the advice session diary. The Co-ordinator should conduct a conflict of interest check where appropriate and notify the Supervising Solicitor if a possible conflict is identified. It is important that all parties in a dispute are listed on the front page of the advice form and conflict checked (e.g in the case of a motor vehicle incident, the names of both drives needs to be obtained, as well as the name of the other party's insurer and the owner of the vehicles, as they may differ from the drivers).

For clients being advised by telephone from the DCLS office, details of the matter and the conflict checks will have been finalised prior to the session. An advice sheet must be completed by the solicitor, but the client details may be filled out by the Coordinator or the solicitor.

Interviews should take approximately 20 minutes, though not more than 30 minutes. However, this will depend on the circumstances of the case and the demand during the clinic.

In the situation where not all clients are able to be seen, the client is to be informed as early as possible, and information given in relation to other advice sessions. Alternatively, the client can be referred elsewhere if there is a more appropriate service. Should the client wish to attend another Darwin Community Legal Service (DCLS) advice session, a completed 'client advice' form should be left in the diary to ensure that the client is given preference on their next attendance.

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The Co-ordinator must check that the 'client advice' form has been completed by both the Advising Solicitor and Supervising Solicitor. At the completion of the advice session the coordinator should make sure the venue is neat and tidy and the building is secure, with all lights turned off and doors closed.

## **All Volunteers**

### **Training**

All new volunteers will be required to attend a brief training and induction session prior to being added to the roster.

### **Resources Bag**

As a DCLS volunteer, you may be requested to transport the resource bag to the advice session, returning it to the DCLS office the following workday. Alternative arrangements may be made depending on circumstances.