**Factors to take into account in assessing appointment to duty lawyer roster**

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<th>Criteria</th>
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| **Reliability – a good record of attendance and being available when on duty** | • Attends regularly when rostered  
• Attends on time  
• Finds (suitable) replacements if unable to attend  
• Commits to duty – ensures availability during busy period; manages private work outside duty lawyer commitments; before leaving checks with supervisor/team no outstanding work | • Legal Aid records on attendance  
• Feedback from panel members or referees |
| **Legal skills/practice - sound legal service provided to defendants and to the court** | • Sound grasp of criminal law concepts and principles (eg, burden/onus of proof)  
• Working knowledge of common offences, eg, Crimes Act 1961, Summary Offences Act, Land Transport Act 1998  
• Familiar with legislation frequently relevant to criminal proceedings, eg, Bail Act 2000, Sentencing Act 2002  
• Understands the Court’s procedures from plea through to resolution  
• Advises defendant appropriately and explains possible outcomes  
• Completes instruction sheets effectively – logical, relevant and sets out effective argument/submissions, including reference to other material such as the SoF  
• Works efficiently at a pace that supports the team effort – ie, does a fair share of the work and pace is adequate. (If a less experienced duty lawyer, consider potential for improvement). Completes own tasks rather than leaving actions for other duty lawyers to pick up  
• Knows when to seek advice from a more experienced lawyer | • Feedback from panel members or referees |
| **Interpersonal skills and working relationships** | • Communicates clearly  
• Presents an effective, concise argument  

**With Defendants**  
• Knowledge, skills and attitudes to respond appropriately to defendants from a diverse range of cultures and backgrounds  
• Establishes rapport with defendant, uses appropriate language, elicits necessary information  
• Explains the procedure for the appearance that day and beyond  

**At the court**  
• Behaves appropriately in courtroom and its environs  
• Has effective working relationships with court staff, police prosecutions, community probation | • Feedback from panel or referees |
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<td>and other agencies at the court, and with other criminal lawyers</td>
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<td>• Knows where to locate and make appropriate use of services such as Probation, Forensic Psychiatric Service, Salvation Army etc and follows through on referral if required</td>
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<td>• Responds appropriately to the Bench</td>
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<td>Other matters,</td>
<td>• Justified Legal Aid concerns or complaints</td>
<td>• Legal Aid records</td>
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July 2011