



# FEDERAL COURT OF AUSTRALIA



## Position Details

<b>Title:</b>	National Judicial Registrar
<b>Classification:</b>	Executive Level 2 (Legal)
<b>Salary:</b>	
<b>Job Type:</b>	Ongoing, Full-time
<b>Location:</b>	
<b>Position No:</b>	
<b>Reports to:</b>	Principal Judicial Registrar & National Operations Registrar

## Agency Overview

The Federal Court of Australia (the Entity) is a combined Courts Agency established under the Public Governance, Performance and Accountability Act 2013 (PGPA Act). The Entity has been established as a non-corporate Commonwealth entity under the PGPA Act to manage the operations of the Federal Court of Australia (**FCA**), Family Court of Australia (FCoA), the Federal Circuit Court of Australia (**FCC**) and the National Native Title Tribunal (NNTT). The FCA, FCoA and FCC are Chapter III Courts under the Australian Constitution and continue to operate as individual judicial jurisdictions.

## Court Jurisdiction

The Federal Court of Australia was created by the *Federal Court of Australia Act 1976* (Cth) as a superior court of record and a court of law and equity. Its overarching goal is to contribute to the social and economic development and wellbeing of all Australians by applying and upholding the rule of law. It sits in all capital cities and elsewhere in Australia when necessary. The Court has jurisdiction in relation to almost all civil matters and some summary and indictable criminal matters arising under Australian federal law. The Court is able to hear cases in relation to admiralty, bankruptcy, competition, consumer protection, corporations, fair work, human rights, intellectual property and native title. It also has the power to review some Federal Government decisions in areas such as social security, immigration and taxation.

## Position Overview

The Court has successfully implemented a number of important reforms through the National Court Framework (**NCF**). The NCF is a fundamental reform of the Court and the way it operates. The key purpose of the NCF is to reinvigorate the Court's approach to case management by further modernising the Court's operations so that the Court is better placed to meet the demands of litigants and can operate as a truly national and international Court. The NCF reforms have focused on matters relevant to the work undertaken by the judges of the Court, including the allocation of case work to judges on a national basis, the organisation and management of the Court's work nationally through the introduction of nine National Practice Areas (**NPsAs**), the introduction of a national duty system and the reform of the Court's practice and procedure through the introduction of a suite of new practice notes, including the Central Practice Note. The Court is now extending the NCF (and its core principles) to other broader and related areas of judicial and registrar work across both the FCA and the Federal Circuit Court (**FCC**) (general federal law), in its aim to ensure an efficient, effective and nationally consistent

approach to the allocation and management of that work and to create opportunities for the advancement and career development of Judicial Registrars.

Judicial Registrars are registrars of the FCA and FCC and undertake a diverse range of work. In the FCA, Judicial Registrars undertake work across all nine NPAs and sub-areas, primarily by conducting mediations, as well case management support, such as conducting expert conferences. They also carry out delegated judicial functions in the area of corporations law, presiding in Court over winding up and other corporations insolvency cases. In the FCC, Judicial Registrars undertake similar work, including conducting mediations and presiding in Court over bankruptcy and migration cases. In addition, some Judicial Registrars have separate appointments requiring them to undertake specific work with various Courts or Tribunals such as the Registrar of the Australian Competition Tribunal and the Supreme Court of Norfolk Island.

The Principal Judicial Registrar & National Operations Registrar (**PJR**) and the National Operations Team are responsible for ensuring the proper implementation of the NCF and its ongoing functions. More particularly, the National Operations Team has a number of key responsibilities as part of the implementation and operations of the NCF, including:

- assisting with the design and coherent operation of the NCF (across first instance and appellate work);
- the national allocation, management and workload analysis of all judicial and registrar general federal law work; and
- judicial support, including mediation and high level case management support.

The National Judicial Registrar (**NJR**) is a multi-faceted position and will play a critical role within the reformed structure of the Court, both locally and nationally, including in the following areas:

- performing delegated judicial functions at a high level, including conducting complex mediations and case management;
- engaging with judges collaboratively at a local and national level to identify and perform critical work in support of judges for the effective case management and disposition of proceedings;
- performing a leadership role for Judicial Registrars and legal support staff at a local and national level;
- supporting National Coordinating judges with the management of NPAs; and
- liaising with internal and external stakeholders in areas of Judicial Registrar practice, on a local and national basis.

## **Major Activities**

### Performing delegated judicial functions

The NJR will perform delegated judicial functions at a high level, including:

- conducting high level and complex mediations, including in large, multi-party or cross-registry proceedings, class actions and in high profile matters in support of judges;
- carrying out high level and complex case management support for judges, such as expert witness conferences and case management;
- carrying out delegated judicial functions by way of presiding over Court hearings in the area of corporations, bankruptcy and migration law and return of subpoenas; and
- carrying out other judicial registrar practice, including substituted service applications, costs and duty registrar practice.

### Engaging with judges collaboratively

The NJR will engage with judges to identify and undertake critical work in support of judges for the effective case management and disposition of proceedings. This will involve meeting with judges on a regular basis and understanding the character and complexity of cases in the dockets of judges, in particular judges based locally.

The NJR may also undertake additional national roles and responsibilities, including supporting National Coordinating Judges with the management of NPAs. This will involve supporting the judge with the development of coherent and consistent practice and procedure in the NPA, analyses of workload in the NPA, judicial education for judges in the NPA and liaison with, and education of, the profession in the NPA.

#### Local leadership role – Judicial Registrars

The NJR will play a key leadership role in support of Judicial Registrars and the work that they undertake including:

- Assisting with the development of practice and procedure in all areas of Judicial Registrar practice.
- Assist in supporting and mentoring Judicial Registrars.
- Providing advice and assistance in relation to the allocation and reallocation of Judicial Registrar work and the nature of Judicial Registrar practice and workload

In addition, the NJR will play a key leadership and mentoring role with the legal support staff that provide support to Judicial Registrars.

#### Internal and external liaison

The NJR will liaise with key internal and external stakeholders in areas of Judicial Registrar practice, including with:

- the Chief Justice and National Coordinating judges;
- the PJR, Deputy PJR and other Judicial Registrars and Court staff;
- relevant Courts, Tribunals and other government agencies;
- any relevant User Groups of the Court; and
- State and Federal Law Societies and Bar Associations.

The NJR will play a key local role in liaison with the legal profession. A key component of this liaison is to actively seek feedback from local stakeholders in relation to areas of Judicial Registrar practice.

#### Statutory Role

The NJR will perform statutory duties, powers and functions of a registrar pursuant to the *Federal Court of Australia Act 1976 (Cth)* and other legislative instruments, as required.

### **Key Relationships**

- *Judges*: engage with judges collaboratively to identify and perform critical work in support of judges. In addition, support National Coordinating Judges in the management of NPAs.
- *PJR/Senior National Judicial Registrar*: consult and liaise with, and provide high level advice to in relation to all areas of Judicial Registrar practice and workload.
- *Deputy PJR*: work with the Deputy PJR to develop practice and procedure relevant to Judicial Registrar practice consistent with NCF principles.
- *Judicial Registrars*: assist in supporting and mentoring Judicial Registrars, in particular on a local basis.
- *Legal profession & Court users*: liaise with key external stakeholders locally in areas of Judicial Registrar practice.

## **Competencies & Attributes**

To undertake this role the successful applicant must have:

- extensive experience in high level civil litigation;
- a thorough understanding of how high level case management and complex mediations are undertaken;
- a detailed understanding of the jurisdiction and practices and procedures of the Federal Court and the FCC;
- a proven ability to:
  - work autonomously and with the necessary authority and accountability in a senior role;
  - manage multiple responsibilities effectively and prioritise matters appropriately; and
  - build and sustain positive relationships with a network of key stakeholders internally and externally.

## **Formal Qualifications**

This position requires the occupant to perform statutory legal functions, as required, including conducting mediations and case management. Therefore, legal qualifications and admission as a practitioner of the High Court and/or the Supreme Court of a State or Territory of Australia is essential.

In addition, it is desirable for the applicant to:

- have an extensive experience in civil litigation (including exposure to high level case management) in superior courts of Australia; and
- be accredited as a mediator with experience in conducting mediations.