

JOB DESCRIPTION
Courts Administration Clerk

Department:	Provincial Offences Administration (POA)	Reports to:	Manager, Courts Administration
Effective Date:	July 2019	Supersedes:	April 2017
Classification:	CUPE Inside Class 4	Job Evaluation Date:	December 2005

SUMMARY:

Provides customer service to the general public, justice stakeholders, legal profession and law enforcement agencies. Carries out the assigned/ delegated statutory functions of the "Clerk of the Court" for all Provincial Offences under the jurisdiction of the District Municipality of Muskoka.

MAJOR RESPONSIBILITIES (not limited to):

- Prepare and distribute court documents to establish jurisdiction of charges before the court, including Notices of Trial, Re-opening applications, early resolution notices and appeal documentation for filing with the Superior Court.
- Respond to queries and liaise with the judiciary, the public, enforcement staff, Defense agents, counsel, prosecutors, defendants, civilian witnesses and various justice partners, relating to various Provincial, Federal and Municipal legislation.
- Perform administrative duties related to courts administration and the statutory duties of Clerk of the Court, including; vetting charges, court files, notice of intention to appear, extension applications and intake court matters.
- Receive legal documents, proof for accuracy, and administer the legislated processes for the public and Provincial Offence stakeholders.
- Enter and maintain data using various Provincial computer software and databases (eg. ICON and CAMS).
- Perform the duties of the Commissioner of Oath by swearing in Affidavit documents and certifying court documents as the clerk of the court.
- Resolve routine complaints and refer complex complaints and inquiries to appropriate staff members
- Work with the public and court stakeholders to collect outstanding fines for the division
- Receive and process payments, updating ICON reports, investigating errors and making adjustments.
- Provide and receive information from MTO re: abstract audits, license suspensions, demerit points, etc.
- Act as administrative assistant to Justice of the Peace for processes held in the intake court.
- Work safely and in compliance with relevant statutes and regulations and within the safe work procedures and directives as established by the District.
- Other related duties as assigned.

EDUCATION, EXPERIENCE & QUALIFICATIONS:

- Graduation from a two (2) year Community College program in a Law or Office Administration or equivalent.
- Minimum of three (3) years' experience in a court, or legal environment.
- Working knowledge and understanding of provincial offences law in Ontario coupled with practical knowledge of court policies and procedures, as well as legal and technical terms and procedures.
- Proven ability to deal effectively with the legal profession, law enforcement, judiciary, municipal departments and the public in a professional, courteous and efficient manner employing a high degree of tact and diplomacy.
- Excellent attention to detail and analytical skills with the ability to respect and deal with confidential and sensitive issues. Sound judgment and ability to take initiative where appropriate.
- Ability to function autonomously, in a high volume fast paced work environment with legislated time frames, exercising sound judgment and taking initiative, where appropriate. Demonstrated technological proficiency in the MSOffice suite of products, plus familiarity with the ICON system.
- Bilingualism is an asset.
- Must have a clean criminal background check to be able to work in the court systems
- A valid Ontario driver's license.

DECISION MAKING & INDEPENDENCE:

This job works under the general direction of the Manager, Courts Administration, and within the framework of the District's departmental, division, branch policies, directives, guidelines and objectives. This job will:

- Maintain knowledge of pertinent legislation including the Provincial Offences Act, Ontario Courts of Justice Act, Rules of the Superior Court of Justice, Commissioners for Taking Affidavits Act, Federal Contraventions Act, ICON Code table book, Corporate classification scheme and MAGs retention schedule, Evidence Act, Appeal process guide, MAG exhibits manual, Operational & front counter training manual, P.O.A. policies, public access to court files regulations, etc.
- Apply all authorities and assigned duties of Clerk of the Court related to the functions transferred pursuant to the Transfer Agreement.
- Apply legal knowledge to provide services as a Commissioner of Taking Affidavits
- Screen persons attending intake court, confirming; identity of the defendant log data, purpose of attendance and identity for security purposes. If the Clerk perceives a potential security, will escalate to the attention of the Manager and/ or OPP to attend intake court to provide security.
- Adhere to conflict of interest guidelines, to determine if a conflict exists and bring forward to the Manager for consideration of an incident report. Report and follow process if someone involved in the administration of POA is charged with an offence.

The job exercises sound judgement and refers only complex and atypical situations to the supervisor. It works within the framework of the "Perception of Justice Principles" (Justice must be seen to be done as well as being done) ensuring action or court process must be applied in a manner that is morally right.

This job respects and deals with confidential and sensitive issues on a daily basis (court exhibits, search warrants, criminal charges, court recordings, etc.)

FINANCIAL RESPONSIBILITY:

- Direct control over float and cash receipts for the day
- This job does not have a purchase card.

SUPERVISORY RESPONSIBILITY:

This job is not directly responsible for the management or supervision of other employees but will be responsible for providing functional advice to justice stakeholders and the public

CONTACTS:Internal:

- Legislative Services – Prosecution unit – daily, process advice, legal documents service. Interaction in person/phone, electronic.
- Facilities – as required, if defendants damage property.

External:

- Counsel and Licensed Paralegal of record – daily provide, process advice, document service.
- OPP – daily – provide court dates, document service, and process advice.
- Judiciary – daily, court room support, legal documents for obtain conviction,
- Superior Court – weekly- process advice, legal documents
- Enforcement Agencies – weekly - process advice and legal documents
- Liaising with Justices of the Peace, Prosecutors, solicitors, paralegals, police services, enforcement agencies and public consisting of defendants and witnesses – daily to provide process advice.
- Public – daily – process advice, license status/conviction confirmation, due dates, legislative options under the act.

PHYSICAL / PSYCHOLOGICAL DEMANDS & WORKING CONDITIONS:

- Office environment using a computer with multiple monitors for extended periods of time
- Exposure to individuals in emotional situations (i.e. homelessness, addiction, mental health)
- Frequent interruptions, distractions and unpredictable situations
- Frequent and prolonged telephone use with clients that can often be aggressive.
- Work is performed during regular business hours with limited overtime required

HEALTH & SAFETY RESPONSIBILITIES (for workers):

- Work in a safe manner that is in compliance with the Occupational Health & Safety Act and policies/ procedures of the District;
- Participate in health and safety-related training;
- Wear or use the required protective equipment, clothing and/or devices;
- Report injuries, hazards, or equipment defects.