

# CLERK OF COURT 1

## **Class Definition**

This is the training and first working level of clerk in court work. Incumbents are trained to perform junior court office duties and courtroom functions with a basic working knowledge of court rules and procedures associated with any of the various courts functioning in the province. Once training is completed work is performed with considerable independence.

Some tasks typical to this level are acting as a clerk in a courtroom including calling court to order, swearing witnesses, recording proceedings and judgments, marking and accepting exhibits for safe keeping until required, etc. Performs duties in the court office such as accepting routine documents and examining to determine compliance with rules of court; swearing of informations and complaints in Family Court, taking of applications and swearing of affidavits; identifying such documents with proper case, action or proceedings and entering in appropriate records; filing documents, filing, perusing and recording mortgages; maintaining trial calendars; indexing documents; accepting monies and issuing receipts and other routine court office functions. Ensures courtroom is properly set up and all pertinent exhibits are in court for hearings. Prepares routine court documents for approval and signature of a senior Clerk or a Judge.

Although this level is a training level, it is also a full working level for those positions where the primary functions are courtroom duties supplemented by court office duties when no courts are in session, or those positions where the examination and preparation of court documents are of a generally routine nature and there may be training and assignment of work to other clerical staff.

Performs other duties as assigned.

## **Education, Training and Experience**

High school education with previous office experience where considerable initiative and independence were required.

# CLERK OF COURT 2

## **Class Definition**

Positions allocated to this level are primarily concerned with court office duties where only limited direction is required in day-to-day functions. Incumbents deal with a combination of the various court procedures and documents where the variety and complexity of cases require a broader, more in-depth knowledge of Acts and Rules of Court than at Level 1.

Positions may have responsibilities in more than one court although volume of cases arising and size of organization may dictate assignments are primarily in one court.

Also included at this level are positions where a supervisory and training function for staff of one unit of a larger court office or a small rural office dealing primarily with County Court procedures.

The tasks typical at this level are scrutinizing a variety of documents for completeness and compliance with procedure and rules of court, accepting and signing routine documents and making entries in appropriate records; drafting detailed documents after trials; answering general enquiries from the public, lawyers and litigants providing technical advice on preparation of documents, rules of court and procedures required, handling routine correspondence, setting up appropriate court dockets, calendars, schedules and the like; providing courtroom clerk services in Assize trials including reading charges, swearing jury and witnesses, marking and accepting exhibits, and follow-up office work.

Judgment on the application of a wide variety of regulations, statutes and policies is required at this level. Technical problems and matters involving an interpretation applying to any unusual situation or leading to establishment of precedent are referred to a senior Clerk or Administrator in the court system.

Performs other duties as assigned.

## **Education, Training and Experience**

High school education with two years' previous experience as a Clerk of Court 1 or related equivalent experience.

# CLERK OF COURT 3

## **Class Definition**

Incumbents at this level perform supervisory and training functions and are responsible for production, control of work flow and discipline for a group of employees in the court offices. They may carry some of the same duties as subordinates but at a more advanced technical level.

Some tasks typical at this level are supervision and training, and responsibility for such areas as: assessing fees and taxing costs from established schedules, assessing fines on guilty pleas; swearing informations and complaints; issuing and signing warrants; receiving and filing pleadings, petitions, motions; entering judgments and orders; issuing, signing and sealing sentence forms; reviewing of applications for probate and letters of administration; checking for supporting documentation in Surrogate matters; receipt and custody of wills; issuing grants of probate, letters of administration; resealing of grants; hearing small claims and rendering judgments; interviewing and processing documents on orderly payment of debts (Note: positions in small offices where there are a limited number of cases involving small claims and O.P.D. are excluded from this level and should be tested for inclusion at Level 2).

Positions involve considerable public contact and assistance to the legal profession related to regulations or procedures and completion of court documents.

Performs other duties as assigned.

## **Education, Training and Experience**

High school education with three years' experience as a Clerk of Court with involvement in a variety of court office functions or related equivalent experience.

# CLERK OF COURT 4

## Class Definition

This is the senior technical level of clerical work in the court offices where incumbents major function is responsibility for a highly specialized phase of court work or the office manager and specialist in those offices with multi-court responsibilities and facilities.

Incumbents deal with the most complex and difficult cases, actions, proceedings, sittings, hearings, etc. Incumbents advise on court practice, procedure and rules covering complex legal and procedural matters.

As a senior specialist the incumbents have signing authority on a wide variety of complex documents and legal processes where a greater part of the work is performed with independent judgment. Some typical functions are:

### Queen's Bench Matters

Signs and seals all writs, judgments, decrees, certificates, orders, subpoena, statements of claim, petitions for divorce, and other legal processes; settles minutes of judgment; issues praecipe orders, amending pleadings on praecipe or order; signs and enters garnishing orders, act as a taxing officer; receive and file all pleadings, bonds and other papers in actions and matters presented to the court; examine and authenticate copies of pleadings, etc., for registration in foreign jurisdictions.

### Surrogate Court Matters

Signs and seals grants of probate, letters of administration and re-seal grants; sign, seals and enters judgments and certificates, maintains appropriate records and accounts; taxes bills of cost.

### County Court Matters

Hears and makes judgments on matters under Part II of County Courts Act, counsels individuals and administers Part X of Bankruptcy Act, examines and accepts documents under Part I of County Courts Act, holds signing authority for all documents of County Court including Orders from Small Claims, certificates and transcripts of judgments, cheques from trust accounts, etc.; assesses fees and taxes costs for entry of judgments.

As an office administrator and generalist the incumbents will supervise and train a small group of subordinates; ensure documents filed with the court are appropriately and correctly processed, official records are maintained, reports completed, trust accounts administered and interest computed. The incumbents

also perform the more complex document processing and signing activities in these offices. Since this level applies to a small or moderate size group with multi-court responsibilities, the incumbent is required to apply a thorough knowledge of court practice and procedure in more than one court area.

The Clerk of Court 4 is distinguished from the Clerk of Court 3 by the highly specialized tasks performed and independent judgment exercised by incumbents.

Performs other duties as assigned.

**Education, Training and Experience**

High school education with a minimum of five years' experience as a Clerk of Court or related equivalent experience.

# CLERK OF COURT 5

## **Class Definition**

Positions allocated to this level are responsible for the administration and office management of the larger court offices. The incumbent may act as an advisor on procedure, rules and precedent of the respective courts.

The incumbent has responsibility, through several assistants, for the issuing of various legal documents on instructions from the court or as required by law or rules of court; ensures that the necessary books and records for registering and filing official records of actions before the particular court are correctly maintained and that documents deposited with the court in question are processed; responsible for proper payment out of various trust accounts; signs and issues various legal processes, issues praecipe orders, charges where settlement is out of court, settles minutes of judgment, acts as taxing officer for Court of Queen's Bench; supervise and provides technical consultation to subordinate personnel. Has responsibility for production; control of work flow; performance evaluation, discipline and training of subordinates. Reviews and makes recommendations to superiors on methods and procedures or related administrative matters.

There is constant contact with members of the judiciary, legal profession, litigants, police and general public to interpret certain statutes and regulations pertaining to the court(s) assigned.

## **Education, Training and Experience**

High school education with a minimum of eight years' experience as a Clerk of Court in a variety of functions or related equivalent experience.