



<b>POSITION TITLE:</b>	IN-HOUSE LEGAL COUNSEL
<b>DEPARTMENT:</b>	LEGAL SERVICES
<b>REPORTS TO:</b>	LEGAL SERVICES MANAGER
<b>CLASSIFICATION:</b>	FULL-TIME PERMANENT
<b>FULL SALARY RANGE:</b>	\$114,366.93 TO \$134,848.11*
<b>LOCATION:</b>	FLEXIBLE WITHIN WEST REGION (RAMA FIRST NATION PREFERRED)
<b>POSTING DATE:</b>	OCTOBER 16 <sup>TH</sup> , 2024
<b>CLOSING DATE:</b>	NOVEMBER 3 <sup>RD</sup> , 2024

Dnaagdawenmag Binnoojiiyag Child & Family Services is a multi-service Indigenous wellbeing agency. We provide a stable foundation for children, youth, and families, through wraparound services that are culturally based, and family focused.

The Legal Services department is an important aspect of our service delivery model, providing consultation and supporting alternative options to minimize court involvement and resolve child welfare matters in a non-adversarial and meaningful way for the children, youth and family.

### **PURPOSE OF THE POSITION**

In reporting to the Legal Services Manager, the In-House Legal Counsel represents the Agency in all matters prescribed with the Child, Youth and Family Services Act, The Federal Legislation, the Children's Law Reform Act, the Family Law Rules, and any other relevant legislation.

The In-House Legal Counsel understands the importance of seeking alternative approaches outside of the legal system that will result in preserving relationships, protecting cultural identity and promoting healing. The incumbent provides advice and guidance that respects the rights and well-being of Indigenous children, youth and families and supports solutions that reduce reliance on formal court processes and contributes to positive and sustainable outcomes.

### **RESPONSIBILITIES**

#### **Legal Consultation**

- Provide legal consultation and training to Agency staff in execution of its mandate under the Child, Youth and Family Services Act and the Federal Legislation.



- Support the provision of services and case management practices that incorporate the enhancement and development of a positive cultural identity of the children, youth, families and communities served.
- Participate in case conferencing and decision making where appropriate on case management issues.
- Provide legal advice and services to Agency staff on the interpretation and application of the CYFSA and other legislation pertaining to child welfare or family law.
- Provide legal consultation with staff regarding case planning, abuse registration and/or adoption related issues.
- Advocate and support the use of alternative approaches to the legal system.
- Assist Agency workers requiring preparation to appear on court matters.

### **Court Related Activities**

- Provide advice and representation for Agency staff at all levels of courts and tribunals including the Child and Family Services Review Board.
- Prepare cases for presentation in court by coordinating the gathering of all information and evidence.
- Draft and/or review pleadings, affidavits, briefs and all court related documents.
- Represent the Agency in all levels of the courts and tribunals in relation to the Child, Youth and Family Services Act, Children's Law Reform Act, Family Law Act and other statutes in both contested and uncontested matters including adjournments, contested motions, motions for summary judgment, hearings, conferences, motions for disclosure, trials and appeals.
- Prepare all documents, processes, case activities, dispositions and court forms.
- Undertake legal research as needed and review current and proposed legislation as required.
- Prepare Agency staff as witnesses.
- Negotiate settlements where possible.
- Represent the Agency in appeals brought by others and by the Society for orders under the CYFSA, at all levels of court, as required.
- Represent the Agency with respect to any litigation involving disclosure of Agency records and files.

### **Leadership and Team Management:**

- Supervises a Legal Assistant, providing strong leadership and guidance to fostering a values driven, supportive and collaborative team environment and culture of engagement and well-being.
- Promote learning and development, utilizing agency tools and resources, including leadership competencies, wholistic reviews, coaching for improvement, internal and external training, etc.
- Promote employee recognition through informal and formal feedback and agency



tools such as Vibin' the Values and Solstice Awards.

- Uphold a safe, healthy, respectful workplace in accordance with policies and procedures and all legislative requirements including the Ontario Human Rights Code (OHRC), the Ontario Health & Safety Act (OHSA) and Workplace Safety Insurance Act (WSIA).
- Participates in professional development to achieve increased competence and skill in areas critical to performance by attending appropriate learning opportunities.
- Communicate clear and measurable performance expectations and accountabilities.
- Monitor and ensure appropriate distribution of tasks and workload.
- Participates in the defined Agency supervisory and evaluative process.

### **Relationship and Team Building**

- Foster a collaborative and cooperative relationship between Agency staff and community members potentially involved within the court system.
- Establish positive relationships with community, internal and external to the Agency, including Agency staff, medical professionals, police, Chief and Councils as well as collateral and community organizations involved in child welfare service delivery.
- Participate in the presentation of training programs on legal matters and procedures.
- Support and problem solve high-profile and crisis situations in a manner that supports Agency staff and families and constructively resolves the issue.

### **Administration and Reporting**

- Complete administrative and reporting duties as required.
- Develop goals, objectives and measurable indicators of success.
- Document all legal issues, process and case activities in accordance with established policies and procedures.
- Prepare reports, briefing notes and correspondence as required.
- Ensure confidentiality and safekeeping of all Agency documents and records.
- Develop and maintain accurate, up-to-date and concise work files.
- Prepare and submit reports, attendance records and travel expense claims.
- Follow the Agency's human resources, finance and other policies and procedures in the performance of duties.

### **Other Duties**

- As assigned by the Legal Services Manager or designate.

## **POSITION REQUIREMENTS**

### **Education and Experience Requirements:**



- Bachelor's Degree, LL.B. or Juris Doctor plus one year of articling and six months bar admission courses, combined with a minimum of two to three (2-3) years' experience in litigation and in Family Law with some exposure to Child Welfare Law.
- A member in good standing with the Law Society of Ontario.
- Experience working within Child Welfare and/or Indigenous Child-Wellbeing setting would be considered an asset.

### **Knowledge Requirements:**

- A good working knowledge of community services within the Dnaagdawenmag Binnoojiiyag Child & Family Services catchment area and surrounding areas to assist in service provision.
- Sound knowledge of relevant legislative framework and policies reflecting current child welfare practice.
- Sound knowledge of the case law, i.e., judicial decisions regarding the above legislation.
- Strong knowledge of Indigenous service delivery, culture and traditions in responding to child welfare concerns.
- Good knowledge of court procedures and evidence including both the Canada and Ontario Evidence Act.
- A good working knowledge of community services within the Dnaagdawenmag Binnoojiiyag Child & Family Services catchment area and surrounding areas to assist in service provision.
- A solid understanding of and sensitivity to the experiences of First Nations and Indigenous peoples in Canada, and the impact of the legacy of Residential Schools and the Sixties Scoop upon them is essential.

### **Ability and Skill Requirements:**

- Capacity to integrate Indigenous knowledge and practices into legal services while practicing cultural humility, recognizing and addressing one's own biases, and continually learning from Indigenous communities
- Skilled in navigating and challenging systemic barriers to ensure equitable treatment and services.
- Ability to make sound decisions in high-pressure situations, balancing legal requirements with cultural considerations and an anti-oppressive lens.
- Strong problem-solving skills and conflict resolution, with the capacity to develop innovative solutions that respect Indigenous values and community needs.
- Written communication skills to prepare correspondence, draft court documentation, and write legal opinions, draft contracts, etc.
- Excellent verbal and communication skills to relay information to workers, service recipients, other Lawyers, and in particular, when presenting arguments to the Judge in a court setting.
- Negotiation and decision-making skills to negotiate settlements in court cases, to



determine course of action during court hearings and to mediate between social work and legal professions.

- Research skills to research points of law, both in court proceedings and in providing day-to-day legal advice to the Agency.
- Organizational skills to effectively prepare and implement the presentation of a case in court.
- Skilled in teaching others through the facilitation of training and development sessions and the development of resources and tools.
- Interpersonal skills to interact with different disciplines, frequently in a setting where there are conflicting interests (e.g., unwilling witnesses, irate parents, etc.)
- Management skills to manage services, including assignment of court cases and delegation of work to support staff, ensuring consistency in the provisions of legal services.
- Strong technical aptitude and skilled in the use of MS Office (Word, Excel, Outlook, PowerPoint), data bases and reporting tools.
- Monitor performance of support staff and develop work plans.

#### **Mandatory Requirements:**

- Provide an acceptable Canadian Police Information Centre Check (CPIC) and Vulnerable Sector Screening (VSS).
- Able to provide a safe vehicle for use on the job, an acceptable Driver's Abstract, evidence of a valid Ontario Driver's License and of Personal Liability & Property Damage insurance coverage for at least \$2,000,000.00.
- Must be willing to work flexible hours including weekends, evenings and holidays as required.

#### **WORKING CONDITIONS**

- The nature of the job requires flexibility in hours worked, especially during court trials. Longer than normal hours are required on a regular basis.
- Provided a working location with a hybrid work from home option available.
- Travel within the catchment area will be required from time to time.

#### **STARTING SALARY RANGE**

- \$114,366.93 - \$124,608.65, depending on qualifications and experience.

\*PLEASE NOTE: The full salary range is the total earning potential for this position. Increases are awarded based on your annual performance review.

#### **TO APPLY**

- Please email the following to [careers@binnoojiiyag.ca](mailto:careers@binnoojiiyag.ca).
  - Application for Employment (available at [www.binnoojiiyag.ca](http://www.binnoojiiyag.ca))
  - Please indicate preferred location in your application



Dnaagdawenmag Binnoojiiyag  
**Child & Family Services**

## EMPLOYMENT OPPORTUNITY

- Resume (include 3 work-related supervisory references)
- Incomplete Applications will not be considered.
- Only those selected will be contacted for an interview.
- As an Indigenous Child Wellbeing Agency, we give priority to applicants who identify as First Nations, Inuit, Métis, and those with close affiliations.