

Job Title: **Registrar of Probate**

Department: Court Services

Section: Judicial Greffe

Reports to: Judicial Greffier

JE Ref: SG1026

Grade: CS13

JE Date: 25/08/2023

Job purpose

As a member of the Judicial Greffe Leadership Team, manage all aspects of the Probate and Capacity Section in order to deliver a professional, efficient and cost effective service to its users, ensuring that principles of continuous improvement, business continuity, risk management, wellbeing and health and safety are embedded in the section.

As member of the Leadership Team, contribute to the strategic development and operational efficiency of the Judicial Greffe.

Job specific outcomes

1. Makes judicial decisions on a daily basis about the validity of Wills and related documents within the context of the Probate (Jersey) Law, 1998, and the Laws and customs of other territories/jurisdictions worldwide. Determines and authorises the validity of foreign grants (or the equivalent) and Wills under Jersey Probate Law and sanctions confirmation from foreign Courts in the event that a Will does not satisfy Jersey Law. Administers Oaths and issues Grants of Probate and Letters of Administration for non-domiciled deceased persons with assets in Jersey and deceased Jersey domiciles with assets worldwide, in order that the assets to be released as appropriate to the circumstances. Maintains constant awareness of political changes and sanctions issued globally with reference to other territories/jurisdictions. Has regard to their unique laws and regulations and facilitate (i.e. determine and address conflict of law issues) under the Probate (Jersey) Law, 1998, to determine validity of documentation presented for approval. Advises members of the public and legal profession on matters of capacity and procedures to ensure that all the information related to the initial stages of the process is obtained.
2. Prepares Acts of Court on particular Probate matters which can be used as precedents for the department in conjunction with Jersey Court Judgments. Attends Court and sits as Greffier advising and assisting the Court as and when required on aspects of the Law relating to Probate and Capacity matters, including applications for the appointment of a delegate, whether by consent or contested. Determine whether to grant trust corporation status under the Probate (Jersey) Law 1998 to companies, provided that they meet the criteria for Internal/external trust corporation status within the meaning of the Law.

3. Provides effective leadership to the team, ensuring a performance management culture, monitoring workload, identifying training needs, setting objectives, and providing performance feedback. Communicates effectively to ensure that team members are briefed on departmental and organisational priorities. Acts as a role model to support team members of immediate and the wider team. As a member of the Judicial Greffe Leadership team, participates in a range of departmental initiatives including contributing to annual report and business plans, reviewing performance data and key performance indicators. Reviews services to ensure continued effectiveness and efficiency and identify improvements through a culture of continuous improvement.
4. Oversees the process for applications for the appointment of Delegates. The process requires the provision of accurate and complete information, delegates to be interviewed and a report made to the Court on their suitability for appointment. Through the Assistant Registrar, ensures all delegates, including lawyers and other professionals, are fully briefed on their responsibilities and reporting requirements to both the Registrar of Probate and the Court and monitor their compliance with these requirements in accordance with the Capacity and Self-Determination (Jersey) Law 2016. Through the Assistant Registrar, liaises with Law Officers' Department and makes recommendations to the Court as to the scope of the delegate order in contentious cases. Assist applicants with the preparation of representations to the Court.
5. Oversees the review of all applications for Lasting Powers of Attorney (LPAs) and decisions as to validity and acceptability. Through the Assistant Registrar, drafts and issues notifications and Acts of Court as prescribed by law, receives and reviews objections to the registration of an LPA and any applications to revoke a registered LPA, weighs up evidence and makes careful decisions as to whether there are grounds for the objection or revocation. Receives and review applications for the registration of foreign LPAs. Registers and produce Acts of Court.
6. Provides advice and input to the drafting of official guidelines and legislation to ensure that the law is workable for practical application.
7. Makes decisions as to requirement for directions from the Court and prepares applications for directions from the Bailiff or Inferior Number.
8. Oversees the management and maintenance of the LPA and Delegate databases. Oversees the management of the Capacity Section's electronic diary including timetabling and date fixing for court hearings.

Statutory responsibilities

Active engagement, participation and compliance with any other statutory responsibilities applicable to the role, as amended from time to time.

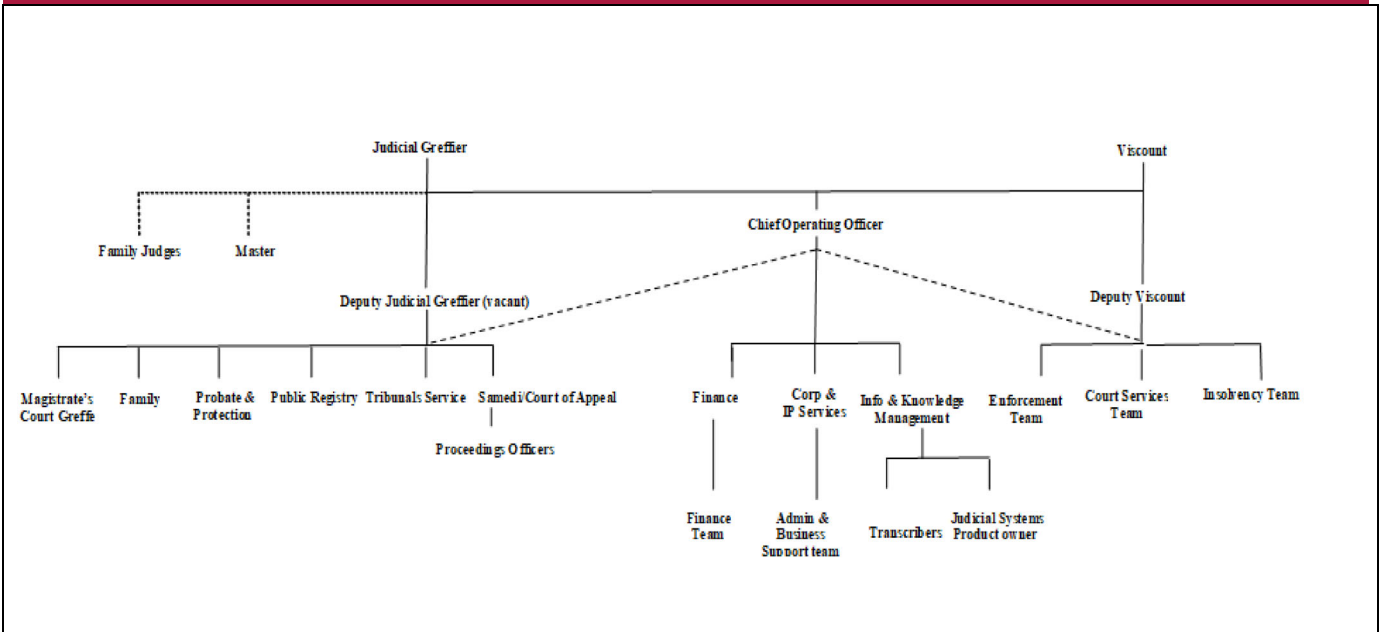
This role is politically restricted. The jobholder is not permitted to undertake political activity involving standing for election to the States or as a Parish Constable, or publicly supporting someone who is standing for election or playing a public part in any political manner.

Organisational structure

Government Departments



Organisation chart



Person Specification

Specific to the role

Describe the knowledge, skills, experience, and qualifications required to perform the job to a satisfactory standard.

It is important to convey what the job requires, rather than what an individual might have, as these may be different. For example, you may have a postgraduate level qualification, however, an A' Level standard qualification is the requirement for the job.

ATTRIBUTES	ESSENTIAL	DESIRABLE
<p>Qualifications Please state the level of education and professional qualifications and / or specific occupational training required.</p>	<p>Either:</p> <ul style="list-style-type: none"> a UK legal qualification as a solicitor or barrister with a minimum of 5 years PQE in relevant practice; or Membership of Society of Trust and Estate Practitioners with a minimum of 10 years' experience working in the field of probate. <p>A formal management qualification through the Chartered Management Institute or similar at level 7.</p> <p>A project management qualification such as Prince2, PMP or Agile</p>	<p>A Jersey legal qualification or working towards one.</p>
<p>Knowledge This relates to the level and breadth of practical knowledge required to do the job (e.g. the understanding of a defined system, practice, method or procedure).</p>	<p>High level of legal understanding and technical knowledge in the field.</p> <p>In depth knowledge of Jersey Probate and Mental Health legislation.</p> <p>A sound understanding of worldwide legislation in relation to probate/</p>	<p>Willingness to undertake or having undertaken the Institute of Law examination in Testate and Intestate Succession together with any other relevant training.</p>
<p>Technical / Work-based Skills</p>	<p>Ability to manage (prioritise, plan and organise) the fluctuating daily</p>	

<p><i>This relates to the skills specific to the job, e.g. language fluency, vehicle license etc.</i></p>	<p>workloads of the Probate and Capacity Section.</p> <p>Ability to understand the detail and practical application of a wide range of Statutes, Rules and Regulations.</p> <p>A good working knowledge of Information Technology systems.</p> <p>Excellent written and grammatical skills.</p>	
<p>General Skills/Attributes <i>This relates to more general characteristics required to do the job effectively, e.g. effective written communication skills, ability to delegate, motivation or commitment etc.</i></p>	<p>Ability to communicate effectively with members of the public, legal professionals and senior members of the Courts in Jersey</p> <p>Ability to support, motivate and influence staff in order to achieve end results;.</p> <p>A mature and flexible approach to change.</p> <p>Ability to work accurately under pressure.</p> <p>Acts with the highest levels of discretion and probity at all times as dealing with sensitive legal information.</p>	
<p>Experience <i>This is the proven record of experience and achievement in a field, profession or specialism. This could include a minimum period of experience in a defined area of work if required by an external body (for example a period of post-qualification experience).</i></p>	<p>At least 10 years managerial experience gained in a legal environment.</p> <p>Experience of leading, motivating and managing a team of staff.</p> <p>Experience in conflict resolution.</p> <p>Experience in project development/management.</p>	

Personal Attributes

Appointees to this role will be required to adhere to and perform their duties in line with the standards identified in the States of Jersey tier 4 core accountabilities attributes and behaviour indicators.