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3 March 2006

**SC JTH AFRICAN QUALIFICATIONS AUTHORITY (SAQA)**

In accordance with regulation 24(c) of the National Standards Bodies Regulations of 28 March 1998, the Standards Generating Body (SGB) for

Legal Education and Training

Registered by Organising Field 08, Law, Military Science and Security, publishes the following qualification and unit standards for public comment.

This notice contains the titles, fields, sub-fields, NQF levels, credits, and purpose of the qualification and unit standards. The qualification and unit standards can be accessed via the SAQA web-site at www.saga.org.za. Copies may also be obtained from the Directorate of Standards Setting and Development at the SAQA offices, **Hatfield Forum West, 1067 Arcadia Street, Hatfield, Pretoria.**

Comment on the qualification and unit standards should reach SAQA at the address below *and no later than 30 March 2006*. All correspondence should be marked **Standards Setting - SGB for Legal Education and Training** and addressed to

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DIRECTOR: STANDARDS SETTING AND DEVELOPMENT
DIRECTOR: STANDARDS SET



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

QUALIFICATION:

National certificate: Court-Based Family Law Practice

SAQA QUAL ID	QUALIFICATION TITLE		
50265	National Certificate: Court-Based Family Law Practice		
SGB NAME	ORGANISING FIELD ID	PROVIDER NAME	
SGB for Legal Education and Training 8			
QUAL TYPE	ORGANISING FIELD DESCRIPTION	SUBFIELD	
National Certificate	Law, Military Science and Security	Justice in Society	
ABET BAND	MINIMUM CREDITS	NQF LEVEL	QUALIFICATION CLASS
Undefined	120	Level 5	Regular-Unit Stds Based

This qualification is aimed at persons who work or intend to work in the family law section of lower courts in South Africa, and who seek recognition for essential skills in court-based family law practice. The purpose of the qualification is to confer the qualifying learner with a basic knowledge and understanding of the family law system and legislation in South Africa, their application and social context, as well as the skills and competencies needed to deliver family-law related services to the public in the court environment.

The qualification will confer accredited status to persons who provide legal assistance and support to members of the public in the family law-related court environment. This qualification is designed to be flexible and accessible so that recipients of this qualification know about and will be able to conduct the essential operations of court-based family law service delivery.

Qualifying learners will be able to:

- > Apply fundamental knowledge and understanding of family law to specific situations within the South African legal context.
- > Communicate with role-players in the family law system and with members of the public seeking family law-related services in the court environment.
- > Guide and refer members of the public with family law-related problems.
- > Assist in solving problems in a court-based family law context by working in a team and individually.
- > Provide administrative and organisational support in the family court environment.
- > Exercise ethical conduct, values and professionalism when dealing with all role-players and members of the public.

Practitioners will carry out their role within the context of South African courts that provide family law services to the public, at a lower court level.

This qualification equips learners to make a meaningful contribution to South Africa's constitutional democracy by enhancing the quality of legal services provided by the state, improving access to justice and contributing to the resolution of family disputes.

Rationale:

Court-based family law practice refers to a combination of tasks and responsibilities relating to maintenance, domestic violence, divorce and children's court matters, carried out by staff employed as clerks and administrators in South African courts. Due to the duties imposed on the state by family law-related legislation, these court staff are obligated to provide both administrative and legal assistance and support to the public, the court itself and other role-players in the family law system. As such, the nature of their

occupation differs considerably from that of legal assistants and/or paralegals working in the private sector or non-governmental advice office sector. Court-based family law service providers play a pivotal role in the state family law system and the resolution of family law disputes in South Africa, but thus far have seldom enjoyed the benefit of formal legal training. This qualification will equip them with the legal knowledge, communication and administrative skills needed to work with the range of family law-related matters in the court environment.

This will result in qualified and competent family law service providers in South African courts, offering more effective and informed advice and assistance to people with family law problems. This in turn will contribute to the quicker and more efficient processing of family law matters through the court system, thereby reducing court backlogs and expediting rapid and durable solutions for South African families in crisis.

This qualification intends to equip the learner with the necessary life skills and has an integrated approach to critical cross-field outcomes. This certificate establishes minimum standards and contributes to quality service provision, as well as ethical and professional standards.

Court-based family law service provision is regulated by domestic legislation and governmental policy, as well as by international treaties. These governing instruments have a major influence on the construct of this qualification.

RECOGNIZE PREVIOUS LEARNING?

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LEARNING ASSUMED TO BE IN PLACE

It is assumed that learners enrolling for this qualification will have acquired all the outcomes in the following learning areas:

- > Communicate at NQF level 4.
- > Numeracy skills at NQF level 4.
- > Computer skills at NQF level 3.

Recognition of prior learning:

This qualification can be achieved wholly or in part through recognition of prior learning, which where necessary, must be contextualised in terms of fundamental law and the requisite administrative support skills.

Evidence can be presented in a variety of forms, including international or previous local qualifications, reports, testimonials mentioning functions performed, work records, portfolios, videos of practice and performance records.

All such evidence should be judged according to the general principles of assessment described in the notes to assessors.

QUALIFICATION RULES

Fundamental:

- > Learners must achieve all 7 fundamental unit standards which total a value of 38 credits as listed.

Core:

- > Learners must achieve all 10 core unit standards which total a value of 58 credits as listed.

Elective:

- > Learners must achieve at least 24 credits of their choice from any of the available 6 elective unit standards which total 42 credits as listed.

EXIT LEVEL OUTCOMES

1. Apply fundamental knowledge and understanding of family law to specific situations within the South African legal context.
2. Communicate with role-players in the family law system and with members of the public seeking family law-related services in the court environment.
3. Guide and refer members of the public with family law-related problems.

4. Assist in solving problems in a court-based family law context by working in a team and individually.
5. Provide administrative and organisational support in the family court environment.
6. Exercise ethical conduct, values and professionalism when dealing with all role-players and members of the public.

Critical cross-field outcomes:

This qualification addresses the following critical cross-field outcomes, as detailed in the unit standards:

- > Identify and solve family law-related problems in which responses display that responsible decisions, using critical thinking, have been made.
- > Work effectively with others in the family court environment as a member of a team delivering family law-related services to the public.
- > Organise and manage the learner and the learner's activities relating to family law service delivery responsibly and effectively.
- > Collect, analyse, organise and critically evaluate information relating to family law disputes in the lower court context.
- > Communicate effectively with other family law service providers and members of the public with family law disputes, using visual, mathematical, and language skills in the modes of written and oral presentation.
- > Use technology effectively and responsibly in the processing of family law matters.
- > Demonstrate an understanding of the world as a set of related systems by recognising that problem-solving in the family court context does not exist in isolation.
- > Demonstrate an awareness of their role in participating as responsible citizens and service providers in the justice system and legal community.
- > Demonstrate an awareness of their role in displaying sensitivity to diversity in the family court environment.

ASSOCIATED ASSESSMENT CRITERIA

1.
 - > Facts relating to a family law problem are analysed in terms of a given case study.
 - > Family disputes are examined in relation to the provisions of governing legislation.
 - > Options to resolve family disputes are evaluated in terms of the South African Family Law context.
 - > Alternative service providers are selected in relation to problems that fall outside court-based family law.
2.
 - > Legal provisions are communicated to family law role-players and court visitors seeking assistance.
 - > Court procedures are communicated to family law role-players and court visitors seeking assistance.
 - > Legal or paralegal solutions are communicated to court visitors seeking assistance within the context of South African law.
 - > Range: Family law-related courts refer to maintenance, domestic violence, divorce and children's courts.
3.
 - > Family law problems are analysed and solutions are distinguished in terms of their advantages and disadvantages.
 - > Meetings with court visitors seeking assistance are managed in order to facilitate the meeting and its outcomes.
 - > Additional support services are selected for court visitors seeking assistance.
 - > Range: Support services include referral to appropriate practitioners with relevant follow-up.
4.
 - > Sources of South African family law and other selected subjects or laws are analysed in terms of legal principles.
 - > Family law disputes are resolved in co-operation with other role-players according to legal principles and court procedures.
5.
 - > Legal proceedings in family law matters are initiated in accordance with governing legislation and court rules.
 - > Affidavits in family law matters are formulated and commissioned in accordance with legal principles and court rules.
 - > Family law matters are processed in accordance with court rules and governing legislation.
 - > Administrative systems for family law matters are managed in accordance with court policies and procedures.
- 6.

- > The concept of accountability is analysed in the context of a given case study.
- > Court visitors seeking assistance are treated with confidentiality, dignity and respect.
- > Ethical and professional principles for conduct in the family court environment are examined in the context of family law matters.

Integrated assessment:

Applied competence (practical, foundational and reflexive competencies with regard to legal, communication and administrative knowledge and skills) of this qualification will be achieved if a candidate can integrate the various unit standard outcomes to be able to perform as a court-based family law practitioner in any South African court providing family law services.

Ongoing formative assessment is required so that learners are given feedback on their progress in the achievement of specific learning outcomes. Summative assessment is concerned with the judgement of the learning in relation to the exit level outcomes of the qualification, which tests the learner's ability to integrate legal, communication and administrative knowledge and skills and service delivery values. The assessment methods must include observation (e.g. during interaction with court visitors), product evaluation (e.g. completed forms and affidavits) and questioning (oral and/or written) to provide sufficient opportunity to the learner to demonstrate applied competence.

Integrated assessment at the level of this qualification provides an opportunity for learners to show they are able to integrate concepts, ideas, skills, values and actions across unit standards to achieve competence that is grounded in and coherent in relation to the purpose of the qualification. When providing information and assistance to a court visitor, the court-based family law practitioner must understand and display legal and non-legal knowledge relevant to the visitor's problem; use communication skills; maintain a database of suitable referral organisations and address the case with professional and ethical conduct. An assessment of the services provided to court visitors through simulation exercises would examine competence across the range of unit standards.

Integrated assessment must judge not only the quality of the observable performance but also the thinking and understanding that underpins it. Assessment tools must also encourage learners to give an account of the thinking and decision-making that forms the basis for their demonstrated performance. An integrated mix of task-orientated and theoretical assessment tools should be used with the ultimate focus being on the assessment of applied competence.

Assessors must use a range of tools to test demonstrated competence in practical situations (e.g. simulations of service delivery to court visitors with divorce, maintenance, domestic violence and children's court matters) as well as oral or written examination (on application of fundamental legal knowledge), that integrates the assessment of all specific outcomes for all the unit standards.

Assessment should ensure that all specific outcomes, embedded knowledge and critical cross-field outcomes are evaluated. The assessment of the critical cross-field outcomes should be integrated with the assessment of specific outcomes and embedded knowledge.

INTERNATIONAL COMPARABIUN

Due to the very specific nature of the occupation of court-based family law practitioners in South African courts and the particular range of country-specific legislation governing service delivery, no qualification exactly similar to this currently exists in another country. The nature of the family law system differs substantially from country to country. Very few countries have a family court system where staff members of the court are obligated to provide legal information and assistance with form completion to members of the public. As these competencies and the associated legal knowledge form the basis of this qualification, it stands to reason that few other countries require a qualification similar to this one.

The countries that have most in common with the South African family law system are generally those which have adopted the judicial mechanism of family courts for the provision of family law services to the public. Those most similar to the South African family law system are found in Singapore, Australia and Canada (Ontario Province).

Ontario, Canada:

The Canadian Unified Family Courts, in Ontario province, include family court information centres, which provide user-friendly information and assistance to court visitors. The centres are staffed, amongst others, by information and referral officers, as well as family mediators. In order to provide mediation services in the family court, mediators require a professional degree or equivalent, a minimum of 60 hours of family mediation training (basic and advanced skill course), a minimum of 100 hours of supervision and/or a

minimum of **5** cases mediated to the point of agreement where a practising mediator has provided supervision and/or consultation.

Australia:

The Australian Family Court has been in existence for over 25 years and **is** widely seen as the best practice model of family courts internationally. Australia however does not impose a positive duty on family court-based **staff** to assist members of the public in the drafting of legal documentation. Training has therefore focussed primarily on procedural law and on communication with court users and is conducted on an in-house basis. This training is regularly under review and no permanent curriculum is available. The family courts are currently using a four-stage face-to-face and on-line training programme on the implementation of Family Law Rules 2004, which incorporates cultural diversity training relating to all new forms for all staff. The court also provides intensive induction training for all staff on domestic violence, including modules on registry-specific procedures and the impact of family violence in culturally and linguistically diverse communities. At present, the training provided to staff through the Australian Family Court is not formally accredited. Vocational graduate certificates and diplomas have only recently been introduced under the Australian Qualification Training Framework during **2005**. Currently, no court-based family law qualification has been registered.

Singapore:

In Singapore, a qualification **was** introduced in 2005 focussing on mediation skills for staff and volunteers working in family courts. This Certificate of Mediation is awarded by the subordinate courts of Singapore in co-operation with the Temasek Polytechnic, and comprises of five modules: Family law; Basics of mediation; Advanced mediation; Introduction to counselling; and Family Issues in Mediation and Counselling. The qualification entails 90 hours of learning. A prerequisite for entry to this qualification **is** that learners must be an employee, prospective employee or volunteer based at the Singapore Family Court.

The South African Certificate in Court-based family law practice is much broader in scope and covers more detailed knowledge and skills terrain than the examples above. None of the countries above have registered a comprehensive formal qualification specifically aimed at family court service providers, although the need for such a step has been noted in some instances (most notably in Australia). The training of court-based family law practitioners in other countries with family courts ordinarily takes place via in-house, customised training courses which have not been structured to represent a formal qualification.

Besides South Africa, no other African country has pursued the approach to family law services typically associated with family courts. **As** such, comparability with African countries could not be done.

ARTICULATION OPTIONS

The National Certificate in Court-based Family Law Practice articulates horizontally with the following qualifications:

- > National Diploma: Service Management (Court Management), **20414**.
- > National Certificate: Paralegal Practice, **49597**.
- > National Diploma: Paralegal Practice, **ID 49598**.

This qualification will also articulate vertically with:

- > Bachelor of Laws.

MODERATION OPTIONS

Moderation must include both internal and external moderation of assessments. Moderation of assessments will be overseen by the relevant ETQA according to the moderation guidelines and agreed ETQA procedures. This qualification can be internally assessed by assessors of the provider and moderated by a moderator registered by the relevant ETQA. Moderation shall comply with SAQA requirements.

Anyone assessing a learner or moderating the assessment of a learner against this qualification or **its** unit standards must be registered as an assessor with the relevant ETQA.

CRITERIA FOR THE REGISTRATION OF ASSESSORS

Assessors for this qualification will hold a level **6** qualification in law or will **be** competent in the outcomes of this qualification and have worked on family law matters in the court environment for at least **3** years.

NOTES

Comment on this qualification should reach SAQA no later than 27 February 2006.

UNIT STANDARDS

(Note: A blank space after this line means that the qualification is not based on Unit Standards.)

	UNIT STANDARD ID AND TITLE	LEVEL	CREDITS	STATUS
Core	15234 Apply efficient time management to the work of a department/division/section	Level 5	4	Registered
Core	117854 Facilitate meetings to deal with conflict situations	Level 5	8	Registered
Core	123217 Administer family law matters	Level 5	4	Public Comment
Core	123218 Assist people with family law matters	Level 5	5	Public Comment
Core	123220 Utilise maintenance enquiry procedures	Level 5	7	Public Comment
Core	123224 Complete pleadings in divorce matters	Level 5	6	Public Comment
Core	123226 Facilitate maintenance complaints	Level 5	6	Public Comment
Core	123227 Guide complainants involved in domestic violence matters	Level 5	6	Public Comment
Core	123228 Conduct children's court matters	Level 5	5	Public Comment
Core	123229 Utilise domestic violence procedures	Level 5	6	Public Comment
Elective	117848 Conduct mediation in situations that require advanced skills	Level 5	12	Registered
Elective	123211 Utilise selected skills in maintenance matters	Level 5	6	Public Comment
Elective	123213 Support victims of domestic violence	Level 5	6	Public Comment
Elective	123219 Utilise selected skills in children's court matters	Level 5	6	Public Comment
Elective	123214 Conduct breach of protection order trials	Level 6	6	Public Comment
Elective	123216 Utilise selected skills in divorce matters	Level 6	6	Public Comment
Fundamental	123210 Demonstrate understanding of the children's court system in South Africa	Level 5	5	Public Comment
Fundamental	123212 Demonstrate understanding of the South African family law context	Level 5	5	Public Comment
Fundamental	123215 Demonstrate understanding of the maintenance court system in South Africa	Level 5	6	Public Comment
Fundamental	123221 Demonstrate understanding of the legal framework and context of domestic violence in South Africa	Level 5	6	Public Comment
Fundamental	123222 Demonstrate understanding of selected concepts of family law	Level 5	6	Public Comment
Fundamental	123223 Demonstrate understanding of the legal principles of marriage in South Africa	Level 5	4	Public Comment
Fundamental	123225 Demonstrate understanding of the divorce system in South Africa	Level 5	6	Public Comment



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

1

SAQA US ID	UNIT STANDARD TITLE		
123210	Demonstrate understanding of the children's court system in South Africa		
SGB NAME	ORGANISING FIELD ID	PROVIDER NAME	
SGB for Legal Education and Training	8		
UNIT STANDARD TYPE	ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION	
Regular	Law, Military Science and Security	Justice in Society	
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	5	Level 5	Regular

SPECIFIC OUTCOME 2

Demonstrate familiarity with the provisions of the Child Care Act.

SPECIFIC OUTCOME 3

Analyse key concepts relating to child care and protection.

SPECIFIC OUTCOME 4

Analyse parental rights and responsibilities in children's court matters.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

2

Utilise selected skills in maintenance matters

SAQA US ID	UNIT STANDARD TITLE		
123211	Utilise selected skills in maintenance matters		
SGB NAME	ORGANISING FIELD ID	PROVIDER NAME	
SGB for Legal Education and Training	8		
UNIT STANDARD TYPE	ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION	
Regular	Law, Military Science and Security	Justice in Society	
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	6	Level 5	Regular

SPECIFIC OUTCOME 1

Assist the court in a maintenance enquiry

SPECIFIC OUTCOME 2

Trace parties and conduct economic profiling.

SPECIFIC OUTCOME 3

Prepare for a criminal maintenance trial.

SPECIFIC OUTCOME 4

Calculate interest in maintenance enforcement matters.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

3

Demonstrate understanding of the South African family law context

SAQA US ID	UNIT STANDARD TITLE		
123212	Demonstrate understanding of the South African family law context		
SGB NAME	ORGANISING FIELD ID	PROVIDER NAME	
SGB for Legal Education and Training	8		
UNIT STANDARD TYPE	ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION	
Regular	Law, Military Science and Security	Justice in Society	
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	5	Level 5	Regular

SPECIFIC OUTCOME 1

Facilitate service to people with low levels of literacy and numeracy in family law.

SPECIFIC OUTCOME 2

Apply the charter of victim services and principles of minimum standards in relation to family law.

SPECIFIC OUTCOME 3

Analyse which social security grants available in South Africa and refer people to access points.

SPECIFIC OUTCOME 4

Facilitate meetings with people involved in family disputes.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

4

Support victims of domestic violence

SAQA USID	UNIT STANDARD TITLE		
123213	Support victims of domestic violence		
SGB NAME	ORGANISING FIELD ID	PROVIDER NAME	
SGB for Legal Education and Training	8		
UNIT STANDARD TYPE	ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION	
Regular	Law, Military Science and Security	Justice in Society	
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	6	Level 5	Regular

SPECIFIC OUTCOME 1

Analyse strategies for supporting victims of domestic violence as they move through the justice, social and health systems.

SPECIFIC OUTCOME 2

Conduct a safety assessment.

SPECIFIC OUTCOME 3

Demonstrate knowledge of the components of a safety plan.

SPECIFIC OUTCOME 4

Assist victims of domestic violence to prepare and implement safety plans.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

5

Conduct breach of protection order trials

SAQA US ID	UNIT STANDARD TITLE		
123214	Conduct breach of protection order trials		
SGB NAME	ORGANISING FIELD ID	PROVIDER NAME	
SGB for Legal Education and Training	8		
UNIT STANDARD TYPE	ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION	
Regular	Law, Military Science and Security	Justice in Society	
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	6	Level 6	Regular

SPECIFIC OUTCOME 1

Prepare people to give evidence in domestic violence trials.

SPECIFIC OUTCOME 2

Demonstrate knowledge of conflict management in domestic violence trials.

SPECIFIC OUTCOME 3

Evaluate principles of case analysis in domestic violence trials.

SPECIFIC OUTCOME 4

Analyse different sentencing options in domestic violence trials.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

6

SAQA US ID		UNIT STANDARD TITLE	
123215		Demonstrate understanding of the maintenance court system in South Africa	
SGB NAME		ORGANISING FIELD ID	PROVIDER NAME
SGB for Legal Education and Training		8	
UNIT STANDARD TYPE		ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION
Regular		Law, Military Science and Security	Justice in Society
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	6	Level 5	Regular

SPECIFIC OUTCOME 1

Demonstrate knowledge of the structure and position of maintenance courts in South Africa.

SPECIFIC OUTCOME 2

Apply the provisions of the Maintenance Act.

SPECIFIC OUTCOME 3

Examine the concept of the duty of support in maintenance matters.

SPECIFIC OUTCOME 4

Examine the concept of reasonable financial needs in maintenance.

SPECIFIC OUTCOME 5

Analyse the concept of maintenance enforcement through the courts.

SPECIFIC OUTCOME 6

Demonstrate an understanding of the role of criminal prosecution in maintenance matters.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

7

SAQA USID		UNIT STANDARD TITLE	
123216		Utilise selected skills in divorce matters	
SGB NAME		ORGANISING FIELD ID	PROVIDER NAME
SGB for Legal Education and Training		8	
UNIT STANDARD TYPE		ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION
Regular		Law, Military Science and Security	Justice in Society
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	6	Level 6	Regular

SPECIFIC OUTCOME 2

Initiate and respond to discovery procedures.

SPECIFIC OUTCOME 3

Draw up and issue substituted service applications.

SPECIFIC OUTCOME 4

Draw up and issue interim interdict applications.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

8

Administer family law matters

SAQA US ID	UNIT STANDARD TITLE		
123217	Administer family law matters		
SGB NAME	ORGANISING FIELD ID	PROVIDER NAME	
SGB for Legal Education and Training	8		
UNIT STANDARD TYPE	ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION	
Regular	Law, Military Science and Security	Justice in Society	
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	4	Level 5	Regular

SPECIFIC OUTCOME 1

Record and examine information in family law documents.

SPECIFIC OUTCOME 2

Commission family law documents.

SPECIFIC OUTCOME 3

Use the family law filing system.

SPECIFIC OUTCOME 4

Plan the family court roll.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

9

Assist people with family law matters

SAQA US ID	UNIT STANDARD TITLE		
123218	Assist people with family law matters		
SGB NAME	ORGANISING FIELD ID	PROVIDER NAME	
SGB for Legal Education and Training	8		
UNIT STANDARD TYPE	ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION	
Regular	Law, Military Science and Security	Justice in Society	
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	5	Level 5	Regular

SPECIFIC OUTCOME 1

Assist people to identify their family law problems.

SPECIFIC OUTCOME 2

Examine the service formalities in family law matters.

SPECIFIC OUTCOME 3

Provide information on family law processes.

SPECIFIC OUTCOME 4

Analyse the legal implications of a family court order.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

10

Utilise selected skills in children's court matters

SAQA US ID	UNIT STANDARD TITLE		
123219	Utilise selected skills in children's court matters		
SGB NAME		ORGANISING FIELD ID	PROVIDER NAME
SGB for Legal Education and Training		8	
UNIT STANDARD TYPE		ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION
Regular		Law, Military Science and Security	Justice in Society
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	6	Level 5	Regular

SPECIFIC OUTCOME 1

Demonstrate knowledge of provisions relating to inter-country adoptions.

SPECIFIC OUTCOME 2

Evaluate the provisions of the Hague Convention on the civil aspects of international child abduction.

SPECIFIC OUTCOME 3

Analyse the provisions of the UN Protocol to prevent trafficking in persons.

SPECIFIC OUTCOME 4

Facilitate proceedings in children's court enquiries.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

11

Utilise maintenance enquiry procedures

SAQA US ID	UNIT STANDARD TITLE		
123220	Utilise maintenance enquiry procedures		
SGB NAME	ORGANISING FIELD ID	PROVIDER NAME	
SGB for Legal Education and Training	8		
UNIT STANDARD TYPE	ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION	
Regular	Law, Military Science and Security	Justice in Society	
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	7	Level 5	Regular

SPECIFIC OUTCOME 1

Examine financial information utilised in a maintenance enquiry.

SPECIFIC OUTCOME 2

Process court orders and notices to employers in maintenance matters.

SPECIFIC OUTCOME 3

Process an application in order to resolve a paternity dispute.

SPECIFIC OUTCOME 4

Process maintenance applications.

SPECIFIC OUTCOME 5

Process warrants of execution, garnishee orders and emoluments attachment orders to enforce maintenance.

SPECIFIC OUTCOME 6

Enforce the non-cash components of maintenance orders.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

12

Demonstrate understanding of the legal framework and context of domestic violence in South Africa

SAQA US ID	UNIT STANDARD TITLE		
123221	Demonstrate understanding of the legal framework and context of domestic violence in South Africa		
SGB NAME	ORGANISING FIELD ID	PROVIDER NAME	
SGB for Legal Education and Training	8		
UNIT STANDARD TYPE	ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION	
Regular	Law, Military Science and Security	Justice and Society	
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	6	Level 5	Regular

SPECIFIC OUTCOME 1

Explain the structure and position of courts dealing with domestic violence matters in South Africa.

SPECIFIC OUTCOME 2

Apply the provisions of the Domestic Violence Act.

SPECIFIC OUTCOME 3

Analyse the duties and responsibilities of service providers involved in domestic violence matters.

SPECIFIC OUTCOME 4

Demonstrate an understanding of the dynamics of domestic violence.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

SAQA US ID	UNIT STANDARD TITLE		
123222	Demonstrate understanding of selected concepts of family law		
SGB NAME		ORGANISING FIELD ID	PROVIDER NAME
SGB for Legal Education and Training		8	
UNIT STANDARD TYPE		ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION
Regular		Law, Military Science and Security	Justice in Society
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	6	Level 5	Regular

SPECIFIC OUTCOME 2

Analyse the methods of dispute resolution in family law.

SPECIFIC OUTCOME 3

Examine the concept of the best interests of a child in family law matters.

SPECIFIC OUTCOME 4

Demonstrate an understanding of constitutional principles in family law, with an emphasis on gender equality.

SPECIFIC OUTCOME 5

Explain the role of the family advocate in family law matters.

SPECIFIC OUTCOME 6

Use source material to update family law knowledge, with a specific focus on case law.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

SAQA US ID		UNIT STANDARD TITLE	
123223		Demonstrate understanding of the legal principles of marriage in South Africa	
SGB NAME		ORGANISING FIELD ID	PROVIDER NAME
SGB for Legal Education and Training		8	
UNIT STANDARD TYPE		ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION
Regular		Law, Military Science and Security	Justice in Society
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	4	Level 5	Regular

SPECIFIC OUTCOME 2

Demonstrate knowledge of the legal formalities and conditions for civil and customary marriages in South Africa.

SPECIFIC OUTCOME 3

Demonstrate knowledge of marital property regimes and the Matrimonial Property Act.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

15

Complete pleadings in divorce matters

SAQA US ID	UNIT STANDARD TITLE		
123224	Complefe pleadings in divorce matters		
SGB NAME	ORGANISING FIELD ID	PROVIDER NAME	
SGB for Legal Education and Training	8		
UNIT STANDARD TYPE	ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION	
Regular	Law, Military Science and Security	Justice in Society	
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	6	Level 5	Regular

SPECIFIC OUTCOME 1

Draw up and issue summons to commence divorce proceedings.

SPECIFIC OUTCOME 2

Draw up notices of intention to defend, plea and counter claim, plea to counter claim and consent papers.

SPECIFIC OUTCOME 3

Draft notices of motion and affidavits in divorce variation proceedings.

SPECIFIC OUTCOME 4

Draft Rule 32 applications.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

16

SAQA US ID	UNIT STANDARD TITLE		
123225	Demonstrate understanding of the divorce system in South Africa		
SGB NAME	ORGANISING FIELD ID	PROWDER NAME	
SGB for Legal Education and Training	8		
UNIT STANDARD TYPE	ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION	
Regular	Law, Military Science and Security	Justice in Society	
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	6	Level 5	Regular

SPECIFIC OUTCOME 2

Examine the provisions of the Divorce Act.

SPECIFIC OUTCOME 3

Demonstrate knowledge of divorce court procedures and the role of mediation.

SPECIFIC OUTCOME 4

Analyse the proprietary issues in divorce matters.

SPECIFIC OUTCOME 5

Analyse the concepts of custody, access, guardianship and maintenance in divorce matters.

SPECIFIC OUTCOME 6

Identify applications in divorce matters.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

17

SAQA US ID	UNIT STANDARD TITLE		
123226	Facilitate maintenance complaints		
SGB NAME	ORGANISING FIELD ID	PROVIDER NAME	
SGB for Legal Education and Training	8		
UNIT STANDARD TYPE	ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION	
Regular	Law, Military Science and Security	Justice in Society	
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	6	Level 5	Regular

SPECIFIC OUTCOME 1

Assess the financial situation of parties in maintenance matters with reference to statements of income and expenditure.

SPECIFIC OUTCOME 2

Provide information to members of the public in foreign maintenance matters.

SPECIFIC OUTCOME 3

Examine the options for enforcing maintenance orders made in divorce courts.

SPECIFIC OUTCOME 4

Guide people on remedies to enforce maintenance.

SPECIFIC OUTCOME 5

Hold a meeting with the parties involved in a maintenance dispute.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

18

SAQA US ID		UNIT STANDARD TITLE	
123227		Guide complainants involved in domestic violence matters	
SGB NAME		ORGANISING FIELD ID	PROVIDER NAME
SGB for Legal Education and Training		8	
UNIT STANDARD TYPE		ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION
Regular		Law, Military Science and Security	Justice in Society
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	6	Level 5	Regular

SPECIFIC OUTCOME 1

Explain the procedural steps a complainant must undertake to apply for or enforce a protection order.

SPECIFIC OUTCOME 2

Guide complainants on the remedies available to them in terms of the Domestic Violence Act.

SPECIFIC OUTCOME 3

Explain the procedural steps a complainant must take to validate and or vary a protection order.

SPECIFIC OUTCOME 4

Refer domestic violence complainants to other service providers.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

19

Conduct children's court matters

SAQA US ID	UNIT STANDARD TITLE		
123228	Conduct children's court matters		
SGB NAME	ORGANISING FIELD ID	PROVIDER NAME	
SGB for Legal Education and Training	8		
UNIT STANDARD TYPE	ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION	
Regular	Law, Military Science and Security	Justice in Society	
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	5	Level 5	Regular

SPECIFIC OUTCOME 1

Provide information on children's court issues and procedures.

SPECIFIC OUTCOME 2

Guide people on the interventions available in children's court matters,

SPECIFIC OUTCOME 3

Draft documentation for placements and adoptions.

SPECIFIC OUTCOME 4

Draft other children's court documents.



SOUTH AFRICAN QUALIFICATIONS AUTHORITY

UNIT STANDARD:

20

Utilise domestic violence procedures

SAQA US ID	UNIT STANDARD TITLE		
123229	Utilise domestic violence procedures		
SGB NAME	ORGANISING FIELD ID	PROVIDER NAME	
SGB for Legal Education and Training	8		
UNIT STANDARD TYPE	ORGANISING FIELD DESCRIPTION	SUBFIELD DESCRIPTION	
Regular	Law, Military Science and Security	Justice in Society	
ABET BAND	CREDITS	NQF LEVEL	UNIT STANDARD TYPE
Undefined	6	Level 5	Regular

SPECIFIC OUTCOME 2

Utilise applications to oppose protection orders.

SPECIFIC OUTCOME 3

Utilise applications to set aside or vary protection orders.

SPECIFIC OUTCOME 4

Process domestic violence applications.