



COMPETENCY PROFILE ADMINISTRATIVE JUDGES

Competency Profile

Introduction

Context

The Secrétariat des emplois supérieurs (“SES”) has undertaken, in collaboration with the National School of Public Administration, to revise the competency profile of administrative judges. Similar work was done in 2007.

Administrative judges exercise their functions in a context of social transformation and a changing work environment. They are asked to deal with new and complex situations and with more diversified realities, to which is added a large volume of files. They must intervene with agility in order to render a fair decision for all, while respecting businesses and the individuals concerned. They must also act swiftly and with courage to ensure an effective management of the hearings and render decisions that are without reproach. They must also show good judgment, and act in such a way that preserves the confidence of the public in the justice system in Quebec.

Within such a context, the mastering of the present competency profile is essential in order for administrative judges to effectively and fully assume their role and their responsibilities in an exemplary manner.

Portrait of the competency profile

Since the role and responsibilities vary from one administrative tribunal to another, seven indispensable competencies in the exercise of administrative judges’ duties have been determined.

These competencies are grouped into three large categories that situate, in a dynamic way, the interactions between the attitudes, the actions and the resolutions which govern this function.

Attitudes: Competencies related to fundamental attitudes to adopt as to the role and context which contribute to the relevance of the decision-making of administrative judges to public action.

Actions: competencies related to the exercise of leadership in the conduct of public action, which allows administrative judges to accomplish their mandates efficiently and reach the desired results.

Purposes: Competencies related to expected benefits in the conduct of public action which allow administrative judges to guide their responses and give a purpose to the actions of their organization.

In order to grasp more concretely their meaning, each competency is accompanied by:

- a definition;
- a contextualized description; and
- benchmark actions.

The benchmark actions refer to behaviours organized in subcategories under each of the seven competencies.

unofficial version

Competencies

Agility

Informed
judge

Effective
justice

Ethics and
professionalism

Collaboration

Managing
the hearing

User-
centered

Ethics and Professionalism

Attitude

Embody in an exemplary manner the values and principles of their duties and of their organization, in addition to ensuring their professional development and their continued education to maintain provision of high quality services.

Administrative judges are in control of their environment as well as the jurisdiction in which they exercise their duties. They act with coherence, in an exemplary and professional manner. They are proactive in keeping informed and up to date on the evolution of the knowledge and practices in their work.

They intervene with good judgment and with ongoing awareness about the public legitimacy of the organization and of Quebec justice, as well as the relationship of trust with the public.

Knowledge of the environment

1. Understand the organization, as well as its culture, rules and duties.
2. Master the legal framework and the areas of expertise of the organization.
3. Have a broader understanding of the socio-economic environment and of the background relating to the areas of expertise of the organization.

Ethics

4. Demonstrate their duty of confidentiality under all circumstances and ensure full and confidential discretion regarding files.
5. Display integrity while acting in a just, honest and transparent manner and avoid being placed in a situation of conflict of interest.
6. Act in an exemplary manner in the respect of the rules and obligations related to their duties.

Professionalism

7. Be fully engaged and involved in the accomplishment of the mission of the organization.
8. Display proactivity to update their knowledge and to ensure their professional development and continuing education.
9. Understand and use the digital tools at their disposal.

Agility

Attitude

Display humility, personal maturity, openness and flexibility in order to adapt to the context with calmness and objectivity.

Administrative judges have good self-awareness and self-management. They keep an open attitude in regard to individual values, ideas and new ways to work. Thus, they are able to demonstrate sensitivity and flexibility in order to adapt their approach in accordance to persons before the tribunal, with all the objectivity required.

Management of self and adaptation

1. Remain calm and in control of their emotions under all circumstances.
2. Maintain a positive attitude when there are challenges and difficult situations.
3. Adapt rapidly to unforeseen, changing and complex situations.
4. Adapt continuously to the context of the organization.

Emotional intelligence

5. Know, understand and be conscious of their own values in order to preserve their impartiality.
6. Show open mindedness towards others and their diversity.
7. Be attentive and aware of the emotional state of others in order to adapt their approach to the situation.

Flexibility

8. Be curious and open as to new practices, tools and available methods.
9. Be willing to question their ideas and way of doing things.

Collaboration

Action

Put forward a common effort and develop methods of collective functioning which favor collegiality in order to attain the objectives of the organization.

Administrative judges evolve within a diversified team with many profiles. They put their efforts on exchanges and working in collective responsibility in order to attain the objectives. They are good listeners, open and accommodating, and they defend their points of view with respect. do not hesitate to share their knowledge and expertise in order to benefit their colleagues.

Develop and maintain bonds of cooperation

1. Prioritize dialogue and transparency in their relationships.
2. Maintain positive relationships with other collaborators in the organization.
3. Be available and accessible for working as a team.
4. Encourage a climate that is favourable to exchanges, so that all persons are at ease in expressing their point of view.
5. Recognize another's point of view, in case of disagreement, and try to reconcile the points of view.
6. Keep an open mind to criticism and to the ideas of others.

Interpersonal communication

7. Show openness in listening and in respecting the opinions of others.
8. Convey their ideas with clarity and concision.
9. Verify regularly that there is a good understanding by their colleagues in their exchanges.

Informed judge

Action

Render a reasoned, impartial and coherent decision, respecting the applicable law.

Administrative judges prepare their files in a proactive manner. During the hearing, they gain a deeper understanding by questioning themselves and by looking for all relevant and useful information. The challenge is to render a reasoned decision, within a reasonable time after deciding on all the evidence with regard to the essential facts.

Analysis and deliberation

1. Sort, synthesize and structure the relevant information into one coherent whole.
2. Evaluate all the evidence.
3. When the situation allows it, have recourse to specialized expertise in order to better understand the evidence.
4. Apply the legislative and regulatory dispositions, jurisprudence and principles.
5. Render reasoned decisions in an objective, impartial and coherent manner, based on the elements of evidence and the applicable law.
6. Take a position after having heard all the evidence.

Writing

7. Make sure that the decision is complete, in determining the entirety of the claim.
8. Express clearly the reasons for the decision.
9. Draft clear, concise and structured decisions, which are logical and comprehensible.

Managing the hearing

Action

Manage the hearing in order to ensure proper conduct and that the rights of the parties are respected.

Administrative judges ensure proper preparation and effective communication in order to generate a positive impact. They express themselves in a concise and clear manner, being always focused on the objectives to be attained. They ensure that the hearing unfolds in an orderly manner, in respecting fairness and the respect of procedural rules. They make judicious use of the available technological tools during the management of the hearing.

Preparation of the hearing

1. Prepare the hearing and be aware of the issues in the file.
2. Identify the aspects which require clarification and the relevant questions to ask.
3. Favor an alternative method of dispute resolution when the situation allows for it.

Management of the hearing

4. Explain in plain language accessible for the parties, the reason for the meeting and the steps of the hearing.
5. Remind the parties to respect the rules of procedure for the good and proper functioning of the hearing.
6. Facilitate the appropriate participation of all the parties concerned.
7. Ensure that unrepresented parties understand the hearing process.

Debate Management

8. Determine the admissibility of evidence.
9. Identify and manage situations likely to create conflicts.
10. Practice active listening towards the interveners and ask questions which allow for the debate to advance.
11. Maintain the balance between the inherent impartiality in his role of administrative judge and in his duty of assistance to unrepresented persons.
12. Demonstrate procedural firmness, when necessary, while treating the parties with courtesy, neutrality and patience.

Effective justice

PURPOSE

Plan and accomplish his work with rigor and efficiency, while respecting time limits.

The administrative judge must draft while respecting applicable deadlines, with an important volume of files, often complex, long and varied. He must accomplish these challenges by working with diligence, with a constant preoccupation to improve. He makes judicious use of the available technological tools in order to attain the best advantage, with a view of fulfilling their role and duties.

Efficiency

1. Prioritize the files to be addressed according to their complexity, level of urgency, challenges and deadlines.
2. Efficiently plan the steps of the file, in an optimal management of the available time and resources.
3. Set goals and performance targets and work toward achieving them.

Organization of the work

4. Ensure time management, respecting the established timeline and with a perspective of efficiency.
5. Act with diligence in the treatment of files and the follow-ups.

Optimizing the operations

6. Take advantage of the available technology in order to improve efficiency and the ways of working.
7. Ensure an optimal management of the transfer of knowledge in a context of the organization's operations and jurisdiction.

Recognize the needs of the population and adopt the best strategies in order to respond in a just manner, in respecting the applicable law, with sensitivity and impartiality.

Administrative judges must place the users at the heart of their actions. They must respect all forms of diversity and remain sensitive to the consequences and impact of the decisions on peoples' lives. In a context of societal and workplace transformation, they must ensure the preservation of the principle of equity for all, including the duty of assistance towards unrepresented parties.

Equity

1. Respect the persons involved.
2. Inform the parties of their rights and ensure that they understand.

Respect and dignity

3. Adopt an impartial approach in their language and behaviour.
4. Intervene with tact among the parties, in a way to gain their confidence towards the organization.

Credibility

5. Maintain the confidence of the public towards Quebec justice by their communications, actions and coherence of decisions.
6. Manage the presence of the media with a preoccupation for the right to information when that is applicable to the organization.