

Undertaking

Independent Children's Lawyer and Separate Representative

Please return this completed form with your response to the selection criteria, application coversheet, agreement regarding recipient created tax invoices and signed Independent Children's Lawyer & Separate Representative Agreement to:

Coordinator, Preferred Supplier Strategy
Legal Aid Queensland
psupp.coordinator@legalaid.qld.gov.au

Undertaking

I, the applicant, undertake that when performing Independent Children's Lawyer or Separate Representative work I will:

1. For work which requires the exercise of professional judgement, perform all work personally except where:
 - i. an unavoidable professional or personal engagement arises which prevents me from performing the work personally and:
 - a. The total work to be performed by the other legal practitioner or counsel does not constitute the majority of work required for a particular matter or referral; and
 - b. I will delegate the work to another legal practitioner who is included on the relevant ICL and Separate Representative sub-panel applicable to the type of legal aid work to either perform the work personally or provide instructions to a suitably experienced Counsel as required; or
 - c. I will delegate the work to a suitably experienced counsel in the jurisdiction applicable to the type of legal aid work and I will provide comprehensive instructions to that counsel with the capacity for the counsel to seek further instructions as required from either myself (or if I have provided instructions to another legal practitioner who is included on the relevant ICL and Separate Representative sub-panel applicable to the type of legal aid work, then that practitioner) before, on and after court dates to ensure the timely progression of matters;
 - ii. legal aid work is required to be performed at a place other than the city or town where my office is located and I will engage a legal practitioner in that city or town to assist me and I will use my best endeavours to engage a legal practitioner who is included on the relevant ICL and Separate Representative sub-panel applicable to the type of legal aid work, and I will document such endeavours on my file. If no such legal practitioner is available then I will engage a legal practitioner who has appropriate and relevant experience and competence in relation to the type of legal aid work to be performed and the legal practitioner agrees to payment of their services according to the grant of legal aid and Legal Aid Queensland's Scale of Fees; or
 - iii. a grant of legal aid exists for briefing counsel and I will brief counsel who has appropriate and relevant experience and competence in relation to the type of legal aid work to be performed, agrees to payment of their services according to the grant of legal aid and Legal Aid Queensland's Scale of Fees and, unless I have obtained the prior approval of Legal Aid Queensland, is a member of the Bar Association of Queensland and I will use all reasonable endeavours to comply with the Law Council of Australia's Equitable Briefing Policy when briefing counsel.
2. For work which does not require the exercise of personal judgement, only where I delegate the work to another legal practitioner who holds a practicing certificate and who is subject to my supervision.

Signed: _____

Dated: _____

Name: _____