

Existing Independent Children's Lawyer and Separate Representative

Please return this completed form with your application coversheet, statutory declaration, agreement regarding recipient created tax invoices (if required) and signed Independent Children's Lawyer and Separate Representative agreement to:

psupp.coordinator@legalaid.qld.gov.au

Undertaking

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

1. For work requiring 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 the total work to be performed by the other legal practitioner or counsel does not constitute the majority of the work required for a particular matter or referral:
 - a. I will delegate the work to another legal practitioner on the relevant ICL or Separate Representative sub panel to perform the work personally or instruct a suitably experienced counsel as required; or
 - b. I will delegate the work to a suitably experienced counsel in the relevant jurisdiction, providing 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 timely progression of matters.
 - ii. legal aid work needs to be performed at a place other than the city or town where my office is located:
 - a. I will engage a legal practitioner in that location to assist. I will use my best endeavours to engage a legal practitioner on the relevant ICL or Separate Representative sub panel (and I will document such endeavours on my file).
 - b. If no such legal practitioner is available, I will engage a legal practitioner who has appropriate and relevant experience and competence, holds a valid Working with Children Clearance and 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:
 - a. I will brief counsel who has appropriate and relevant experience and competence where they agree to payment of their services according to the grant of legal aid and Legal Aid Queensland's Scale of Fees and, and (unless I have Legal Aid Queensland's prior approval otherwise) is a member of the Bar Association of Queensland.
 - b. When briefing counsel, I will make reasonable endeavours to comply with the Law Council of Australia's Equitable Briefing Policy.
2. For work which does not require the exercise of personal judgment, I will only delegate the work to a legal practitioner who holds a practising certificate and is operating under my supervision.

Signed: _____

Dated: _____

Name: _____