

**From:** [Jack Stanovsek](#)  
**To:** [LSC submission](#)  
**Subject:** Amendments to the LPUL - Submissions of Jack B Stanovsek  
**Date:** Tuesday, 11 February 2020 7:18:20 PM

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Dear Legal Services Council ('LSC'),

I write in response to the LSC's invitation for submissions relating to the proposed amendments to the *Legal Profession Uniform Law 2014* ('LPUL').

## **Background**

My occupation throughout my Juris Doctor at Melbourne Law School was as a paralegal for the Discipline & Suitability division at the Office of the Victorian Legal Services Commissioner ('VLSC'). While I have learned experience administering the LPUL, I write these submissions independent of the VLSC.

## **Submissions**

I agree generally with the proposed amendments to the LPUL.

I write separately to advise of two issues routinely encountered over the course of investigations conducted by the VLSC that I was privy to.

The first concerns the vague obligations imposed by LPUL s 187. As the LPUL currently stands, s 187 does not provide a general right of a client to seek an itemised bill from their law practice *unless a lump sum bill has been issued*. There were several complaints during my two + year tenure at the VLSC that involved law practices refusing to issue itemised bills on a client's request as they had not yet issued a lump sum bill. This led the VLSC to somewhat awkwardly rely on r 8.1 of the *Legal Profession Uniform Law Australian Solicitors' Conduct Rules 2015* (Solicitor Conduct Rules) as a failure to follow a client's lawful, proper and competent instructions. Legal practitioners raised objections to this practice and a clear statutory provision would be beneficial to the office and consumers of legal services more generally.

The second issue relates to LPUL s 466(2)(a). That provision does not clearly indicate whether the VLSC can require information from third persons, notwithstanding any duty of confidentiality. I submit that the provision can be amended to clarify the regulatory authorities' reach in these circumstances, similar to LPUL s 321(1) but moulded to third parties to the complaint.

## **Conclusion**

Should you have any question, please do not hesitate to contact me using this email address.

Kind regards,

**Jack Stanovsek**  
Melbourne JD | 2019  
NYU LLM | 2020