**DIRECT ACCESS BRIEF NOTICE**

BETWEEN

MARC JEAN MERCIER

AND

Click here to enter text.

 [Collectively, The Parties]

As you are seeking to retain me on a direct-access basis, please note the following provisions of the *2011 Barristers’ Rules* pursuant to the *Legal Profession Act 2007 (Qld)*:

Rule 24B. A barrister who proposes to accept instructions directly from a person who is not a solicitor must:

1. Inform the prospective client in writing of:
2. the effect of Rules 15 and 17;
3. the fact that circumstances may require the client to retain an instructing solicitor at short notice, and possibly during the performance of the work;
4. any other disadvantage which the barrister believes on reasonable grounds may, as a real possibility, be suffered by the client if the client does not retain an instructing solicitor;
5. the relative capacity of the barrister in performing barristers’ work to supply the requested facilities or services to the client compared to the capacity of the barrister together with an instructing solicitor to supply them; and
6. a fair description of the advocacy experience of the barrister; and
7. Obtain a written acknowledgement, signed by the prospective client, that he or she has been informed of the matters in (a) above.

Rule 15. Barristers’ work consists of:

Appearing as an advocate;

1. Preparing to appear as an advocate;
2. Negotiating for a client with an opponent to compromise a case;
3. Representing a client in a mediation or arbitration or other method of alternative dispute resolution;
4. Giving legal advice;
5. Preparing or advising on documents to be used by a client or by others in relation to the client’s case or other affairs;
6. Carrying out work properly incidental to the kinds of work referred to in (a)-(f); and
7. Such other work as is from time to time commonly carried out by barristers.

Rule 17. A barrister must not, subject to Rules 18 and 19,

1. Act as a person’s general agent or attorney in that person’s business or dealings with others;
2. Conduct correspondence in the barrister’s name on behalf of any person otherwise than with the opponent;
3. Place herself or himself at risk of becoming a witness, by investigating facts for the purposes of appearing as an advocate or giving legal advice, otherwise than by –
4. Conferring with the client, the instructing solicitor, prospective witnesses or experts;
5. Examining documents provided by the instructing solicitor or the client, as the case may be, or produced to the court;
6. Viewing a place or things by arrangement with the instructing solicitor or the client; or
7. Library research;
8. Act as a person’s only representative in dealings with any court, otherwise than when actually appearing as an advocate;
9. Be the address for service of any document or accept service of any document;
10. Serve any process of any court;
11. Conduct the conveyance of any property for any other person;
12. Administer any trust estate or fund for any other person;
13. Obtain probate or letters of administration for any other person;
14. Incorporate companies or provide shelf companies for any other person;
15. Prepare or lodge returns for any other person, unless the barrister is registered or accredited to do so under the applicable taxation legislation; or
16. Hold, invest or disburse any fund for any other person.

Under Rule 24B of the *2011 Barristers’ Rules*, there may be circumstances when a solicitor will need to be retained in addition to my role as barrister. Clearly, a complex matter requires both barrister and solicitor; in contrast, a less-than-complex matter can be sufficiently undertaken by a barrister working alone. Under the current circumstances, I do not believe there to be any disadvantage in not retaining a solicitor; however, should this change, I shall inform you as soon as practicable. In terms of my advocacy experience, I was admitted as a barrister in 2002, from which time I have appear– and therefore gained advocacy experience – in the various courts in the Queensland and Federal jurisdictions. If you require any further information, please advise me immediately in writing. Furthermore, if you have any queries or have any uncertainty about these rules, please advise me immediately in writing.

If you otherwise completely understand this information and do not require any further information, please sign and date the following certification.

I, Click here to enter text. as authorised representative of Click here to enter text., hereby certify that I have received from Marc Mercier and understood all relevant information relating to Rule 15, Rule 17 and Rule 24B of the *2011 Barristers’ Rules* and the Costs Disclosure Notice & Agreement.

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dated this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_ 2016

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Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dated this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_ 2016



Marc Mercier, ESQ.

BARRISTER-AT-LAW

*Chambers*