

LEGAL PRACTICE COMMITTEE OF QUEENSLAND

OFFICE: Brisbane
NUMBER: 009/05

Applicant: LEGAL SERVICES COMMISSIONER

AND

Respondent: PAUL MICHAEL VOLL

DISCIPLINE APPLICATION

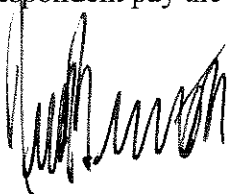
A. DETAILS OF APPLICATION

This application is made under section 276 of the *Legal Profession Act 2004* ("Act").

On the facts stated in the particulars of charge set out below, the applicant seeks the following orders:

1. Pursuant to section 282 of the Act that the respondent is guilty of unsatisfactory professional conduct.
2. Such further or other orders or directions as may be just.
3. The respondent pay the applicant's costs of the application.

Signed:



Description: Legal Services Commissioner

Dated:

13/10/05

R E C E I V E D
17 OCT 2005

by 
LEGAL PRACTICE COMMITTEE

DISCIPLINE APPLICATION
Filed on behalf of the Applicant
Rule 4(1) Legal Profession (Tribunal and Committee) Rule 2004
Form LPC, Version 1

Legal Services Commission
Level 25, 307 Queen Street
Brisbane Qld 4000
Telephone: (07) 3406 7737
Facsimile: (07) 3406 7749

B. PARTICULARS OF CHARGE

The Commissioner alleges that the following charge constitute unsatisfactory professional conduct:

1. The respondent being a solicitor and trustee of property, namely clients' trust moneys, failed, for the financial period ending 31 March 2004, to comply with his obligations as trustee with respect to the audit requirements for his trust account.

Particulars

- 1.1 At all times, the respondent was the trustee and sole signatory of the trust bank account of Paul Voll Solicitor, conducted at Suncorp-Metway, Ashgrove.
- 1.2 The respondent was obliged as trustee, in respect of each financial period ending 31 March, to cause his trust records to be audited and to:
 - (a) by 31 May, lodge an auditor's report for that financial period in accordance with s.16(1) of the *Trust Accounts Act*; and
 - (b) by 14 June, lodge an audit certificate for that financial period in accordance with s.3 of the *Legal Practitioner's Regulation 1996*.
- 1.3 On 27 October 2004, pursuant to a request made by the respondent, the Queensland Law Society agreed to extend the time for the lodgement of the audit report and audit certificate to the 19 November 2004.
- 1.4 In breach of his duty, for the financial period ending 31 March 2004, the respondent failed to have his trust account audited and to lodge the audit report and audit certificate by the due dates.
- 1.5 The respondent subsequently lodged the audit report for the financial period ending 31 March 2004 with the Queensland Law Society on or about 7 June 2005.

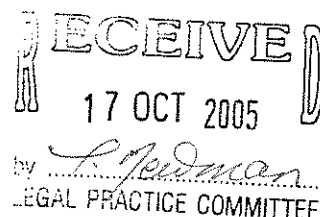
C. TO THE RESPONDENT

Paul Michael Voll
Of Sawford Voll Lawyers
131 Leichardt Street, Spring Hill in the State of Queensland

This application will be heard by the Committee at a time and date to be fixed.

Filed with the Committee on 17/10/2005

Secretariat:



If you wish to contest this application, or to make submissions on penalty, you must lodge a Notice of Address for service with the Secretariat within fourteen [14] days of service of this application on you. The Notice should be in Form 8 to the Uniform Civil Procedure Rules. If you fail to file a Notice of Address for service with the Secretary within fourteen [14] days of service of this application on you, the matter will be heard in default of your appearance, on a date to be fixed being not less than twenty one [21] days after service of this application on you.

D. SERVICE

APPLICANT'S ADDRESS FOR SERVICE:

| | |
|-------------------------------|--|
| Name: | Legal Services Commission |
| Applicant's business address: | Level 25, 307 Queen Street. Brisbane Qld 4000 |
| Address for service: | As Above |
| DX: | DX 40118 Brisbane Uptown |
| Telephone: | (07) 3406 7737 |
| Fax: | (07) 34067749 |
| E-mail address: | www.lsc@lsc.qld.gov.au |

RECEIVED
17 OCT 2005
by *A. Newman*
LEGAL PRACTICE COMMITTEE