

LEGAL PRACTICE COMMITTEE OF QUEENSLAND

OFFICE: Brisbane
NUMBER: 006/05

Applicant: LEGAL SERVICES COMMISSIONER

AND

Respondent: SHELLY LYNN JOHNSON

DISCIPLINE APPLICATION

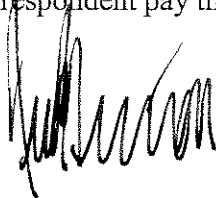
A. DETAILS OF APPLICATION

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:

27 April 05

RECEIVED
27 APR 2005
by *C. Newman*
LEGAL PRACTICE COMMITTEE

B. PARTICULARS OF CHARGE

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

1. On 12 June 2004, the respondent used offensive and insulting language to Mr Anthony John Clark.

Particulars

- 1.1 At all material times, the respondent:
 - (a) Was a legal practitioner;
 - (b) Was employed by the law practice of Kelly & Agerholm;
 - (c) Acted on behalf of Ms Caroline Stott in a defacto property dispute in which Mr Anthony Clark was the applicant.
- 1.2 On 12 June 2004, the respondent, on behalf of her client, attended the residence of Mr Clark for the purpose of collecting various personal possessions belonging to Ms Stott.
- 1.3 Whilst preparing to leave the premises and engaged in conversation with Mr Clark, the respondent on two occasions said to Mr Clark words to the effect:

“You are a grotesquely ugly man. I can’t believe that Caroline would have been with someone as ugly as you.”
- 1.4 The respondent’s comments to Mr Clark were offensive and insulting and fell short of acceptable professional behaviour expected from a legal practitioner.

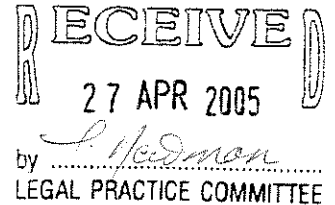
C. TO THE RESPONDENT(S)

Shelly Lynn Johnson
Of 13 Garganey Street
Albany Creek Qld 4035

RECEIVED
27 APR 2005
by *T. Keenan*
LEGAL PRACTICE COMMITTEE

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

Filed with the Committee on 27/4/2005



Secretariat:

by
LEGAL PRACTICE COMMITTEE

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