

INFORMATION SHEET

Request for Ethics Committee Ruling

ABOUT THE ETHICS COMMITTEE

The function of the Ethics Committee is to provide guidance to practitioners on matters of an ethical nature only, based on the information provided to it. The Ethics Committee is not a Court or Tribunal and is unable to provide legal advice or determine matters of fact.

REQUESTING AN ETHICS COMMITTEE RULING

In order for the Ethics Committee to properly assist with your enquiry, the *Request for an Ethics Committee Ruling* form has been structured to prompt you with the information required. This information sheet is provided to assist you in completing the form and provide further information about the Ethics Committee process.

INVOLVING OTHER FIRMS

If another firm is involved, the Ethics Committee would appreciate hearing from them. If you believe that this is not appropriate in your circumstances, please indicate on the form and provide a reason why.

INFORMING THE ETHICS COMMITTEE

To avoid uncertainty, we request that you state what your ethical dilemma is and what you are asking the Ethics Committee to determine. The outcome you are seeking may not always be obvious to the Ethics Committee, so it is best to clearly state your aim when requesting the Ruling.

Including a chronology of events or the background history of your matter, puts your request into context. Please be specific in the details.

SUPPORTING DOCUMENTATION

The attachment of relevant supporting documentation provides evidence of claims. The documents you attach should only be provided if they support your contentions / questions. This supporting documentation must accompany the *Request for an Ethics Committee Ruling* form.

Supporting documents may include:

- Relevant letters, faxes or emails between the parties involved (including their representatives);
- Relevant Court Orders, Undertakings or Irrevocable Authorities;
- File notes.

The Ethics Committee has a limited amount of time per month to read / deliberate each matter before it and excessive documentation may impede that process.

Any information received by the Ethics Committee is *strictly confidential*."

MAKING THE SUBMISSION

To ensure that your matter has every opportunity to be heard by the Committee without delay, complete submissions must be received by the Ethics Department no later than two weeks prior to the Committee's meeting date.

The meeting dates of the Ethics Committee are published on the LIV website at www.liv.asn.au

Please also note that whilst the Ethics Committee attempts to deal with matters expediently, the number of Ruling Requests on the Agenda and the time needed to determine some matters may cause delays. Therefore it is important that initial submissions to the Ethics Committee are made as soon as it becomes apparent that guidance is required.

CHECKLIST

- | | |
|-----------------|---|
| Yes / No | Have I completed the <i>Request for Ethics Committee Ruling</i> form? |
| Yes / No | Is my Request clear? |
| Yes / No | Is the chronology / background relevant to what I am asking? |
| Yes / No | Is the supporting documentation relevant and does it support my contention? |

CONTACT

For guidance on making a submission to the Ethics Committee or for ethical advice, please contact:
Ethics Department

Law Institute of Victoria

Ph: (03) 9607 9336

fax: (03) 9607 9446

email: ethics@liv.asn.au