

Legal Service QASSP (LSQ) / Queensland Teachers Union (QTU)

This comparison has been provided by FC Lawyers from the information that is available

	LSQ	QTU
What do members get for free?	<ol style="list-style-type: none"> 1. Unlimited number of initial consultations with a solicitor at FC Lawyers (FCL), provided that each initial consultation is in relation to a different matter, irrespective of whether or not it arises out of the course of the LSQ Member's employment; 2. One free formal letter of advice (valued at \$200.00) if required; 3. Participation in a conciliation process (alternative dispute resolution) facilitated by FCL; 4. Should the LSQ Member wish to apply for legal indemnity and assistance from the State of Queensland in relation to a claim, action or legal proceeding taken against them in any court, tribunal or professional regulatory body, FCL will prepare the necessary application for indemnity and legal assistance to the Department of Education, Training and Employment or as the case may be. 5. Preparation of the LSQ Member's will by FCL; 6. Correspondence from a solicitor at FCL on behalf of the LSQ Member to a parent, student, staff member or supervisor as required, particularly in an attempt to avoid a legal conflict; 7. Access to educational tools facilitated by FCL: <ol style="list-style-type: none"> a) Wills Estates Probate Lawyers (blog) b) Visa Australia (blog) c) FC Lawyers Website (blog) d) Various Webinars e) FCL quarterly newsletter. 	<ol style="list-style-type: none"> 1. Free legal assistance may be provided by the QTU's lawyers for matters arising directly out of the course of a QTU Member's employment; 2. Free consultation of up to one half-hour, with the QTU's lawyers for matters which do not arise directly out of the course of a QTU Member's employment but may impact on it; 3. Subsidised legal assistance is also provided in relation to matters not arising directly from the QTU Member's employment, but which could have bearing on it. Subsidised legal assistance is available at 90% of the usual fee, with the QTU contributing 30% of the fee and the QTU Member paying the remainder. 4. Should the QTU Member claim assistance from the State of Queensland in relation to a claim, action or legal proceeding taken against them in any court, tribunal or professional regulatory body, the QTU will prepare the necessary application for indemnity and legal assistance to the Department of Education, Training and Employment. 5. Access to educational tools facilitated by QTU: <ol style="list-style-type: none"> a) Teachers and the Law (Publication) b) QTU Legal Brochures

<p>What legal services does the member need to pay for and how?</p>	<ol style="list-style-type: none"> 1. Once all free legal services are exhausted, FCL will provide legal services as follows with respect to all matters: <ol style="list-style-type: none"> a) On a speculative basis, which is essentially a “no win, no fee” policy; OR b) At the rate of 70% of the solicitor’s normal charge out rate. 	<ol style="list-style-type: none"> 1. Once all free legal services are exhausted, the QTU lawyers will perform work for QTU Members on the following basis with respect to all matters: <ol style="list-style-type: none"> a) At the rate of 75% of the solicitor’s normal charge out rate (for personal matters); OR b) At the rate of 90% of the solicitor’s normal charge out rate (for commercial matters).
<p>When is assistance declined?</p>	<ol style="list-style-type: none"> 1. Legal services may be declined if a claim has little to no prospects of success. This is because FCL are bound by professional standards which do not permit them to conduct cases which have no prospects of success, are unreasonable or “a waste of the Courts time”. 2. Legal services will always be provided to the extent necessary to ensure that the LSQ Member is able to continue being employed or at the very least, to ensure that the LSQ member’s future employment prospects are protected. 	<ol style="list-style-type: none"> 1. Where a QTU Member is in dispute with another QTU Member; 2. For a motor vehicle claim where a QTU Member could reasonably be expected to be insured; 3. For a personal liability claim where a QTY Member could reasonably be expected to be insured; 4. For family law matters, except where QTU Members request legal advice as a result of being called a witness in a custody case in their official capacity.
<p>Member v Member Conflict</p>	<ol style="list-style-type: none"> 1. When a QASSP Member is involved in a dispute with another QASSP Member, they will be offered the opportunity to participate in a Conciliation process (free of charge), provided that one of the members is also a LSQ Member; 2. FCL can provide legal services in a dispute between two QASSP Members (i.e. Principal v Deputy Principal). 3. If the dispute is between two parties who are both members of the LSQ, legal representation will be organised in accordance with the professional legal standards to ensure that there is no conflict of interest. In some cases, legal work may be outsourced to another firm. 	<ol style="list-style-type: none"> 1. The QTU does not provide any legal assistance where one QTU Member is in dispute with another QTU Member, but they try to conciliate these disputes.