

UMSU LEGAL SERVICE CHARTER

Who we are:

The University of Melbourne Student Union Incorporated (UMSU) Legal Service is a community legal centre staffed by qualified lawyers that provides free and confidential legal help to all currently-enrolled students of the University of Melbourne.

The USMU Legal Service can help with various legal issues, including:

- Renting
- Employment
- Infringements / fines
- Consumer law
- Minor criminal law
- Family violence and personal safety
- Discrimination
- Sexual harassment
- Car and bike accidents
- Debts and financial counselling

How we operate:

We work on a self-empowerment model of service delivery. This means that for most enquiries we will provide legal advice, information and referrals to help you take action to resolve your legal problems yourself.

Level of service:

The level of service we can provide will depend on a range of factors as assessed by us, including:

- whether the legal matter is within our scope;
- the complexity of the legal matter;
- whether the other party in any legal dispute has legal representation;
- any matters which may affect your ability to self-advocate;
- the availability of other specialised services relevant to the legal matter;
- whether the legal matter is systemic in nature;
- our current resources and capacity constraints; and

- whether there is any conflict of interest or other ethical issue.

The appropriate level of service will be assessed by us at the beginning of the legal matter and on an ongoing basis. We generally have three levels of service:

1. Once-off legal advice/information and referrals by email or phone/video call **(this is the default level of service which we provide in most legal matters)**.
2. If your legal matter is more complex, we may be able to provide a maximum of two follow up emails or phone/video calls.
3. If your legal matter requires further assistance, we will re-assess according to the factors outlined above and will let you know whether the UMSU Legal Service is able to provide ongoing assistance. This could include ongoing advice, drafting documents, negotiating on your behalf, or representing you at a court/tribunal.

The UMSU Legal Service is only able to provide this level of service in a very small number of cases. If we have assessed that your matter requires this level of service and we are unable to provide this, we will refer you to an appropriate external service.

Our service limits are in place to ensure that the UMSU Legal Service can allocate resources fairly across a large volume of enquiries. Requests from us for further documents/information will not be counted towards the service limits.

Method of contact:

We provide legal help mainly by email, phone and video calls. We will determine the appropriate method of contact after reviewing your enquiry. In-person appointments are only available where we have determined this is appropriate with regard to special circumstances applicable to you, and where we have the capacity to accommodate these.

If there is a reason why you require a particular method of contact, please let us know and we will try our best to accommodate you. If we are unable to accommodate your preferred method of contact, we will provide a referral to an appropriate external service for assistance.

What we cannot do:

While the UMSU Legal Service tries to help all University of Melbourne students as much as possible, there are some situations in which we cannot help. These include:

- Where there is a conflict of interest. We need to comply with legal ethical rules such as maintaining confidentiality and avoiding potential conflicts of interest, which sometimes prevents us providing advice. This includes:
 - disputes between students of the University of Melbourne;
 - disputes between students and UMSU.

We will assess whether there are any conflicts of interest in your matter on an ongoing basis. A conflict may arise throughout a matter, particularly in situations where the UMSU Legal Service is acting for joint clients. In these situations, we may be required to cease acting.

- Legal services requiring the holding of monies on trust, as we do not operate a trust account.

- Where we have assessed that the matter is outside our scope or we do not have the capacity to assist.

There are also some areas of law we do not cover. These include:

- Commercial/business law
- Property law, including conveyancing
- Tax law
- Migration law
- Complex family law, including property disputes
- Interstate and foreign laws
- Wills & estates

Where we are unable to help, we will try and refer you to an appropriate external service to obtain legal help.

University disputes:

The UMSU Legal Service does not provide advice or representation in matters relating to university policy, such as discipline and misconduct allegations, or academic grievances and complaints. These services are provided by the [UMSU Advocacy Service](#).

Where an assessment is made that all or part of your matter relates to university policy, we will refer you to the UMSU Advocacy Service.

There may be some matters which cross the scope of both the UMSU Legal Service and the UMSU Advocacy Service (for example, discrimination and consumer complaints against the university). In these circumstances, the staff of both services will assess the matter and coordinate service provision at their discretion.

What we expect from you:

- That you behave in a courteous manner towards lawyers, volunteers and other staff whilst interacting with the UMSU Legal Service.
- That you let us know prior to any appointment if you are unable to attend.

What you can expect from us:

- To be treated with dignity, courtesy and respect.
- All information will be treated as confidential in keeping with our professional obligations. No information will be divulged without your prior written consent, except in exceptional circumstances as provided for under the law, such as where we determine there is an immediate risk of harm to you or another person.
- For advice and assistance to be given in a timely fashion, and to be provided with regular updates about work undertaken on your behalf.
- To receive clear and accurate information.

Further information:

For further information about how the UMSU Legal Service operates, please ask for copies of our service policies.

Complaints:

If you are unhappy with the service you are receiving:

- Let the lawyer handling your case know and try to work the problem out with them.
- If you are unable to do this, you should request a copy of our Complaints Policy and speak either to the Principal Lawyer or the Manager, Advocacy and Legal.
- If you are still unhappy, you are entitled to put a complaint in writing to the CEO, UMSU.

You can also make an external complaint about the conduct of a lawyer to the [Victorian Legal Services Board & Commissioner](#).

Acknowledgement of Country

UMSU acknowledges the Traditional Owners and Custodians of the lands on which we work, and we pay our respects to Indigenous Elders past and present. Sovereignty has never been ceded. It always was and always will be, Aboriginal land.

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