

SUPREME COURT OF QUEENSLAND

CITATION: *Application for admission as legal practitioner Pryor* [2008] QCA 298

PARTIES: **IN THE MATTER of the *Legal Profession Act 2007* (Qld) and the *Supreme Court (Admission) Rules 2004* (Qld)**
IN THE MATTER of an Application by EMMAKITA RENARTA PRYOR

FILE NO/S: SC No 589 of 2008

DIVISION: Court of Appeal

PROCEEDING: Application for Admission

ORIGINATING COURT: Supreme Court at Townsville

DELIVERED EX TEMPORE ON: 29 September 2008

DELIVERED AT: Brisbane

HEARING DATE: Heard on the papers

JUDGES: McMurdo P, Jones and Daubney JJ
Judgment of the Court

ORDERS: **1. The applicant is exempted from compliance with r 12(4) *Supreme Court (Admission) Rules 2004* (Qld) and from any further advertising under those Rules provided her application for admission is determined in 2008**
2. The application for admission as a legal practitioner is adjourned to Townsville for hearing on 27 October 2008

CATCHWORDS: PROFESSIONS AND TRADES – LAWYERS – QUALIFICATIONS AND ADMISSION – DISPENSING WITH REQUIREMENTS – applicant applied for admission to the legal profession before the Supreme Court in Townsville on 26 September 2008 – applicant advertised her intention to apply for admission in the Law Reporter on 6 September 2008, 13 days before the admission hearing – *Supreme Court (Admission) Rules 2004* (Qld) require advertising between 14 and 28 days before admission – Supreme Court adjourned application to Court of Appeal in Brisbane – Legal Practitioner's Admissions Board otherwise approve of the applicant's admission – whether advertising requirements should be dispensed with

Supreme Court (Admission) Rules 2004 (Qld), r 12(4)

COUNSEL: The applicant appeared on her own behalf

SOLICITORS: The applicant appeared on her own behalf

THE PRESIDENT: No appearances are expected in this matter today. The matter was listed before the Court at special request by the applicant and with the consent of the Legal Admissions Board and it was referred by Justice Cullinane from Townsville to the Court of Appeal.

The matter was listed before Justice Cullinane in Townsville on Friday. The difficulty is that the applicant has, in all respects, complied with the requirements for admission as a legal practitioner but for compliance with the *Supreme Court (Admission) Rules* 2004 (Qld), rule 12(4). She advertised her admission 13 days before the due admission date instead of the required 14 days.

The Board has no problem with her being admitted and with the Court granting the application under *Supreme Court (Admission) Rules*, rule 27, to exempt her from compliance with rule 12(4) but it felt it did not have the power to itself extend time under the rules.

Both the Board and the applicant have requested this Court to hear this application on the papers without further submissions. The Court has looked at the material.

I've discussed the matter with the other members of the Court and this is our view. The applicant has miscalculated the period for publicising her proposed admission by one day. She has otherwise complied with the rules for admission. She applies to this Court for exemption from compliance with rule 12(4), *Supreme Court (Admission) Rules*.

The Board does not oppose her application provided her admission application proceeds this year. In the circumstances it is an appropriate case in which to exempt the applicant from compliance with rule 12(4).

The order is the applicant is exempted from compliance with rule 12(4), *Supreme Court (Admission) Rules* 2004 (Qld) and from any further advertising under those rules provided her application for admission is determined in 2008. The application for her admission as a legal practitioner is adjourned to Townsville Court hearing on 27 October 2008.