

Chief Justice warns law firms to moderate fees

By LLOYD GORMAN

Law firms should be open and transparent about how they charge clients, WA's top judge said in Subiaco last week.

Chief Justice Wayne Martin was officially opening the new offices of Pragma Legal in Rokeby Road last Friday and commended the firm for its fixed fees.

He called for an end to the legal sector's practice of whacking customers with blind fees and charges.

He also said the opening of a legal practice outside the Perth CBD put justice closer to more people and was worth celebrating.

"We are far too city centric within the law," he said.

Chief Justice Martin said innovation was an important characteristic of a reputable law firm.

"This firm offers fixed mediation, which I think is a very important service," he said.

"I've spoken many times, perhaps too often, about the importance of what is called



Celebrating Pragma Legal's opening are, from left, Chief Justice Wayne Martin, Matthew Maguire who performed the Welcome to Country ceremony, and director Aaron McDonald. Photo: Niki Mossop Photography

alternative dispute resolution services.

"They are not the alternative, they are the main means by which disputes are resolved in our community, by a significant margin.

"So the provision of these services early in the life of a

dispute is a very important step forward and that will be encouraged if those services are provided on a fixed-fee basis.

"Because, understandably, many consumers are unwilling to go into and engage services where there is an open-ended

fee arrangement.

"They don't know what it's going to cost them, and so that is a very important contribution to the resolution of disputes in our community."

Chief Justice Martin also took aim at time-costing, another

common method of charging clients.

"I firmly believe that time billing has its difficulties," he said.

"I think it's unreasonable to expect ordinary consumers to go into the engagement of services without knowing what their cost is." He commended Pragma for its tack on that process.

Pragma director Aaron McDonald said each staff member was committed to giving 35 hours a year of pro-bono work for the community a year.

"We have also pioneered a method of fixed fees which provide certainty in cost," he said.

He said opening a law firm in Rokeby Road had been a lifelong ambition.

"I was born and grew up in Subiaco," he said.

"I really love this land and our community."

Mr McDonald's father, Donald, had an accounting practice in Crossways Shopping Centre for about 30 years.

"Tonight's opening realised a dream for me, to open a law practice where I was born," he said.



Down by the river ... Claremont council wants some unauthorised work done by Claremont Yacht Club to be undone.

Yacht club improvements may be sunk

Unauthorised river work done by Claremont Yacht Club will be examined by the WA Planning Commission.

The work – a courtyard deck, a concrete pad over a slipway and a reconfigured and repaved carpark – has upset some residents.

Club commodore David Bovell said a keen club volunteer did the work.

"I think they thought they didn't have to get permission," Mr Bovell said.

The council only learnt the

work had been done when the club submitted a retrospective application for approval.

In March, a council foreshore advisory committee meeting, comprising two councillors and three residents, did not vote for an officer recommendation to approve the unauthorised work.

Instead, the committee supported part of it, and also voted to get the club to plant trees and remove the slipway.

This week, resident Claire Brittain, who was at the meeting,

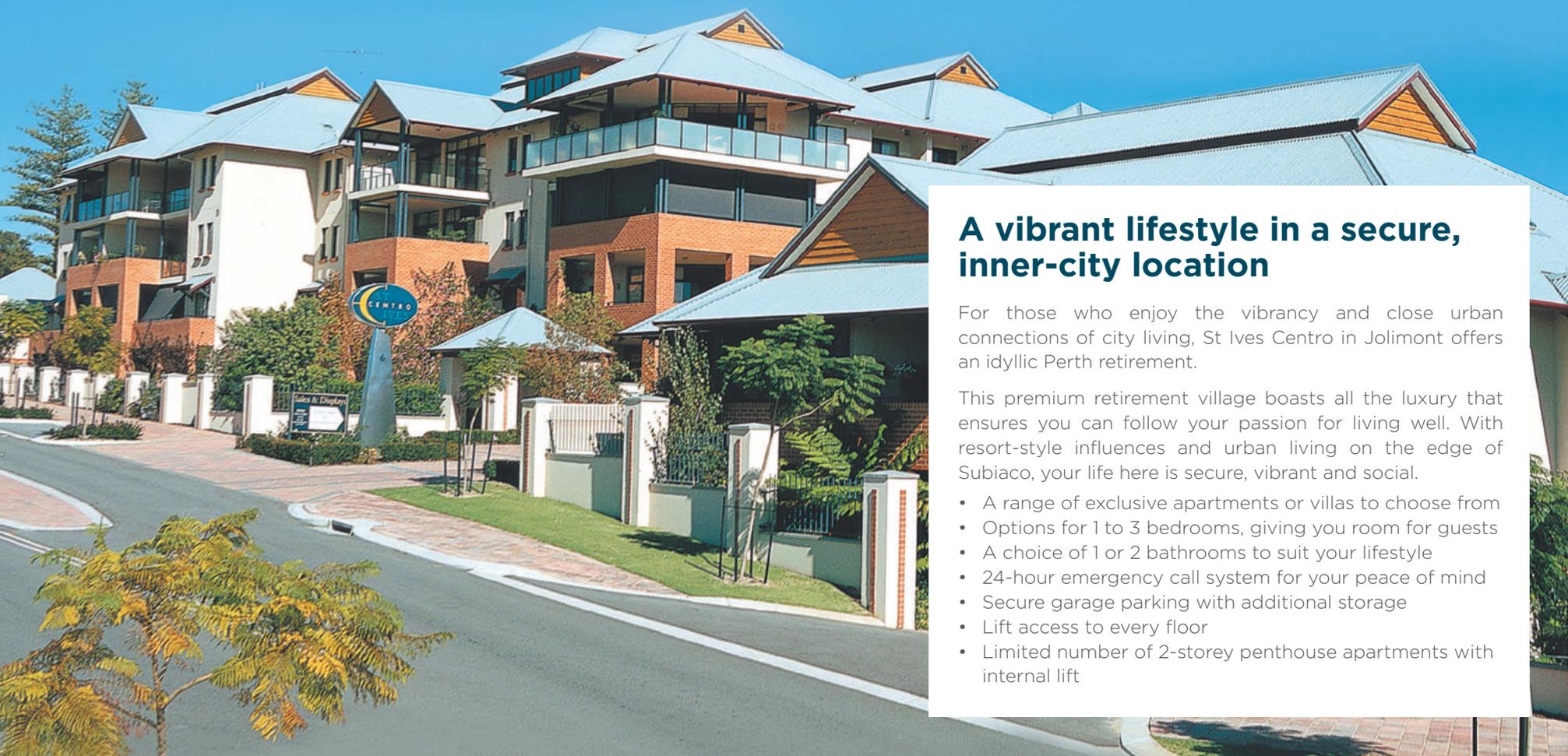
said she was surprised the work had been done without permission.

"Everyone knows you have to get permission for building work," Ms Brittain said.

Council CEO Stephen Goode said the WAPC would consider the application, the town's recommendation, and a Department of Parks and Wildlife recommendation.

"The town ... recommends refusal of the retrospective approval for the fill and retaining," Mr Goode said.

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