

**LEGAL PRACTICE COMMITTEE OF QUEENSLAND**

**REGISTRY: Brisbane**  
**NUMBER: 002/07**

**Applicant: LEGAL SERVICES COMMISSIONER**

**AND**

**Respondent: DAVID CHUN-HONG LIN**

**ORDER**

**Before:** Mr P Cooper (Chairperson), Mr W LeMass (Practitioner Member)  
and Ms P Frampton (Lay Member)

**Date:** 4 June 2007

**Basis of Judgement:** Originating application filed on 14 February 2007

**THE ORDER, FINDINGS AND REASONS OF THE COMMITTEE:**

The respondent is a 33-year-old solicitor. He was admitted to practise as a solicitor of the Supreme Court of Queensland on 17 August 1998. There are three charges brought against the respondent. All three relate to breaches of section 7(3) and 8(1) of the Trust Accounts Act (1973) and section 10 of the Trust Accounts Regulations (1998).

There has been filed a statement of agreed facts which sets forth the particulars of each charge. The respondent failed on three occasions to operate his trust account in a diligent and competent manner, between August 2005 and February 2007. The respondent, in a statement of agreed facts, acknowledges that the breaches of section 7(3) and section 8(1) of the Trust Accounts Act (1973) and section 10 of the Trust Accounts Act's Regulations (1999) in relation to the three charges, amounts to unsatisfactory professional conduct.

The Committee finds the three charges proved, and the respondent's conduct, as detailed in the three charges, amounts to unsatisfactory professional conduct, in terms of section 244.

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ORDER  
Filed on behalf of the Applicant  
Form 59rr661

Legal Services Commission  
Level 25, 307 Queen Street  
Brisbane Qld 4000  
Telephone: (07) 3406 7737  
Facsimile: (07) 3406 7749

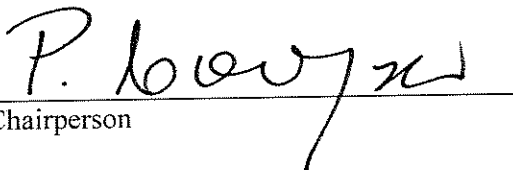
## LEGAL PRACTICE COMMITTEE OF QUEENSLAND

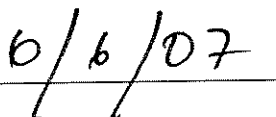
In determining what penalty should be imposed, the Committee has taken into account the following:

- (a) The respondent indicated to the Commissioner at an early stage that he would not be contesting the application.
- (b) The respondent has no adverse findings by a disciplinary body.
- (c) The respondent has sought to improve the management of his trust account.
- (b) There is no evidence of dishonesty or seeking to obtain a benefit.

The following are the findings and orders of the Committee.

1. The finding that the three charges are proved and that the conduct, giving rise to those charges involved conduct amounting to unsatisfactory professional conduct.
2. The Committee finds the respondent guilty of unsatisfactory professional conduct.
3. The Committee publicly reprimands the respondent, which is hereby administered.
4. The Committee orders that the respondent pay \$2000, by way of penalty, to the Legal Practitioners' Interest on Trust Accounts Fund, by 4 July 2007.
5. The Committee orders the respondent pay the applicant's cost of \$1000 by 4 July 2007.

  
Chairperson

  
Date

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