

Two women in business attire are standing and talking. The woman on the left is wearing glasses and a black blazer over a light-colored top. The woman on the right is wearing a black blazer and holding a laptop. The background is a modern office interior with vertical wood slats.

Dispute Resolution FAQ



1

What do I do if I have been served with a court document?

- Take action immediately. Depending on the Court you will have between 10 days and 28 days to notify the Court you intend to defend the claim.
- Other Court document may require you to attend Court or produced documents to the Court on a certain date.
- Talk to your lawyer if you need help understanding the documents served.

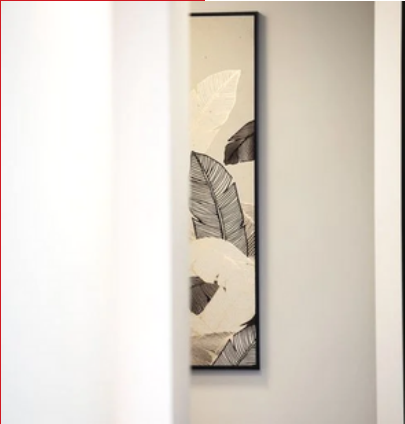


2

What is the process once I feel like I need legal advice?

Contact your lawyer and make sure you provide them with all the relevant information, even some of that information doesn't help your case. This ensures that a proper assessment of your matter can be undertaken.

Dispute Resolution FAQ



3

What do I do if someone owes me money for goods I supplied them with?

If you have tried to recover the money yourself, the next step would be to either commence your own claim in the VCAT or the Court (often for debts less than \$10,000) or engage a lawyer to seek assistance with recovery.



4

What happens if a debtor doesn't respond to a letter of demand sent by solicitors?

You'll need to take advice from your lawyer and decide whether to pursue the debt by either seeking a resolution through mediation or issuing a claim in Court/Tribunal or electing to write off the debt.



5

Can you make a claim if the agreement was simply verbal and one person breaches it?

Yes! Agreements do not have to be only in writing but can be made up of discussions and even the conduct of the parties.

Dispute Resolution FAQ



6 What do I do if someone owes me money but they are bankrupt?

In these instances you will need to contact the person/organisation who is dealing with the bankrupt estate of that person and lodge a proof of debt. It will then be up to that person/organisation to assess the claim and determine what funds you can recover. If you are unsure if some is actually bankrupt or who the person/organisation is dealing with the bankrupt estate, contact your lawyer and they will be able to make the necessary enquiries.



7 What kind of disputes does Beck Legal handle?

- Contract disputes
- Australian Consumer Law
- Disputes over property
- Employment disputes
- Building and construction disputes
- Disputes concerning deceased estates
- Insolvency disputes
- Professional negligence claims



8 Is litigation expensive?

Litigation can be expensive. At Beck Legal we work with you to implement a strategy, including pre-Court mediations, to attempt to resolve all matters as quickly as possible and cost effectively.

Dispute Resolution FAQ



9 Can you help me with a dispute with my builder?

Absolutely, we regularly act for owners of residential, commercial and industrial properties in disputes against builders.



10 If I am an employee and get fired unfairly is there anything I can do?

Yes. There are many options available including seeking damages for unfair dismissal and/or reinstatement.



11 Do I have to go to court to sue someone that breached an agreement with me?

·No, in fact trying to settle disputes outside of Court is far more preferable. This can be done in a variety of ways including demands and pre-Court mediation. Successfully using such methods keeps the costs of resolution down and can provide for a prompter resolution of disputes. Suing someone is only ever the last resort.

Dispute Resolution FAQ



12 How often do matters end up in court?

- There are currently a lot of matters before the Courts. This occurs because the parties are either unable to resolve their dispute outside of Court or have not attempted to do so and instead have proceeded straight to Court. At Beck Legal proceeding with Court action is considered as a last resort. Rather we work to resolve disputes quickly and costs effectively before a claim is even issued.
- The proportion of matters that end up in a full hearing before the Court is only a very small. Most matters will settle before a hearing, often at a Court ordered mediation.



13 I'm constantly chasing payments for invoices. How can I ensure they get paid?

There are a number of strategies that you can implement, including seeking payment upfront before providing goods/service (subject to any regulatory requirements that might prevent this), ceasing supply/services until invoices are paid (again subject to any regulatory requirements that might prevent this) and otherwise commencing a debt recovery process, such as lawyers letter of demand.



14 Do I have to go to court to sue someone that breached an agreement with me?

·No, in fact trying to settle disputes outside of Court is far more preferable. This can be done in a variety of ways including demands and pre-Court mediation. Successfully using such methods keeps the costs of resolution down and can provide for a prompter resolution of disputes. Suing someone is only ever the last resort.



CONTACT

let's get in touch

177 View Street, Bendigo VIC 3550
PO Box 628, Bendigo VIC 3552
Phone: 03 5445 3333

Level 1, 226 Beveridge Street
Swan Hill VIC 3585
Phone: 03 5032 4809

www.becklegal.com.au