

COMPLAINT FORM



LEGAL PROFESSION ACT 2006 – SECTION 471

! IMPORTANT

We suggest that you try to resolve your complaint yourself directly with the lawyer involved before making a written complaint.

Please phone our Complaints Investigator or regulatory lawyers for information about whether this complaint-handling procedure is appropriate for your complaint.

The Law Society NT cannot provide legal advice or legal assistance, nor influence the outcome of court proceedings.

If you do wish to make a written complaint, please read the enclosed brochure and then complete this form. If you have difficulty with this form, please contact us.

DO NOT send original documents with your complaint. Please attach photocopies of any relevant material. Please sign the declaration on the last page before you submit this form.

If you are complaining about more than one practitioner, please submit a separate complaint form about each of them. You may copy this form or ask us for another one. Please lodge all complaints at one time if possible.

We will usually send a copy of your complaint to the practitioner. If this will be a problem for you, please indicate this on the complaint form and/or contact us.

SECTION A

1. Your details

SURNAME:	OTHER NAMES:	
<input type="text"/>	<input type="text"/>	
POSTAL ADDRESS:		
<input type="text"/>		
TELEPHONE – HOME:	BUSINESS:	MOBILE:
<input type="text"/>	<input type="text"/>	<input type="text"/>
EMAIL ADDRESS:		
<input type="text"/>		

Are you making this complaint on behalf of another person, such as a client or relative? YES NO
If **YES**, please tell us who you are making the complaint for and why:

COMPLAINANT'S NAME:
<input type="text"/>
ADDRESS:
<input type="text"/>
REASON:
<input type="text"/>

2. Details of practitioner against whom the complaint is made

PRACTITIONER'S NAME:

NAME OF FIRM/CHAMBERS:

ADDRESS:

TELEPHONE:

FAX:

DATE OF LAST CONTACT WITH PRACTITIONER/S:

Have you obtained your file from the practitioner/s? YES NO

3. Before you lodge a formal complaint:

Have you already tried to resolve this complaint? YES NO

If YES, how?

! Please attach copies of any relevant correspondence.

4. In the matter the legal practitioner named in question 2 acted as:

Your lawyer Lawyer for the other side Licensed conveyancer Other:

5. The legal practitioner was consulted regarding:

- Administrative law
- Building law
- Commercial law
- Company law
- Criminal law
- Conveyancing
- Crimes compensation
- Debt collection

- Family / de facto law
- Immigration
- Industrial relations / unfair dismissal
- Leases / mortgages
- Personal injuries / work health
- Probate / estate / wills
- Other,
provide details:

SECTION B

6. By making this complaint, what outcome are you hoping to achieve?

- | | |
|---|---|
| <input type="checkbox"/> have my documents/files transferred | <input type="checkbox"/> receive financial compensation (note below, the limited circumstances where this result is possible) |
| <input type="checkbox"/> receive an apology | <input type="checkbox"/> have the lawyer disciplined |
| <input type="checkbox"/> resolve my dispute about fees/costs | <input type="checkbox"/> other, specify: |
| <input type="checkbox"/> improve communication with the lawyer | |
| <input type="checkbox"/> improve the service provided by the lawyer | |
| <input type="checkbox"/> resolve/mediate my dispute with the lawyer | |

Note: In general, compensation can be awarded only if:

- the Law Society NT or Legal Practitioners Disciplinary Tribunal are satisfied that you have suffered loss because of the legal practitioner's conduct and it is in the interests of justice to make the order; **and**
- the Law Society NT or Tribunal finds the practitioner is likely to be guilty, or is guilty, of unsatisfactory professional conduct or professional misconduct, **and**
- the Law Society NT has decided to refer the complaint to the Tribunal, **and**
- you have **not** received compensation or an entitlement to compensation from other sources, e.g. by taking private legal action or claiming on the Fidelity Fund.

You should seek independent legal advice about other possible actions you can take for compensation, such as a civil action in negligence.

The maximum amount of compensation which can be awarded by the Law Society NT or the Tribunal is \$10,000, unless both you and the practitioner consent to an order for a greater amount. If you are claiming compensation, please set out details of the amount claimed and the reasons for your claim, in the space under 10 below.

7. When did the conduct occur?

DATE/S:

If the conduct you are complaining about occurred more than three years ago, your complaint can only be accepted if the Law Society NT is satisfied that:

- it is just and fair to do so, considering the delay and the reason/s for it, or
- the complaint concerns an allegation of professional misconduct and it is in the public interest to deal with the complaint.

As a matter of fairness, the Law Society NT will only accept a complaint about conduct that occurred more than three years ago after both the complainant and the practitioner have had an opportunity to make submissions about whether the complaint should be accepted. You should explain your delay in making the complaint below:

8. If your complaint involved a court case, please give details:

CASE NAME:

CASE NUMBER:

COURT NAME AND COURTHOUSE LOCATION:

DATES OF HEARING AND JUDGMENT:

9. Please list the main issues you are complaining about:

a)

b)

c)

10. Please give full details of the complaint/s listed in question 9:

Please tell us about:

- the events that have led to your complaint
- what you say the lawyer did or did not do
- the date or dates of the conduct you are complaining about.

If you do not provide full details we may not be able to proceed with investigating your complaint.

If there is not enough space on this form, please attach another page/s.

Attach **copies** of relevant documents to support your complaint, and a list of these documents.

Do not send original documents.

If there are witnesses who can provide direct **independent** evidence that will help us deal with your complaint, please provide their names and full contact details. Say why you think they could help.

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SECTION C

DO NOT COMPLETE THIS SECTION UNLESS THERE IS A PROBLEM ABOUT LEGAL COSTS/FEES

! You can only make a complaint under this part against a lawyer who was representing you or an estate or trust of which you are a beneficiary.

1. I had a written agreement with the legal practitioner about costs: YES (attach a copy) NO
2. I attach a copy of my bill(s) from the legal practitioner: YES NO
3. The total amount of the bill(s) are:

Fees: \$

Disbursements: \$

The problem with the bill(s) is that:

I was given an estimate of a smaller amount, namely: \$

I think the bill is too high for the amount of work done

I think the bill includes work that was not done or was not necessary

I think the practitioner handled the matter badly and I do not want to pay for this

Other (give details):

I have paid the practitioner:

Yes, in full – date of payment:

Yes, in part – date of payment and amount/s:

No

SECTION D

Declaration

I declare that the information I have given in, and with this complaint, is true and correct:

SIGNATURE

DATE

Returning your form

Return this form and photocopied attachments to Manager Regulatory Services, Law Society NT:

Email: lawsoc@lawsocietynt.asn.au **Post:** GPO Box 2388 Darwin NT 0801

In person: 3/6 Lindsay Street Darwin NT 0800