

# Complaint form

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This form is for making a complaint about a lawyer. The Office of the NSW Legal Services Commissioner (OLSC) receives and deals with complaints about lawyers resident and practising in NSW. We cannot provide legal advice or representation to members of the public, cannot intervene in pending court proceedings and cannot overturn findings or orders made by a Court or Tribunal. If you require legal assistance, please contact LawAccess NSW on 1300 888 529.

OLSC cannot take action to resolve a dispute between you and your lawyer unless you or the lawyer has made a reasonable attempt to resolve the matter and the attempt has been unsuccessful, or it would be unreasonable to expect you to be involved in such an attempt.

**Please read the following information before you complete this form.**

- We recommend you speak to us before making a formal complaint. Please call us on (02) 9377 1800 or toll free on 1800 242 958.
- Please provide a **brief outline** of your complaint and describe what it is you believe the lawyer has done wrong eg, overcharged, not followed your instructions, provided poor quality legal services, caused delay. The information you provide on this form will help us to understand your complaint.
- Please attach copies of key documents which relate to your complaint.
- Fill out separate complaint forms if you would like to complain about more than one lawyer.
- We will usually send a copy of your complaint to the lawyer to ask them to respond to the issues in your complaint. Please tell us if you have concerns with this.
- We have several fact sheets that explain how complaints are dealt with which are available on our website at [www.olsc.nsw.gov.au](http://www.olsc.nsw.gov.au). You can also contact us on (02) 9377 1800 or toll free on 1800 242 958 for a hard copy.
- You must sign the last page of this form in order for us to deal with your complaint.

**Please contact us if you have any questions or if you need assistance filling out this form. We can arrange an interpreter for you if you do not speak English.**

## Person who is making the complaint

|                      |                      |                      |
|----------------------|----------------------|----------------------|
| Title                | First name           | Last name            |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

Address

|                      |                      |                      |
|----------------------|----------------------|----------------------|
| Suburb               | State                | Postcode             |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

|                      |                      |
|----------------------|----------------------|
| Telephone – Landline | Mobile               |
| <input type="text"/> | <input type="text"/> |

Email address

What is the best time of day for us to call you?

### Are you making this complaint on behalf of another person?

- Yes (Please provide their details in the space below)
- No

### Are you authorised to make this complaint on behalf of this person?

- Yes (Please attach written authority)
- No (You must have authorisation to make a complaint on behalf of another person. Please seek written authorisation before lodging this complaint.)

### Details of the person you are making the complaint for:

|                      |                      |                      |
|----------------------|----------------------|----------------------|
| Title                | First name           | Last name            |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

Address

|                      |                      |                      |
|----------------------|----------------------|----------------------|
| Suburb               | State                | Postcode             |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

|                      |                      |
|----------------------|----------------------|
| Telephone – Landline | Mobile               |
| <input type="text"/> | <input type="text"/> |

Email address

# Lawyer/Law Practice the complaint is about

Name of the lawyer

Lawyer type:  Solicitor  Barrister

Name of law practice or chambers

Address

Suburb

State

Postcode

Telephone

Who was the lawyer acting for?

You  The other party  The person you are making the complaint on behalf of

Other

## Details of your complaint

1. Have you tried to resolve the matter with the lawyer?

Yes  No

If yes, how? If not, why not?

2. Please tell us about your complaint. Please include the following details:

- What happened? Who was involved?
- Details of significant events, such as dates of meetings and court hearings.
- What are your concerns?

Please attach another page if you need more space

**3. How do you want us to help you to resolve your complaint?**

**4. What area of legal service does this complaint arise from?**

- |  |  |
|--|--|
| <input type="checkbox"/> Building Law                      | <input type="checkbox"/> Leases/Mortgages            |
| <input type="checkbox"/> Commercial/Corporations/Franchise | <input type="checkbox"/> Personal Injuries           |
| <input type="checkbox"/> Conveyancing                      | <input type="checkbox"/> Probate / Family Provisions |
| <input type="checkbox"/> Criminal                          | <input type="checkbox"/> Professional Negligence     |
| <input type="checkbox"/> Employment Law                    | <input type="checkbox"/> Strata Bodies /Corporates   |
| <input type="checkbox"/> Family / Defacto                  | <input type="checkbox"/> Victims Compensation        |
| <input type="checkbox"/> Immigration                       | <input type="checkbox"/> Wills/Power of Attorney     |
| <input type="checkbox"/> Insolvency                        | <input type="checkbox"/> Workers Compensation        |
| <input type="checkbox"/> Land and Environment              | <input type="checkbox"/> Other Civil                 |

## Complaint about legal costs

**Complete this section if you are disputing the legal costs you have been charged by your lawyer. Complaints about legal costs are known as costs disputes.**

Our role in dealing with a costs dispute is to try and help you and your lawyer or the law practice resolve the dispute. Generally, we can only deal with a costs dispute if:

- The total bill for legal costs is less than \$238,595, or
- The total bill for legal costs equals or is more than \$238,595 but the total amount in dispute is less than \$23,865. Please call us on (02) 9377 1800 if you wish to discuss these circumstances
- The complaint is made within 60 days of the date of the bill or within 30 days of the date of an itemised bill. In some circumstances, we can deal with a costs dispute outside these time frames if you have lodged your complaint within four months after the 60 or 30 day time limit and you have provided a sufficient reason for the delay in making your complaint. The time limit cannot be extended if the lawyer has issued proceedings to sue you for the unpaid costs. Such proceedings may also prevent us from further dealing with your complaint.

**5. Have you received a bill from your lawyer?**

- Yes (Please attach copies of the bills that you wish to dispute)
- No (Please ask your lawyer for copies of the bills that you wish to dispute)

**6. Please provide details of the bills that you have received from your lawyer. Please attach copies.**

| Date of bill | Amount | How much have you paid? | Are you disputing this bill? |
|--------------|--------|-------------------------|------------------------------|
|              |        |                         |                              |
|              |        |                         |                              |
|              |        |                         |                              |
|              |        |                         |                              |

**7. Has the lawyer sued you for unpaid legal costs?**

Yes  No

If yes, when did the lawyer commence legal proceedings, and in which court?

Please note, generally the Commissioner cannot handle a costs dispute if the lawyer has commenced legal proceedings to recover the unpaid costs.

**8. Did you receive a written costs agreement and/or costs disclosure document from the lawyer?**

Yes (Please attach a copy)  No

## Sign and date

I ask the Office of the NSW Legal Services Commissioner to consider and deal with my complaint. I am aware that the Commissioner will usually send a copy of this complaint to the lawyer concerned. I have completed all relevant sections of this form and have attached copies of the following documents:

- Communication(s) to the lawyer
- Costs agreement / costs disclosure
- Communication(s) from the lawyer
- Bills
- Other

Please note that failure to provide all relevant information may delay processing or may mean that we are unable to handle your complaint.

Signed

Date

Name (please print)

## What happens next

We will consider whether we have power to deal with your complaint and how it will be handled. We will contact you to let you know how we intend to deal with your complaint. We aim to deal with complaints efficiently and will keep you informed about the progress of your complaint. We may ask you to provide more information in relation to your matter. Please provide any additional information as quickly as possible. Please contact us if you have any questions or concerns about the complaint handling process.

**Please send the completed form and photocopied attachments to:**

**Office of the NSW Legal Services Commissioner**  
GPO Box 4460, Sydney NSW 2001  
DX 359 Sydney

**Telephone:** (02) 9377 1800 (toll free) 1800 242 958

**Website:** [www.olsc.nsw.gov.au](http://www.olsc.nsw.gov.au)

## Privacy Collection Statement

The Office of the NSW Legal Services Commissioner is bound by laws that protect your privacy concerning the collection, use and disclosure of your personal information. Where you do not provide the information required by this form, the Office of the NSW Legal Services Commissioner may refuse or be unable to process this transaction. The Office of the NSW Legal Services Commissioner may need to disclose your personal information to other state and Commonwealth agencies. You can request access to your personal information by contacting us.