

**BRIEF GUIDE TO MAKING A COMPLAINT UNDER
SECTION 75B OF THE LEGAL PROFESSION ACT
AGAINST A LAWYER FOR
INADEQUATE PROFESSIONAL SERVICE**

EFFECTIVE 15 OCTOBER 2008

By

The Law Society of Singapore

MAKING A COMPLAINT OF INADEQUATE PROFESSIONAL SERVICES AGAINST YOUR LAWYER

1 WHAT IS A COMPLAINT OF INADEQUATE PROFESSIONAL SERVICES

You can make a complaint of inadequate professional services under Section 75B of the Legal Profession Act (Chapter 161) ("the Act") if –

- (a) You are a client and are making a complaint against **your** lawyer; and
- (b) You believe your lawyer had failed to provide you with adequate professional service by not meeting one or more of the standards prescribed in the Legal Profession (Professional Conduct) Rules 1998.

2 STANDARDS OF ADEQUATE PROFESSIONAL SERVICE

The standards can be described as follows:

- a) to provide diligent legal service to client;
- b) to ensure as a lawyer he is competent to represent his client;
- c) to complete work within a reasonable time;
- d) to keep the client informed on the progress of the case;
- e) to promptly acknowledge receipt of client's money or securities;
- f) to promptly provide statement of accounts to the client;
- g) to promptly respond to client's calls or keep appointments made with client;
- h) to explain to the client important developments in his case, such as offers of settlements;
- i) to explain to the client the manner in which he (the lawyer) would charge for services, explain to the client payments required to be made, provide an estimate of fees and deliver bills of costs to the client at regular intervals; and
- j) to discuss with the client the possible risks or expenses of proceedings arising from the case.

3 MANAGING A COMPLAINT OF INADEQUATE PROFESSIONAL SERVICES

Upon receiving the complaint and supporting documents, you will receive an acknowledgement from the Society. The Society will write to request for more information if required and will inform you of the date at which the Council will consider your complaint.

Your complaint will be referred to the Council of the Law Society of Singapore, which is the governing body of the Law Society. The Council may require further necessary information with your written complaint and can require that you support your complaint with a Statutory Declaration.

4 TO MAKE A COMPLAINT OF INADEQUATE PROFESSIONAL SERVICES

Your complaint letter should comprise the following [Sample Letter at page 4]:

- a) Caption your letter “Complaint under Section 75B of the Legal Profession Act”
- b) State your full name and address as stated in your NRIC/passport. If you are making a complaint on behalf of a Company, LLP or MCST, you must be the authorized representative of the entity. You must also furnish a Letter of Authority stating you are authorized to make the complaint on behalf of the entity. Attach a copy of your NRIC (front and back) or the bio-data page of your passport.
- c) State the name of the lawyer you are making the complaint against and the Singapore law practice where the lawyer works. Under the Act, you cannot make a complaint against a Singapore law practice.
- d) Identify the standard(s) of adequate professional service not met by your lawyer.
- e) For each standard identified describe how the lawyer failed to meet that standard when he had acted for you by describing in detail how you believe the lawyer had failed to provide you adequate professional service. Describe each standard’s alleged failure as a heading and below that header provide the particulars requested in this paragraph.
- f) Provide copies of all necessary documents to support your complaint. Do not send originals.
- g) State the following at the end of your letter:

“I/We, _____(name of Complainant(s)) hereby declare and confirm that all the information that I/We have given above are true and accurate and I/We understand and accept that there may be serious legal consequences if the information provided is false.”
- h) The complaint must be addressed to the “Director, Conduct Department” and sent to the Law Society together with the supporting documents by mail to “The Law Society of Singapore 39 South Bridge Road Singapore 058673” or by fax to 6536 3855.
- i) The Society cannot accept verbal complaints or complaints via e-mail or correspond via email only on a complaint. The Society cannot provide advice on the merits or success of your complaint or provide legal advice before or after a complaint is made.
- j) You may write your letter in a language other than English however, where you do not have the means to pay for the cost of the translation, the Society will do the translation for you.

SAMPLE LETTER

1 October 2008

Law Society of Singapore
39 South Bridge Road
Singapore 058673

By Fax Only (Fax No. 6536 3855)

Attention: Director, Conduct Department

Dear Sir/Madam,

MAKING A COMPLAINT AGAINST MR ABC OF MESSRS ABC & CO UNDER SECTION 75B OF THE LEGAL PROFESSION ACT

1. The following are my particulars:

Name:
NRIC No:
Address:
Contact No:

2. The lawyer I wish to make a complaint against:

Name:
Singapore law practice:

3. I am laying a complaint against the lawyer for:

- (a) Failure to provide diligent legal service
- (b) Failure to ensure as a lawyer he was competent to represent his client
- (c) Failure to complete work within a reasonable time, etc

4. Particulars of the complaint are as follows:

(a) Failure to Provide Diligent Legal Service

[Provide particulars specific to this alleged failure, e.g. – “On 20/01/08, during a meeting with the lawyer I instructed him to ...”

[Attach copies of the documents mentioned in your particulars, e.g. Warrant to Act, Order of Court, other documents prepared by lawyer, invoices, receipts, letters, faxes, emails, etc]

(b) Failure to Ensure as a Lawyer he was Competent to Represent Client

[Provide particulars specific to this alleged failure + copies of supporting documents]

(c) Failure to Complete Work within a Reasonable Time

[Provide particulars specific to this alleged failure + copies of supporting documents]

5. I/We, _____ (name of Complainant(s)) hereby declare and confirm that all the information that I/We have given above are true and accurate and I/We understand and accept that there may be serious legal consequences if the information provided is false.

Thank you.

Yours faithfully,

Signature(s)

[All complainants must sign the letter. Where the complaint is on behalf of a Company, LLP or MCST, a Letter of Authority must be attached to the complaint and the authorized Representative must sign the complaint.]