

ADVOCATES INTERNAL COMPLAINTS PROCEDURE

Complaint Resolution Form

Instructions for filling out this form:

- 1 Please read "Notes for the Client" on page 2 of this document before completing the form
- 2 Please and return later unless you have Adobe Acrobat Professional installed on your system. If you prefer to fill out the form by hand, print, write firmly in black ink and sign
- 3 Return pages 3 and 4 to the advocates in question. Keep pages 1 and 2

A. To the complaints handling partner

Name if known:	From:
Name of Firm:	Your Name:
Address:	Address:
Postcode:	Postcode:
Advocates Ref:	Tel No (Day):
	Tel No (Evening):

B. I wish to make a complaint about the service I have received from your firm

The person dealing with my case is/was:

I am complaining that:

C. Additional information

Please tick as appropriate: I am happy for you to deal with my complaint in writing
 I would prefer you to arrange a meeting to discuss my complaint

What I would like you to do to resolve my complaint:

Signed:

Date:

TO THE CLIENT:

- 1.) This form has been designed by the Isle of Man
- 2.) Your Advocate should reply within 14 days of receiving this form
- 3.) Please read the notes on the back of this form before completing
- 4.) There is no need for you to correspond with the Isle of Man Law Society or the Advocates' Disciplinary Tribunal

NOTES FOR THE CLIENT

When should you use this form?

- If you have a complaint about the way your advocate is dealing with your case, you should first try to resolve the problem with the firm.
- This form is designed to help you to put your complaint directly to your advocate.
- You do not have to complain in writing, but it is wise to do so as you and the advocate will then have a record of your concerns.

Where to send this form?

- Advocates must have a procedure for handling complaints.
- Your advocate should have told you, when you first took your business to the firm, who to contact if you have a complaint, and that is the person to whom you should address the form in section A.
- If you have not been given a name, send the form to the complaints handling partner.
- Mark the envelope "Private and Confidential"

How you should set out your complaint:

- Set out details of your complaint in section B.
- Make your complaint short and to the point.
- Give examples of the problems.
- Always give dates where you can.
- If you have more than one complaint, list them and give them numbers - this makes it easier for your advocate to reply to you.
- In section C, tell the advocate what you would like him to do to solve the problem.
- Try to give a reasonable and helpful suggestion.
- When you have completed the form send the bottom copy to the firm and keep the top copy for your own use.

How long should you wait for the advocate to reply?

- You should normally get a reply in 14 days, but please be patient, especially if your case is complicated.
- If you do not hear from your advocate for 14 days, send a brief reminder letter - and keep a copy yourself.
- It is better if you and the advocate sort out the problems together - though the Isle of Man Law Society is available to help if you cannot.

What you should do if you cannot resolve the complaint:

If you:

- a.) Do not receive a detailed reply from your advocate after a reasonable time (say 28 days); or
- b.) find that you cannot resolve the problems directly with your advocate

you may wish to make an informal complaint to the Isle of Man Law Society or a formal complaint to the Advocates' Disciplinary Tribunal.

To do this you will need a Complaints Referral Form which you can obtain from:

- 1.) The Isle of Man Law Society
27 Hope Street
Douglas
Isle of Man
- 2.) The Advocates' Disciplinary Tribunal
Government Offices
Bucks Road
Douglas
- 3.) Any Citizens' Advice Service. or
- 4.) The Office of Fair Trading
Government Buildings
Lord Street
Douglas
Isle of Man

Please do not use this form if:

• Your complaint is about the amount of your advocate's bill

- Talk directly to your advocate - there are very short time limits to challenge and advocate's bill, and there are specific procedures to follow
- See the leaflet "Are your Advocate's Charges Fair and Reasonable?"

• The advocate has said that he will not act for you anymore

- If you wish to make a formal complaint in such case please contact the Isle of Man Law Society.

• You wish to complain about someone else's advocate

- If you need help in such a case please contact the Isle of Man Law Society

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NOTES FOR THE ADVOCATE

What you should do on receipt of this form:

- Acknowledge receipt immediately.
- Tell your client how the complaint will be dealt with and by whom, and what the time scale is likely to be.
- Keep your client informed
- The form requires a response within 14 days but if you find that this is not possible write to your client saying why and indicate when they might expect to receive a response.
- Make sure you comply with that deadline
- Note the client's expectations and consider whether they are reasonable. It is important to deal with the complaint as objectively as possible.
- If the client has asked for a meeting respect that preference and try to arrange one.
- It is recommended that you open a complaint file and keep a record of every step taken towards resolution of the complaint.
- Keep in mind that a quick solution to a complaint is inevitably the most satisfactory and cost effective solution for you.

This complaint should be dealt with between you and your client:

- It is not, at this stage registered with the Isle of Man Law society or Advocates' Disciplinary Tribunal and it is hoped that you and your client will be able to resolve matters and avoid that happening.

What will happen if you do not reply promptly or fail to resolve the complaint?

Your client may lodge an informal complaint with the Isle of Man Law Society or a formal complaint with the Advocates' Disciplinary Tribunal if:

- You have not attempted to deal with the matter within 28 days without acknowledgement or explanation or:
- You fail to resolve the complaint directly with your client.

The Advocates' Disciplinary Tribunal recognises that not all complaints can be resolved satisfactorily between advocate and client. If the matter is referred to us, however, we expect to find that you have made reasonable efforts to find a solution.

1.) Resolving a Complaint:

- Explain what is happening to the client at every stage.
- Give reasons for any delay.
- Apologise if you have caused a problem.
- Agree what action you will take with your client and carry it out.
- If appropriate, make a reduction in any bill delivered or a concession on any future bill.
- Offer compensation if appropriate.

2.) If you are not at fault:

- Give a full explanation of the matter.
- Address each issue that has been raised.
- Keep your explanations objective and don't make the client feel that they shouldn't have raised their complaint. Clients may simply have misunderstood something or been confused. **Remember that in itself this is a communications issue that you need to address and to which this complaint has alerted you.**
- Respond in writing, even after a meeting.

3.) Advantages for you in dealing with this:

- Resolving complaints benefits everyone.
- You are likely to preserve good will, and have a satisfied client again.
- It is the cheapest and quickest way to solve problems.
- It reduces the likelihood of a referral to the Advocates' Disciplinary Tribunal.
- Learning from complaints will help improve your business.