

CLIENT CARE RULE

The Queensland Law Society recently introduced a client care rule which your Society believes has considerable merit. The rule is as set out below. The Society would welcome comments from members concerning the introduction of similar rule in the Northern Territory.

The Rule, as amended, provides:

"1. Subject to paragraph 2 of this Rule, every principal in private practice shall:

(a) Have in place a procedure whereby at the outset of a matter a client is given the information set out below:

i) The name and status within the firm of the person responsible for the day to day conduct of the matter and, if appropriate, the partner responsible for its overall supervision.

ii) The name of the Solicitor or Executive in the firm, or if appropriate, of a nominated Solicitor outside the firm, or a nominated person approved by the Queensland Law Society (hereinafter "the Society"), who should be approached if the client has any problem with the service provided, which the client has been unable to resolve with the person or persons referred to in sub paragraph (i) above.

iii) The basis upon which costs will be charged and if reasonably possible, an estimate of costs.

iv) the complaints handling procedure within the firm.

(b) Both at the outset and during the course of the matter cause the client to be informed, where appropriate, as to the issues raised by the matter, the steps which are likely to be required, how long it is likely to be before it is concluded and progress from time to time.

(c) During the course of the matter, if unreasonable delay occurs, provide the client with an

explanation of such delay including whether or not it is within the control of the persons responsible for the matter to resolve such delay.

(d) On receiving instructions hand to the client himself or herself or cause the person handling the matter to hand to the client any one of the following:

i) The brochure published by the Society entitled "Getting the Best From Us - A Guide for our Clients" detailing the firm's "Client Care" and "Complaints Handling" procedures;

ii) A brochure published by the firm containing the information set out in paragraphs 1 and 5 of the brochure published by the Society;

iii) A letter published by the firm containing the information set out in paragraphs 1 and 5 of the brochure published by the Society.

2. (a) It shall not be necessary for a principal to comply with subparagraphs i), ii) and iv) in paragraph 1(a) above nor with 1(b) above when performing work of a repetitive nature for a client.

(b) it shall not be necessary for a Principal to comply with paragraph 1 above when the following criteria are met:

i) The client is a long-standing client of the firm; or

ii) It is reasonably considered unnecessary by the Principal, taking into account the knowledge and experience of the client in instructing and dealing with solicitors.

(c) It shall not be necessary for a Principal to comply with paragraph 1 above in the following circumstances:

i) Any matter which the practitioner reasonably anticipates will be billed and concluded in 21 days;

ii) Any matter in which the practitioner reasonably anticipates the amount of the bill, excluding outlays, will be less than \$250.00 or such sum as the Society resolves from time to time."

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