

Request

The Law Society
of British Columbia



Complainants' Review Committee

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lawsociety.bc.ca

Before completing the Complainants' Review Committee Request Form, please make sure you read the attached *Complainants' Review Committee Information Sheet*. If you are requesting a review about more than one file, a separate request is required for each one.

PART A: Information – About you			
Salutation <input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Miss			
Given Name(s)		Surname	
Street		City	
Province/State	Country	Postal/ZIP code	
Telephone (home)		(cell)	
Email			
File number (required)			
PART B: Reason for request			
What does your quest primarily concern?			
<input type="checkbox"/> Inadequate Investigation			
<input type="checkbox"/> Disagree with Assessment			
<input type="checkbox"/> Failed to Consider Important Facts (please specify in Part C below)			
PART C: Details of your request (required)			
In the details of your request please be factual, concise and if possible provide examples from <i>The Professional Conduct Handbook</i> or <i>Code of Professional Conduct of BC</i> , Law Society Rules and <i>Legal Profession Act</i> available on the Law Society's website (lawsociety.bc.ca) where applicable.			

PART D: Acknowledgment and signature

I have read the Complainants' Review Committee Information Sheet and I understand the following:

- The Law Society will share some or all of the information and copies of documents that it receives from me and any other person with the lawyer complained about;
- The Law Society may at its discretion talk to any third parties that have relevant information to my complaint;
- Our records are subject to the *Freedom of Information and Protection of Privacy Act* and as a result, information gathered by the Law Society may be disclosed, on request, to other persons whose interests are affected; and
- Under Section 87 of the *Legal Profession Act*, this form and any other document relating to this complaint are not admissible as evidence in any proceedings without the consent of the author of the material or the Executive Director.

Date

Signature of applicant



Information

Complainants' Review Committee

This Information Sheet is used to answer some of the common question complainants have regarding the Complainants' Review Committee. The Complainants' Review Committee Request Form is available on our website at www.lawsociety.bc.ca. Please read this form prior to submitting your Request Form.

Who are the Complainants' Review Committee?

The Complainants' Review Committee is made up of six members: two Appointed Benchers (who are not lawyers), two Benchers and two non-Benchers, who are all lawyers. The Benchers make up the Board of Directors of the Law Society. The members of the Committee are appointed by the Law Society's President at the beginning of each year. Your complaint will be reviewed by a panel made up of any three of the Committee members, at least one of whom will be an Appointed Bencher.

What is the purpose of the Complainants' Review Committee?

The purpose of the Committee's review of your complaint is to determine whether an adequate investigation was conducted and whether the decision of the staff lawyer was appropriate in light of the information before it.

What does the Committee have authority to do with my file?

- The Committee can, on the direction of an Appointed Bencher member of the Committee, make enquiries of the complainant, the lawyer or any other person.
- The Committee can confirm the decision to take no further action;
- The Committee can refer the complaint to the Practice Standards Committee or to the Discipline Committee.

What does the Committee not have authority to do with my file?

- The Committee has no authority to conduct a further investigation of your complaint.
- The Committee cannot review new complaints received from the complainant

- The Committee does not have the authority to make a finding of professional misconduct or incompetence on the part of any lawyer.
- The Committee cannot authorize disciplinary action.

Who can request a review?

Any complainant can request a review of their complaint by the Complainants' Review Committee if the file was closed under Rule 3-8 to take no further action. If your complaint was closed under section Rule 3-5(3) the Complainants' Review Committee has no authority to review your complaint.

How can I request a review?

Please fill out the Complainants' Review Committee Request Form indicating your reasons for review. The Request Form is available on our website at www.lawsociety.bc.ca.

Is there a deadline for application for review and are there exceptions to this deadline?

Yes. To initiate a review, you must apply to the Complainants' Review Committee within 30 days after the decision is communicated to you.

Pursuant to Rule 3-14(3) of the Law Society Rules 2015, only the Chair of the Committee has the authority to grant time extensions "in extraordinary circumstances beyond the control of the complainant". Your reasons for missing the 30-day deadline will be provided to the Chair of the Committee and he/she will consider your request and decide whether to grant you a time extension.

Will my request and the information I provide to the Law Society be disclosed to the lawyer?

Yes. Any additional information you send to the Law Society will be disclosed to the lawyer and the Complainants' Review Committee. The Law Society may at its discretion talk to any third parties that have relevant information to the complaint. Our records are subject to the Freedom of Information and Protection of Privacy Act and as a result, information gathered by the Law Society may be disclosed, on request, to other persons whose interests are affected. If you have any concerns about this, please send an email to professionalconduct@lsbc.org to the attention of the Paralegal, Complainants' Review Committee.

What other information do I need to send in?

The Committee has your complete file and conducts its review based solely on the file materials. The Committee cannot review new complaints that have not been investigated and assessed by staff of the Professional Regulation Department.

Where do I send my Request Form?

You may send your completed Request Form to the Complainants' Review Committee by mail, email or fax. The contact information is listed below.

Attention: Complainants' Review Committee
Address: The Law Society of British Columbia
845 Cambie Street
Vancouver, British Columbia
V6B 4Z9
Email: professionalconduct@lsbc.org
Fax: (604) 605-5399

How long until my complaint is reviewed?

Reviews are scheduled on a first come first, served basis, not a priority sequence. The Committee tries to complete all reviews within 90 days of receiving the review request.

Can I attend my review?

No. This is not a hearing. Neither the lawyer nor the complainant can attend this review.

Will I hear about the outcome of my file review?

Yes. The Committee will mail a copy of its written decision to you. In most cases, you should receive that letter within two weeks of the completion of the review.