

Information

The Outcome of your case

Learn what to do if you are concerned with the outcome of your case.

What you should know

The Law Society cannot:

- Intervene in or change a settlement or an order;
- Intervene in or change the decision of a court;
- Review complaints about judges; or
- Provide you with any financial compensation for the outcome of your case.

It is important to remember that lawyers may approach a legal problem differently depending on a variety of factors, including their client's instructions and the lawyer's view of the case.

Generally, the Law Society will not second-guess a lawyer's professional judgment in a particular case unless there are ethical or competency concerns. The Law Society, when examining whether a lawyer exercised professional judgment, will not assess the correctness of the lawyer's advice but whether the advice falls within an acceptable range.

Even if the lawyer's actions resulted in what you believe may be a poor judgment call or a poor outcome, it does not mean that the lawyer has breached Law Society requirements. To determine whether the conduct calls for discipline by the Law Society, there must be enough evidence that the lawyer did not meet requirements. A breach of the Law Society Rules or failure to act ethically and competently might be a legitimate basis for a complaint but to warrant action the conduct still must fall below the "marked departure" we expected. Hearing panels have consistently set out the legal text for professional misconduct is where the conduct of a lawyer must be a "marked departure" from the standard expected.

What you can do

It is understandable that you may be upset with the outcome of your case and want to take some sort of action. You should first discuss the matter with your lawyer and ask any questions you may have to see if you can resolve your concerns. The Law Society cannot give you a second option of the outcome of your case but we will review all professional conduct concerns such as competency and or unethical conduct.

If you believe your lawyer has made a mistake and caused you financial loss, you may want to seek independent legal advice about your options. Whether a person has a valid claim for losses is determined by the courts. You can review our information sheet on negligence. The Law Society does not have the authority to make that type of decision in the complaints process. The

Lawyer Referral Service is run by Access Pro Bono and provides referrals to voluntarily registered lawyers, who will offer consultation of up to 30 minutes for free.

Tel: 604.687.3221

Toll Free: 1.800.663.1919

lawyerreferral@accessprobono.ca

<http://www.accessprobono.ca/lawyer-referral-service>