

If things  
go wrong

Supportive      Responsive  
Transparent   Preventative **Informative**      Accountable

## If things go wrong

Every year, people like you need help or advice from a solicitor, often for the first time. Choosing and using a solicitor can be daunting and expensive. We at the Legal Complaints Service know, from dealing with legal complaints, what can sometimes go wrong. If something does go wrong, this guide will help you sort out how to put things right.

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### First step - tell the solicitor

If you are not happy with the service you are receiving from your solicitor, you should tell your solicitor straight away.

If your solicitor is not able to sort out your concerns, ask to speak to the person in the firm who deals with complaints. All firms must have their own procedure for handling complaints.

If your solicitor works alone, he or she may have an arrangement with another local firm or with the local law society.

If the firm is not able to sort out your complaint, you may need to contact us. We will not be able to get involved until we know that you have complained to the firm first and given them a chance to sort things out for you.

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## How do I complain to my solicitor?

### You can complain in writing

You don't have to complain in writing, but it's a good idea because you and your solicitor will then have a record of the details. You should keep a copy of this letter.

If you don't want to write a letter to your solicitor, you can fill in our resolution form. This form helps you to put your complaint in writing to the firm.

You can get this form from:

- our helpline;
- your solicitor; or
- a citizens advice bureau.

Or, you can download the form from our website at [www.legalcomplaints.org.uk](http://www.legalcomplaints.org.uk)

Please don't use our resolution form if your complaint is about your solicitor's bill, as there are strict time limits on this type of complaint and you need to follow a different procedure.

### You can complain by phone or in person

If you'd rather phone or make an appointment to visit the solicitor's firm, you should make sure you speak to the person at the firm who deals with complaints.

### What information do I need to give to my solicitor?

However you decide to complain to your solicitor, you need to give them certain information for them to be able to deal with your complaint.

- Tell them what your complaint is about. Try to keep your complaint short and to the point.
- Give examples of the problem.
- Give dates (if you know them).
- If you have more than one complaint, write them all down and give them numbers. This will make sure your solicitor deals with all your concerns.
- Let the solicitor know how you want them to deal with your complaint - for example, in writing or at a meeting. If your solicitor suggests a meeting, you should take up this offer as you might find you are able to sort out your complaint more quickly. If

you do have a meeting ask the solicitor to confirm in writing what you discussed and what was decided.

The solicitor should do everything they can to sort out the problem so you are satisfied. You have the right to be treated with care and professionalism, but your solicitor needs to understand why you are not happy to be able to sort out the problem.

### **How long should I wait for a reply?**

You should give the solicitor 28 days in total for them to reply to you.

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## **When can I complain to you?**

You should get in touch with us if the following happens.

- You haven't received a detailed reply to your complaint from your solicitor within a reasonable time, normally 28 days.
- You haven't been able to sort out your complaint with your solicitor.

### **Are there any time limits for making complaints?**

You must contact us:

- within six months of the work which the solicitor did for you; or
- within six months of finding out there was a problem;

whichever is later.

It's important that you contact us within these time limits. If you leave it any longer, we may decide not to investigate your complaint. However, in some circumstances we may decide that the six-month time limit should not apply. If we think your complaint is particularly serious or you can show us a good reason for not making your complaint within

the time limit, we may investigate it anyway.

If you want to make a formal complaint to us and you haven't already phoned our helpline, you might find that they are the best place to start. They will talk you through the best way for you to make your complaint. They might ask you to write to us or fill in our complaint form. You can get one of these forms from our helpline on 0845 608 6565. If you need any help to fill in the form, please contact us and we will try to help you.

Although the solicitor cannot charge you for dealing with your complaint, they can charge you interest on any bills you haven't paid, even if you have complained to us and we are investigating your complaint.

### **What will you do when I have told you my complaint?**

We will look at what your solicitor has tried to do to respond to your complaint so far. If we think their service has been poor, we will try to sort out the problem between you and your solicitor. Often we are able to help you and your solicitor agree on a fair solution.

If this is not possible, and we find that the service you have received from your solicitor was not good enough, we can order the solicitor to do one or more of the following.

- As far as possible, correct a mistake at their own expense.
- Do what is necessary to protect your interests - again, at their own expense.
- Reduce or cancel their bill.
- Pay you compensation.

We do not have the same power as the courts. In some cases, the poor service you have received may have such serious financial consequences for you that you should consider making a claim against your solicitor through the courts.

## Can I get my solicitor's bill checked?

When deciding whether to ask for your solicitor's bill to be checked, you need to decide whether this is because:

- you are not happy with the costs; or
- you are not happy with the service the solicitor has provided.

It can be difficult to look at the two issues separately but there are different procedures to follow depending on what your complaint is about.

If you are concerned about the amount your solicitor has charged you for the work they have carried out, you need to ask for their bill to be checked. How you do this will depend on the work the solicitor has done for you. You have to follow different procedures if the work involved court action.

- If the work your solicitor did for you did not involve court action, you can use the 'remuneration certificate procedure' which is a free service that we provide. We will look at the work the solicitor did for you and assess whether the charges were fair. At the end of the process, we will give you a certificate which states the amount you will have to pay. (If the bill has been for work on a divorce, this will have involved the courts so you will not be able to use the remuneration certificate procedure to complain about the costs.)
- If the work has involved the courts, the courts will check that your bill is fair. This procedure is called 'assessment'. Although assessment is the only way of checking bills which involve court action, you can also use it for all other types of work. You may have to pay the court costs.

Strict time limits apply for using either of these procedures to check your solicitor's bill, so you need to take action quickly. For more information about complaining about your solicitor's bill, please visit our website ([www.legalcomplaints.org.uk](http://www.legalcomplaints.org.uk)) or phone our helpline on 0845 608 6565.

## Useful contacts

### Legal Complaints Service

Victoria Court  
8 Dormer Place  
Leamington Spa  
Warwickshire  
CV32 5AE

Switchboard: 01926 820082

Helpline: 0845 608 6565

Minicom: 0845 601 1682

Fax: 01926 431435

Website: [www.legalcomplaints.org.uk](http://www.legalcomplaints.org.uk)

E-mail: [enquiries@legalcomplaints.org.uk](mailto:enquiries@legalcomplaints.org.uk)

### Citizens Advice

Myddleton House  
115 to 123 Pentonville Road  
London  
N1 9LZ

Phone: 020 7833 2181

Websites: [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

[www.adviceguide.org.uk](http://www.adviceguide.org.uk)

### Supreme Court Costs Office

Cliffords Inn  
Fetter Lane  
London  
EC4A 1DQ

Phone: 020 7947 7124

Website: [www.hmcourts-service.gov.uk](http://www.hmcourts-service.gov.uk)

### **Legal Complaints Service**

Victoria Court  
8 Dormer Place  
Leamington Spa  
Warwickshire CV32 5AE  
Dx 292320 Leamington Spa 4

**Switchboard:** 01926 820082  
**Helpline:** 0845 608 6565  
**Minicom:** 0845 601 1682  
**Fax:** 01926 431435  
**Web:** [www.legalcomplaints.org.uk](http://www.legalcomplaints.org.uk)  
**Email:** [enquiries@legalcomplaints.org.uk](mailto:enquiries@legalcomplaints.org.uk)