

FORM OF APPLICATION AGAINST AN ATTORNEY-AT-LAW

COMPLAINT NO. \_\_\_ OF \_\_\_\_\_

N.B. THIS FORM MUST BE TYPEWRITTEN OR FILLED IN WITH BLOCK CAPITALS

To the Disciplinary Committee constituted under the Legal Profession Act, 1971 (Act 15 of 1971)

In the matter of \_\_\_\_\_ and \_\_\_\_\_ (fill in your name )

\_\_\_\_\_ an Attorney-at-law. (fill in the name of the Attorney)

AND

In the matter of the Legal Profession Act, 1971.

I, the undersigned

\_\_\_\_\_, of \_\_\_\_\_ (fill in your name) (fill in your address)

\_\_\_\_\_, a Member of Council/ acting on my own behalf/ as

agent for \_\_\_\_\_ hereby make an application that (fill in the name of the principal)

\_\_\_\_\_, an Attorney-at-Law, of \_\_\_\_\_ (fill in the name of the Attorney)

\_\_\_\_\_ (fill in the address of the Attorney)

may be required to answer the allegations contained herein and in the Affidavit which accompanies this application.



**FORM 2**

**(Paragraph 3)**

**FORM OF AFFIDAVIT BY APPLICANT**

In the matter of \_\_\_\_\_ and  
*(fill in your name )*

\_\_\_\_\_ an Attorney-at-law;  
*fill in the name of the Attorney)*

And

In the matter of the **Legal Profession Act, 1971**

I, \_\_\_\_\_, being duly sworn make oath and say as follows:  
*(fill in your name)*

**Section 1**

1. That I, reside at \_\_\_\_\_  
*(fill in your address)*

\_\_\_\_\_ in the parish of \_\_\_\_\_ and I am a \_\_\_\_\_.  
*(fill in your occupation)*

2. That I am a Member of Council/ acting on my own behalf/ as agent for

\_\_\_\_\_  
*(fill in the name of the principal and attach authorisation)*

3. That my complaint is against \_\_\_\_\_, an Attorney-at-Law,  
*(fill in the name of the Attorney)*

of \_\_\_\_\_, in  
*(fill in the address of the Attorney)*

the Parish of \_\_\_\_\_.

**Section 2**

*(Please set out in the space provided below or, if necessary, on an attached sheet a summary of the facts that you rely on such as: dates when you instructed/ interacted with the attorney; where applicable the dates when monies were paid to the Attorney and dates when enquiries were made about the matter and the*

*response if any from the attorney. Attach copies of all relevant documents to support these facts e.g. receipts, correspondence, statements of account, fee agreements etc.)*

4. That the reason(s) for my complaint is/are as follows:-

### Section 3

The complaint I make against the attorney-at-law is that the Attorney has breached the following Canon(s):-

Please select (X) the Canons which you allege the Attorney has breached.

The full list of the Canons are found on our website at [www.generallegalcouncil.org](http://www.generallegalcouncil.org).

1	The Attorney has charged me fees that are not fair and reasonable in breach of Canon IV (f).	
2	The Attorney withdrew from my employment without taking reasonable steps to avoid foreseeable prejudice or injury to my position and rights as his clients in breach of Canon IV (o).	
3	Having withdrawn from my employment the Attorney has not promptly refunded such part of the fees paid in advance as may be fair and reasonable in breach of Canon IV (p).	
4	The Attorney has not provided me with all information as to the progress of my business with due expedition, although I have reasonably required him to do so in breach of Canon IV (r)	
5	The Attorney has not dealt with my business with all due expedition in breach of Canon IV (r).	
6	The Attorney has acted with inexcusable or deplorable negligence in the performance of his duties in breach of Canon IV (s).	
7	The Attorney has not accounted to me for all moneys in his hands for my account or credit, although I have reasonably required him to do so in breach of Canon VII (b)(ii).	
8	The Attorney is in breach of Canon VI (d) which states that an Attorney shall not give a professional undertaking which he cannot fulfil and shall fulfil every such undertaking which he gives.	
9	The Attorney failed to obtain my specific approval after giving full disclosure and acted in a manner in which his professional duties and his personal interests conflict or are likely to conflict in breach of Canon IV (j).	
10	The Attorney is in breach of regulation 16 of the Legal Profession (Accounts and Records) Regulations 1999	
11	The Attorney is in breach of Canon I (b) which states that, "An Attorney shall at all times maintain the honour and dignity of the profession and shall abstain from behaviour which may tend to discredit the profession of which he is a member" in breach of Canon I(b)	

12	<p><b>Other</b>  <i>(Please specify below)</i></p>	
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\_\_\_\_\_  
*Signature or Mark of Applicant*

*(Where the Affidavit is being sworn in Jamaica)*

<p>If the person making the affidavit can read and write strike out the words in bracket. If the person is unable to read please select the applicable reason.</p>	<p>Sworn at _____ in the  parish of _____ this _____ day of  _____ 20__ .</p> <p>(the same having been first read over and explained to the deponent on account of his/her visual impairment/ not being able to read and the deponent appeared to fully understand and expressed agreement with the content of the Affidavit and signed/ placed a mark on the said Affidavit in my presence)</p> <p>Before me:</p> <p style="text-align: center;">_____  <i>Justice of the Peace for the parish</i></p> <p>of _____</p>
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*(Where the Affidavit is being sworn outside of Jamaica)*

<p>If the person making the affidavit can read and write strike out the words in bracket. If the person is unable to read please select the applicable reason.</p>	<p>Sworn at _____ in the country of _____ this _____ day of _____ 20__.</p> <p>(the same having been first read over and explained to the deponent on account of his/her visual impairment/ not being able to read and the deponent appeared to fully understand and expressed agreement with the content of the Affidavit and signed/ placed a mark on the said Affidavit in my presence)</p> <p>Before me:</p> <hr/> <p style="text-align: center;"><i>Notary Public</i></p>
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