

When agreement is reached through mediation, it will be confirmed in writing. Agreements will be confidential unless the parties agree otherwise. Each party can seek independent legal advice before signing an agreement.

Indemnity: The Queensland Law Society, including its CRC officers, and the appointed mediator will not be liable for any loss however caused. Each of the parties will indemnify the Queensland Law Society, including its CRC officers, and the mediator against any claim arising out of the mediation and any previous or subsequent dealings relating to that mediation.

Matters not suitable for mediation

A matter will not generally be suitable for mediation where:

- the facts appear to warrant prosecution of the solicitor for professional misconduct
- the facts appear to involve a claim for compensation against the solicitor for negligence
- the matter involves existing litigation between the parties
- one of the parties is (or has) exercised alternative remedies, such as assessment of costs through the Solicitors Complaints Tribunal.

As the State's peak professional body for solicitors, the Queensland Law Society strives to ensure its members maintain the highest ethical and service standards. The Society introduced the CRC to attempt to resolve quickly any issues of concern a client may have with their solicitor.



Law Society House
179 Ann Street
Brisbane Qld 4000

Client Relations Centre
Telephone 07 3842 5909
Fax 07 3842 5999

info@qls.com.au
www.qls.com.au

client relations centre

helping resolve concerns between
you and your solicitor



If you have a concern relating to the quality of service you are receiving or have received from your solicitor you are invited to contact the Queensland Law Society's Client Relations Centre (CRC) who may be able to assist in informally resolving your concerns. This is a free service.



How the CRC can assist

If you are not happy with the service you have received from your solicitor you can choose to go back to your solicitor or contact the firm's complaints resolution officer and discuss your problem. This will often resolve informally many concerns and potential complaints. Alternatively, you may contact the Client Relations Centre at the Queensland Law Society for assistance. They cannot give legal advice but can assist you to understand the issues involved and, if there is a dispute, can talk to your solicitor to determine whether it is possible to resolve the dispute.

In dealing with your enquiry the CRC acts as a specialist early intervention unit to assist solicitors and members of the public resolve problems. Matters can be referred to the CRC by solicitors or members of the public. The earlier a problem (or potential problem) is referred to the CRC, the greater the likelihood that the CRC will be able to assist the solicitor and the client to reach a mutually satisfactory outcome.

Your matter is handled by specialist officers, skilled and experienced in dispute resolution. Most issues can be resolved by telephone calls, but when this is not possible the CRC can arrange mediation at no cost, if all parties are agreeable. CRC officers aim to maintain a good working relationship between solicitor and client and can deal with each matter through to its conclusion. Communications between you, the CRC and the solicitor with respect to enquiries are confidential.

Matters the CRC will consider

The CRC can assist:

- when clients believe their solicitor is not communicating with them
- in negotiating resolutions for disputes about costs
- in negotiating resolutions where minor errors have occurred
- if a client feels their solicitor should be acting more quickly
- to resolve issues concerning liens, where a compromise could be reached

Matters the CRC cannot consider

Other than in exceptional circumstances, the CRC cannot become involved in disputes:

- where the enquirer or complainant is not a client of the solicitor or law firm
- where litigation exists between the enquirer or complainant and the solicitor or law firm
- on matters of law where there are remedies available from a court or tribunal
- where the solicitor is employed in a government or quasi government body, eg, Legal Aid Queensland, other than to facilitate contact with the body concerned
- where the matter is subject of a formal complaint to the Legal Services Commissioner.

Mediation

Most problems can be resolved quickly by telephone or correspondence, but when this is not possible, mediation is recommended in an effort to resolve the problem and preserve the relationship between you and your solicitor. Mediation can only take place if you and your solicitor sign an "Agreement to Mediate". If you choose to employ an outside mediator instead of a CRC mediator, you must pay that mediator's fees. You will also be responsible for your own expenses such as travel, accommodation or an interpreter.

Strict confidentiality applies to mediation. Any information obtained or statement made during mediation, or any document a party uses in the mediation which has not previously been disclosed by that party, is strictly confidential. A party cannot rely on, release, or use the information, statement or document for any purpose other than the mediation. Equally, it cannot use it as the basis of a new complaint without the consent of the party who provided it. However, this guideline does not apply to information a mediator is required to disclose by law.

Mediation can be terminated at any time by either party or by the mediator giving notice to the participants that he or she is withdrawing from the mediation.