

THE DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

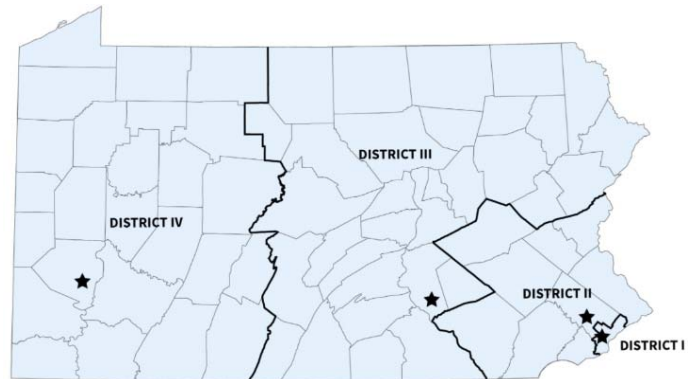
FILING A COMPLAINT AGAINST AN ATTORNEY

Enclosed is a *Complaint Form* for your use in filing a formal complaint against an attorney. Also enclosed is the *Expectations* sheet.

COMPLAINT FORM

Complaints may be filed on the Disciplinary Board's website at www.padboard.org or on paper using the enclosed form. Be certain to thoroughly complete all sections of the form. You will receive acknowledgment of the receipt of your complaint from the Office of Disciplinary Counsel and appropriate steps will be taken to determine if a violation of the Rules of Professional Conduct and/or the Rules of Disciplinary Enforcement has occurred.

All paper complaints should be sent to the District Office in which the attorney maintains an office.



District I

1601 Market St.
Suite 3320
Philadelphia, PA 19103
(215) 560-6296

District II

820 Adams Ave.
Suite 170
Trooper, PA 19403
(610) 650-8210

District III

601 Commonwealth Ave.
Suite 5800
P.O. Box 62675
Harrisburg, PA 17106-2675
(717) 772-8572

District IV

437 Grant St.
Suite 1300
Pittsburgh, PA 15219
(412) 565-3173

DOCUMENTATION

You should provide copies of ALL documents to support your *Statement of Complaint*, which may include:

- Fee or Retainer Agreement and any payments made to the attorney
- Bank statements, if appropriate
- Correspondence, including letters, emails, and/or text messages
- Notes of conversations
- Court filings, including docket number and the court of jurisdiction

If you are unable to provide copies, please send original documents with a request to have the originals returned.

EXPECTATIONS

What should you expect?

- An acknowledgment of receipt of the complaint and assignment of a file number for future reference;
- A fair and impartial investigation performed by the Office of Disciplinary Counsel (ODC), wherein staff may communicate with you, the attorney, and in some cases, other parties, to obtain information;
- An efficient disposition of your complaint, being mindful of the complexity of the matter, cooperation of all parties, and availability of documents, among other things, which may affect the duration of the investigation; and,
- To receive official notification of the disposition of your complaint.

What should you **NOT** expect?

- Assistance or advice from the Disciplinary Board or ODC with respect to your legal matter;
- Direction from the Disciplinary Board or ODC to your attorney to take or refrain from a particular action;
- Representation by the Disciplinary Board or ODC with respect to your legal matter;
- A referral by the Disciplinary Board or ODC to a new lawyer to handle your matter; or,
- Reimbursement or other monetary compensation through the process.*

Fee Disputes

Fee disputes are not normally handled within the attorney disciplinary process. Individuals should pursue fee disputes with the Bar association in the county where the attorney practices.

**If you sustained a financial loss as a result of your attorney's dishonest conduct, you may file a claim with the Pennsylvania Lawyers Fund for Client Security (PaLFCS). Claim forms and additional information may be found on the PaLFCS website at www.palawfund.com.*



The
DISCIPLINARY BOARD
of the Supreme Court of Pennsylvania

COMPLAINT FORM
PLEASE TYPE OR PRINT ALL RESPONSES

Date: _____ / _____ / _____

YOUR CONTACT INFORMATION:

Mr./Mrs./Dr.
Name: Ms./Miss/Hon. *First:* _____ *MI:* _____ *Last:* _____ *Suffix:* _____
Address: *Street:* _____ *City:* _____ *State:* _____ *ZIP:* _____
Telephone: (_____) _____ - _____ **Email:** _____

Are you an attorney or formerly admitted attorney? YES NO

If YES, in what jurisdiction(s)? _____ **Bar Number(s):** _____

Are you a judge? YES NO

If YES, of which court and where? _____

ATTORNEY COMPLAINED OF:

Name: *First:* _____ *MI:* _____ *Last:* _____ *Suffix:* _____

Name of Office/Firm (e.g., the name of the private law firm, business or other entity, Public Defender's Office, District Attorney's Office, or other government office):

Office Address: *Street:* _____ *City:* _____ *State:* _____ *ZIP:* _____

County: _____ **Telephone:** (_____) _____ - _____

LEGAL MATTER:

TYPE OF CASE(S) (check all that apply):

- | | | |
|--|--|---|
| <input type="checkbox"/> Bankruptcy | <input type="checkbox"/> Juvenile (Dependency/Delinquency) | <input type="checkbox"/> Real Estate |
| <input type="checkbox"/> Corporation/Partnership Law | <input type="checkbox"/> Criminal | <input type="checkbox"/> Family (Divorce/Support/Custody) |
| <input type="checkbox"/> Estate/Probate/Trusts | <input type="checkbox"/> Social Security | <input type="checkbox"/> Immigration/Naturalization |
| <input type="checkbox"/> Employment Law | <input type="checkbox"/> Landlord/Tenant | <input type="checkbox"/> Personal Injury |
| <input type="checkbox"/> Adoption | <input type="checkbox"/> Workers' Compensation | <input type="checkbox"/> Other (specify) _____ |

FOR EACH MATTER MARKED ABOVE:

1. Is the matter ongoing at this time? YES NO
2. Does the matter involve litigation (a court case)? YES NO

If YES, provide:

Name of Court or other forum (e.g., Magistrate, State Trial, Federal, Superior, Commonwealth, Supreme, workers' compensation, EEOC, etc.)

County: _____ **State:** _____

Full Docket Number:

Any Other Relevant Docket Numbers (e.g., if the matter is on appeal to a higher Court, provide that docket number below, in addition to any docket number listed above)

If you do **not** have the docket number, please provide the caption of the case:

Plaintiff name(s): _____

Defendant name(s): _____

Date matter was filed (month and year): _____

PRIOR COMPLAINTS CONCERNING THIS MATTER OR THIS ATTORNEY:

Have you previously submitted a complaint concerning this matter or this attorney with the Disciplinary Board, a Bar Association, or its Fee Dispute Committee, any District Justice, Court, District Attorney, or any other agency or office? YES NO

If YES, please provide the following information:

Name of Office/Agency: _____

Date Submitted: _____

Nature of Your Complaint:

Result/Action Taken by the Office/Agency:

ADDITIONAL INFORMATION:

1. Are you the client of the attorney? YES NO

If **NO**, what is your connection to the attorney or matter? _____

Are you represented by an attorney? YES NO

If you are represented by an attorney, please provide name and contact information for your attorney:

If **YES**, please provide the following information:

a. When did the representation begin? _____

b. Was the attorney court-appointed? YES NO

If **YES**, when was the attorney appointed? _____

c. Was the attorney privately retained? YES NO

If **YES**, please provide the following information:

i. Who retained the attorney? _____

ii. When was the attorney retained? _____

iii. How much money has been paid to the attorney, if anything, when, and by what means (e.g., cash, check)?

iv. Please provide copies of any bills, invoices, or statements received.

d. Does the attorney currently represent you? YES NO

If **NO**, when did the representation end? Please provide the date of any Court Order regarding the withdrawal or termination of the representation _____

e. What is the date of your last contact with the attorney? _____

f. Did the attorney provide a fee agreement or other writing setting forth the rate or basis for the fee charged?

YES NO

If **YES**, do you have a copy of the fee agreement or writing? YES NO

If **YES**, please provide a copy of the fee agreement or writing.

If you do not have a copy of the fee agreement or writing, please provide your understanding of the fee arrangement.

g. Does the attorney claim that they are owed money? YES NO

If **YES**, how much? _____

2. Have you previously been represented by this attorney (in a different matter)? YES NO

If YES, please answer the following:

When did the attorney represent you? _____

In what type of matter did the attorney represent you? Please provide the county and case number, if applicable.

3. What work was to be performed by the attorney (e.g., provide representation at a preliminary hearing; draft a will)?

4. Have your concerns been raised directly with the attorney? YES NO

If YES, please answer the following:

When were the concerns raised? _____

By what means (e.g., letter, email, telephone call)? _____

What was the result (e.g. received no reply from the attorney, attorney responded but the concerns were not resolved)?

5. Have your concerns been raised with the court? YES NO N/A

If YES, please answer the following:

When were the concerns raised? _____

By what means (e.g., via motion, at a conciliation, at a hearing)? _____

What was the result (e.g., a hearing is pending on the matter; an Opinion or Order was entered relating to the concerns)?

6. If you have a new attorney related to the matter, please provide the attorney's name and contact information.

Name: _____

Address: Street: _____ City: _____ State: _____ ZIP: _____

Email Address: _____ Telephone: (_____) _____ - _____

7. **STATEMENT OF COMPLAINT:** What did the attorney do that, in your opinion, violated his or her professional or ethical obligations? Be factual and as specific as possible. You may attach additional pages if necessary to fully set forth the relevant facts and circumstances surrounding the complaint.

8. What are you asking this office to do in response to the complaint?

IMPORTANT:

- Only submit each complaint one time. Do not submit a complaint form to multiple district offices or by multiple means (e.g. do not submit the complaint form both by mail and fax or by mail and online).
- Please note that, although you have submitted a complaint, the Disciplinary Board and the Office of Disciplinary Counsel do not represent you.
- The Disciplinary Board and the Office of Disciplinary Counsel cannot intervene in your litigation or dispute, nor take action on your behalf in your underlying matters.
- The Disciplinary Board and the Office of Disciplinary Counsel cannot refer you to, nor appoint to you, an attorney.
- You will not receive periodic updates on the complaint as a matter of course. If the Office of Disciplinary Counsel has additional questions or needs additional documentation from you, you will be contacted in writing.
- You should not wait for the determination of the Disciplinary Board or the Office of Disciplinary Counsel regarding the complaint to take whatever action you may wish to take in your underlying matters.

CONFIDENTIALITY:

Staff of the Disciplinary Board and the Office of Disciplinary Counsel are required to maintain the confidentiality of complaints and related investigations and proceedings unless and until one of the exceptions to confidentiality, as set forth in Rule 402 of the Pennsylvania Rules of Disciplinary Enforcement, applies. Office of Disciplinary Counsel staff may interview the respondent-attorney or other persons who may have information that is relevant to the complaint, and may disclose information when disclosure is permitted or required by Court or Board Rules.

IMMUNITY:

Enforcement Rule 209(a) provides that any person who communicates with Disciplinary Counsel or the Board relating to misconduct by a respondent-attorney or gives testimony before a hearing committee or special master in a proceeding conducted pursuant to the Enforcement Rules, shall be immune from civil suit based upon such communication or testimony.

Signature: _____

Date: _____