

Conduct and Client Care Rules for Lawyers 'Information for Clients'

Set out below is the information the Rules of Conduct and Client Care for Lawyers ("LCCC Rules") of the New Zealand Law Society ("Law Society") require lawyers to provide to clients.

1. Fees

The basis on which fees will be charged is set out in our engagement letter. When payment of fees is to be made is set out in our Standard Terms of Engagement.

We may deduct from any funds held on your behalf in our trust account any fees, expenses or disbursements for which we have provided an invoice.

2. Professional Indemnity Insurance

We hold professional indemnity insurance that meets or exceeds the minimum standards specified by the Law Society. We will provide you with particulars of the minimum standards upon request.

3. Lawyers' Fidelity Fund

The Law Society maintains the Lawyers' Fidelity Fund for the purpose of providing clients of lawyers with protection against pecuniary loss arising from theft by lawyers. The maximum amount payable by the Fidelity Fund by way of compensation to an individual claimant is limited to \$100,000.00. Except in certain circumstances specified in the Lawyers and Conveyancers Act 2006, the Fidelity Fund does not cover a client for any loss relating to money that a lawyer is instructed to invest on behalf of the client.

4. Complaints

We maintain a procedure for handling any complaints by clients, designed to ensure that a complaint is dealt with promptly and fairly, as follows:

- If you have a complaint about our services or charges, you may refer your complaint to the partner who has overall responsibility for your work, namely to either **Angus Rogers** or **Steve Rutherford** as applicable.
- You may contact Angus by phone (09) 970 2751, mobile (027) 495 7665, fax (09) 302 0389 or email angus@r-r.co.nz, or Steve by phone (09) 970 2750, mobile (021) 724 074, fax (09) 302 0389 or email steve@r-r.co.nz or by writing to Angus or Steve at PO Box 2330, Shortland Street, Auckland 1140.
- If after discussion with Angus or Steve the complaint is not resolved to your satisfaction, then the matter should be referred to **Bruce Galloway**, a senior lawyer who is a consultant with our firm, and who has agreed to act as referral for any such complaints that might be made about the legal services we provide. Bruce's contact details are phone (09) 970 2755, mobile (021) 396 892, fax (09) 302 0389, or email bruce@r-r.co.nz, or by writing to Bruce at PO Box 2330, Shortland Street, Auckland 1140.
- Following that referral, if the complaint is still not resolved to your satisfaction, we propose that the matter would be referred to an experienced mediator for resolution.

The Law Society operates a Lawyers Complaints Service and you are able to make a complaint to that service. To do so, phone **0800 261 801** and you will be connected to the nearest Complaints Service Office, which can provide information and advice about making a complaint.

5. Persons Responsible for the Work

The names and status of the Rogers & Rutherford lawyer(s) or author(s) who will have the general carriage of or overall responsibility for the services we provide for you are set out in our engagement letter.

6. Client Care and Service

The Law Society client care and service information is set out below. Whatever legal services your lawyer is providing, he or she must, as provided in the Preface of the LCCC Rules:

- *Act competently, in a timely way, and in accordance with instructions received and arrangements made.*
- *Protect and promote your interests and act for you free from compromising influences or loyalties.*
- *Discuss with you your objectives and how they should best be achieved.*
- *Provide you with information about the work to be done, who will do it and the way the services will be provided.*
- *Charge you a fee that is fair and reasonable and let you know how and when you will be billed.*
- *Give you clear information and advice.*
- *Protect your privacy and ensure appropriate confidentiality.*
- *Treat you fairly, respectfully and without discrimination.*
- *Keep you informed about the work being done and advise you when it is completed.*
- *Let you know how to make a complaint and deal with any complaint promptly and fairly.*

The obligations lawyers owe to clients are also described in the LCCC Rules. Those obligations are subject to other overriding duties, including duties to the courts and to the justice system.

If you have any questions, please visit www.lawsociety.org.nz or call **0800 261 801**.

7. Limitations on Extent of our Obligations or Liability

Any limitations on the extent of our obligations to you or any limitation or exclusion of liability are set out in our engagement letter.