

**PRACTICE REVIEW  
GUIDE FOR MEMBERS**

**RELEVANT CONSIDERATIONS IN DIRECTING A PRACTICE REVIEW**

**COMPLAINTS HISTORY**

A member's complaints history is a relevant consideration in assessing whether there are reasonable grounds for believing that the member may be failing or may have failed to meet standards of professional competence.

In assessing complaints the following considerations are relevant:

- the number of complaints;
- the time frame over which they have occurred;
- the seriousness of the complaints;
- the nature of the complaints, in particular,
  - failure to account to clients
  - failure to fulfill financial or other commitments or undertakings in a timely fashion
  - investigation authorizations pursuant to section 49.3 of the *Law Society Act*

**CONDUCT, CAPACITY OR COMPETENCE ORDERS**

- Conduct, capacity or competence orders that limit or restrict the member's rights to practice, or relate to practice management issues.

**UNDERTAKINGS**

- Undertakings given to the Law Society that limit or restrict the member's rights to practice, or relate to practice management issues.

**REFERRALS FROM LAW SOCIETY DEPARTMENTS**

- Referrals from Law Society departments, including Complaints, Discipline, Investigation, and Spot Audit that indicate that there may be reasonable grounds to believe that the member may be failing or may have failed to meet standards of professional competence.
- Referrals from Law Society departments including Complaints, Discipline, Investigation, and Spot Audit that indicate that the member may require professional or personal counseling.
- Referrals from spot audit that indicate that there are deficiencies in the records, systems or procedures of the member's practice regarding,

- Filing systems
- File organization
- Compliance with By-laws 18 [Record Keeping Requirements] and 19 Handling of Money and Other Property]
- Compliance with conflicts management systems as required by the Rules of Professional Conduct
- Staff support

that gives rise to a reasonable apprehension that the quality of service to clients may be adversely affected.

### **ADMINISTRATIVE SUSPENSIONS**

- Administrative suspensions for failure to file, in combination with other indicators.