

PLEASE TYPE OR PRINT CLEARLY USING INK

**SEND THIS FORM TO: STATE OF NEW YORK
GRIEVANCE COMMITTEE FOR THE TENTH JUDICIAL DISTRICT
150 MOTOR PARKWAY - SUITE 102
HAUPPAUGE, NEW YORK 11788
(631) 231-3775**

Date: _____

COMPLAINANT INFORMATION:

Your Name: Mr. ()
Mrs. ()
Ms. ()

(First) (Initial) (Last)

Address: _____
(Street) (Apt. #)

(City) (County) (State) (Zip Code)

Telephone: (Home) _____ (Office) _____

ATTORNEY COMPLAINED OF:

Name: _____
(First) (Initial) (Last)

Address: _____
(Street) (Apt. #)

(City) (County) (State) (Zip Code)

Telephone: _____

DATE YOU HIRED/RETAINED THE ATTORNEY: _____

CONTACT WITH OTHER AGENCIES

Have you contacted any other agency, such as a bar association or district attorney's office, concerning this matter? _____

If so, state the name of the agency: _____

What action was taken by the agency _____

COURT ACTION TAKEN BY YOU AGAINST THE ATTORNEY

Have you taken any civil or criminal action against the attorney? _____

If so, please name the court and provide the index number: _____

What action was taken by the court? _____

**STATE OF NEW YORK GRIEVANCE COMMITTEE
FOR THE TENTH JUDICIAL DISTRICT
150 MOTOR PARKWAY, SUITE 102
HAUPPAUGE, NEW YORK 11788
(631) 231-3775**

I. WHO WE ARE

The *Grievance Committee for the Tenth Judicial District* consists of a Chairperson and twenty members; including at least three non-lawyer members. The attorney members are experienced in many areas of the law. All of our members come from Nassau and Suffolk Counties.

We are not paid for our work but do this as a service to the public and to maintain the honor and high standards of our profession. However, we do have a paid staff of attorneys, investigators, and secretaries. They work full-time to investigate and process your complaints and report the results to our Committee. The salaries of this staff and expenses of this office are paid by the State of New York. The work of this staff is under the supervision of the Committee.

II. WHERE WE WORK

Our Committee investigates complaints against attorneys with offices in Nassau and Suffolk. In certain cases, we will investigate other complaints if the conduct occurred in our area or if the attorney lives in our area, but usually such complaints will be referred to other Committees.

III. WHAT WE CAN DO

The purpose of the Committee is to protect the public and the legal profession by ensuring that attorneys adhere to the standards of conduct set forth in the "Rules of Professional Conduct" [eff. 4/1/09]. If we determine that the attorney about whom you complained has violated the rules, a private or public sanction may be issued. If the violation of the rules is a very serious one, the attorney's license to practice law may be temporarily or permanently taken away. However, that action may not solve your personal legal problem, as you will learn when you read the next section.

IV. WHAT WE CANNOT DO

We cannot take money or property from the attorney to return to you. We cannot sue an attorney because of the attorney's careless handling of your problem. We cannot do the work your attorney failed to do for you, or give you legal advice or assistance of any kind. We cannot change the fee the attorney has charged you, even if it is too high. We cannot recommend an attorney to you.

V. OUR PROCEDURES

Making a complaint is a very serious matter. However, if you believe your attorney has acted unethically, tell us the facts by writing us a letter or filling out the complaint form, explaining your problem fully. Remember that it takes evidence of unethical conduct to justify disciplinary action against an attorney. You should, therefore, give us copies of any letters or papers which support your complaint.

After you mail us your complaint, we will examine it. Certain complaints may be transferred to the Grievance Committee of either the Nassau or Suffolk Bar Associations for investigation or mediation. If your

complaint has to do with the size of a legal fee, it may be sent to the appropriate fee arbitration panel. If your complaint is not a proper grievance, we will tell you why.

If you do have a proper grievance, we will ask the attorney to respond to it. After we receive the attorney's answer - and the attorney *must* answer - we will give you a chance to reply. Our staff also will investigate the complaint by reviewing papers or court records, speaking with witnesses, or if necessary, speaking with you and the attorney.

When the investigation is complete, the results are reported to the full Committee at its monthly meeting for review and discussion. At that point, one of several things may happen:

1. Your complaint may be dismissed. This does not necessarily mean we did not believe you, only that we decided that what the attorney did was not unethical;
2. We may issue a LETTER OF ADVISEMENT or an ADMONITION to the attorney. These are confidential letters telling the attorney that the conduct engaged in was improper, and warning the attorney not to repeat the conduct. By law, we are not permitted to show you a copy of that letter, but you will be advised of the action taken. Such letters are employed when some degree of improper conduct is found but the matter is not serious enough to require more severe disciplinary action;
3. We may conduct a hearing and listen to testimony, under oath, from you, the attorney, or other witnesses, so that we can decide what action to take;
4. We may bring a legal proceeding in court to prove serious misconduct by the attorney so that the court may take appropriate action. This proceeding is not open to the public. You may be required to give testimony. If the court decides to take disciplinary action against the attorney, the decision may be made public.

VI. WHAT YOU CAN DO TO HELP US

You must tell us the basis of your complaint clearly and thoroughly. You must send us copies of any letters, papers, etc. which support your complaint. You must give us names of witnesses who can support your complaint. You should ask those witnesses to cooperate with us. You must be ready to testify at a hearing or at a trial. If you move, you should give us your new address.

VII. WHAT YOU CAN DO TO HELP YOURSELF BEFORE AND AFTER YOU BRING THE COMPLAINT TO US

When you bring your complaint to us, you help to preserve the honor of our profession and you render a public service. To help yourself, you should:

1. Try to work out a solution with your attorney. If the problem is that the attorney does not speak with you, write the attorney a letter, and keep a copy for your records;
2. If you cannot solve your problem that way, you may need to get another attorney to finish the work your first attorney started, and to give you further advice.

Please understand that we are not permitted to act as your attorney and cannot give you any advice other than this: **Do something immediately.** Many rights may be lost due to the passage of time.

OTHER SOURCES OF HELP

There are various agencies that provide assistance in areas in which our Committee cannot, or that can provide additional relief while your complaint is being processed by the Committee.

1. **OTHER COMMITTEES:** To lodge a complaint against an attorney from outside Nassau and Suffolk:

For Manhattan and the Bronx:

Departmental Disciplinary Committee
First Judicial Department
61 Broadway, 2nd Floor
New York, NY 10006
(212) 401-0800

For Staten Island, Brooklyn & Queens:

Grievance Committee for the 2nd, 11th & 13th Judicial Districts
Renaissance Plaza
335 Adams Street, Suite 2400
Brooklyn, NY 11201-3745
(718) 923-6300

For Dutchess, Orange, Putnam, Rockland & Westchester Counties:

Grievance Committee for the 9th Judicial District
Crosswest Office Center
399 Knollwood Road, Suite 200
White Plains, NY 10603
(914) 824-5070

For Albany, Broome, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Essex, Franklin, Fulton, Greene, Hamilton, Madison, Montgomery, Otsego, Rensselaer, St. Lawrence, Saratoga, Schenectady, Schoharie, Schuyler, Sullivan, Tioga, Tompkins, Ulster, Warren & Washington Counties:

Committee on Professional Standards
Third Judicial Department
286 Washington Avenue Extension, Suite 200
Albany, NY 12203-6320
(518) 285-8350

For Herkimer, Jefferson, Lewis, Oneida, Onondaga & Oswego Counties:

Grievance Committee for the 5th Judicial District
224 Harrison Street, Suite 408
Syracuse, NY 13202
(315) 471-1835

For Cayuga, Livingston, Monroe, Ontario, Seneca, Steuben, Wayne & Yates Counties:

Grievance Committee for the 7th Judicial District
50 East Avenue, Suite 404
Rochester, NY 14604
(585) 530-3180

For Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans & Wyoming Counties:

Grievance Committee for the 8th Judicial District
438 Main Street, Suite 800
Buffalo, NY 14202-3212
(716) 845-3630

2. **JUDGES**: To lodge a complaint against a judge, you should contact:

The New York State Commission on Judicial Conduct
61 Broadway, Suite 1200
New York, NY 10006
(646) 386-4800

3. **LAWYER REFERRALS**: If you need legal advice or a referral to a lawyer, the following Bar Associations in our area have lawyer referral services:

In Nassau: Nassau County Bar Referral (516) 747-4832
In Suffolk: Suffolk County Bar Referral (631) 234-5577

4. **LAWYERS' FUND**: If you feel that you have lost money or property because of an attorney's dishonest conduct in the practice of law, and are seeking reimbursement, you should file a claim with The Lawyers' Fund for Client Protection of the State of New York:

119 Washington Avenue
Albany, NY 12210
(800) 442-FUND