



# Legal Practitioners Conduct Board

## INFORMATION FOR SOLICITORS

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**Information Sheet No. 8**  
**for solicitors who are the subject of a complaint to the Legal Practitioners**  
**Conduct Board**

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### 1. What Is the Legal Practitioners Conduct Board?

- It is created under the Legal Practitioners Act 1981. It is an independent body separate from the Law Society of South Australia.
- Its office is at Level 3, 33 Franklin Street, Adelaide.
- It is a regulatory body for the legal profession.

See Legal Practitioners Act, 1981 sections 68-77B

### 2. Current membership and staff of the Board

The Board comprises seven members – four lawyers and three lay persons. The Board in meeting votes and decides on reports, information and evidence collected and compiled by employed staff who investigate matters reported to the Board.

Any contact with the Board is through the staff of the Board. Contact details appear at the end of this information sheet.

### 3. What are the functions of the Board?

1. To investigate allegations of misconduct
2. To take certain action if evidence of probative value exists that fits the definitions of “*unprofessional conduct*” or “*unsatisfactory conduct*”. (Defined in section 5 of the Legal Practitioners Act 1981 – see appendix)
3. To deal with overcharging complaints.

### 4. Board’s Obligation To Investigate

The Board is obliged to conduct an investigation if a complaint is made. It has no option unless the complaint is patently frivolous or vexatious or unless the complaint is resolved prior to commencement or completion of the investigation.

*76(1a) The Board must make an investigation into the conduct of a legal practitioner or former legal practitioner where-*

- (a) the Board has been directed to make the inquiry by the Attorney-General or the Society; or*
- (b) a complaint has been received in relation to the conduct of the legal practitioner or former legal practitioner.*