

Client Care Rules

We set down below information from the *Rules of Conduct and Client Care for Lawyers* of the New Zealand Law Society (NZLS) that explains the rights you are entitled to whenever you receive legal services from a lawyer.

Fees

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

Professional Indemnity Insurance

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

Lawyers' Fidelity Fund

The NZLS maintains the Lawyers' Fidelity Fund for the purposes 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. Except in certain circumstances specified by the Lawyers 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.

Complaints

We maintain a procedure for handling any complaints by clients. This is designed to ensure that a complaint is dealt with promptly and fairly.

If you have a complaint about our services or charges, you may refer your complaint to the person in our firm who has overall responsibility for your work.

If you do wish to refer your complaint to that person, or you are not satisfied with that person's response to your complaint, you may refer your complaint to us either by:

- Letter to Berry & Co, PO Box 10, Oamaru 9444
- Email to info@berryco.co.nz
- Telephoning 03 434 8737

The NZLS also maintains a complaints service and you may make a complaint direct to them. To do so you should call the NZLS on 04 472 7837 or ring the Lawyers Complaints Service, operated by the NZLS, on 0800 261 801.

People Responsible for the Work

The names and status of the person or people who will have the overall responsibility for the services we provide for you are set out in our letter of engagement.

Client Care and Service

Whatever legal services your lawyer is providing, he or she must:

- 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, and
- Let you know how to make a complaint and deal with any complaint promptly and fairly.

The obligations lawyers owe to clients are described in the *Rules of Conduct and Client Care for Lawyers*. Those obligations are subject to other overriding duties, including duties to the courts and to the justice system. If you have any queries, please visit www.lawsociety.org.nz

Limitations on Extent of our Obligations or Liability

Any limitations on the extent of our obligations to you and any limitation nor exclusion of liability are set out in our letter of engagement.