



GENERAL INFORMATION ON FILING COMPLAINTS WITH THE TOLEDO BAR ASSOCIATION

THE GRIEVANCE PROCESS

The Grievance Committee of the TBA has been authorized by the Supreme Court of Ohio to investigate grievances against attorneys in Lucas County or involving cases which arise in Lucas County. If you choose, instead of proceeding with the TBA, you have the option to file a grievance directly with the Disciplinary Counsel. **Please advise our office, as soon as possible, if that is your choice. You may not file with both offices.**

Grievances against judicial officers and matters which arise in other counties should be directed to the Office of Disciplinary Counsel of the Supreme Court of Ohio, 250 Civic Center Drive, Suite 325, Columbus, OH 43215-5454, telephone (614) 461-0256.

Your written statement will be reviewed to determine if it contains substantial allegations which, if proven, would constitute professional misconduct under the Ohio Rules of Professional Conduct. The authority of the TBA is limited to misconduct defined in the Rules. The Toledo Bar Association has no authority to investigate other behavior by an attorney which the public may view as "unethical," but which is not covered by the Rules.

The Toledo Bar Association has no authority to change any decision by a court of law, or to interfere with ongoing legal proceedings. The TBA cannot change the outcome of your case or redeem your losses, whether monetary or otherwise. The only function of the Grievance Committee is to investigate allegations of attorney misconduct and to either seek sanctions against the attorney in the Ohio Supreme Court or to exonerate the attorney when no misconduct is found. **The Toledo Bar Association and its Grievance Committee cannot give you legal advice or represent you. A person with a legal problem should consult an attorney of his or her choice.**

The Grievance Committee does not ordinarily investigate claims of simple negligence or malpractice. If you have such a claim, you should consult an attorney of your choice.

If it appears that there may be a violation, your complaint will be investigated. If substantial, credible, convincing evidence is found that a violation has occurred, the Grievance Committee will file a formal complaint with the Board of Professional Conduct of the Ohio Supreme Court. If that Board, after hearing, finds that the attorney has committed misconduct, it makes a recommendation to the Supreme Court of Ohio. The Court has final say on whether to discipline an attorney or judge and what sanction should be administered.

A grievance is confidential until the Board accepts (certifies) a formal complaint. A grievance or complaint can be dismissed at any point in the process.

FEE ARBITRATION

The TBA also has a program to resolve fee disputes between lawyers and clients. If, after examination of your complaint, (or, occasionally, after investigation) we determine that it states a dispute about fees rather than a claim of unethical conduct, you will be given information about this program. You may then choose to participate or not, at your option.



STATEMENT OF GRIEVANCE AGAINST ATTORNEY

PLEASE TYPE OR PRINT LEGIBLY.

Your Name: _____ Phone: _____

Email Address: _____

Address: _____
STREET CITY STATE ZIP

Name of the attorney you are complaining about: _____

Address: _____
STREET CITY STATE ZIP

Does (or did) this attorney represent you? _____ YES _____ NO

If no, then who did the attorney represent? _____

Date the attorney was hired: _____

Has the attorney withdrawn or been dismissed? _____ YES _____ NO If yes, when? _____

What was the attorney hired to do? _____

Does your case involve a court proceeding? _____ YES _____ NO

If yes, state the COURT, COUNTY, and CASE #: _____
COURT COUNTY CASE #

Is your legal matter still pending in court? _____ YES _____ NO

Have you filed a grievance with any other disciplinary agency? _____ YES _____ NO

If yes, which one? _____
(PLEASE ATTACH A COPY OF ANY RESPONSE RECEIVED FROM THIS AGENCY.)

What help are you seeking from the Toledo Bar Association? _____

Is this a dispute about attorney fees? _____ YES _____ NO If yes, please complete the **Request For Referral To Fee Arbitration Form**.

On the next page of this form or on a separate sheet, please state what the attorney did or failed to do that you are complaining about. Please attach COPIES (not originals) of documents you want us to consider.

RETURN YOUR GRIEVANCE TO:

The Toledo Bar Association
Grievance Committee
311 N. Superior Street
Toledo, OH 43604

Phone: 419-242-9363
Fax: 419-242-3614



TOLEDO BAR
ASSOCIATION

TBA FILE NO. _____
(TBA OFFICE USE ONLY)

STATEMENT OF GRIEVANCE:

SIGNATURE

DATE



Your grievance will be reviewed and considered by the appropriate committee(s) of the Toledo Bar Association. You will be contacted by mail regarding further proceedings. This may take up to six (6) weeks.



REQUEST FOR REFERRAL TO FEE ARBITRATION

COMPLETE THIS FORM ONLY IF YOU ARE DISPUTING ATTORNEY FEES.

The Grievance Committee will authorize a Request for Referral to Fee Arbitration if warranted by the facts and the amount in dispute. If not warranted by the facts, or if the amount in dispute is in the range of \$200.00, the Request will be denied. The Fee Arbitration Committee is limited to resolving fee disputes between clients and their attorneys. It offers an alternative to the parties to a legal fee dispute, short of litigation. **The arbitration is binding, and there is no right of appeal.** There is no cost for this service. If a lawsuit was filed concerning the fee dispute before your grievance was filed, arbitration is possible only if all parties agree.

Your Name: _____ Phone: _____

Email Address: _____

Address: _____
STREET CITY STATE ZIP

Attorney's Name: _____

Address: _____
STREET CITY STATE ZIP

1. Did you have a written fee agreement? ____YES ____NO (If yes, please attach a copy.)

2. What fees have you paid the attorney? _____

3. Is the attorney claiming additional fees? ____YES ____NO If yes, how much? _____

4. What was your understanding of how fees would be determined? _____

5. Are you claiming a refund? ____YES ____NO If yes, how much? _____

6. If you agree you owe the attorney something, but dispute the amount, how much do you agree you owe? _____

7. How much do you dispute? _____

8. Has the attorney sued you for fees? ____YES ____NO

If yes, state the COURT, COUNTY, and CASE #: _____
COURT COUNTY CASE #

9. Have the fees in question been established or approved by a court? ____YES ____NO

SIGNATURE

DATE

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Toledo, OH 43604

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