

# The Adviser



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## REDUCED FEES - CONVEYANCING MATTERS

Reports of Members regularly quoting and charging fees below amounts that would cover the value of a solicitor's time to give proper and adequate attention to a client's file are causing concern to Convocation.

Members are reminded of the provision of Professional Conduct Rule 10, Commentary 1, as follows:-

"The lawyer should not offer to provide legal services at reduced rates for the purpose of attracting clients."

Many of the County and District Law Associations publish guidelines briefly setting out the services that should be provided by a solicitor and the fees that appear to be appropriate for those services. These are usually basic guidelines and Members are reminded that other factors, such as are listed in Rule 10, Commentary 1, should be considered.

The regular practice of charging fees below the amounts recommended in the County and District guidelines may result in less than standard workmanship, to the detriment of the public.

The Law Society is co-operating with the Canadian Bar Association-Ontario in the preparation of comprehensive material that will outline the obligations of solicitors in Real Estate matters. It is expected that this material will recommend fee charges to insure that the public receives the quality of service which it is entitled to expect.

In the meantime, the Law Society regards the County and District service and fee guidelines as appropriate in most circumstances. Where, following an Errors and Omission claim, it is demonstrated that a Member has been deficient in giving adequate attention to the file, and has quoted and charged less than an appropriate fee for the services that should have been rendered, the Law Society intends to proceed with disciplinary action against the Member.

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