

Complaints Authorization Committee

Practice Standard

Powers of the Complaints Authorization Committee

The authority of the Complaints Authorization Committee is prescribed by the *Law Society Act, 1999* section 45. A synopsis of the procedure pursuant to subsection 45(2) follows.

Following its review of the investigative report of an allegation, the Complaints Authorization Committee may form an opinion that there are reasonable grounds upon which to believe that the respondent has engaged in conduct deserving of sanction. Where such reasonable grounds exist, the allegation is considered to be a complaint. At this stage the Committee may counsel or caution the Respondent. Letters of counsel and letters of caution issued by the Complaints Authorization Committee are not considered to be disciplinary action and do not constitute part of a member's disciplinary file.

Alternatively, the Committee may instruct the Vice-President to file a complaint against the Respondent, refer it to the Discipline Committee and/or make a recommendation referred to in subsection 45(1) of the *Act* at any time before a final determination has been made.

Should a subsequent allegation be made in respect of which the Committee, following its review of the investigation, is of the opinion there are reasonable grounds to believe that the member has engaged in conduct deserving of sanction, the Committee may refer to previously issued letters of counsel and letters of caution in considering whether to counsel or caution in respect of any future complaint or whether to instruct the Vice-President to file a complaint against the member and refer it to the Discipline Committee.