

Dear Member

**RE: OUR LEGAL SERVICES (Client Care & Information)**

This letter is to update you on information we are required to provide you in relation to our legal services, under the Lawyers and Conveyancers Act 2006, which became effective from 1 August 2008. It sets out the basis on which we provide legal services to you.

We have a team of lawyers that provides legal services exclusively to you as our member. This service involves both a limited phone advice service that is provided as part of your membership and services that are provided to you at additional cost on a fee paying basis.

**1. Legal services that we provide**

The following is a summary of the legal services we expect to be providing to you:

- Advice on your rights, obligations or liabilities as an employer or arising out of any employment relationship that involves you;
- Representing you in any claim or action by or against you under a number of employment related statutes;
- Compliance issues with laws and rules that affect your normal business or profession.

**2. Services that are part of your membership**

If you telephone to “pick the brains” of one of our lawyers then as a guide, a phone call of up to 15 minutes will involve no charge provided the lawyer does not have to check or draft any document, undertake any research or any further type of work. This advice service is an information providing service rather than the provision of legal advice. You will be advised at the time you make your call if this is part of your membership fee. Our advocates also provide this service on the same basis.

**3. Fee paying services**

All other advice and services are on a fee paying basis, charged in 15 minute segments. Additional expenses such as overnight travel costs and payments to third parties may also apply. The person handling your issue will normally be the Solicitor or Advocate who is first point of contact on the matter, unless we advise otherwise.

From time to time, there may also be other members of our team working on your affairs.

As a valued member of OSEA you will benefit by our hourly charge out rates for members as follows:

	<b>Discounted Member Rate (GST to be added in all cases)</b>
Diana Hudson	\$205 per hour
Grant Walker	\$205 per hour
Will Martin	\$185 per hour
Jen Wilson	\$185 per hour

We will send you invoices monthly, based mainly on a time and attendance basis, which may also reflect a charge for urgency and value to client. The charges will be based on the services provided in the previous month and are due for payment when rendered. Accounts not paid by the 20<sup>th</sup> of the month following when we do the work may incur interest at the rate quoted on your monthly statement.

#### **4. Professional Indemnity Insurance**

The Association currently holds Professional Indemnity Insurance with Vero Liability Insurance Ltd that exceeds the current minimum standard specified by the New Zealand Law Society.

#### **5. Lawyers Fidelity Fund**

Members are **NOT** covered by this fund because we do not handle money or valuables on behalf of members. We do not receive or hold money or other valuable property on behalf of members nor invest money on behalf of others nor run a trust account nor receive fees or disbursements in advance of an invoice being issued. The Lawyers' Fidelity Fund is designed to provide clients of lawyers with protection against pecuniary loss arising from theft by lawyers where they do provide those services.

#### **6. Complaints**

We maintain a procedure for handling member complaints 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 Solicitor who has or had day to day responsibility for your work.

If you do not wish to refer your complaint to that person, or you are not satisfied with that person's response to your complaint, you may refer it to Duncan Simpson, Chief Executive, who will ensure it is investigated properly, and a proposed course of action communicated to you. You can do this by letter to PO Box 475 South Dunedin, or by email to [duncan@osea.org.nz](mailto:duncan@osea.org.nz) or by DDI (03) 456-1801.

The Law Society also maintains a complaints service and you are able to make a complaint to that service. To do so you should contact the New Zealand Law Society on 0800 261 801 or at 26 Waring Taylor Street, Wellington or PO Box 5041 Lambton Quay, Wellington 6145.

#### **7. Client Care and Service**

By regulation we are required to advise you of the following New Zealand Law Society client care and service information.

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.
- 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 questions, please visit [www.lawsociety.org.nz](http://www.lawsociety.org.nz) or call **0800 261 801**.

#### **8. Limitations on the extent of our obligations or liability**

We will advise you specifically of any limitations on the extent of our obligations to you or any limitation or exclusion of liability.

#### **9. Contact details for solicitors responsible for your work:**

	<b>DDI</b>	<b>Mobile</b>	<b>Email</b>
Diana Hudson	03 456-1804	021 816-469	<a href="mailto:diana@osea.org.nz">diana@osea.org.nz</a>
Grant Walker	03 456-1810	021 916-176	<a href="mailto:grant@osea.org.nz">grant@osea.org.nz</a>
Will Martin	03 456-1805	021 756-805	<a href="mailto:will@osea.org.nz">will@osea.org.nz</a>
Jen Wilson	03 456-1802	021 756-806	<a href="mailto:jen@osea.org.nz">jen@osea.org.nz</a>

Please note that the requirements imposed by the Lawyers and Conveyancers Act 2006 are relatively new and may be subject to change in the future. We will advise you in writing of any such changes.

Yours faithfully



Duncan Simpson  
**CHIEF EXECUTIVE**