



ATTORNEY COMPLAINT FORM

The North Carolina State Bar
Attn: Office of Counsel, Intake Unit
PO Box 25908
Raleigh, NC 27611
(919) 828-4620

Disclaimers and Acknowledgments

Initial

- 1) **State Bar Powers Limited:** The State Bar's powers are limited. After State Bar staff reviews and investigates a grievance, the State Bar's Grievance Committee evaluates whether the available information establishes a violation of the Rules of Professional Conduct, and if so, what disciplinary action may be appropriate.
- 2) **No Legal Advice:** The State Bar cannot provide you with legal advice or help you with any legal matters. If you believe you may have a legal claim or have questions about your rights, you should consult with a lawyer. Do not wait for the State Bar grievance process to conclude before consulting with a lawyer about your rights or potential claims.
- 3) **Refunds:** The State Bar cannot make a lawyer refund a disputed fee, pay money or relinquish property.
- 4) **Ongoing Legal Matter:** The State Bar cannot intervene in an ongoing legal matter or remove a lawyer from a case. If there is a pending court case involving allegations or issues related to the grievance, the State Bar typically will delay its investigation until the court case is resolved.
- 5) **No Liability Determination:** The State Bar cannot determine whether a lawyer committed malpractice, breached a contract, or is otherwise liable to a complainant.
- 6) **Time Limitation on Grievances:** The State Bar cannot consider potential misconduct that occurred more than six years ago, except in very limited circumstances.
- 7) **Ineffective Assistance/Strategy:** The State Bar may decline to investigate allegations that counsel's assistance was ineffective or that a guilty plea was not knowing and voluntary, unless a court has already decided that counsel was ineffective or the guilty plea was invalid. The State Bar may also decline to investigate an allegation that a lawyer's advice or strategy was inadequate or ineffective.
- 8) **Notifications and Confidentiality:** If you file a grievance complaint, you will be notified about how it is resolved. You will not receive other status updates. Due to the confidentiality requirements of the grievance process, the State Bar is generally unable to provide a complainant with any information about a grievance file other than stating whether it is pending and providing notice of disposition.
- 9) **You May Be Required to Testify:** If the State Bar brings formal disciplinary charges against a lawyer regarding allegations in relation to a complaint that you filed, you may be required to testify in a hearing to prove those charges.



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Alternatives to Filing a Grievance

You may be able to resolve your issues with the lawyer without filing a formal grievance complaint with the North Carolina State Bar. The State Bar offers two alternatives to filing a grievance complaint:

- **The Attorney-Client Assistance Program (ACAP)** helps resolve issues between clients and lawyers on an informal basis. Public liaisons respond to calls from the public who have concerns about their lawyers. Depending upon the situation, the public liaison will contact the lawyer and try to help resolve the caller's problem. You may reach a public liaison by calling (919) 828-4620 or sending an email to ACAP@ncbar.gov.
- **The Fee Dispute Resolution Program** attempts to help lawyers and clients resolve disputes concerning legal fees and expenses. You can find out more about the Fee Dispute Resolution Program by clicking [here](#) or by calling (919) 828-4620 and requesting the Attorney-Client Assistance Department.

Please note that complaints may be referred to the Attorney-Client Assistance Program or the Fee Dispute Resolution Program for attempted resolution, if appropriate.

- | | | |
|---|------------|-----------|
| 1) Have you already contacted ACAP regarding this matter? | Yes | No |
| 2) Does your complaint involve a dispute over legal fees or expenses? | Yes | No |
| 3) If you answered "Yes" to Question 2, have you filed a fee dispute resolution petition? | Yes | No |

Instructions

1. Complaints should be filed electronically using this form, if possible. If you cannot file a complaint electronically, you may print a copy of this complaint form by clicking [here](#) and mailing the completed form, along with any supporting evidence, to the State Bar at the address listed at the end of this form.
2. If you allege that more than one lawyer engaged in misconduct, you must complete a separate complaint form for each lawyer.
3. Complaints against law firms are not accepted.
4. Complaints against judges must be submitted to the Judicial Standards Commission, rather than the State Bar. You can find more information about the Judicial Standards Commission by clicking [here](#).
5. Complaints that do not allege a violation of the Rules of Professional Conduct may be closed without investigation.
6. You are responsible for providing evidence to support your allegations. Complaints that are not supported by evidence may be dismissed.

I acknowledge that I have read the above instructions.



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Complainant <i>(Your Information)</i>				
Title:	First Name:	Middle Name:	Last Name:	
Address:		City:	State:	Zip Code:
Email:		Phone Number:	Other Phone Number:	
Respondent Attorney Information <i>(Attorney you are complaining about)</i>				
Title:	First Name:	Middle Name:	Last Name:	
Address:		City:	State:	Zip Code:
Name of Law Firm:		Email:		
Phone Number:	Other Phone Number:		Bar ID (if known):	

Background Information

1. What is your connection with the lawyer you are complaining about? <i>(check one)</i>	
<input type="checkbox"/> Client <input type="checkbox"/> Clerk	<input type="checkbox"/> Opposing Party <input type="checkbox"/> Other:
<input type="checkbox"/> Opposing Counsel <input type="checkbox"/> Judicial/Hearing Officer	
2. If you are a client:	
2a. Dates of Representation: FROM _____ TO _____	
2b. Was the lawyer appointed <i>(by a court)</i> or retained <i>(paid by you or on your behalf)</i> ?	
<input type="checkbox"/> Appointed <input type="checkbox"/> Retained <input type="checkbox"/> Unknown	
2c. If Retained, who paid the lawyer?	
2d. How much was paid to the lawyer?	\$ _____
2e. Was there a written fee agreement?	<input type="checkbox"/> Yes <input type="checkbox"/> No Unknown
2f. If "No", what was your understanding of the agreement?	
2g. Are you still represented by the lawyer you are complaining about?	<input type="checkbox"/> Yes <input type="checkbox"/> No Unknown
2h. If "No", do you have a new lawyer?	<input type="checkbox"/> Yes <input type="checkbox"/> No Unknown
2i. If "Yes", what is the name of your new lawyer?	
3. Explain any measures taken to resolve your complaints or concerns with the lawyer directly:	
4a. Did you file a complaint or legal action against the lawyer elsewhere?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4b. If yes, please describe the nature of the complaint or action, provide the agency or court in which it was filed, and indicate the status of the complaint or legal action:	
5. What type of legal matter does your complaint involve?	
<input type="checkbox"/> Criminal <input type="checkbox"/> Family/Domestic <input type="checkbox"/> Immigration <input type="checkbox"/> General Civil <input type="checkbox"/> Bankruptcy <input type="checkbox"/> Personal Injury/Wrongful Death <input type="checkbox"/> Real Estate <input type="checkbox"/> Estate/Probate <input type="checkbox"/> Other:	

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6. What is the general nature of your allegations against the lawyer? (check all that apply):

- | | | |
|---|--|--|
| <input type="checkbox"/> Delay/Neglect | <input type="checkbox"/> Lack of communication | <input type="checkbox"/> Ineffective assistance in criminal case |
| <input type="checkbox"/> Misuse of client funds | <input type="checkbox"/> Not following client instructions | <input type="checkbox"/> Harassment (sexual or otherwise) |
| <input type="checkbox"/> Conflict of interest | <input type="checkbox"/> Did not return client records | <input type="checkbox"/> Revealed confidential information |
| <input type="checkbox"/> Did not obey court order | <input type="checkbox"/> Unreasonable fee charged | <input type="checkbox"/> Fraud or misrepresentation |
| <input type="checkbox"/> Other: | | |

7. If your complaint involves a court case or other legal proceeding, please provide the following information:

<i>Case Name</i>	<i>File Number</i>	<i>County Where Case is Filed</i>	<i>Pending?</i>
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

8a. Have you raised your concerns about the lawyer with the court? Yes No

8b. If "Yes", what was the result?

Supporting Evidence

Attach supporting evidence when submitting this form. Please include only those documents necessary to support your complaint.

Examples of helpful documents include: Written fee agreements, proof of payments (cancelled checks, receipts, etc.), correspondence between you and the lawyer, copies of any relevant court filings, etc.



If you are planning to mail in your form and supporting documentation, please include only those documents necessary to support your complaint. **DO NOT** send original versions of any documentation. **The documentation you submit WILL NOT BE RETURNED.**

If you have additional evidence that you cannot submit with this form, please describe the evidence in the box below.



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Narrative

Provide a detailed factual statement describing the lawyer's alleged misconduct. To the extent possible, include important dates, times and locations. The Grievance Committee's authority is limited to investigating violations of the North Carolina Rules of Professional Conduct. Please only provide facts that establish the lawyer's misconduct. Attach additional pages if needed.

***I certify that the allegations in this complaint are true and correct to the best of my knowledge and belief.**

Name/Signature:

Date:

Complaints should be filed electronically if possible. You may email the completed complaint form and any supporting evidence to the State Bar Office of Counsel at complaints@ncbar.gov or by downloading and saving this form to your computer and clicking the Submit via Email button here:

If you are unable to file the Complaint Form electronically, you may submit the form and any supporting evidence to the State Bar Office of Counsel at the address shown on this form.