

# NEW YORK CITY BAR

## **HOW TO COMPLAIN ABOUT LAWYERS AND JUDGES IN NEW YORK CITY**



# Introduction

In 1870, the Association of the Bar of the City of New York was founded to "sustain the profession in its proper position in the community, and thereby enable it . . . to promote the interests of the public." More than 135 years later, the Association continues to maintain the same professional and ethical traditions of civic duty.

With over 23,000 members and 160 committees, the Association reaches out to the community through various programs, activities, and resources. In keeping with our mission, we have prepared this brochure to assist the public in understanding the responsibilities of attorneys and judges, identifying the legitimate grievances, and seeking redress from appropriate agencies.

The Association, like the other bar associations around the state, participates in the mediation of disputes referred by disciplinary agencies. In addition, the members of the Association participate on committees which are dedicated to the improvement of the administration of justice. Much of their energy is spent in the development of public service projects like this brochure.

You can find the information within this pamphlet on our website at <http://www.nycbar.org/HowtoComplain/index.htm>.

Barry Kamins  
President  
New York City Bar Association  
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# Complaints Against Lawyers

When you hire a lawyer to handle a particular matter, you are a consumer of legal services, and as in any consumer relationship, you and your lawyer have rights and responsibilities to one another. If you feel as though your rights as a consumer have been violated, you can take necessary steps to file a complaint against your lawyer. However, most of the time, complaints can be settled on your own, either by talking directly to your attorney, or if you choose, by dismissing him or her and hiring a new lawyer.

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## Complaints About Professional Misconduct

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If you believe that the actions of your attorney are in violation of the New York Lawyer's Code of Professional Responsibility, your lawyer may be subject to discipline by the appropriate government agencies, which operate under the state court system.

### Kinds of Complaints

Many complaints fall into the following categories:

#### *Delay or Neglect*

Perhaps the most common kinds of complaints against lawyers involve delay or neglect. This doesn't mean that occasionally you've had to wait for a phone call to be returned. It means there has been a pattern of the lawyer's failing to respond or to take action over a period of months. In some instances, this may result in your losing a case or losing the right to bring a case where there are time limits involved.

### ***Misrepresentation***

Sometimes lawyers will misrepresent to clients whether or not they have taken certain actions. For example, you might discover that your lawyer has told you that he or she has begun a lawsuit or taken other actions, when in fact no action has been taken. In other words, the misrepresentation may be a cover-up for neglect.

### ***Mishandling of Money***

If you have given money to your lawyer to hold, or to use for a particular purpose, he or she must not do anything else with that money. A lawyer who is reluctant to answer your questions regarding that money may have misused your money.

### ***Conflict of Interest***

Your lawyer is supposed to be on your side, and only on your side. That means he or she should not be representing someone who is against you in the legal matter, unless both you and the person on the other side have agreed to it.

### ***Fees***

In general, complaints about fees are not grounds for disciplinary actions. Occasionally a problem relating to the fee will amount to an ethical violation. This violation is usually where the lawyer has taken a fee and then essentially not performed the services that he or she has agreed to perform, or where the lawyer has taken a non-refundable retainer. For more information on resolving fee disputes, see page 12.

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## **How to File a Complaint**

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If you believe a lawyer may have violated the Code of Professional Responsibility, you may file a complaint even if you are not that lawyer's client.

### ***The Complaint Committees***

In New York City there are two Committees which handle complaints, depending on the location of the lawyer's office. You may telephone the appropriate Committee and a complaint form will be mailed to you.

If your lawyer's office is located in **Manhattan** or **The Bronx**, complain to

Departmental Disciplinary Committee  
Supreme Court, Appellate Division  
First Judicial Department  
61 Broadway, 2<sup>nd</sup> Floor  
New York, NY 10006  
(212) 401-0800, fax: (212) 401-0810

If your lawyer's office is located in **Brooklyn**, **Queens** or **Staten Island**, complain to

Grievance Committee for the  
2<sup>nd</sup> and 11<sup>th</sup> Judicial Districts  
Renaissance Plaza  
335 Adams Street - Suite 2400  
Brooklyn, NY 11201  
(718) 923-6300

Composed of lawyers and non-lawyers, these Committees are appointed by the New York State courts and are not affiliated with the New York City Bar Association or any other bar association.

### ***The Complaint***

Your complaint may be submitted in a letter, or you may fill out a form provided by the

Committee, which is generally the preferred method. Please be sure to sign your complaint regardless of whether it is a letter or form. The information you provide should include the following:

- **General information**, such as your home address and telephone number; the lawyer's name, address and telephone number; etc.
- **Your complaint**. You should be as clear, specific and detailed as you can in explaining your complaint. Tell the whole story. Include dates and names of anyone involved.
- **Copies of any documents**, papers, letters, etc. that relate to your complaint (do not send originals).

### ***The Complaint Process***

***Initial Review:*** Every complaint is reviewed. If the Committee determines that the facts of your complaint do not describe a possible violation of the Code, it will advise you that an investigation is not warranted.

***Investigation:*** If the Committee determines that your complaint may involve a violation of the Code of Professional Responsibility, it will begin an investigation. The Committee will seek a response from the lawyer, send you a copy of the lawyer's answer and give you a chance to send in a reply. The Committee may also seek other information relating to your complaint. The Committee's review may take several months. If that much time has gone by and you have not been notified of the results of the investigation, you may contact the Committee to ask the status of your case.

***Committee Action:*** After investigation, which could include a hearing or other proceeding, the Committee may do one of the following:

- **Dismiss** the complaint if it finds that the lawyer's conduct was not a violation of the Code of Professional Responsibility;
- Issue a **sanction** saying what the lawyer did was improper and should not be done again. This sanction is confidential; or
- Determine that there were ethical violations and recommend discipline, which could include censure, suspending the lawyer's license to practice law or taking away the lawyer's license entirely (disbarment). In this event, the matter is then referred to a court, where the final disciplinary decision is made.

You will be notified of the action taken.

### ***New Evidence***

If you obtain some new evidence or information which you did not include in your original complaint, you should contact the Committee and request a reevaluation (even if your complaint was originally dismissed).

### ***Referral to Other Agencies***

Whether or not your complaint has been dismissed, the Committee will refer you to any other agencies that may play a role in resolving your complaint. For example, if your lawyer has wrongfully taken money from you, you will be referred to the Lawyers' Fund for Client Protection for possible reimbursement. The agencies to which you may be referred are reviewed in the sections which follow.

Please note that the Committee generally does not pursue complaints that lawyers are not paying debts. If a lawyer owes you money, you may bring an action in court to collect the debt, just as you would against any other debtor. However, if you bring an action and get a judgment against a lawyer which has not been adhered to, you should file a complaint with the Committee.

If you suspect your lawyer has done something criminal, you may go directly to the District Attorney's office in the borough in which the lawyer has an office or is doing business. If the District Attorney determines that your lawyer may have committed a federal offense, he may refer you to the appropriate United States Attorney.

If a criminal case is brought against the lawyer, the Committee will usually wait for it to be completed because any state felony conviction, and many federal felony convictions, result in automatic disbarment. The Committee may also wait for the outcome of a civil suit you may have brought against the lawyer.

The Committee does not have the jurisdiction to address complaints against non-lawyers, even in the context of a legal matter. You should consider contacting licensing agencies or professional organizations that may oversee the conduct of the person or firm whose misconduct is the subject of your complaint.

### ***Limitations of the Disciplinary Process***

Please understand that the Committee can only act with regard to your lawyer; it cannot take any action with regard to your underlying case, and cannot undo legal problems (such as expired time limits) created by your lawyer's conduct. You may want to retain another lawyer to assist you with your case.

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## ***Fee Disputes***

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### ***Fee Disputes in Cases Begun in 2002 or after***

If you retained a lawyer for a matter on or after January 1, 2002, you have the right to arbitration of the dispute concerning the fee your lawyer is charging, where the amount in dispute is between \$1,000 and \$50,000. The following are exceptions:

- criminal matters;
- disputes where your lawyer has not provided services for you for more than two years;
- disputes where your lawyer does not practice in New York, or where the services were for the most part not provided in New York; or
- where the fee was set by law, a court rule, or a court.

If you and your lawyer have a dispute about your lawyer's fee, your lawyer must send you a notice advising you that you have 30 days from your receipt of the notice to elect to use this arbitration procedure, along with instructions for how to do so and the necessary forms. You can also contact the appropriate agency directly to begin the process. Your lawyer may ask you to agree that either you or the lawyer can submit a fee dispute to arbitration.

Once you have started the process and your lawyer responds to your complaint, you cannot cancel the arbitration. In the arbitration proceeding, the lawyer has the burden of justifying his/her fee. Either you or your lawyer can challenge the result of the arbitration in court within 30 days after the arbitration decision is mailed.

These dispute resolution services are generally provided by your local bar association. The relevant arbitration program is the one covering the county where most of the legal work was done (generally, the county in which your lawyer's office is located). The organizations running the arbitration program may ask you if you want to mediate the dispute. In mediation, you and your lawyer meet with a mediator to try to settle the dispute. If that procedure is unsuccessful, you can proceed to arbitration.

The arbitration programs in New York City are as follows:

*For Manhattan and The Bronx:*

**Joint Committee on Fee Disputes and Conciliation**

New York County Lawyers' Association  
14 Vesey Street  
New York, New York 10007  
(212) 267-6646 x217

*For Brooklyn:*

**Brooklyn Bar Association**

123 Remsen Street  
Brooklyn, New York 11201  
(718) 624-0675

*For Staten Island:*

**Richmond County Bar Association**

152 Stuyvesant Place  
Staten Island, New York 10301  
(718) 442-4500

*For Queens:*

**District Administrative Judge's Office**

Eleventh Judicial District  
88-11 Sutphin Boulevard, Room 511  
Jamaica, NY 11435  
(718) 298-1100

For more information, you can contact the general office of the Fee Dispute Resolution Program at the following address:

**Attorney-Client Fee Dispute Resolution Program**

Board of Governors  
Office of Court Administration  
25 Beaver Street, Room 855  
New York, New York 10004  
1-877-FEES-137  
[www.nycourts.gov/admin/feedispute](http://www.nycourts.gov/admin/feedispute)

### **Fee Disputes in Cases Begun Prior to 2002**

If you have a fee dispute in a case in which you retained your lawyer before January 1, 2002, or your fee dispute is otherwise not covered by one of the above programs, you may still get help from the bar association in the borough in which your lawyer's office is located. Under these circumstances, the lawyer is not required to participate in the fee conciliation or arbitration processes. For more information, contact the agencies listed on page 14.

### **Fee Disputes with Attorneys Referred through Lawyer Referral Services**

If you originally found your lawyer through a lawyer referral service, you should contact that referral service. Often there are requirements that any fee disputes be resolved through arbitration by the organization that sponsors the service.

## **Recovering Funds Wrongfully Taken by Lawyers**

### **Lawyers' Fund For Client Protection**

If your lawyer has wrongfully taken your money or your property and you have been unable to get reimbursement from the lawyer, his or her law firm or insurance company, you may apply to the Lawyers' Fund for Client Protection (formerly known as the Clients' Security Fund) of the State of New York. The Lawyers' Fund for Client Protection is financed by mandatory contributions from all licensed lawyers in New York State. The Fund may grant up to \$300,000 to an eligible claimant.

### **Dishonest Conduct**

The lawyer must have taken your money or property dishonestly in the practice of law. If you lost money because your lawyer didn't do the best job of negotiating for you or representing you in a lawsuit, that would not qualify for the Lawyers' Fund for Client Protection. The fund has no authority to compensate for damages due to alleged negligence or malpractice, or resolve fee disputes. Typical examples of the kind of dishonest conduct that apply are:

1. The lawyer stole assets from an estate.
2. The lawyer stole from money being held for you in escrow.
3. The lawyer kept all or part of a personal injury settlement beyond the agreed-upon fee.
4. The lawyer stole money from the down payment or proceeds in a real estate transaction.

### **The Claim Process**

You must file your claim within two years of discovering your loss. To initiate a claim, you should contact:

Lawyers' Fund for Client Protection  
119 Washington Avenue  
Albany, NY 12210  
(518) 434-1935 or 1-800-442-FUND  
[www.nylawfund.org](http://www.nylawfund.org)

The Fund will send you a form which asks for the facts surrounding your claim. If you have difficulty in filling out the form, you may call the Fund and ask for assistance.

The Fund will review your claim. If it appears that you have not shown the kind of loss due to dishonesty that is reimbursable, your claim will be dismissed. You will receive prompt written notification of a dismissal with an explanation of why your claim is not eligible. If you discover additional facts, you may request a

reconsideration of a dismissal. If it appears that you may have a reimbursable loss, the Fund will investigate. Following the investigation, you may be awarded reimbursement for all or part of your claim, up to the Fund's maximum limit, or your claim may be denied. You may request a reconsideration of a denial of all or part of your claim by filing an application within 30 days of receipt of the determination.

Usually, the Fund will not award the money until any disciplinary proceedings against the lawyer in one of the disciplinary committees, and/or criminal proceedings against the lawyer in the District Attorney's Office, are completed. If you have not already contacted the Committee or the District Attorney at the time you file a claim with the Lawyers' Fund for Client Protection, the Fund will advise you to do so.

You may be eligible for reimbursement even if your lawyer was disbarred or suspended from practice at the time your loss occurred.

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## **Complaints About the Unauthorized Practice of Law**

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As it is a crime to practice law without a license, you may contact the District Attorney's Office in the borough where the person has an office or is doing business.

*For Manhattan:*

**District Attorney's Office**  
One Hogan Place  
New York, New York 10013  
(212) 335-9000

*For The Bronx:*

**District Attorney's Office**  
198 East 161st Street  
Bronx, New York 10451  
(718) 590-2000

*For Brooklyn:*

**District Attorney's Office**

350 Jay St.  
Brooklyn, NY 11201  
(718) 250-2000

*For Queens:*

**District Attorney's Office**

125-01 Queens Boulevard  
Kew Gardens, New York 11415  
718) 286-6000

*For Staten Island:*

**District Attorney's Office**

130 Stuyvesant Place  
Staten Island, New York 10301  
(718) 876-6300

If you suspect that someone has been practicing law even though his or her license has been suspended, or even though he or she has been disbarred, you should contact the appropriate Disciplinary or Grievance Committee listed at the front of this pamphlet.

If you want to check on whether a lawyer is registered to practice law in New York State, contact the Attorney Registration Office of the Office of Court Administration at (212) 428-2800 or search the website at <http://iapps.courts.state.ny.us/attorney/AttorneySearch>. That office can refer you to the appropriate court where you may check on whether the attorney has been suspended or disbarred.

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## **Protecting Your Rights During the Complaint Process**

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### **Hiring Another Lawyer**

You do not need a new lawyer to help you in complaining about another lawyer. All of the agencies that deal with client complaints will assist you in making your way through the complaint process.

You do not have to dismiss the lawyer about whom you are complaining. Of course, you have the right to dismiss him or her at any time. (You may dismiss a lawyer for any reason at any time, even if you have signed a retainer agreement.)

There may be reasons why you might want to hire a new lawyer:

1. You may find it difficult or uncomfortable to continue working with the lawyer after you have filed a complaint.
2. You may need a new lawyer to work on the transaction or case for which you had hired the lawyer about whom you are now complaining. This may be particularly important if there are relevant time limits, and the time has been running out while your first lawyer was neglecting your case.
3. You may want to hire a new lawyer to bring a lawsuit against the lawyer about whom you are complaining.

If you need assistance in obtaining a new lawyer you may call the Legal Referral Service, sponsored jointly by the New York City Bar Association and the New York County Lawyers' Association, at (212) 626-7373 or visit LRS website at the following address:  
<http://www.nycbar.org/LRS/index.htm>.

# Complaints Against Court Personnel

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## Complaints Against New York State Court Judges

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If you have been involved in a lawsuit, you may have disliked certain actions taken by the judge. This may be particularly true if you have lost the case! In general, the remedy in such an instance is to appeal the judge's decision to a higher court or seek other review in court. Your lawyer will advise you on what may be done.

However, judges in New York State courts are held to high standards of ethics, both on and off the bench, as set forth in the Rules Governing Judicial Conduct of the Chief Administrator of the Courts. If you think the judge may have violated these standards, you may complain to a state agency that has the power to discipline judges.

### **Kinds of Complaints**

Judges may be disciplined for a wide range of misconduct that violates the ethical rules. Many complaints fall into the following categories:

#### ***Improper Demeanor***

The judge should maintain order and decorum in the courtroom. The judge should be patient, dignified and courteous to all people with whom he or she deals in an official capacity.

#### ***Bias***

The judge should not convey the impression, nor permit others to convey the impression, that anyone is in a special position to influence him or her.

### ***Conflict of Interest***

The judge should not allow family or social or other relationships to influence him or her.

### ***Ex Parte Communications***

Except in special instances authorized by law, the judge should not initiate or participate in ex parte communications. That means that the judge should not communicate with only one side.

## **The Complaint Process**

There are two ways to file a complaint with the New York State Commission on Judicial Conduct. You may either fill out a complaint form, which can be found on their website, <http://www.scjc.state.ny.us>, or write and sign a detailed letter explaining the alleged misconduct. Be sure to include:

1. The name of the judge;
2. The complaint in as much specific detail as possible. (For example, don't simply say, "The judge insulted me." Instead, for example, say, "The judge insulted me by calling me a liar."); and
3. Your signature.

Mail the complaint to:

**New York State Commission on  
Judicial Conduct**

61 Broadway, 12th Floor

New York, NY 10006

Phone: (212) 809-0566

Fax: (212) 809-3664

The Commission on Judicial Conduct is composed of judges, lawyers and non-lawyers. The Commission reviews every complaint and decides whether to investigate. If the Commission decides there is no basis for beginning an investigation, it will send you a letter within two months.

If the Commission decides there may be a violation of ethical standards, it will investigate. Typically, the Commission's investigation may include reviewing relevant records, interviewing witnesses, and obtaining a response from the judge. Ultimately, if the judge is found to have violated the applicable standards, he or she may be disciplined. However, you should know that any action by the Commission will not change the outcome of your case, nor does the Commission have the power to transfer your case to another judge if the case is still pending. If you are dissatisfied with the judge's action or decision in your case, your lawyer will have to take whatever steps are available to appeal the decision or to have the case transferred to another judge.

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## **Complaints Against Housing Court Judges**

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If you have been involved in a lawsuit in Housing Court and believe the Housing Court judge presiding over your case failed to act fairly or to demonstrate proper judicial demeanor, you may send a complaint in letter form to the supervising judge of the Housing Court within that county. The addresses of the county supervising judges are as follows:

*For New York County (Manhattan):*

**Supervising Judge**

New York County Housing Court  
111 Centre Street  
New York, N.Y. 10013  
646-386-5590

*For Bronx County:*

**Supervising Judge**

The Bronx County Housing Court  
1118 Grand Concourse  
Bronx, N.Y. 10456  
718-466-3117

*For Kings County (Brooklyn):*

**Supervising Judge**  
Kings County Housing Court  
141 Livingston Street  
Brooklyn, N.Y. 11201  
347-404-9060

*For Queens County:*

**Supervising Judge**  
Queens County Courthouse  
89-17 Sutphin Boulevard  
Jamaica, N.Y. 11435  
718-262-7300

*For Richmond County (Staten Island):*

**Supervising Judge**  
Richmond County Courthouse  
927 Castleton Avenue  
Staten Island, N.Y. 10310  
718-390-5426

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## **Complaints Against Other State Court Personnel**

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In addition to judges, other court personnel in New York State courts, such as court clerks, court officers, court aides and assistants, are held to appropriate standards. If you think that any of these people have acted in a way that is corrupt, criminal, seriously incompetent, or ill-mannered you may complain to the Office of Court Administration:

**Inspector General**  
Office of Court Administration  
25 Beaver Street  
New York, NY 10004  
(646) 386-3500

There is no form for complaining about court personnel. You may call or write to the Office of Court Administration and you will receive a call. After the telephone conversation, you will

be referred to any other agencies that might be appropriate (such as the District Attorney if it appears that there has been criminal activity) and, if it sounds as though you may have a valid complaint, the Office will set up an appointment to meet with you. Following an investigation, the Office may recommend disciplinary action.

If your complaint is regarding bias or discrimination, you should contact the Office of the Special Inspector General for Bias Matters. The Office has the power to investigate allegations of bias based on race, color, creed, sex (including sexual harassment), sexual orientation, age, marital status, disability, national origin and religion. For assistance or more information, please contact:

**Managing Inspector General for Bias Matters**

Office of Court Administration  
25 Beaver Street  
New York, NY 10004  
(646) 386-3507

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## **Complaints Against Judges and Other Court Personnel in Federal Court**

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### **Judges**

If you have a complaint against a judge in a federal court in New York City, you should contact:

Clerk of the United States Court of Appeals for the 2nd Circuit  
United States Courthouse, Room 1702  
40 Foley Square  
New York, NY 10007  
(212) 857-8533

The Clerk's office will tell you the procedure for filing a written complaint.

### **Other Court Personnel**

If you have a complaint against court personnel in a federal court, write a letter to the Chief Judge of that court. You may simply address the letter to the Chief Judge at the address of the courthouse, even if you do not know the name of the Chief Judge.

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### **Contacting All Relevant Agencies**

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All of the agencies described in this pamphlet are fully aware of each other and each one will refer you to any other agencies that may help you instead of or in addition to itself. However, you don't need to wait for a referral and you don't need to contact agencies one at a time. You may file a complaint at any agency where you think your complaint may be heard.

# Statement of Client's Rights

There is a court rule requiring all lawyers to post a Statement of Client's Rights in their offices. This statement is intended to educate clients concerning what they may reasonably expect from their attorney-client relationship. The rights included in the statement, as adopted by the Administrative Board of the Courts in New York State, are as follows:

1. You are entitled to be treated with courtesy and consideration at all times by your lawyer and the other lawyers and personnel in your lawyer's office.
2. You are entitled to an attorney capable of handling your legal matter competently and diligently, in accordance with the highest standards of the profession. If you are not satisfied with how your matter is being handled, you have the right to withdraw from the attorney-client relationship at anytime (court-approval may be required in some matters, and your attorney may have a claim against you for the value of services rendered to you up to the point of discharge).
3. You are entitled to your lawyer's independent professional judgment and undivided loyalty uncompromised by conflicts of interest.
4. You are entitled to be charged a reasonable fee and to have your lawyer explain at the outset how the fee will be computed and the manner and frequency of billing. You are entitled to request and receive a written itemized bill from your attorney at reasonable intervals. You may refuse to enter into any fee arrangement that you find unsatisfactory. In the event of a fee dispute, you may have the right to

seek arbitration; your attorney will provide you with the necessary information regarding arbitration in the event of a fee dispute, or upon your request.

5. You are entitled to have your questions and concerns addressed in a prompt manner and to have your telephone calls returned promptly.
6. You are entitled to be kept informed as to the status of your matter and to request and receive copies of papers. You are entitled to sufficient information to allow you to participate meaningfully in the development of your matter.
7. You are entitled to have your legitimate objectives respected by your attorney, including whether or not to settle your matter (court approval of a settlement is required in some matters).
8. You have the right to privacy in dealings with your lawyer and to have your secrets and confidences preserved to the extent permitted by law.
9. You are entitled to have your attorney conduct himself or herself ethically in accordance with the Code of Professional Responsibility.
10. You may not be refused representation on the basis of race, creed, color, religion, sex, sexual orientation, age, national origin or disability.

([www.courts.state.ny.us/litigants/clientsrights.html](http://www.courts.state.ny.us/litigants/clientsrights.html))

# Statement of Client's Responsibilities

*The following was prepared by the New York State Bar Association, and adopted by the Administrative Board of the Courts:*

Reciprocal trust, courtesy and respect are the hallmarks of the attorney-client relationship. Within that relationship, the client looks to the attorney for expertise, education, sound judgment, protection, advocacy and representation. These expectations can be achieved only if the client fulfills the following responsibilities:

1. The client is expected to treat the lawyer and the lawyer's staff with courtesy and consideration.
2. The client's relationship with the lawyer must be one of complete candor and the lawyer must be apprised of all facts or circumstances of the matter being handled by the lawyer even if the client believes that those facts may be detrimental to the client's cause or unflattering to the client.
3. The client must honor the fee arrangement as agreed to with the lawyer, in accordance with law.
4. All bills for services rendered which are tendered to the client pursuant to the agreed upon fee arrangement should be paid promptly.
5. The client may withdraw from the attorney-client relationship, subject to financial commitments under the agreed to fee arrangement, and, in certain circumstances, subject to court approval.
6. Although the client should expect that his or her correspondence, telephone calls and other communications will be answered within a reasonable time frame, the client

should recognize that the lawyer has other clients equally demanding of the lawyer's time and attention.

7. The client should maintain contact with the lawyer, promptly notify the lawyer of any change in telephone number or address and respond promptly to a request by the lawyer for information and cooperation.
8. The client must realize that the lawyer need respect only legitimate objectives of the client and that the lawyer will not advocate or propose positions which are unprofessional or contrary to law or the Lawyer's Code of Professional Responsibility.
9. The lawyer may be unable to accept a case if the lawyer has previous professional commitments which will result in inadequate time being available for the proper representation of a new client.
10. A lawyer is under no obligation to accept a client if the lawyer determines that the cause of the client is without merit, a conflict of interest would exist or that a suitable working relationship with the client is not likely.

(<http://www.courts.state.ny.us/litigants/clientsresponsibilities.shtml>)



**NEW YORK  
CITY BAR**



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(212) 382-6600 • [www.nycbar.org](http://www.nycbar.org)**

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