

Office of Disciplinary Counsel

SUPREME COURT OF THE STATE OF DELAWARE

The Renaissance Centre
405 N. King Street, Suite 500
Wilmington, DE 19801
(302) 651-3931
(302) 651-3939 (FAX)

<https://courts.de.us.gov/odc>

CONFIDENTIAL

Dear Complaining Witness:

In order that you understand what it means to file a disciplinary complaint against a Delaware lawyer, please read first the attached page with the title "Some things You Should Know".

If you decide that you still want to file a disciplinary complaint, read the attached section on the attached sheet entitled "Instructions For Filing A Complaint Against A Lawyer." Please read and complete the attached "Confidential Complaint Form" and send it to the address at the bottom of that form.

Thank you for your cooperation.

OFFICE OF DISCIPLINARY COUNSEL

PLEASE NOTE: PURSUANT TO RULE 13(g) OF THE DELAWARE LAWYERS' RULES OF DISCIPLINARY PROCEDURE, THE SUBMISSION AND EVALUATION OF YOUR COMPLAINT IS PART OF A **CONFIDENTIAL** PROCEEDING. YOUR COOPERATION IN THIS REGARD IS APPRECIATED.

Things you should know before you file a complaint:

- ODC does not provide legal advice. Consequently, ODC will not advise you whether you should file a complaint or provide you with legal representation. If you need help finding a lawyer, you may contact the Delaware State Bar Association Lawyer Referral Service.
- If you decide to file a complaint, you will be asked to certify the accuracy of the allegations in your complaint. You may also be required to provide documentation to support your complaint.
- The filing of a complaint does not automatically result in disciplinary action against a lawyer or person you complained about, or a hearing. Each year, ODC reviews hundreds of complaints, but only a small percentage of these complaints ever proceed to a hearing.
- ODC screens complaints to determine whether the conduct alleged violates the Delaware Lawyers' Rules of Professional Conduct or the Rules of the Unauthorized Practice of Law Subcommittee of Board on Professional Responsibility. Complaints that do not support a violation of the rules will be dismissed.
- ODC may send your complaint to the lawyer or person for a response and may gather additional information from other sources.
- After reviewing the evidence, ODC may dismiss your complaint, with or without a warning or conditions, proceed with further investigation, or seek to initiate formal proceedings.
- ODC will notify you in writing regarding the final disposition of your complaint.
- Unless otherwise provided, the disciplinary process is confidential. You are required to maintain the confidentiality of all proceedings, including the filing of your complaint and disposition of the matter. You may not use any records or dispositions before any court.

- ODC may only evaluate the professional conduct of Delaware lawyers or lawyers practicing law in Delaware.
- ODC has no jurisdiction to consider complaints against opposing parties, law enforcement officials, public agencies, or the courts.
- Complaints regarding the professional conduct of judges may be submitted to The Court on the Judiciary, 55 The Green, Dover, DE 19901, 302-739-4155.
- ODC is not a court and cannot review, reverse, or remand any decision made by any court. Nor may ODC intervene in pending court proceedings. If there are pending court proceedings, it is likely your complaint will be stayed or dismissed until those proceedings conclude.
- ODC will not adjudicate fee disputes between lawyers and their clients. If you have a dispute with your lawyer regarding the amount of fees you paid, you may contact the Delaware State Bar Association Fee Dispute Conciliation and Mediation Committee.
- Our office is not open to the public. ODC does not accept in-person requests for complaint forms or in-person drop-offs of complaints.
- ODC does not accept complaints over the phone. All complaints must be in writing and can be submitted by email, fax, courthouse drop box or U.S. Postal Service.

Instructions For Filing a Complaint

Persons who wish to file a complaint are required to complete an ODC Complaint Form. If your concerns relate to more than one lawyer or person, please complete a separate form for each.

You must complete each section of the Complaint Form. If there are any questions that do not apply to your complaint, please write N/A (Not Applicable). You will also be asked to provide documents to support your complaint.

Complaints should be filed electronically if at all possible. If you are unable to file the Complaint Form Electronically, you may print a hard copy of the Complaint Form and submit it by mail or contact ODC at 302-651-3931 and a Complaint Form will be mailed to you.

If you need to drop off a completed Complaint Form, there is a drop box located at the Leonard L. Williams Justice Center at 405 N. King Street, Wilmington, DE 19801 between the hours of 8:30 a.m.- 4:30 p.m.

**IN-PERSON COMPLAINT FORM REQUESTS AND/OR DROP
OFFS ARE NOT PERMITTED**

OFFICE OF DISCIPLINARY COUNSEL COMPLAINT FORM

Please complete each section of the form and attach any documents requested. If there are any questions that do not apply to your complaint, type or write *NIA* (Not Applicable).

Your Information:			
First Name:	Middle Initial:	Last/Suffix:	
Mailing Address:	Apt#:	City/State/Zip:	
Phone Number:			
Email Address (if applicable):			
Preferred way of communication:			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Email Mail Both			
Name of the lawyer you contend violated the Delaware Lawyers' Rules of Professional Conduct or the name of the lawyer or person you contend has engaged in the Unauthorized Practice of Law			
First Name:	Middle Initial:	Last/Suffix:	
Street Address:	Suite/Floor:	City/State/Zip:	
Name of the Firm:			
Office Telephone Number and / or Email (if applicable):			

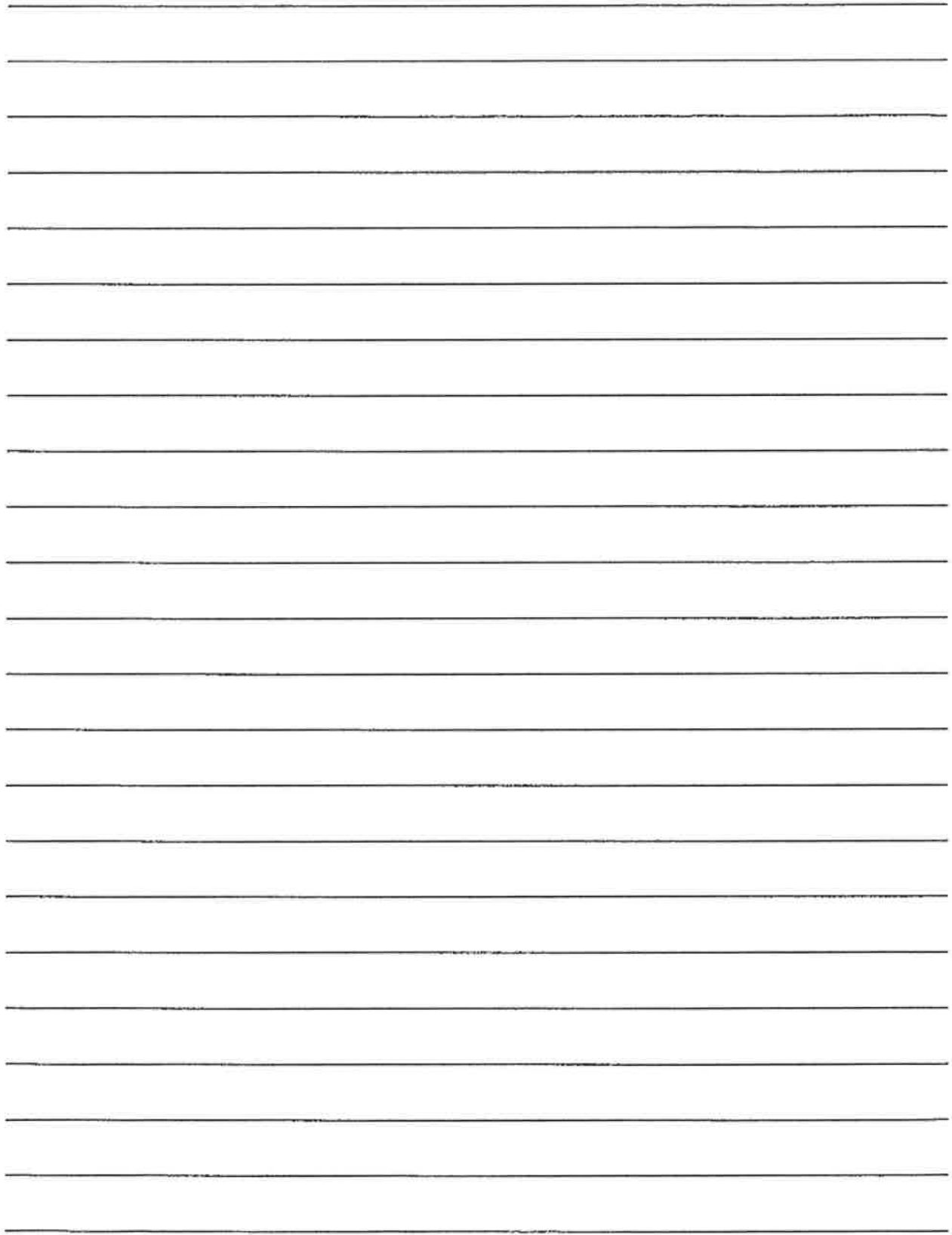
Other lawyers involved in the case: _____

Is this case currently pending in court? Yes _____ No _____

5. Provide the names and contact information of any other persons or witnesses you did not list under Question 4 who may have information relevant to your complaint.

6. Have you, any member of your family, friend, or acquaintance previously complained about this matter to ODC, another state agency, the courts, or law enforcement? Yes _____ No _____

7. If your answer to Question 6 was " Yes", provide the name of the agency or court to whom you complained and the date of your complaint. What was the conduct you complained about? What was the disposition of your complaint?



Please provide copies of ALL documents in your possession that support your complaint. Supporting documents may include:

- Court filings
- Correspondence, including letters, emails, and/or textmessages
- Notes of conversations
- Transcripts
- Fee Agreements, Retainer Agreements, Engagement Letters, Invoices, or any other document relating to fees
- Receipt financial statements or other records of payments
- Any other documentation you deem necessary to support your complaint

CERTIFICATION:

I hereby certify the factual allegations in this complaint are true and correct to the best of my knowledge and belief. I understand disciplinary complaints against lawyers are confidential and cannot be used in any proceeding before any tribunal.

Signature

Date

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