

Legal Malpractice

Legal malpractice stands for the unethical practices in providing the expected standard of service by the attorney. In other words, legal malpractice occurs when an attorney who is representing a case or providing legal advice acts in a negligent manner, affecting the client in the process. The client approaches an attorney who is reputed in his or her field of specialization, holds a superior educational qualification, and is known for his or her excellence and competence. The attorney is expected to provide utmost care will serving his or her legal and ethical obligations to the client. The client interest should hold primary importance to the attorney. The client who seeks the attorney has complete trust in his or her attorney disclosing every fact and figure, religiously following the attorney's advice. An attorney or the firm dealing with the client interest should be sure to keep everything to themselves, without involving sources that can interfere with the client interest. If the client feels that the attorney, when handling his or her case, engaged in misconduct, violating duties and demanding exorbitant attorney fees, the attorney can be held responsible for legal malpractice. For this, the client will have to prove that he or she lost the case because of malpractice on the part of the attorney. The client can even bring the case to the Bar Association, which has the right to take necessary action against malpractice. If the client finds a suitable attorney who is willing to provide expert opinion and take up his or her case, the client can even sue his previous attorney for malpractice. Most of the legal malpractice occurs in cases related to personal injury caused to the client, litigations of some form or other cases.

About the Author

Located within Flinders Medical Centre, an academic medical centre combining a general teaching hospital.

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