



Client Protection Fund Application Form

(The Client Protection Fund is the operating name of the Scottish Solicitors' Guarantee Fund)

Please read the guidelines before filling in this form. Please complete, print, sign and return to address given.

1. Your details

Name:	
Address:	
	Postcode:
Telephone Number:	Email:

2. Name of firm involved

Name of individual and firm you believe is responsible for your loss

Name	Firm
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3. Your claim

a) What is the total value of your claim £ *See note 1 below

b) Please provide full details of the money or other property included in your claim

c) Please explain the circumstances of your loss

d) When did the loss first come to your attention?

e) Did the Judicial Factor inform you of your loss? Yes No *See note 2 below

* Note 1

How much can be claimed?

- the total amount of your losses in relation to the dishonesty of the solicitor
- your present solicitor's fee in bringing your claim (if applicable) if accompanied a fee note. If the proposed fee is above £500, the Society must agree the fee before the work is undertaken by your solicitor. Fees may not be paid in full.
- claims for interest on your loss are not normally paid
- the maximum award is £1.25 million

* Note 2

Did a judicial factor inform you of your loss?

If you have been advised to make a claim by the Judicial Factor (the court-appointed officer overseeing your previous solicitor's firm), then we are usually satisfied that all reasonable steps have been taken to secure the return of your money or assets - go to Section 5.

If you are contacting us without prior discussion with the Judicial Factor or if no Judicial Factor has been appointed then go to Section 4.

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4. Other actions relating to your loss

We will only consider a claim once all other ways of recovering your loss have been ruled out.

a) Have you taken court or other proceedings (such as insurance claim) regarding your loss? Yes No

If no, are you considering taking court or other proceedings? Yes No

If yes, please give brief details.

b) Do you know of any other civil, criminal or disciplinary action which has been taken in relation to your loss? Yes No

If yes, please give the details, including the result, if known.

5. New solicitor

Do you have a new solicitor acting on your behalf in this claim? Yes No

If yes, please provide details:

Name:	Firm:
Address:	
Postcode:	
Telephone Number:	Email:

6. Other information

If you have any documents which you think would help your claim, please list them here and enclose a copy of each.

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Identification

Before we can process your claim you must provide a form of identification. Acceptable proof of identity includes, but is not limited to, a copy of one item from list A or two items from list B:

List A

One of the following

- Current valid full passport
- Current United Kingdom, EU, Isle of Man, Channel Islands photo card driving licence (not a provisional licence)
- Current identity card issued by the UK Identity and Passport Service to a non-UK national resident in the UK

OR

List B

Two of the following but no more than one of each type:

- Cheque guarantee card or credit card bearing the Mastercard or Visa logo, an American Express or Diners Club card, or a debit or multi-function card bearing the Maestro or Delta logo which was issued in the United Kingdom and is supported by an original account statement less than three months old
- Utility bill less than three months old
- Council tax bill for the current year
- Council rent book showing the rent paid for the last three months
- Mortgage statement for the mortgage accounting year just ended
- Other equivalent forms of identification

Please note that your claim will not be processed unless identification is provided. Please tick which form of identification you have included.

Declaration – see note 3

I confirm that the particulars of the claim are complete and accurate, to the best of my knowledge and belief.

I assign to the Law Society of Scotland all rights of recovery that I may have against anyone in respect of my loss. I will fully cooperate to secure such rights, including the giving of evidence and allowing proceedings to be raised in my name on the basis that I will be protected against any legal costs.

I mandate that any payment that is recovered in my name will be paid to the Law Society of Scotland. This mandate cannot be revoked.

I give the Law Society of Scotland permission to gather and share any information about my claim as required and acknowledge that I must tell the Law Society about any other relevant information (for example, any money I recover).

I acknowledge that I should obtain legal advice if I am in any doubt as to the meaning of this declaration

Signature

Date:

NAME IN BLOCK CAPITALS:

Note 3

1. The application form should be signed by the person claiming the money.
2. If the applicant is a limited company then the form should be signed by someone with authority to do so, such as a director, the company secretary or a principal officer
3. If the claim is accepted, we will confirm the amount that you will be paid, and by signing the declaration, you transfer to the Law Society your right to recover that amount from the solicitor. This is known as assigning rights of recovery.
4. As a condition of you receiving a grant from the Fund, we require that if any payment is recovered from anyone else, it should be repaid to the Fund. By signing the declaration, you authorise and instruct that any such payment must be made to the Law Society of Scotland. This is known as a mandate. The mandate cannot be revoked.
5. As well as our investigation, in some instances there may be a police investigation. You would be expected to assist with any such enquiry.
6. Fraudulent claims will result in legal action being taken and the police and other relevant agencies being notified.
7. For claims above £5,000, see overleaf.

GDPR, Data Protection Act 2018. For information about how we use your personal data see our privacy policy at www.lawscot.org.uk

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Declaration – For claims over £5000

For claims over £5000, this form must be signed in the presence of a notary public, commissioner for oaths, justice of the peace or other person authorised to administer oaths. Quite often this will be your new solicitor.

I solemnly and sincerely declare that the information given by me in this application is true to the best of my knowledge and belief, and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

(signature of claimant)

Name and address of notary public or other

What next?

After you have completed and returned the form and supporting evidence to us, we will investigate your claim. If we need more information, we will ask you for it. We will then decide whether to make a payment and inform you of our decision.

Every effort is made to deal with your claim as quickly as possible. Most simple cases can be dealt with within two–four months. However, more complex cases can take a year or more. Please help us by providing as much as relevant and supporting information as possible.

GDPR, Data Protection Act 2018. For information about how we use your personal data see our privacy policy at www.lawscot.org.uk

Please return the form along with supporting documents to

The Solicitor to the Client Protection Fund,
Financial Compliance Department,
The Law Society of Scotland,
Atria One, 144 Morrison St, Edinburgh EH3 8EX

If using DX the address is: DX ED 1, EDINBURGH

Or scan and email to clientprotectionfund@lawscot.org.uk