



Quiz

Claims Farming

1. Which of the following is a path that a complaint may take once received by the Office of the Legal Services Commissioner?
 - a. If the complaint is of a less serious nature, it is given a consumer classification and is dealt with as quickly and as informally as possible
 - b. If the complaint is of a more serious nature, it becomes a disciplinary matter, and if there is enough evidence to do so, proceedings are instituted against the lawyer in the NSW Civil and Administrative Tribunal
 - c. If criminal activity is uncovered in the course of investigation into a complaint, the Legal Services Commissioner will refer the matter to the police and reinstitute disciplinary proceedings against the lawyer at the end of any criminal prosecution
 - d. All of the above
2. Which of the following is an example of claims farming?
 - a. A referrer calling someone in hospital who they know was involved in a motor vehicle accident the week before
 - b. A referrer cold calling on a household querying whether a person in that household has been in a motor vehicle accident
 - c. Both A and B
 - d. A person calling up a law firm pretending that they have been in a motor vehicle accident

3. Which are the two main solicitors' rules that claim farming offends?
 - a. Rules 7 and 9 of the *Legal Profession Uniform Law Australian Solicitors' Conduct Rules 2015*
 - b. Rules 12 and 34.2 of the *Legal Profession Uniform Law Australian Solicitors' Conduct Rules 2015*
 - c. Rules 11.1 and 11.5 of the *Legal Profession Uniform Law Australian Solicitors' Conduct Rules 2015*
 - d. None of the above

4. To whom does the legislative prohibition on the paying of referral fees to obtain a client's case *not* extend?
 - a. The lawyer
 - b. The lawyer's agent
 - c. The lawyer's friends
 - d. The lawyer's family members

5. Which of the following has been proposed as a means of taking action against claims farming?
 - a. Emphasis by the Office of the Legal Services Commissioner and professional bodies of the fact that claims farming is a stain on the reputation of the legal profession
 - b. Putting more public information out in the open, in order that people who feel upset and oppressed upon receiving a call from a referrer know that there are potential avenues through which to make a complaint
 - c. Focusing on local lawyers involved in claims farming as the point in the chain at which the practice can most readily be stopped
 - d. All of the above

Answers:

1. D 2. C 3. B 4. C 5. D