

SOLICITORS ACTS 1954/60

THE COMPENSATION FUND

In the matter of

a solicitor/former solicitor

QUESTIONNAIRE

N.B. The issue of this form and subsequent investigation is not an admission either of the claim or the title of the applicant.

The questions should be carefully read and answered specifically; otherwise there may be a delay and unnecessary correspondence. If any information or document requested cannot be supplied, you should state the reason and the efforts made to obtain it.

1. Please state

(a) the date on which the loss arose within the meaning of paragraph 2 of the Fifth Schedule to the Solicitors Act 1954 and supply evidence in support thereof.

(b) The date in which you first became aware of the loss and how you obtained knowledge thereof.

2. Please give particulars of all monies received by the solicitor/his partner/firm/ clerk, which are the subject of the claim.

3. (a) By whom are the payments made?

(b) By whom received?

(c) If by cheque the dates and bank accounts to which they were debited should be stated and the paid cheques should be lodged with receipts.

- (d) If by cash the date of payment should be stated and the receipts should be lodged.
 - (e) If the payments to the solicitor were made by some person other than yourself a statement signed by him with paid cheques, receipts or other evidence of payments should be lodged. The Committee may require an Affidavit from him later on.
 - (f) Please give particulars and dates of written or personal applications to the solicitor by you or on your behalf for payment and attach original or copy letters and any replies received.
 - (g) Please lodge a copy of the Solicitor's ledger account relating to the loss alleged. If he has been adjudicated a bankrupt this may be obtained from the Official Assignee, Four Courts, Dublin 7.
4. (a) Please state your title to receive any grant made by the Committee, e.g. as the person who suffered the loss or as personal representative of a deceased person, and lodge the grant of probate, letters of administration or other documentary evidence of your title.
- (b) Have you given a charge or assignment to any other person in respect of your claim against the Solicitor?
- (c) (i) Were your title deeds taken up from a bank, building society, insurance company or any other person? If so, did the Solicitor give any undertaking to repay monies due to you?
- (ii) Please state the name and address of the company or person who held the document.
5. Has the solicitor/his partner/firm/clerk or any other person made any payment on account or in satisfaction of the loss? Please give particulars.
6. (a) Are any costs, furnished or unfurnished, due to the solicitor in respect of the business the subject of this claim? Please state amount, if any, and lodge bill if furnished. If no bill has been furnished please give an estimate and state how it is calculated.

- (b) Is he entitled to any other credit in respect of disbursements or otherwise in connection with the business the subject of this claim? Please state amount and give details.
- 7 (a) Did the solicitor transact any other professional business in the past for you, or if you claim as personal representative of a deceased person, for the deceased?
- (b) If the answer to (a) is yes, please give details.
- (c) Are any costs, furnished or unfurnished due to the solicitor in respect of such business? Please state amount, if any and lodge bill if furnished. If no bill has been furnished please give an estimate and state how it is calculated.
- (d) Is the solicitor or his estate entitled to any other credit in connection with such business for disbursements, or otherwise? Please state amount and give details.
8. Is the solicitor entitled to credit for monies advanced to you or any other person as an offset against the claim?
9. Please state the steps which have been taken by you or on your behalf to avoid or reduce the loss viz.
- (a) Has judgement been obtained against the solicitor? If not please state why:
- (b) If judgement has been obtained please give full particulars and state whether execution has been levied, and the result.
- (c) Have proceedings in bankruptcy been instituted: If not, please state why.
- (d) If bankruptcy proceedings have been instituted:
- (i) have you lodged a proof of debt and has your claim been allowed? Please lodge copy Affidavit of proof of debt.

(ii) Has any dividend been declared or paid or is it expected.

(e) Do you hold any security for the debt e.g. a mortgage, charge or fidelity bond or otherwise? If you do please give full particulars and state whether steps have been taken to realise the security.

10. Please ascertain and state:

(a) Particulars of the bank accounts kept by the Solicitor.

(b) Which of them are designated as client or trust bank accounts.

(c) The bank account to which the monies the subject of the present application were lodged.

11. (a) Please state the present address of the solicitor.

(b) Please lodge a copy of any letter bringing the facts to the attention of the Attorney-General and of his reply.

12. Here list any documents lodged herewith in support of the claim or as evidence of your title as the proper applicant.

Dated:

Signed: (applicant in person)

Address: