

The Solicitors (Disciplinary Proceedings) Rules (Northern Ireland), 1990

RULES

under the Solicitors (Northern Ireland) Order 1976
made by the Disciplinary Tribunal

approved by the Lord Chief Justice of Northern Ireland
as required by Articles 31 and 43 of the Order

Coming into operation on the 12th day of June 1990

(NOTE — The portions of the above Order which prescribe procedure are incorporated in these Rules.)

Arrangement of Rules

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The Disciplinary Tribunal constituted under the Solicitors (Northern Ireland) Order 1976(a) as amended by the Solicitors (Amendment) (Northern Ireland) Order 1989 (b) in exercise of the powers conferred on them by Articles 31 and 43 of the said Order and of all other powers then enabling hereby making the following Rules having been approved by the Lord Chief Justice of Northern Ireland:-

1. (1) These Rules may be cited as The Solicitors (Disciplinary Proceedings) Rules (Northern Ireland) 1990 and shall come into force on the 12th day of June 1990 whereupon the Solicitors (Disciplinary Proceedings) Rules (Northern Ireland) 1979 shall cease to have effect.

- (2) (i) In these Rules "the Tribunal" means the Disciplinary Tribunal; "the Secretary" means the Secretary of the Disciplinary Tribunal or any deputy or person appointed by the Tribunal to perform the duties of that office; "Employee" includes an Apprentice or Clerk and "an application" includes a complaint to the Tribunal made by virtue of the Solicitors (Northern Ireland) Order 1976.
- (ii) Other expressions in these Rules have the meanings assigned to them in the Solicitors (Northern Ireland) Order 1976.
- (iii) The Interpretation Act (Northern Ireland) 1954 (c) shall apply to these Rules.
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(a) S.I. 1976/582 (N.1.12) (b) S.I. 1989/1343 (N.1.14) (c) 1954 C.33

PART I

Constitution of the Tribunal

2. The Tribunal shall elect a solicitor member of the Tribunal to be their President.
3. The President shall appoint a solicitor member to act as chairman for the hearing and determination by the Tribunal of any application or complaint in accordance with the provisions of Part V of these Rules; provided that in the absence of such appointment a solicitor member of the Tribunal shall act as chairman.

PART II

Applications against Solicitors and Solicitors' Employees

4. An application to the Tribunal under Article 31 (2) or Article 44 (1) (e) (f) (g) or (h) of the Solicitors (Northern Ireland) Order 1976 shall be in writing under the hand of the applicant in such one of the forms set out in the Schedule hereto and numbered 1 and 2 as shall be appropriate and shall be sent to the Secretary together with an affidavit by the applicant in the form set out in the Schedule hereto and numbered 3 or as near thereto as the circumstances may permit, stating the matters of fact on which he relies in support of his application. Provided that where the application is made by the Society the application may be signed and the affidavit sworn on behalf of the Society by the secretary of the Society or by such other person as may from time to time be instructed to do so by or on behalf of the Council.

5. The Tribunal may require the applicant to supply such further information and documents relating to the application as the Tribunal think fit and may require the applicant to supply such further copies of his affidavit and of the exhibits thereto as the Tribunal may consider requisite.

6. In the case of an application under Article 44 (1) (e) (f) or (h) of the said Order by a person other than the Society or a lay observer against a solicitor where, in the opinion of the Tribunal, no prima facie case is shown in favour of the application, the Tribunal may dismiss the application without requiring the solicitor to answer the allegations and without hearing the applicant. If required so to do either by the applicant or the solicitor, the Tribunal shall make a formal order dismissing such application.

7. In the case of an application against a solicitor in which, in the opinion of the Tribunal, a prima facie case is shown in favour of the application or in the case of an application under Article 44(1) (e) (f) (g) or (h) of the said Order by the Society or a lay observer the Secretary shall serve on the solicitor —

- (i) a copy of the application;
- (ii) a copy of the affidavit;
- (iii) copies or, at the discretion of the Tribunal, a list of the relevant documents; and
- (iv) a notice in the form set out in the Schedule hereto and numbered 4, requiring the solicitor to send to the Tribunal within the time specified in the notice, not being less than 10 days-from the date of service of the said notice, an affidavit by him in answer to the application, together with any documents or duly authenticated copies thereof, on which he may rely in support of his answer.

8. In the case of an application in respect of a solicitor's employee the parties to the proceedings shall be —

- (i) the applicant —
- (ii) the solicitor's employee, and
- (iii) if the Tribunal so direct, every solicitor whom the solicitor's employee was employed either at the time of the commission of any such offence as is mentioned in Article 31 (1) of the Solicitors (Northern Ireland) Order 1976 of which it is alleged by the applicant that the solicitor's employee has been convicted or at the time of any such act or default as is mentioned in Article 31 (1) (b) of the said Order to which it is alleged that the solicitor's employee has been party.

9. In the case of an application against a solicitor in which the Tribunal decide that there is cause for an Inquiry the Tribunal shall fix a date for the holding of the Inquiry and the Secretary shall serve notice thereof on each party to the proceedings. There shall be at least 28 days between the service of any such notice and the day fixed therein for the Inquiry.
10. The notice shall be in such one of the forms set out in the Schedule hereto and numbered 5 and 6 as shall be appropriate and shall require the party to whom it is addressed to furnish to the Secretary and to every other party at least 14 days before the day fixed for the holding of the Inquiry unless the Tribunal direct otherwise, a list of all documents on which he intends to rely.
11. In the case of an application in respect of a solicitor's employee, the Tribunal shall fix a day for the hearing and the Secretary shall serve notice thereof on each party to the proceedings and shall serve on each party, other than the applicant, a copy of the application and affidavit. There shall be at least 28 days between service of any such notice and the day fixed therein for the hearing.
12. The notice shall be in such one of the forms set out in the Schedule hereto and numbered 5, 7 and 8 as shall be appropriate, and shall require the party to whom it is addressed to furnish to the Secretary and to every other party, at least 14 days before the date fixed for the hearing, unless the Tribunal decide otherwise, a list of all the documents on which he intends to rely.
13. Any party may inspect the documents included in the list furnished by any other party. A copy of any document mentioned in the list furnished by any party shall, on application and on payment of the proper charges therefore by the party requiring it, be furnished to that party by the other within 3 days after the receipt of such application.

PART III

Application at the instance of a Solicitor or a Former Solicitor

14. An application to the Tribunal under Article 44 (1) (a)(b) (c) or (d) of the Solicitors (Northern Ireland) Order 1976 shall be made by way of Affidavit in the form set out in the Schedule hereto and numbered 9. The affidavit shall be sent to the Secretary.

15. The Tribunal shall fix a day for an Inquiry and the Secretary shall serve notice thereof on the applicant and the Society at least 28 days before the day fixed for the hearing.
16. The Notice shall be in such one of the forms set out in the Schedule hereto and numbered 10 and 11 as shall be appropriate.
17. The Tribunal may if they think fit require the applicant or the Society to give notice of the application and of the day fixed for the hearing by advertisement or otherwise as they may direct.
18. If any person desires to object to the application, he shall give notice in writing to the applicant, the Society and the Secretary at least 10 days before the day fixed for the hearing, specifying the grounds of his objection.
19. If the objector appears on the day fixed for the hearing, and if the Tribunal are of opinion, after hearing the parties or either of them (if they think fit so to do), that the notice discloses a prima facie case for Inquiry of which they do not dispose on that day, they shall adjourn the hearing and shall give directions relating to the adjourned hearing, including directions as to the party on whom the burden of proof shall lie.
20. The rules contained in Parts II and V of these Rules shall apply mutatis mutandis to the hearing of any application under this Part of these Rules.
21. In respect of any application under this part of these Rules the Tribunal may make such order including an order as to costs as they think fit.

PART IV

Applications in Respect of a Solicitor's Former Employee

22. An application that an Order under Article 31 (2) of the Solicitors (Northern Ireland) Order 1976 shall be revoked shall be made by way of Affidavit in the form set out in the Schedule hereto and numbered 12.

23. The parties to the proceedings shall be —
- (i) the person with respect to whom the order under Article 31 (2) of the Solicitors (Northern Ireland) Order 1976 was made which it is sought to revoke and
 - (ii) the Society
- and the Affidavit shall be sent to the Secretary.
24. The Tribunal shall fix a day for an Inquiry and the Secretary shall serve notice thereof on the parties to the proceedings at least 28 days before the day fixed for the hearing. The notice shall be in the form set out in the Schedule hereto and numbered 13.
25. The Rules contained in parts II and V of these Rules shall apply mutatis mutandis to the hearing of any application under this Part of these Rules.
26. In respect of any application made under this Part of these Rules the Tribunal may make such order including an order as to costs as they think fit.

PART V

General

27. The Tribunal shall hear all applications at such place and at such times as they may fix, and may adjourn the consideration of any case from time to time and from place to place. The meetings of the Tribunal shall be open only to such persons, in addition to the parties summoned to attend, as the Tribunal may direct.
28. If any party fails to appear at an Inquiry or hearing as the case may be, the Tribunal may, upon proof of service on such party of the notice of Inquiry or hearing, proceed to hear and determine the application in his absence.
29. The Tribunal may, in their discretion, either as to the whole case or as to any particular fact or facts, proceed and act upon evidence given by affidavit. Provided that any party to the proceedings may require the attendance upon subpoena of any deponent to any such affidavit for the purpose of giving oral evidence, unless the Tribunal are satisfied that the affidavit is purely formal.

30. The Tribunal may at any stage of proceedings against a solicitor refer the case to the Council and may adjourn the proceedings pending the consideration thereof by the Council in case the Council should see fit to lodge a further application against the solicitor or to undertake on behalf of the original applicant the prosecution of his application.
31. Unless the Tribunal direct otherwise no application shall be withdrawn after it has been sent to the Secretary.
32. The Tribunal may of their own motion, or upon the application of any party, adjourn an Inquiry or hearing upon such terms as to costs as the Tribunal may think fit.
33. In the case of an application in respect of a solicitor's employee the Tribunal may on the application of any party or on their own motion order that any such application shall be heard prior to, in the course of, concurrently with or subsequent to the hearing of an application to require a solicitor by whom the employee is or was employed to answer allegations contained in an affidavit.
34. If upon the hearing it shall appear to the Tribunal that the allegations in the affidavit require to be amended or added to, the Tribunal may permit such amendment, or addition, or, if in the opinion of the Tribunal such amendment, or addition, shall be such as to take any party by surprise, or prejudice the conduct of his case, the Tribunal shall grant an adjournment of the hearing, upon such terms as to costs, or otherwise, as the Tribunal shall think fit.
35. Upon the hearing or determination of any application the Tribunal may, order any party to pay the costs or a contribution towards the costs incurred by any other party or by the Tribunal in connection with that application, if having regard to his conduct and to all the circumstances of the case, the Tribunal shall think fit.
36. Upon the conclusion of the hearing or determination of any application the Tribunal shall comply with the provisions of Article 52 of the Solicitors (Northern Ireland) Order 1976.
37. Shorthand notes of proceedings may be taken by a person appointed by the Tribunal and any party who appeared at the proceedings shall be entitled to inspect the transcript thereof. The shorthand writer shall, if required, supply to the Tribunal and to any person entitled to be heard upon an appeal against an order of the Tribunal and to the Society, but to no other person, a copy of the transcript of such notes on payment of his charges.

If no shorthand notes be taken, the Tribunal shall cause a note of proceedings to be taken, by the Secretary or by such other person as the Tribunal shall appoint for the hearing, and the provisions of this Rule as to inspection and taking of copies shall apply to such note accordingly.

38. Service of any notice or document may be effected under these Rules by registered "A.R." letter or by First Class Recorded Delivery letter addressed, in the case of a solicitor, to his place of business appearing in the Register and to his place of abode (if known) and, in every other case, to the last known place of business or abode of the person to be served and such service shall be deemed to be effected at the time when the letter would be delivered in the ordinary course of post.
39. The Tribunal may dispense with any requirements of these Rules, respecting notices, affidavits, documents, service or time, in any case where it appears to the Tribunal to be just so to do.
40. The Tribunal may extend the time for doing anything under these Rules.
41. All affidavits shall be filed and kept by the Secretary. The Tribunal may order that any books, papers, or other exhibits produced or used at a hearing, shall be retained by the Secretary until the time within which an appeal may be entered has expired, and, if notice of appeal is given, until the appeal is heard or otherwise disposed of.
42. The Civil Evidence Act (Northern Ireland) 1971 (a) and the Evidence and Powers of Attorney Act 1940 (b) shall apply in relation to proceedings before the Tribunal in the same manner as they apply in relation to civil and criminal proceedings.
43. (i) Any party may by notice in Writing at any time not later than 14 days before the day fixed for an Inquiry or hearing call upon any other to admit any document saving all just exceptions and if such other party desires to challenge the authenticity of the document he shall within 7 days after service of such notice give notice that he does not admit the document and requires it to be proved at the hearing.

(ii) If such other party refuses or neglects to give notice of non-admission within the time prescribed in the last preceding paragraph, he shall be deemed to have admitted the document unless otherwise ordered by the Tribunal.

- (iii) Where a party gives notice of non-admission within the time prescribed by the first paragraph of this Rule and the document is proved at the Inquiry or hearing, the costs of proving the document, whatever the order of the Tribunal may be, unless in their Findings the Tribunal shall find that there were reasonable grounds for not admitting the authenticity of the document.
 - (iv) Where a party proves a document without having given notice to admit under the first paragraph of this Rule no costs of proving the document shall be allowed on taxation, unless otherwise directed by the Tribunal, except where the omission to give notice to admit is in the opinion of the Taxing Master a saving of expense.
44. A subpoena issued under Article 48 (1) of the Solicitors (Northern Ireland) Order 1976 shall be in such one of the forms set out in the Schedule hereto and numbered 15 and 15 as shall be appropriate.

(a) 1971 C.36 (b) 1940 C.27 (UK)

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SCHEDULE

FORM 1

Form of Application against a Solicitor

To The Secretary of the Disciplinary Tribunal constituted
under the Solicitors (Northern Ireland) Order 1976

In the matter of **C.D.** (1) a Solicitor, and

In the Matter of the Solicitors (Northern Ireland) Order 1976

I, the undersigned **A.B.** hereby make application that **C.D.** (1)
of (2) Solicitor, may be
required to answer the allegations contained in the affidavit which
accompanies this application and that such order may be made as the
Tribunal shall think right.

In witness whereof I have hereunto set my hand this day of 1990.

_____ Signature

_____ Address

_____ Profession, business or organisation

(1) The full name must be stated. Initials are not sufficient. The names may be obtained by an inspection of the Roll of Solicitors at the Offices of the Law Society of Northern Ireland 98 Victoria Street, Belfast BT1 3JZ during usual office hours.

(2) Last known place or places of business of the Solicitor.

FORM 2

Form of Application in Respect of a Solicitor's Employee

To the Secretary of the Disciplinary Tribunal constituted
under the Solicitors (Northern Ireland) Order 1976

— and —

In the Matter of the Solicitors (Northern Ireland) Order 1976

I, the undersigned **A.B.**, of _____ hereby make
application on behalf of The Law Society of Northern Ireland that an
Order be made by the Tribunal directing that as from a date to be specified
in such order no solicitor shall in connection with his practice as a solicitor
take or retain **E.F.**, of _____ a
person who is or was an employee of a solicitor, into or in his employment,
or remunerate the said **E.F.** without the written permission of The Law
Society of Northern Ireland or that such other order may be made as the
Tribunal shall think right.

In witness whereof I have hereunto set my hand this _____ day of 1990.

Signature _____

FORM 3

Form of Affidavit by Applicant In

the Matter of **C.D.**, a Solicitor and

In the Matter of the Solicitors (Northern Ireland) Order 1976

I, ***A.B.** of
make oath and say as follows:-

1. **+C.D.** of
Solicitor of the Supreme Court of Judicature in Northern Ireland, has been
employed by me in a professional capacity for the last ten years (or as the case
maybe) .
2. (here state the facts concisely in numbered paragraphs, and show
deponent's means of knowledge)

SWORN etc.

* Insert full name, address and description

+ Insert full name and last known place of business

FORM 4

**Form of Notice of Application to Solicitor by the Secretary of
the Disciplinary Tribunal**

In the Matter of **C.D.**, a Solicitor

— and —

In the Matter of the Solicitors (Northern Ireland) Order 1976

To **C.D.** of a Solicitor.

I send herewith copy of an Application made by **A.B.** of
to the Disciplinary Tribunal constituted under
the Solicitors (Northern Ireland) Order 1976. I send also a copy of the
Affidavit which accompanied the Application and a list of/copies of the
documents lodged by the said.

You are required by the said Order and the Rules made thereunder to furnish
me with your Affidavit in reply to the Affidavit of
within days from the date of this Notice, and you are, at
the same time, to furnish me with such documents or copies thereof as you may
rely upon in support of your Affidavit.

You may inspect at my office the documents lodged by the said
and if you require copies of any such documents they will
be furnished to you at your own expense. You must, within seven days from
the date hereof, inform me of which documents you require copies.

Neither your personal attendance, nor attendance upon your behalf, is
required before the Tribunal without further notice from me, but in the event
of your failing to furnish me within days from the date of this Notice
with your Affidavit in reply or with evidence of your inability to do so, the
Tribunal will proceed with the consideration of the application in the absence of
such Affidavit or evidence.

Dated this day of 19

Secretary of the Tribunal

FORM 5

**Form of Notice to Applicant by the Secretary of the
Disciplinary Tribunal**

In the matter of **C.D.**, a Solicitor (or) a Solicitor's Employee

and

In the Matter of the Solicitor (Northern Ireland) Order 1976

To: A.B.

of:

The day of 19 is the day fixed by the Disciplinary Tribunal constituted under the Solicitors (Northern Ireland) Order 1976 for*(the holding of an Inquiry into) (the hearing of) your application in the matter of **C.D.**, a Solicitor (or) a person who is or was an employee of a Solicitor.

The Tribunal will sit at o'clock in the noon at

+the parties to the application are as follows:-

)

You are required by the Solicitors (Disciplinary Proceedings) Rules (Northern Ireland) 19 to furnish to every party to the Application and to the Secretary of the Disciplinary Tribunal at

at least 14 days before the said day of
19 , a list of all the documents on which you propose to rely.

Any party may inspect the documents included in the list furnished by the other, and a copy of any document mentioned in the list of any party must, on application and on payment by the party requiring it of the proper charges, be furnished to that party by the other within 3 days after receipt of such application.

If any party shall fail to appear and the Tribunal decide to proceed in his absence, any party appearing must be prepared to prove service, in accordance with the Solicitors (Disciplinary Proceedings) Rules (Northern Ireland) 19 of the list of documents and any other notice or correspondence since the lodging of the application.

You are requested to acknowledge the receipt of this notice without delay.

Dated this day of 19

Secretary of the Tribunal

FORM 6

**Form of Notice of Holding of Inquiry to Solicitor by the
Secretary of the Disciplinary Tribunal**

In the Matter of **C.D.** a Solicitor and

In the Matter of the Solicitors (Northern Ireland) Order 1976

To **C.D.** of _____, Solicitor

Application has been made by **A.B.**, of _____
to the Disciplinary Tribunal constituted under the
Solicitors (Northern Ireland) Order 1976 that you may be required to answer
the allegations contained in the Affidavit, whereof a copy was served on you
on the _____ day of _____ 19____.

The Tribunal has decided that there is cause for Inquiry.

The _____ day of _____ 19____ is the day fixed by the Tribunal for the
holding of the Inquiry. The Tribunal will sit at _____ o'clock in the
noon at _____

If you fail to appear the Tribunal may, in accordance with the Solicitors
(Disciplinary Proceedings) Rules (Northern Ireland) 19____ proceed in your
absence.

You are required by the said Rules to furnish to every other party to the
application and to the Secretary of the Disciplinary Tribunal at _____
at least 14 days before the _____ day of _____ 19____ a list
of all the documents on which you propose to rely.

Any party may inspect the documents included in the list furnished by any
other, and a copy of any document mentioned in the list of any party must, on
application and on payment by the party requiring it of the proper charges, be
furnished to that party by the other within 3 days after receipt of such
application.

In order to reduce the costs of the hearing, you are invited to inform the
applicant and the Secretary of the Disciplinary Tribunal not less than 14
days before the said day of _____ 19____ of any facts set out in the
Affidavit which are not in dispute.

You are requested to acknowledge the receipt of this notice without delay.

Dated this _____ day of _____ 19____

Secretary of the Tribunal

FORM 7

**Form of Notice to a Solicitor's Employee by the
Secretary of the Disciplinary Tribunal**

In the Matter of **E.F.**, a Solicitor's Employee

— and —

In the Matter of the Solicitors (Northern Ireland) Order 1976 To

E.F.,

of

Application has been made by **A.B.**, of

, on behalf of the Law Society of Northern Ireland, to the Disciplinary Tribunal constituted under the Solicitors (Northern Ireland) Order 1976, supported by an Affidavit, a copy of which accompanies this Notice, that an order may be made directing that as from a date to be specified in such order no solicitor shall in connection with his practice as a solicitor take or retain you into or in his employment or remunerate you without the written permission of The Law Society of Northern Ireland or that such order may be made as the Tribunal may think right.

The parties to the proceedings are as follows:-

The day of 19 is the day fixed by the Tribunal for the hearing of the application. The Tribunal will sit at o'clock in the noon at . If you fail to appear, the Tribunal may, in accordance with the Solicitors (Disciplinary Proceedings) Rules (Northern Ireland) 19 proceed in your absence.

You are required by the said Rules to furnish to every other party to the proceedings and to the Secretary of the Disciplinary Tribunal at least 14 days before the said day of 19 , a list of all the documents on which you propose to rely.

Any party may inspect the documents included in the list furnished by any other party, and a copy of any document mentioned in the list of any party must, on application and on payment by the party requiring it of the proper charges, be furnished to that party by the other within 3 days after receipt of such application.

In order to reduce the costs of the hearing, you are invited to inform the applicant and the Secretary of the Disciplinary Tribunal not less than 14 days before the said day of 19 , of any facts set out in the Affidavit which are not in dispute.

You are requested to acknowledge the receipt of this Notice without delay.

Dated this day of 19

Secretary of the Tribunal

FORM 8

**Form of Notice by the Secretary of the Disciplinary Tribunal to a
Solicitor made Party to an Application in respect of a Solicitor's
Employee**

In the Matter of **E.F.**, a Solicitor's Employee

— and —

In the Matter of the Solicitors (Northern Ireland) Order 1976

To **G.H.**, solicitor, of

Application has been made by **A.B.** of
on behalf of the Law Society of Northern Ireland to the Disciplinary Tribunal
constituted under the Solicitors (Northern Ireland) Order 1976 that an order
be made by the Tribunal directing that as from a date to be specified in such
order no solicitor shall in connection with his practice as a solicitor take or
retain **E.F.**, a person
who is or was an employee of a solicitor, into or in his employment or
remunerate the said **E.F.** without the written permission of The Law Society
of Northern Ireland or that such other order may be made as the Tribunal
shall think right.

It is alleged in the Affidavit accompanying the application, a copy of which is
sent herewith, that you

By virtue of Rule 8 of the Solicitors (Disciplinary Proceedings) Rules (Northern
Ireland), 19 , the Tribunal have directed that you be constituted a party to
the application. The parties to the application are as follows:-

The day of 19 is the day fixed by the Tribunal for
the hearing of the application. The Tribunal will sit at o'clock in
the noon at . If you fail
to appear, the Tribunal may, in accordance with the Solicitors (Disciplinary
Proceedings) Rules (Northern Ireland) 19 proceed in your absence.

You are required by the said Rules to furnish to every other party to the
application, and to the Secretary of the Disciplinary Tribunal at
at least 14 days before the said day of 19 , a list of
all the documents on which you propose to rely.

Any party may inspect the documents included in the list furnished by any
other, and a copy of any document mentioned in the list of any party must, on
application and on payment by the party requiring it of the proper charges, be
furnished to that party by the other within 3 days after receipt of such
application.

You are requested to acknowledge the receipt of this Notice without delay.

Dated this day of 19

Secretary of the Tribunal

FORM 9

**Form of Affidavit under article 44(1) (a) (b) (c) or (d) of the
Solicitors (Northern Ireland) Order 1976 by a Solicitor
or a Former Solicitor**

In the Matter of **C.D.**

— and —

In the Matter of the Solicitors (Northern Ireland) Order 1976

I **C.D.**, of
as follows:-

make oath and say

1. I was admitted a Solicitor day of 19
on the

2. On day of 19 , the Disciplinary Tribunal
the
ordere
d that

3. I hereby apply to the Tribunal for an Order that

4. The grounds for my Application are:-

SWORN etc.

FORM 10

**Form of Notice by the Secretary of the Disciplinary Tribunal to the
Applicant, a Solicitor or Former Solicitor**

In the Matter of **C.D.**

— and —

In the Matter of the Solicitors (Northern Ireland) Order 1976 To:

C.D., of

The day of 19 is the day fixed by the Disciplinary
Tribunal for the hearing of your application for an Order that

The Tribunal will sit at o'clock in the noon at

You are required by the Solicitors (Disciplinary Proceedings) Rules (Northern
Ireland) 19 , to furnish to the Law Society of Northern Ireland and to the
Secretary of the Disciplinary Tribunal at

At least 14 days before the said day of 19 a list of
all the documents on which you propose to rely.

Any party may inspect the documents included in the list furnished by any other,
and a copy of any document mentioned in the list of any party must, on application
and on payment by the party requiring it of the proper charges, be furnished to that
party by the other within 3 days after receipt of such application.

If any party shall fail to appear and the Tribunal decide to proceed in his
absence, any party appearing must be prepared to prove service, in accordance
with the Solicitors (Disciplinary Proceedings) Rules (Northern Ireland) 19 of
the list of documents and any other notice or correspondence since the lodging
of the application.

You are hereby requested to acknowledge the receipt of this Notice without delay.

Dated this day of 19

Secretary of the Tribunal

FORM 11

**Form of Notice by the Secretary of the Disciplinary Tribunal to the
Law Society of Northern Ireland in Relation
to an Application by a Solicitor or a Former Solicitor**

In the Matter of **C.D.**

— and —

In the Matter of the Solicitors (Northern Ireland) Order 1976

To: The Law Society of Northern Ireland
Law Society House,
98 Victoria Street, Belfast.
BT1 3JZ

Application has been made by _____ for an
C.D. of Order that _____

The _____ day of _____ 19 _____ is the day fixed by the
Disciplinary Tribunal for the hearing of this application.

The Tribunal will sit at _____ o'clock in the _____ noon at _____

You are required by the Solicitors (Disciplinary Proceedings) Rules (Northern
Ireland) 19 _____ to furnish to the said **C.D.** and to the Secretary of the Disciplinary
Tribunal _____ at
least 14 days before the said _____ day of _____ 19 _____, a list of all the
documents on which you propose to rely.

Any party may inspect the documents included in the list furnished by the other,
and a copy of any document mentioned in the list of any party must, on
application and on payment by the party requiring it of the proper charges, be
furnished to that party by the other within 3 days after receipt of such
application.

If any party shall fail to appear and the Tribunal decide to proceed in his
absence, any party appearing must be prepared to prove service in accordance
with the Solicitors (Disciplinary Proceedings) Rules (Northern Ireland),
19 _____, of the list of documents and any other notice of correspondence since the
lodgings of the application.

You are requested to acknowledge the receipt of this notice without delay.

Dated this _____ day of _____ 19 _____

Secretary of the Tribunal

FORM 12

**Form of Affidavit by Applicant in Relation to an Order made under
Article 31 of the Solicitors (Northern Ireland) Order 1976**

I, the undersigned **A.B.** of
(or **E.F.** of) make oath and say as follows:-

1. I hereby make application that the Order made on the day of
19 , under Article 31 of the Solicitors (Northern
Ireland) Order 1976, in respect of **E.F.** be revoked.

2. The grounds for my application are:-

SWORN etc.

FORM 13

**Form of Notice by the Secretary of the Disciplinary Tribunal in
Relation to an Application in Respect of a Solicitor's Former
Employee**

In the Matter of **E.F.**

— and —

In the Matter of the Solicitors (Northern Ireland) Order 1976

To: The Law Society of Northern Ireland
Law Society House, 98
Victoria Street,
Belfast.
BT1 3JZ

and

To: **E.F.**
of

Application has been made by _____ of _____
to the Disciplinary Tribunal that the Order made on the _____ day of _____
19 _____ under Article 31 (2) of the Solicitors (Northern
Ireland) Order 1976 in respect of **E.F.** be revoked.

The _____ day of _____ 19 _____ is the day fixed by the
Disciplinary Tribunal for the hearing of this application.

The Tribunal will sit at _____ o'clock in the _____ noon at _____

The parties to the application are as follows:-

- (i) The Law Society of Northern Ireland
- (ii) **E.F.**

You are required by the Solicitors (Disciplinary Proceedings) Rules (Northern
Ireland) 19 _____ to furnish to every other party to the application and to the Secretary
of the Disciplinary Tribunal at _____ at least 14 days
before the said _____ day of _____ 19 _____ a list of all
documents on which you propose to rely.

Any party may inspect the documents included in the list furnished by any other,
and a copy of any document mentioned in the list of any party must, on application
and on payment by the party requiring it of the proper charges, be furnished to that
party by the other within 3 days after receipt of such application.

If any party shall fail to appear and the Tribunal decide to proceed in his
absence, any party appearing must be prepared to prove service in accordance
with the Solicitors (Disciplinary Proceedings) Rules (Northern Ireland)
19 _____, of the list of documents and any other notice or correspondence since the
lodging of the application.

You are requested to acknowledge the receipt of this Notice without delay.

Dated this _____ day of _____ 19 _____

Secretary of the Tribunal

FORM 14

Form of Subpoena and Testificandum

In the Matter of **C.D.**, a Solicitor, (or) a Solicitor's Employee

— and —

In the Master of the Solicitors (Northern Ireland) Order 1976

ELIZABETH THE SECOND, by the Grace of God, etc.

To

greeting.

WE command you to attend before the Disciplinary Tribunal constituted under the Solicitors (Northern Ireland) Order 1976 at

on day, the day of
19 at the hour of in the noon, and so from
day to day until the application in the above matter is heard, to give evidence on
behalf of

WITNESS

Lord Chief Justice of Northern day of in
Ireland, the the year of Our Lord.

FORM 15

Form of Subpoena Duces Tecum

In the Matter of **C.D.**, a Solicitor (or) a Solicitor's Employee

— and —

In the Matter of the Solicitors (Northern Ireland) Order 1976

ELIZABETH THE SECOND, by the Grace of God, etc. To:

greeting.

WE command you to attend before the Disciplinary Tribunal constituted under the Solicitors (Northern Ireland) Order 1976 at

on day, the day of
19 at the hour of in the noon, and so from day to day
until the application in the above matter is heard, to give evidence on behalf of
and also to bring with you and produce at the
time and place aforesaid (specify documents to be produced).

WITNESS

Lord Chief Justice of Northern
Ireland, the year of Our Lord.

day of in the

EXPLANATORY NOTE

This note is not part of the Rules

These Rules regulate procedure for the making, hearing and determination of Applications or Complaints under the Solicitors (Northern Ireland) Order 1976 to the Disciplinary Tribunal constituted under that Order.

These Rules replace the Solicitors (Disciplinary Proceedings) Rules (Northern Ireland) 1979.