**THE LEGAL PRACTITIONERS REMUNERATION ORDER 2023:**

**QUESTIONNAIRE**

**For the purpose of this survey, ‘State of Practice’ refers to the state in which a legal practitioner’s NBA Branch is located. The survey is not totally oblivious of the fluid nature of practice and the tendency for lawyers to offer services across the various states of Nigeria (which are classified under different Bands).**

1. Where do you practise? Kindly specify the name of the town.

………………………….

1. Which NBA Branch do you belong to?

…………………………

1. Are you satisfied with the provisions of the Legal Practitioners Remuneration Order as they are at the moment?
2. Yes
3. No
4. I am indifferent.
5. Do you think that Scales 1-5, as found under Paragraphs 1(a)-)d) and 1(2) of the Legal Practitioners Remuneration Order 2023, adequately address the remuneration concerns of Legal Practitioners in Nigeria?
6. Yes
7. No
8. Partially
9. I cannot really say
10. Would you agree that all types of legal services, offered by Legal Practitioners in Nigeria, are adequately considered in the Schedule to the Legal Practitioners Remuneration Order 2023?
11. Strongly agree
12. Mildly agree
13. Strongly disagree
14. Mildly disagree
15. Undecided.
16. Under which Band is your state of practice classified?
17. State Band 1
18. State Band 2
19. State Band 3
20. How would you assess the enforcement of the Legal Practitioners Remuneration Order by your NBA Branch?
21. Very effective
22. Partially effective
23. Not effective at all
24. How do you think your NBA Branch can better enforce the provisions of the Remuneration Order?
25. By physically visiting Law Firms situated within the Branch and ensuring compliance;
26. By building an App or setting up an algorithm that monitors the activities of all registered legal practitioners within the Branch and making it mandatory for daily log-ins and entries.
27. My Branch is doing a great job so far and no improvements are needed.
28. Has any legal practitioner faced Disciplinary action(s) for non-compliance with the provisions of the Order in your State of Practice?
29. Yes.
30. No.
31. I am not sure.
32. Would you agree with the suggestion that only Legal Practitioners, who have established their own Firms, have (at least) 5 years’ post-call experience and have undergone pupillage of at least 3 years, should enjoy the benefits of this Order?
33. Yes.
34. No, the beneficial provisions of this Order should apply to every Legal Practitioner.
35. I am undecided.
36. How satisfied are you with your state of practice’s classification under the Schedule to the Remuneration Order?
37. Very
38. Mildly
39. Not at all.
40. In which way do you think the classification of your state of practice under the Schedule to the Order is flawed?
41. It fails to take economic realities in the state into consideration, like the high cost of living.
42. Far less developed states are unjustifiably ranked higher.
43. We have a huge number of respected Senior Lawyers and should be ranked higher.
44. If there are other dissentions, please specify…………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………….
45. Are you satisfied with the Scale of Charges applicable to your state of practice for litigation instructions under the Order?
46. Yes
47. No
48. I cannot really say
49. Are you satisfied with the Scale of Charges applicable to your state of practice for corporate instructions under the Order?
50. Yes
51. No
52. I cannot really say
53. Are you satisfied with the Scale of Charges applicable to your state of practice for Property Conveyance instructions under the Order?
54. Yes
55. No
56. I cannot really say.
57. Are you satisfied with the Scale of Charges applicable to your state of practice for Tenancy instructions?
58. Yes
59. No
60. I cannot really say
61. Would you want an upward review of your state of practice’s classification under the Schedule to the Remuneration Order?
62. Yes
63. No
64. I am indifferent.
65. Do you think members of your NBA Branch would be willing to report you to the Remuneration Committee, where they have reason to believe that you have violated any of the provisions of the Remuneration Order?
66. Yes
67. No
68. I am not sure.
69. Would you be willing to report a colleague to the Remuneration Committee where you have reason to believe that such colleague has violated any of the provisions of the Remuneration Order?
70. Yes
71. No
72. I am not sure
73. How quickly will you act as described above?
74. I will immediately report.
75. I will discuss with the colleague and urge that the non-compliance be stopped.
76. I will cover up for the colleague as it is very hard to make ends meet in this country and I would not want to take away a legal practitioner’s means of sustenance.
77. I will not act at all.
78. Would you be willing to testify, before a disciplinary committee set up under Paragraph 11 of the Order, against a colleague who has been indicted by the Remuneration Committee and whom you know has violated provisions of the Remuneration Order?
79. Yes
80. No.
81. I am not sure.
82. Would you be willing to serve in a disciplinary committee against a colleague who has been indicted by the Remuneration Committee for violating the provisions of the Remuneration Order?
83. Yes
84. No.
85. I am not sure.
86. During NBA LPDC proceedings, would you be willing to testify **in favour** of a colleague who has been indicted by the Remuneration Committee and whom you know has violated the provisions of the Remuneration Order?
87. Yes
88. No.
89. I am not sure.
90. Would you consider **‘disbarment’** as one of the punishments that a legal practitioner should face for violating the provisions of the Remuneration Order?
91. Yes.
92. No, a warning is adequate.
93. I am indifferent.
94. I am not sure.
95. Would you consider **‘debarment’** as one of the punishments that a legal practitioner should face for violating the provisions of the Remuneration Order?
96. Yes.
97. No, a warning is adequate.
98. I am indifferent.
99. I am not sure.
100. Would you support the suggestion that the NBA, as the umbrella body for all legal practitioners, should feature as one of the approving authorities for Land/Property and Tenancy Agreements so as to ensure that the proper legal fees as stipulated by the Remuneration Order are charged and paid to legal practitioners?
101. Yes
102. No, the NBA should stay out of attorney-client transactions.
103. I am indifferent.
104. Would you support the suggestion that, for carrying out its approval role in Land/Property and Tenancy Agreements, the NBA should receive a nominal fee from such transactions?
105. Yes, a nominal fee is not too great a price to pay to ensure I receive proper legal fees and besides, it will generate more income for the NBA and ultimately translate to more welfare packages for legal practitioners.
106. No, I already know how to secure my agreed fees from my clients. Other legal practitioners should learn how to do the same. Besides, the NBA already generates enough funds and should not be paid for carrying out functions that are ordinarily expected of it.
107. I am indifferent.
108. Paragraph 10(1) of the Remuneration Order, mandates a legal practitioner, who wishes to charge less than the stipulated amount under the Scale of Charges Order, to apply to the Remuneration Committee within 2 days of the receipt of a client’s instructions. Do you support the suggestion that the provisions of this paragraph are unduly rigid and should be amended to reflect infrastructural realities?
109. Yes. The period of 2 days is too short. State Bands 1 and 2 are particularly vulnerable as the internet and electricity facilities may not be the best.
110. No, the period of 2 days is adequate. Besides, it should not be so easy for a legal practitioner to deviate from the provisions of the Order.
111. I am indifferent.
112. Would you support the argument that the time frame of 7 days within which the Remuneration Committee must decide on an application by a legal practitioner, who wishes to charge less than the stipulated amount under the Scale of Charges in the Remuneration Order, is too short and should be enlarged?
113. Yes. State Bands 1 and 2 are particularly vulnerable as the internet and electricity facilities may not be the best.
114. No, the period of 7 days is adequate. Besides, it should not be so easy for a legal practitioner to charge less than the stipulated fees.
115. I am indifferent.
116. Can a client adequately assess the skill, experience, competence and the labour expended by a legal practitioner in carrying out an instruction?
117. Yes, the clients are the ones who pay and should therefore have the right to assess legal practitioners in this regard.
118. No, the clients are mostly ‘laymen’ who should not have the right to definitively assess legal practitioners any more than a patient can ‘expertly’ assess a doctor.
119. I am indifferent.
120. Do you agree that clients should be able to stipulate timelines for the completion of instructions by legal practitioners?
121. Yes, as paying customers, they have the power to do so.
122. No, in the same way that a patient cannot dictate to a doctor, the time-frame for the completion of a medical treatment/procedure, a client cannot dictate to a legal practitioner the time frame within which an instruction should be completed.
123. I am indifferent.
124. Do you agree that a legal practitioner should be able to retain a lien over processes and documents in the course of carrying out instructions and should not surrender same to the client in the event that the instruction is terminated and a new legal practitioner is engaged, unless and until all financial obligations of the client (at least up till the point of debriefing) are fulfilled?
125. Yes
126. No.
127. I am indifferent.
128. Do you agree that the Remuneration Committee should delegate some of its disciplinary duties under Paragraph 11 of the Order to legal practitioners selected for the purpose?
129. Yes, since the legal practitioners would have terms of reference provided by the Committee.
130. No, there could be instances of abuse of power. The Remuneration Committee or the NBA Branch, in which the infraction occurred, should handle proceedings in all instances.