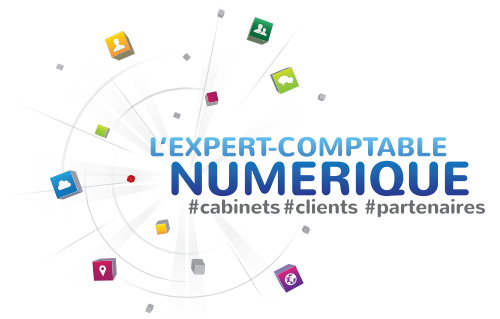


Talk

Duty to advise: digital proof!



About the talk

Poor advice, failure to provide advice or non-fulfilment of our duty to advise... doesn't matter what you call it! For many years now, this has been one of the primary causes of claims in our profession. Does this mean we're not fulfilling our ethical duties? Not necessarily!

Advice is inherent in all our services and our profession seems to be aware of this in practice. So the problem is not so much in the advice given as the record kept. And as established by Roman law, words are fleeting; it's the written form that counts!

Nowadays, digital tools help keep track of this advice and therefore form the basis of proof required in the event of legal proceedings. From a simple email to electronic signature through Pdf documents, all the digital elements are there to prove you've fulfilled your duty to advise!

Key points and objectives

- Protecting yourself from legal action for failure to advise
- Learning from case law illustrations the practical problems and technical difficulties
- Knowing how to take all the necessary precautions to avoid the practice being sued for liability

Subjects covered

- Definition of the duty to advise
- Case law illustrations
- Methods of fulfilling the obligation
- Evidence of fulfilling the obligation



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