

Maybe I Wasn't Ready...

Alexis began her legal career as a legal assistant at Messrs Morello & Associates where she befriended Piper, a senior legal assistant at the firm. When Piper left Messrs Morello & Associates to set up her own firm, Messrs Chapman & Co, Alexis lost contact with her. A few years later they met and rekindled their friendship.

At that time, Piper was deciding to expand her Firm and open another branch. She invited Alexis to join the Firm as a partner. Confident that she already had the requisite capability to service her own clients, Alexis accepted the offer and was tasked to manage the new branch. The Firm's name was changed to Messrs Chapman & Vause to reflect the newly-formed partnership.

Alexis and Piper managed their branches independently of each other with separate office and clients' accounts. They were also not the authorised signatories for each other's office and clients' accounts. Each branch did not share profits and liabilities and each branch even filed separate income taxes. They did not update each other on their respective clients' files.

When Alexis returned to the office after her maternity leave, she decided to take in fewer clients so that she could spend more time with her newborn. A little after returning to work, Alexis discovered that one of Piper's clients had lodged a complaint against Piper with the Disciplinary Board. Without hesitation, she contacted Piper to dissolve the partnership in order to protect herself from any adverse consequences that might befall her or the Firm.

Piper refused to do so and otherwise demanded that the partnership should stand until she found another partner to take over Alexis' position. When Piper was suspended as an advocate and solicitor, Alexis dissolved the partnership and established her own practice under the name and style of Messrs Vause and Co.

A year later, Alexis received a copy of Writ, Statement of Claim and Statement of Defence sent to her by Piper in which both of them were named as Defendants in their capacity as former partners of Messrs Chapman & Vause. The Claimant was Piper's former client who claimed that the Firm failed to return the excess money paid for stamp duty and the registration of a Memorandum of Transfer in the amount of RM300,000.

Alexis realised that the cause papers were served at Piper's branch when they were still partners. Upon inquiring about the suit, Piper admitted that she had appointed a solicitor to enter appearance and file a common defence for both of them. Piper confessed that she had already used the money and promised the Claimant to repay the misappropriated money through monthly installments.

Piper also admitted that she received the service of cause papers on behalf of Alexis. Alexis was shocked with the revelation since she had no knowledge about the file nor did she consent to Piper's appointment of a solicitor to enter appearance and file a defence on her behalf. Alexis immediately notified the Insurers about the Suit.

