

# The law and the pathfinder

There's a new service in town which aims to help Malaysians negotiate the complicated legal system, writes **Aneeta Sundararaj**

**W**HAT will you do if you received a letter stating that you're to be declared a bankrupt? Perhaps, you'd call a relative who'll give you the number of the only lawyer he knows — his best friend's father's sister's best friend's son. What happens when this lawyer's speciality is criminal law and he hasn't seen the inside of a bankruptcy court in 20 years? According to Richard Devaraj, 47, such a scenario is plausible.

This is why Richard created Answers-in-Law, which aims to give Malaysians easier access to lawyers. It's a service that is the sum total of Richard's experiences in his varied career thus far.

A native of Kuala Lumpur, Richard now makes Petaling Jaya his home. There was a time, however, when his career as a financial analyst took him to some exciting places. The one he speaks of fondly is Copenhagen, Denmark. Explaining the working culture there, he says: "It's very relaxed. They don't encourage you to work beyond 4.30pm, 5.30 latest. They'll stare at you if you are there later than that. In Scandinavian countries, a person's personal life is more important.

"I was also the first Asian in the company. I was treated as an expatriate would in Malaysia. That was in 1995. It is also special as I got married there," says this father of two boys. With a laugh, he adds: "It's really different. Every weekend is different. We would go to Rome one weekend and take a cruise to Norway the next. We'd take a ferry to Malmo to watch a movie."

Despite the charmed life, Richard

missed home and opted to return to Southeast Asia. After the birth of his children at the turn of the millennium, he started to scale down his work. This coincided with the reorganising of the company that he was working with.

It also gave Richard the chance to both observe and get involved in how things worked in the courts here and elsewhere. Asked to describe what he's learnt about the Malaysian legal system, he replies: "It's complicated."

He uses the following illustration: "A friend of ours was going through a divorce. Her ex-husband was from a well-to-do family. In the end, she lost custody of her children. While it's only one side of the story, yes, and I have the benefit of hindsight, this is what I've realised: if you have the funds and can continue to drag the matter in court, one party will eventually fail."

Taking a deep breath, he adds: "Every time there's a case management, it might cost about RM200. While companies may be able to afford this, many individuals — like my friend — find it tough. For them, every sen counts."

He continues: "Let's take that bankruptcy case we talked about. I spoke with both lawyers and the Registrars. The lawyers who are there represent the bank. Rarely do lawyers appear for the bankrupt. If

"Many people don't understand just how difficult it is when they're declared a bankrupt."

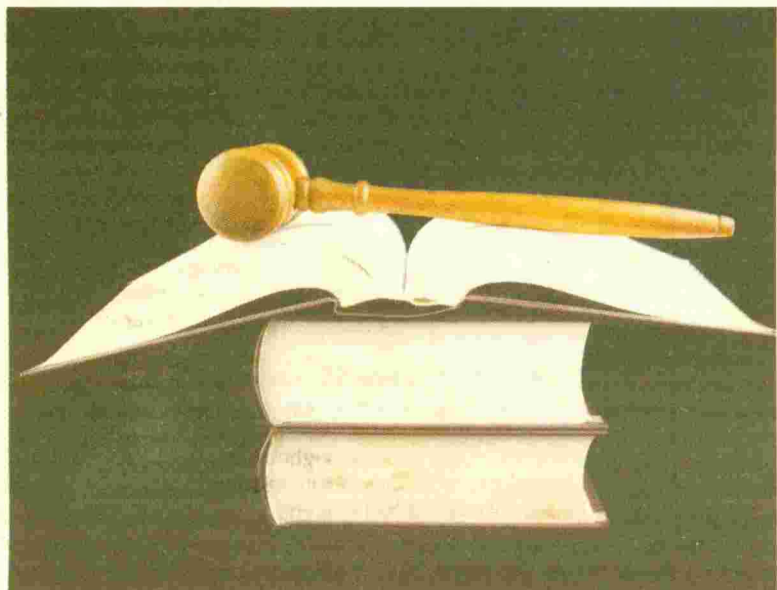
Richard Devaraj



Richard says that the Malaysian legal system is complicated.

PICTURE BY SHIRAZ ALI

Gotowww.  
answerinlaw.com  
for more info.



the bankrupt does attend, the Registrar can exercise his discretion and consider being lenient. But when no one appears, they have no choice. When I traced those who were declared bankrupt, some didn't even know they could appear in court by themselves. Some knew they could get a lawyer, but didn't want to spend the money. Especially if it was a small amount. Then, there are lawyers who are cagey about helping a bankrupt because "You're already going to be bankrupt, so who's going to pay my fees?"

"Many people don't understand just how difficult it is when they're declared a bankrupt. It's not just not being able to leave the country. Many headhunters have said that if you apply for a job in a bank, it will do a background check. If the bank finds that your parents are bankrupts, you won't get the job."

Once Richard understood how it is in Malaysia, he studied the structure of the American and Canadian systems. "They have pre-paid legal services and lawyers can also market their services. But lawyers here can't."

## ANSWERS-IN-LAW

After four years of research and development, he has a business model for Answers-in-Law. Anticipating criticism, Richard and his team took the prudent step of discussing his ideas with a retired Court of Appeal judge.

"He was very interested and helpful," says Richard. As such, Answers-in-Law now has an Independent Monitoring Advisory Council, which consists of three retired judges and one retired professor of law. Their presence adds credibility and ensures that Richard and his team remain accountable. He explains how things work by making the analogy of going to see a doctor. "Think of our retainer law firms as GPs and our panel law firms as specialist lawyers. When you first have a problem, sometimes, you don't even know which lawyer to go to. So, you'd see our retainer lawyer who can guide or suggest one of the specialist lawyers. We pay the fees to the lawyer and we negotiate any further fees that are necessary."

The largest opposition to Answers-in-Law has come from none other than lawyers. "The perception is

whether we'd be in the best position since we're not lawyers." Despite having to battle an injunction to prevent Answers-in-Law from operating (the Court of Appeal has since overturned the order), Richard maintains a positive outlook.

He says: "It's tough, 28 per cent of the invitations we sent out to legal firms were returned. They are reluctant to see how we can provide support for them."

The frustration creeps into his voice when he says: "Do you know that there are some legal firms that don't even have broadband services? We can help them."

The scenario he envisages is this: "Say a lawyer, a one-man-show, in a small town takes on a case in an area of law that he is unfamiliar with. He struggles because he does not have the resources to help his client. In such a case, he can outsource his research and 'back-end' stuff to us. Then, we can help him help his client."

Richard's aim ultimately, is to help Malaysians see to it that justice is served.