Clients Checklist

CHECKLIST: CLIENTS - SOLO LAWYER RETIRES OR QUITS PRACTICING LAW

- Conclude Active Cases - Conclude as many active files as possible prior to closing office.
- Determine where files will be stored and in what medium.
- Determine who will pay for the storage and retrieval.
- Determine how long the files will be kept. See the Ethics Advisory Committee's Frequently Asked Questionsfor information on file retention.
- Provide written notice to clients with active files, letting them know you will not be continuing to represent them and that they need to retain new counsel.
- Inform clients of time limitations and time frames.
- Inform clients where they can pick up files.
- Provide clients a list of lawyers who may be willing to take their cases.
- Assist clients in transferring files to new lawyers selected by clients. You should give the client specific and adequate instructions of what to do, including promptly hiring another lawyer and having that lawyer get in touch with you so you can provide the new lawyer with information concerning the file.
- For each active file, the departing attorney should prepare a detailed memo on the nature of the file and the work that remains to be done on it, prominently noting upcoming activity and deadlines.
- Phone calls and inquiries. Ensure that the receptionist and other support staff know how to field phone calls after the announcement.
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- Discuss with clients how to proceed where cases have pending court dates, depositions, or hearings. Request extensions, continuances, and resetting of hearing dates if appropriate and notice all parties involved.

- Obtain the clients' permission to submit a motion and order to withdraw as attorney of record for cases before administrative bodies and courts.

- In cases where the client is obtaining a new lawyer, be certain that a Notice Substituting Counsel is filed.

- At the appropriate time, check all files to make sure that either an Order allowing you to withdraw as counsel or an Order Substituting Counsel has been filed.

- Make copies of files for clients, but retain original files. Have client either pick up their files (and sign for them) or sign an authorization allowing the release of the files to the new lawyers.

- Inform clients as to where their closed files will be stored and whom they should contact in order to retrieve them. Obtain permission to destroy the files after 10 years. If another lawyer is storing the files, get the client's permission to allow the lawyer to store the file.

- Provide the client with the lawyer's name, address, and telephone number.

- Consider maintaining email address and telephone number on voice mail for several months to a year to ease transition.

- Reconcile trust account and return any property to clients. If funds are transferred to another lawyer chosen by the client, the check should be made payable jointly to the client and to the new lawyer when disbursed from the trust account.

- In appropriate circumstances, execute an Of Counsel Agreement.