PRACTUS®

CHECKLIST FOR LEAVING A LAW FIRM

To help with transition, we have compiled the below checklist to prepare. Please refer to existing firm policies to ensure you meet their requirements, and work with the Administration on your Notification to clients.

☐ Review your firm's partnership, shareholder or employment agreement concerning provisions made in advance for departing lawyers.

☐ Review your caseload and determine:

- o when you will notify the firm of your intended departure;
- o when clients will be notified of your departure;
- o who will be notified of your departure, i.e., current client matters or all clients matters, including former clients, for which you had primary responsibility;
- o what will be contained in the notification letter to clients; and who will send it.

☐ Compile a list of client matters for which you were the originating and/or responsible attorney and include:

- o addresses, phone numbers, and other contact information related to each file;
- o all active client matters, the current status of each matter and any important upcoming deadlines and dates;
- o active client matters pending before a tribunal;
- o all clients that you believe should be notified of your departure and which of those clients you would like to take with you and/or those you intend to leave behind with the old firm;
- o any funds deposited into the firm's trust account that have not been earned or expended;
- o any outstanding accounts receivable, unbilled disbursements;
- o any work in progress;
- o and any case management issues.

☐ Discuss with the firm the best procedure to notify clients regarding your departure. You and the firm should try to jointly notify clients by letter. If not possible, clients may be notified separately by the firm and you. The notification should advise the client of the change in the representation and should not be in the form of a solicitation for the client's business.

☐ Notification letter to clients affected your departure, prepared, and sent either jointly or individually, should be professional in nature and tone and include the following elements:

1. Inform the client that you are leaving the firm and when.
2. Indicate where you are going.
3. If it is an option, notify the client that they may stay with the firm.
4. If it is an option, notify the client that they may go with you.
5. Include a form authorizing the transfer of the client's file and trust funds if the client's choice is to go with you, or authorizing the client's matter to remain with the firm. Include a return envelope for the authorization.
6. If the client will not have any of the above options because you are not continuing the same area of practice, the new firm you are going to may have a conflict, or the firm from which you have left does not have a lawyer that handles that area of practice, it should be clearly explained to the client as well as offering an alternative option.
7. Notify the client that they may elect to choose any other lawyer or law firm.
8. Clarify any critical information regarding the client's matter.

☐ Explain what will happen to client funds deposited in the firm's trust account or balances that are due.

   o Inform the client where their file is currently located and how they may retrieve it, if they so desire, or how the file may be transferred.
   o Notify the client about the lawyer who is currently handling their matter in the interim.

☐ Prepare and file any necessary motions seeking permission to withdraw or for substitution of counsel in any proceedings pending before a tribunal as well as advising all other counsel of any change in the representation.

☐ Agree on how the firm staff will handle calls from clients or potential clients after you have left the firm. The old firm must not mislead clients or withhold information.

☐ Notify the state bar associations where you're admitted of your change.

☐ Arrange for your name to be removed from all firm's bank accounts, including trust accounts, if applicable.