File Transfer Checklist

1. Review the lawyer's calendar and active files to determine which items are urgent and/or scheduled for hearings, trials, discoveries, court appearances, etc and that may require immediate attention.

2. Obtain new dates for hearings or extensions where necessary. Confirm extensions and rescheduled appearances in writing. Prepare a memo outlining the relevant facts, deadlines, opposing lawyer(s) and others involved in the case.

3. Contact clients who have active (but not urgent or time sensitive) files explaining verbally and in writing of the circumstances and asking for instructions from them on the ongoing carriage of the matter. Provide a date by which they should provide instructions to you.

4. Before a file is transferred to the departing lawyer's new office, have that office check for check for conflicts of interest.

5. Instructions from clients regarding their matters and files should be confirmed, clearly and in writing. There should be a clear paper record on what was agreed to with the client.

6. If you will not be representing the client on a go forward basis, direct the client to sign an authorization for you to release a copy to the departing lawyer. Have the departing lawyer acknowledge, in writing, the receipt of the file. Keep a copy of the acknowledgment and the file.

7. Keep track of disposition of files, tracking who kept which files.

8. Review files for any outstanding third-party invoices on files (re: medical or expert reports, process serving, and discovery services). If the departing lawyer is taking the file/matter with him or her, come to a satisfactory arrangement on payment of these accounts.

9. Review trust and general account records to determine why funds are in trust. Are there undertakings tied to these funds? Can and should funds be applied to outstanding accounts? Get written authorization from client if funds will be transferred to new law firm in trust.

10. Have an automatic response created on the departing lawyer's emails advising that the lawyer has left the firm and advising to whom the sender should redirect his/her email on this. If your office will be receiving redirected emails be sure that your email is checked regularly, so that nothing is overlooked, particularly time sensitive matters.

11. Make sure that new Solicitor of Record documentation is filed at appropriate courts and bodies. This would include new contact info for the departing lawyer if he or she is

continuing on the file. For the firm maintaining the file, record both the name and new contact information.

12. Review unbilled time with departing lawyer to confirm accuracy and details.