

SAMPLE LETTERS

RETAINER AGREEMENT CLAUSE:

It is advisable to make clients aware of emergency plans, even before an emergency arises. Once an arrangement has been reached with a fellow assisting attorney, a paragraph should be inserted into retainer agreements, including information about the plan.

Suggested retainer language:

In order to ensure continued legal services in the event of (affected attorney)'s unexpected death, disability, impairment, or incapacity, (affected attorney) has arranged with another attorney to assist with handling your case. In such event, (affected attorney)'s office or the assisting attorney will contact you and provide you with information about your options in continuing representation in your case.

NOTICE TO LAWYERS/COURTS/CLIENTS IN THE EVENT OF AN EMERGENCY

When an emergency has occurred, it is important to provide necessary notification to adversaries, the courts, if applicable, and clients. This will ensure there is no disruption in the ethical or fiduciary obligations an attorney has to their clients while also ensuring the courts and adversaries have notification in case deadlines or scheduling need to be adjusted.

Sample notice:

I, (affected attorney), have authorized the following attorney/s to temporarily assist with (management of my law practice/case files/representation of clients) due to emergent circumstances causing my inability to render full legal services at this time.

Name of Authorized Assisting Attorney:

Contact:

Signature:

CC: Insurance co.

Court

Attorneys

Vendors

Clients