

## 8 STEP CHECKLIST FOR IMPLEMENTING A SUCCESSFUL SUCCESSION PLAN

- 1. Designating an Assisting Attorney, Authorized Signer and Emergency Practice Coordinator**
  - Choose a licensed California attorney as your **Assisting Attorney** and define their role in writing.
  - Appoint an **Authorized Signer** to access trust and operating accounts (can be different from Assisting Attorney).
  - Select an **Emergency Practice Coordinator** to initiate the plan when needed; this role may be administrative.
- 2. Decide What Circumstances Activate the Succession Plan and the Level of Accessibility to Files and Client Trust Accounts for the Designated Assisting Attorney**
  - Clearly define triggering events (e.g., incapacity, death).
  - Decide on **Contingent** or **Noncontingent** access to files and accounts.
  - Ensure ethical compliance with rule [1.6](#) (Confidentiality) and rule [1.15](#) (Safekeeping Funds and Property).
- 3. Prepare Written Agreement and Necessary Authorization Paperwork with Assisting Attorney**
  - Draft formal agreements outlining roles, duties, and compensation.
  - Include authorization for bank account access (conditional or unconditional).
  - Confirm banks accept your documentation.
- 4. Discuss Your Arrangements with Appropriate Parties**
  - Inform partners, staff, malpractice carrier, financial institutions, and close family.
  - Rule [5.1](#) requires supervising attorneys to ensure firm-wide compliance.
  - Build a trusted advisor team to support transitions.
- 5. Notify Your Clients**
  - Inform clients early that a succession plan is in place (ideally in engagement letters).
  - Required under rule [1.4](#) (Communication) to disclose significant changes.
  - Prevents confusion and delays if an emergency occurs.
- 6. Prepare Pertinent Information for Assisting Attorney**
  - Organize and regularly update critical info using “Law Office List of Contacts” template:
    - Open cases, deadlines, trust balances, passwords, and key contacts.
  - Store securely in physical and digital formats.
- 7. Perform Regular Maintenance of Your Office Systems**
  - Keep files, calendars, and financial records current.
  - Maintain systems that support ethical compliance (Rules [1.3](#), [1.15](#), [5.1](#)).
  - Prepares your practice for a sale or transition.
- 8. Review Annually**
  - Confirm designees are still available and willing.
  - Update contact details, access credentials, and legal obligations.
  - Prepare for personal or professional changes with a primary and backup plan.

### Additional Considerations

- Succession planning supports both ethics and your long-term vision.
- The State Bar may assist with file recovery, client notice, or the Client Security Fund.

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