

## SUCCESSION PLANNING CHECKLIST FOR ASSISTING ATTORNEY

### 1. Considerations When Asked to be an Assisting Attorney

- Scope and Duration of Responsibility.
  - Do I understand what tasks I may be expected to handle (e.g., client communication, file review, trust account management, or closing the practice)?
  - Am I being asked to step in for a short-term interruption, or to manage a permanent practice closure?
- Conflicts of Interest
  - Could assisting the Planning Attorney create a conflict of interest with my current clients or firm?
  - Have I reviewed potential conflicts in accordance with rule [1.7](#), rule [1.9](#), and rule [1.10](#)?
- Time, Resources, Costs, and Support
  - Do I have the time and staffing capacity to take on these additional responsibilities?
  - Do I have appropriate professional liability coverage and access to the resources needed to serve in this role?
  - How will any costs associated with assisting (e.g., staff time, storage, malpractice coverage) be addressed?
  - Will there be compensation, or is this a professional courtesy arrangement?

### 2. Confirm Authority to Act

- Locate and verify the authority under the *Succession Planning Agreement* or the *Limited Power of Attorney*.
- If applicable, receive instructions on Planning Attorney's law firm operations from Emergency Practice Coordinator.
- Use:
  - *Succession Planning Agreement*
  - *Notice of Designated Assisting Attorney*
  - *Limited Power of Attorney (if applicable)*
  - *Notice of Designated Emergency Practice Coordinator (if applicable)*
  - *Specimen Signature of Attorney-In-Fact*

### 3. Notify Relevant Parties

- Notify clients, courts, opposing counsel, and bar authorities.
- Use:
  - To Client(s): *Letters for Closing Your Law Office* (3 different templates):
    - *Letter Advising That Attorney is Closing His/Her/Their Office*
    - *Letter Advising That Attorney is Unable to Continue in Practice*
    - *Letter From Firm Offering to Continue Representation*
  - *Letter to the Court*
  - *Letter to Opposing Counsel*

### 4. Secure the Law Office

- Secure client files and protect confidential materials.
- Suspend calendars, stop mail, and secure electronic records.

## 5. Inventory and Review Files

- Review open and closed files.
- Use:
  - *Office Closure File Tracking Chart*

## 6. Transfer Files

- Arrange file transfers or returns to all active and inactive clients with proper documentation.
- Use:
  - *Law Office Contacts List*
  - *Authorization for Transfer of Client File*
  - *Acknowledgment of Receipt of File*
  - *Request for File*

## 7. Manage Financial and Administrative Matters

- If authorized, handle trust accounts or disbursements.
- Use:
  - *Succession Planning Agreement*
  - *Notice of Designated Authorized Signer*
  - *Law Office Contacts List*

## 8. Close or Transition the Practice

- Decide whether to fully close or transfer representation.
- Ensure all final notices are sent and obligations met.
- Return all property to estate or appropriate parties.

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