**New Client Checklist**

1. Identify all relevant individuals and entities and perform conflict searches
   1. Conflict searches should be performed on the client, as well as its affiliates and subsidiaries
   2. Conflict searches should also be performed for all adverse parties, as well as third parties, known affiliated non-parties, and any other potentially related entities
   3. If the client is a corporation or company, confirm whether they have guidelines for defense counsel which may include specific requirements for conflicts
   4. Only after clearing conflicts should you move forward with opening a new client
2. Assess the Status of the Matter and the Subject Matter
   1. Identify the legal matter(s) arising from the prospective client’s request for representation
   2. Verify any urgent or expired deadlines of which the prospective client may be unaware
   3. Confirm proper service of the lawsuit upon the prospective client
   4. Ensure the nature of the engagement is within your practice area, or is one in which you could become competent
   5. Evaluate any jurisdictional limitations on your potential representation, i.e. whether you will need local counsel
3. Assess the Client
   1. Evaluate the prospective client’s expectations
      1. If the expectations are unreasonable, determine how to make them more reasonable
      2. Assess whether the client will be flexible in finding a resolution, or may be hostile to settlement offers
   2. Determine the prospective client’s underlying motive for bringing claims
   3. Assess whether the prospective client may be difficult to control as a witness
   4. Determine whether the prospective client retained prior attorneys in the same matter
      1. If so, find out why that relationship was terminated
   5. Determine whether the prospective client has outstanding legal fees in the same or other unrelated matters for legitimate invoices
   6. Determine whether the prospective client has made claims or grievances against other attorneys
4. If declining representation, send prospective client a non-engagement letter
5. If agreeing to representation, prepare engagement/retainer letter
   1. This letter should set out the scope of work to be provided and the rate structure applied to the client
   2. Many states have additional requirements for engagement letters; look to state bar associations and/or ethics opinions for guidance
   3. Obtain a signed engagement/retainer letter prior to performing work
6. Compile all necessary information to be entered into the Firm’s database
   1. Full name of the client
   2. Full name of any parent, subsidiary or affiliate companies
   3. Client contact name and address or e-mail address
   4. Billing information
      1. Address, if difference from client contact
      2. Frequency, i.e. monthly, quarterly, etc…
      3. Rates
      4. Any special arrangements, i.e. contingency fee, split fee, depleting retainer, etc...
   5. Client information
      1. Type of client, i.e. individual, company, corporation
      2. Nature of client’s business and scope of representation
7. Open the new client and matter