**Conflict Screening Checklist**

1. Identify all relevant entities:
   1. Conflict searches should be performed on all clients and other parties, as well as third parties, known affiliated non-parties, underlying parties, etc…,
   2. Depending on the type of matter, follow up with the client as necessary to obtain all potentially known information prior to conducting the conflict search
   3. For corporations or companies, identify any parents, subsidiaries, affiliates, etc…
2. Identify the relationship of each entity to your client:
   1. Adverse
   2. Not Adverse
   3. Potentially Adverse
   4. Aligned With
   5. Joint defense possible, etc…
3. Perform the conflict search
   1. Know your search system’s capabilities and limitations to ensure searches are accurate
   2. For individuals
      1. Confirm the full legal name as well as any commonly used nicknames
      2. Perform searches exclusive of middle initials and suffixes (i.e. Jr., Sr., III)
   3. For companies
      1. Confirm the full legal name for the entity and all parents, affiliates and/or subsidiaries
      2. Run searches exclusive of suffices (i.e. LLC, Co., Corp., Inc.)
4. Review the conflict search
   1. Again, know your search system’s capabilities and limitations; if information is unclear on the search results, follow up to ensure you have accurate information prior to proceeding
   2. For complex matters, it may be necessary to know the nature of the claim, principal legal issues and a timeline of events in order to determine whether a conflict exists
5. Where a conflict is identified
   1. Review the applicable rules of professional conduct to determine if it is, or is not, a waivable conflict
      1. If the conflict is not waivable, send the client a non-engagement letter advising of the reason
      2. If the conflict is waivable, contact both entities involved to request conflict waivers
6. Where no conflict is identified
   1. Open the matter and send an engagement letter
   2. Include all previously identified relationship information into your conflict database to ensure the integrity of your database for future matters