Supervise the Work You Delegate to Others

Lawyers who delegate tasks to associates, paralegals or other staff are well advised to make sure the tasks have been accomplished and that they have been completed properly. Both the supervising lawyer and the subordinate lawyer may have exposure for malpractice as a result of the mistakes and omissions of the subordinate lawyer. In Beverly Hills Concepts v. Schatz and Schatz, 717 A.2d 724 (Conn. 1998), an inexperienced associate failed to properly handle the franchise of a health club concept, and the sale of distributorships to investors. The trial court found that the associate was liable for malpractice because she failed to seek appropriate supervision but instead, merely sent copies of her work to two partners and nothing more. The law firm was liable for malpractice because of its negligent handling of the case and its failure to supervise the associate.