

## Tip of the Month

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## **LACBA**

LOS ANGELES COUNTY BAR ASSOCIATION

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### Document the End of the Attorney-Client Relationship

Generally, completion of the client's objective ends the attorney-client relationship. In terms of malpractice avoidance, however, it is prudent for a lawyer to send to the client a closing letter or "disengagement" letter. The letter should advise the client of the completed objective and the resultant termination of the relationship, making it clear to the client that he or she is no longer represented by the lawyer. Such a letter not only will serve to document the discharge of the lawyer's duty in the event of a dispute, but it should also signal to the client, in concrete terms, that the attorney-client relationship has ended. It may be invaluable to establish the running of the statute of limitations. Documenting the end of an attorney-client relationship may also help to determine whether a conflict of interest analysis is based on a current or former client relationship, as there are different standards for those kinds of relationships. The file closing letter should also address the issue of how long the lawyer will keep the file before destroying it, and the issue of what the client would like the lawyer to do with any original documents or client property, which cannot be destroyed without the client's permission. If the client consents to the destruction of any original documents or client property, that consent should be in writing.

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