

Information or instructions: Letter to a prospective client declining attorneys employment.

PREVIEW

1. Send this letter to inform a prospective client that the attorney will not represent the client.
2. Failure to notify the client, may result in a misunderstanding, complaint or malpractice claim if the client mistakenly believes the attorney has undertaken the client's legal matter.

Form: Letter to a prospective client declining attorney's employment

[Date]

**ATTORNEY-CLIENT COMMUNICATION: THIS DOCUMENT AND ITS
CONTENTS CONSTITUTE LEGALLY PRIVILEGED INFORMATION**

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[Client's name]
[Client's address]

Regarding [Style of case or summary of the matter]

Dear [Client's salutation]:

Please be advised that I am formally notifying you that I will not act as your attorney and handle the legal matter that you discussed with me on [Date].

You have asked me to [handle a personal injury claim as a result of—state the facts that describe the claim].

THIS DOCUMENT

Based on my review of the matter, I cannot represent you; you may have viable legal rights or interests that require legal representation. Accordingly, I suggest that you contact another law firm, or the Lawyer's Referral Service in order to obtain another lawyer as soon as possible.

As we discussed, you generally have two years from the date your cause of action arose to file a lawsuit. The date that a cause of action arose is sometimes difficult to determine. Generally, a cause of action arises when an incident or misrepresentation occurs. It is a starting point in time for the beginning of a legal right or remedy. For instance, if you were rear-ended in an automobile collision on May 1, 1999, your cause of action arose on that day. You must file your lawsuit and serve all of the defendants before May 1, 2001.

THANK YOU

FAILURE TO FILE A SUIT AND SERVE THE OPPOSING PARTIES CAN AND USUALLY WILL PREVENT YOU FROM LATER PURSUING YOUR CASE IF YOU FILE YOUR SUIT AFTER THE STATUTE OF LIMITATIONS DEADLINE; THEREFORE IF YOU WISH TO PURSUE YOUR CLAIM YOU SHOULD CONSULT ANOTHER ATTORNEY IMMEDIATELY.

Some limitation periods are as short as 6 months and some may be as long as 4 years.
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If you desire to pursue your legal matter, you should consult an attorney and have a legal opinion rendered as to the exact date that the statute of limitations expires on your legal matter. We have not agreed to render such an opinion nor have we been paid to perform that legal analysis.

PREVIEW

The fact that we have decided not to take your case and have declined to enter into an attorney-client relationship with you does not mean that you have a bad case. You may have a good case; you may be able to find an attorney that will be happy to take your case. They may even want to take it on a contingency basis and pursue the matter and obtain a good recovery for you.

We are not able to take every legal matter that we review, therefore we urge you to contact another attorney to review your legal matter. If you do not know any other attorneys, you may find the Lawyer's Referral Service helpful. Their telephone number should be listed in the Yellow Pages along with the names and telephone numbers of many attorneys who are advertising for new business.

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You should contact another attorney immediately with any questions you may have regarding your legal matter and any time limits that may be applicable to your legal matter.

This letter also confirms the fact that we have not advised you to take any specific actions concerning your legal matter. We have not advised, suggested or made you settle your legal matter since we have not acted as your attorneys. Furthermore, this letter confirms our statements made to you that you should not drop your legal concern just because we cannot take your case.

We are also returning any documents that you asked us to review. I have included an acknowledgment form with this letter. Please sign it and return it to me. If you have any questions, please contact me in writing at the above address.

THIS DOCUMENT

Very truly yours

[Attorney's name]

Certified Return Receipt Requested Number:

[If possible, have the client sign the acknowledgment.]

THANK YOU

Individual Acknowledgment:

I have received and read letter which informs me that my attorney is no longer representing me. I acknowledge the following:

1. that [Attorney's name] is not taking my case,
2. that I should contact another attorney if I desire to pursue my legal matter,
3. that my cause of action expires at the end of the statute of limitations period.

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4. that I must comply with any court deadlines or statute of limitations which may be applicable to my legal matter.

5. that I have received all of the documents and physical objects back
_____ [Attorney's name].

I acknowledge that no attorney-client relationship exists between myself and the attorney who wrote this letter.

Signed on _____.

[Client's name]
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THIS DOCUMENT

THANK YOU

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