

Checklist: Ethically Changing Law Firms

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Before Departure

- [] Review firm policies on client notification and compare with ethical rules; resolve any conflicts in favor of ethics rules.
- [] Identify all clients affected by your departure.
- [] Prepare to notify clients, ensuring you do not restrict their choice of counsel.
- [] Avoid negative comments about your current firm or colleagues.
- [] Attempt to coordinate a joint notice with your firm; if not possible, separate notices should be sent.
- [] Draft client notices including:
 - Name of departing attorney
 - Departure date
 - Options for continued representation
 - Contact information for transitionPotentially include check boxes with the three options (stay, go with new attorney, go to entirely new firm).
 - Include a stamped and addressed envelope in the case of a mailed letter
- [] Send notices promptly to avoid disruption of client matters.
- [] Identify all active and recently closed matters for conflict checks.
- [] Disclose only necessary confidential information for conflict screening at the new firm.
- [] Address any conflicts by implementing screening mechanisms and/or obtaining informed consent as needed.
- [] Organize client files (electronic and paper); ensure files remain accessible to the firm and follow client instructions regarding file transfer.
- [] Protect client confidentiality throughout the process.

During Departure

- [] File motions to withdraw from representation if required and protect client interests until withdrawal is complete.
- [] Fulfill any supervisory responsibilities for attorneys, staff, or consultants, and ensure compliance with ethical obligations.

After Departure

- [] Follow up with clients who moved with you to confirm receipt of files and proper case transition.
- [] Document the transition process, including notifications, consents, and file transfers.
- [] Retain records of communications in case of disputes or compliance questions.

Key Principles

- [] Always prioritize client interests, confidentiality, and responsible conflict management.
- [] Respect the rights and operational needs of both your former and new firm.

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