Checklist

OVERVIEW OF THE MAIN ELEMENTS TO DOCUMENT

BEGINNING OF THE MANDATE

At the beginning of the mandate, after the first discussion about a new case with a new or existing client, a letter will be sent confirming or refusing the mandate or confirming that no mandate was given to the lawyer.

Confirmation of the mandate

- Date of the interview or discussion giving rise to the mandate
- Client's identification: who is he? the company? the board of directors? the majority of shareholders? the legatees?
- Description of the nature, scope of the mandate and the specific exclusions
- Identification of the related aspects of the file that you will not be dealing with (eg tax implications of a business transaction, title searches, etc.)
- List of documents that should be provided by the client or any action that must be taken by the client himself as well as deadlines
- Explanations on the appropriate procedures
- Agreed schedule with the client and explanations of the delays associated with the judicial process
- Internal procedures of the firm (call return policy and e-mail communication)
- Reference to the fee agreement
- Any other confirmation relevant to the given mandate

Absence or refusal of a mandate

- Date of the interview and the purpose of the meeting
- Confirmation that no document has been kept
- Confirmation of the absence or the refusal of a mandate and the fact that you are not responsible (avoid sentences such as: "Call me back if you have questions")
- **Warning as to the prescription periods**, the emergency to act or any other precaution to be taken, if applicable (reference to another lawyer or to the *Service de références du Barreau*)
- No opinion on the merits of the file

DURING THE MANDATE

- If possible, send the client a copy of all the documents sent or received and inform him/her of their meaning and purpose
- Send a letter to the client, every quarter or as needed, indicating the status of the file, the deadlines to be adjusted according to the nature of the file and the entrusted mandate
- Confirm immediately in writing:
  - The instructions received
  - The advice provided, those retained and those rejected by the client
  - The strategic decisions made in the file
  - Communications or decisions that have an impact on customer expectations, including costs, delays and results
- Any other information essential to the smooth progress of the mandate

END OF THE MANDATE

At the end of the mandate, send a letter with:

- A presentation of what has been achieved
- A reference to the returned documents (keep a copy of those)
- Additional actions to be taken to safeguard the rights of the client
- A reminder of any prescription period, if applicable
- A final fee statement of account
- A word of thanks and your availability