



How to Leave Your Firm Gracefully

The days of spending an entire career at one firm are long gone. By the end of three years, [nearly half of all associates leave](#). Partners bail out for many reasons: compensation, lifestyle choice, conflicts with other partners, to name a few. No matter who you are, tread lightly when you leave. Departing lawyers have [ethical](#), contractual, and legal responsibilities.

Start by reviewing your caseload. Undoubtedly there are clients you would like to take with you, but there may also be clients you prefer to leave behind. Draft a [client notification letter](#) informing clients of your departure. Schedule a meeting with your supervising partner or other appropriate member of the firm. Bring a printout of your current cases and your draft client letter. This meeting must occur *before* you contact any clients:

“Although there is no explicit rule requiring lawyers to be candid and fair with their partners or employers, such an obligation is implicit in the prohibition...against dishonesty, fraud, deceit, or misrepresentation. Moreover, such conduct is a violation of the duty of loyalty owed by a lawyer to his or her firm based on their contractual or agency relationship.” *In re Complaint as to the Conduct of Murdock*, 328 OR 18, 25 (1998), citing, *In re Smith*, 315 Or 260, 266 (1992). See also [OSB Formal Op No 2005-70](#); ABA Formal Op No 99-414.

During your transition, avoid the following:

- Misleading clients about their right to choose counsel
- Taking client files without the knowledge or consent of the firm
- Taking client money without the knowledge or consent of the firm
- Taking firm property, including forms and similar materials, without the consent of the firm

Properly document any files you leave behind. Prepare memos describing the status of each case and any upcoming deadlines. If you are attorney of record, withdraw or confirm that a substitution of counsel has been filed where necessary. Otherwise, you remain on the hook. Lastly, don't forget to take a list of clients with you so you can screen for conflicts at your new firm.

For clients who are making the move with you, make arrangements to obtain trust funds, copy paper and digital records, and sign new fee agreements. A complete checklist of all the steps to take when leaving a firm is available [here](#).

Handled properly, your departure should be smooth and uneventful.

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