

# Oregon Law Practice Management

Practice Management Tips for Oregon Lawyers



## Can You Spell S-C-A-M?

E-mail scams are a familiar topic on this blog:

- [Money Transfer Scams – Advice from the FTC](#)
- [Just in Time for the Holidays: A New E-Mail Scam](#)
- [Check Scams – More to Know](#)
- [Check Scams – Alive and Well in Oregon](#)

So what new twist would provoke an unprecedented fifth post by yours truly? An article in the May issue of the [Oregon State Bar Bulletin](#) by Deputy General Counsel [Helen Hirschbiel](#).

### What's a Scammer To Do?

Most lawyers are familiar with the traditional debt collection scams and have learned to avoid or ignore them. So what's a scammer to do? Why, pose as an out-of-state lawyer, of course! Helen writes:

“A more recent twist ... is when the request for representation comes from someone posing as an out-of-state lawyer who represents a foreign corporation. Some scams have even reclaimed law firms' defunct websites or created websites using existing lawyers' names. By assuming the identity of lawyers' out-of-state colleagues, scam artists hope to boost their credibility with their targeted victims.”

### Staying Safe

Helen advises:

- Keep on your toes – be aware that scams are still out there. They may involve [debt collection](#), [child support arrearages](#), [purported referral by the state bar association](#), [preparation of a collaborative law agreement](#), or [someone posing as out-of-state counsel](#)
- Beware of unsolicited, unexplained e-mail from foreign countries
- Avoid the “client” who refuses to provide contact information other than an e-mail address or telephone number

- Independently verify names and contact information, since scammers often assume identities of bona fide companies and persons
- Follow sites that track Internet scams, including [Scam Warners](#) and [Attorney Email Scams](#) (My two cents: you should also join the [Oregon Attorney General's Oregon Scam Alert Network](#))

Follow the [Internet Crime Complaint Center's advice](#) on how to inspect a cashier's check:

- Ensure the amount of the check matches in figures and words
- Check to see that the account number is not shiny in appearance
- Be watchful that the drawer's signature is not traced
- Official checks are generally perforated on at least one side
- Inspect the check for additions, deletions, or other alterations
- Contact the financial institution on which the check was drawn to ensure legitimacy
- Obtain the bank's telephone number from a reliable source, not from the check itself

### Can I Report Scammers Without Breaching My Duty of Confidentiality?

Absolutely!

"If the person contacting the lawyer has no real intention of creating a lawyer-client relationship, but is only interested in victimizing the lawyer, then **the person is not an actual client and the duty of confidentiality does not apply**. In the absence of such a duty, there would seem to be no reason why lawyers who are the targets of these scams could not cooperate with law enforcement authorities in sharing whatever information they have about the perpetrator of the fraudulent scheme. Before doing so, however, lawyers should take care to ensure that they are, in fact, dealing with a scam." [Helen Hierschbiel](#), [How to Avoid Becoming the Next Victim: Scammers Take Aim at Lawyers](#).

### Who Ya Gonna Call?

We've talked about this before, but it bears repeating. Report fake checks or mail scams to:

- [Federal Trade Commission](#)
- [National Fraud Information Center](#)
- [United States Postal Inspection Center](#)

Helen also recommends reporting to the [Internet Crime Complaint Center](#), a partnership between the Federal Bureau of Investigation (FBI), the National White Collar Crime Center (NW3C), and the Bureau of Justice Assistance (BJA).

Copyright 2010 Beverly Michaelis (as to original post content) with many thanks to [Helen Hierschbiel](#) and her excellent article, [How to Avoid Becoming the Next Victim: Scammers Take Aim at Lawyers](#).

Posted in [Financial Management](#), [Fraud Prevention](#) | Tags: [Beverly Michaelis](#), [fraud](#), [Internet](#), [Oregon law practice management](#), [scam](#)

First published May 17, 2010 at

<http://oregonlawpracticemanagement.wordpress.com/2010/05/17/can-you-spell-s-c-a-m/>