

## CHECKLIST FOR CONTRACT LAWYERS Issues to Discuss with Your Hiring Attorney

1. Potential conflicts of interest.
2. Nature of the project.
3. How long the assignment will take.
4. Applicable deadlines. (Is a short turnaround or rush required?)
5. The project budget.
6. Your fee, including any premium rates that may apply for short turnaround times or purchasing PLF coverage.
7. Payment terms, discounts for early payment, and clarification that your payment is not dependent upon the client paying the hiring attorney.
8. Whether you will work on site and have use of the hiring attorney's equipment and office staff.
9. Whether you will use Fastcase or your own legal research service provider (Westlaw, Lexis) or whether the hiring attorney has a guest account for your use. If you will use your own subscription, will you be charging separately for legal research time? What about researching topics or documents outside your subscription?
10. The form and manner in which your work product will be delivered.
11. What to do if the project's time requirements and scope exceed original terms. (Seek clarification on how the assignment would be restructured or revalued.)
12. How closely supervised you will be.
13. Whether you will sign any documents with your own name, or prepare all documents for the hiring attorney to sign.
14. Your PLF status:

Discuss whether purchase your own PLF coverage before taking the assignment and the higher contract rate you will charge for this added security.

If you do not purchase PLF coverage, you must work within PLF exemption guidelines. As an exempt contract attorney, your work **must** be reviewed and supervised by the hiring attorney. Make sure the hiring attorney understands that you are prohibited from:

- Making strategy or case decisions
- Signing pleadings or briefs
- Attending depositions or making court appearances as attorney of record
- Holding yourself out to any client as an attorney
- Using the title "attorney," "attorney at law" or "lawyer" on any correspondence or documents

For additional resources on contract lawyering, review the seminars, “Practical Contract Lawyering” and “Contract Attorneys: Managing Expectations and Getting Paid” available at [www.osbplf.org](http://www.osbplf.org). The “Law Clerk/Supervised Attorney” PLF Exemption Guidelines are also available on the PLF Web site. Also see: Heidi O. Strauch’s, *Choosing a Contract Attorney: Tips for Establishing a Working Relationship*. February/March 2011 *Oregon State Bar Bulletin*.

#### IMPORTANT NOTICES

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