

**GREAT LAKES LAW - LITIGATION PRACTICE GROUP
ENGAGEMENT LETTER POLICY**

For a variety of reasons, including the need for an engagement letter, each attorney who contacts a representative of a member firm for assistance in connection with litigation on behalf of the calling attorney's client ("referring attorney") should be prepared to discuss with the handling attorney the following issues to be memorialized in the engagement letter and which will facilitate the rendering of the requested services.

1. The full name of the client and all other parties to the litigation for purposes of a prompt and a thorough conflicts check.
2. Clarification as to the breadth of the services requested of the handling attorney and the referring attorney's continuing role, if any. Will handling attorney be local counsel? What role will the handling attorney play in the litigation? Will the handling attorney only need to arrange for services that would be in the nature of a "disbursement?"
3. In the event the services requested are in the nature of a "disbursement" [such as issuance and service of a subpoena or overseeing a document production and other services that could be handled by a legal assistant or docket clerk], then there would likely be no need for an engagement letter or if one is required by the handling attorney's firm, it would clearly indicate the narrow scope of those services. In that connection, the "client" should be the referring attorney's law firm and the billing statements should be addressed to the referring attorney's Firm for payment by that Firm.
4. In the case of "non-disbursement" services, the referring attorney must assume that the handling attorney will consider the "client" as his client as well. Consequently, the referring attorney must have available the full name, address and telephone and fax numbers of the client contact so that the engagement letter can be directed to the client and billing information received.
5. The referring attorney should be prepared to discuss the extent to which there will be direct communication between the handling attorney and the client. In a nondisbursement representation, the handling attorney must have direct access to the client. This should be discussed openly from the outset.
6. All referring attorneys should also be prepared to discuss billing arrangements, so that there is no doubt as to who must ultimately pay for the handling attorney's fees and disbursements. Again, it will be assumed that in a "non disbursement" engagement, billing will be directed to the client for direct payment by the client as opposed to the referring Firm.

The key is early and comprehensive communication between the referring attorney and the handling attorney as to the above issues and any other matters that each of the respective Firms may otherwise require.