



# Practice Resource

## Model non-engagement letters

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### Non-engagement letter (confirming conversation)

Dear [client name]:

**Re: Legal Representation**

This will confirm our conversation when I advised you I would not be able to represent you in connection with this matter.

If you do not have another lawyer in mind to represent you, I would suggest calling the Canadian Bar Association Legal Referral Service, as that service maintains a list of lawyers who may be available to handle your type of case.

You should be aware of the fact that time limits could be involved. I have not researched what these time limits are, so you should contact another lawyer immediately. If you fail to do so, you may be barred from pursuing the matter.

Thank you for your interest in this firm.

Yours truly,

### Non-engagement letter (after consideration)

Dear [client name]:

**Re: Legal Representation**

After consideration, we have concluded that our law firm will not represent you regarding this matter.

This letter is not intended to be an opinion concerning the merits of your case. In declining to represent you, we are not expressing an opinion as to whether you should take further action in this matter.

You should be aware that there may be strict time limitations within which you must act in order to protect your rights in this matter. Failure to begin your lawsuit by filing an action within the required time may mean that you could be barred forever from pursuing your action. Therefore, you should immediately contact another lawyer to obtain legal representation.

We enclose all of the materials that you provided for our review.

Thank you for your interest in this firm.

Yours truly,

## **Non-engagement letter (conflict of interest)**

Dear [**client name**]:

### **Re: Legal Representation**

As we discussed during our meeting, before [**firm name**] could agree to represent you in this matter, we had to investigate whether this representation could adversely affect existing or former clients' interests or there might be some other reason that we would be unable to adequately represent your interests.

After you left our offices yesterday, we performed a conflict of interest check and found that our firm does indeed have a conflict of interest in this case. Unfortunately, we can therefore not represent you and we must decline to do so in this matter.

Please be aware that whatever claim you have may be barred by the passage of time. Since time limitations may be critical to your case, we recommend that you immediately contact another lawyer for assistance regarding your matter.

Although we were not able to assist you in this matter, we hope that you will consider [**firm name**] in the event that you require legal services in the future.

Thank you again for your interest in this firm.

Yours truly,