

Law Office Disclaimer Forms Deserve Our Attention



Cathy L. Ribble, CP
Digital Paralegal Services, LLC
cribble@digitalparalegalservices.com
www.digitalparalegalservices.com
<http://twitter.com/CathyRibble>
<http://www.linkedin.com/pub/cathyribble>
Phone: 1.800.531.7527 Fax: 1.800.319.6698

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Introduction



Have you ever noticed that everyone seems to have a different disclaimer and confidentiality notice which they use on emails and fax cover sheets? I recently began collecting the forms which come to me through email via direct email, list serves, or other sources. Needless to say, they vary widely in form.

When I returned to the legal profession in 2008, I was shocked that the small firm I worked for had no “uniform” disclaimer which everyone in the firm used. I was told to pick one I liked and start using it. **If the disclaimer form is of any use, then it deserves a little time and attention.**

Following are various samples I have collected. Note the differences in font style, *i.e.*, all caps, partial caps, no caps.

My hope is that you will take a few minutes to review your own business forms. Conduct your own legal research, and consult your own attorneys and/or business manager. Maybe you just need to add a phrase here or there to your existing form.

The point is: *Are you currently using **any** type of disclaimer form? Does your form cover **all** necessary areas of protection for your particular practice area, use and geographical location?*

Email Disclaimer – Sample 1

This message, as well as any attached document, contains information from the law office of **[ATTORNEY NAME]** that is confidential and privileged, or may contain attorney work product. The information is intended only for the use of the addressee named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, or distribution of this email or attached documents, or taking any action in reliance on the contents of this message or its attachments is strictly prohibited, and may be unlawful. If you have received this message in error, please (1) immediately notify me by reply email, (2) do not review, copy, save, forward, or print this email or any of its attachments, and (3) immediately delete and destroy this email, its attachments and all copies thereof. Unintended transmission does not constitute waiver of the attorney-client privilege or any other privilege.

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Email Disclaimer – Sample 5

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Email Disclaimer – Sample 6

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Email Disclaimer – Sample 14

Please be advised that the contents of this message and any reply may be subject to disclosure under [INSERT STATE NAME] law. Informal ethics inquiries and advisories communicated via electronic mail are confidential pursuant to Rule [INSERT APPROPRIATE RULE NUMBER] of the Rules of Professional Conduct. Lawyer Assistance Program client communications via electronic mail are also treated as confidential pursuant to Rule [INSERT APPROPRIATE RULE NUMBER] of the Rules of Professional Conduct.

Email Disclaimer – Sample 15

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Email Disclaimer – Sample 21

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Email Disclaimer – Sample 22

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The information contained in this e-mail transmission is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this transmission is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this transmission is strictly prohibited. If you have received this transmission in error, please call **[INSERT PHONE NUMBER]**.

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ENVIRONMENTAL MESSAGES

Please consider the environment before printing this e-mail.

CONCLUSION

Would you be willing to share your favorite disclaimer form for email and/or fax covers? If so, send it to me via email at cribble@digitalparalegalservices.com (please designate subject line as "Disclaimer Form Submission").

ACKNOWLEDGMENTS

This collection of disclaimer forms and commentary was originally published as a Paralegal Tidbit blog post by Cathy L. Ribble for Digital Paralegal Services on February 15, 2010. Additional forms and comments have been added since that time.

Disclaimer forms have been collected from personal business files and correspondence from dedicated professional paralegals and attorneys throughout my career.



Cathy L. Ribble is the visionary behind Digital Paralegal Services, LLC. and sister site, Paralegal Prompts. Cathy has been featured in Practical Paralegalism's Top 50 Twitter Feeds for Paralegals, Paralegal Gateway's featured paralegal bloggers, The Paralegal Mentor's Virtual Paralegal Interview Series and Sixty-Six Solid Tips From Your Virtual Paralegal Success Team.

After working as a legal professional in the traditional law firm setting for over 15 years, Cathy understood that the current economic climate is creating a new need and opportunity for paralegals. Attorneys need to cut costs for themselves and their clients. Part of that equation is partnering with qualified paralegals and support personnel who can provide professional services at reasonable rates. Digital Paralegal Services, LLC was formed in 2009 to meet that need.

Cathy earned her Certified Legal Assistant (CLA) title from the National Association of Legal Assistants early in her career. In 2009, she re-established that professional certification by earning her Certified Paralegal (CP) title. The certification process was launched in 1975 by the National Association of Legal Assistants to provide professional recognition to those who achieve significant competence in the paralegal career field. NALA's examination program consists of a two-day examination covering communications, ethics, legal research, judgment and analytical ability, and substantive law.

Use of the CLA/CP credential indicates that a legal assistant/paralegal is capable of providing superior services to attorneys. The credential has been recognized by the American Bar Association and law firms throughout the country as an indicator of skill level. Maintaining that certification requires continuing legal education.

Throughout her career, Cathy has developed a well-rounded legal background and had extensive experience in the area of civil litigation in Texas and Oklahoma, including trial support.

Cathy is committed to growth and learning, and she plans to seek NALA's Advanced Paralegal Certificate.