

- SAMPLE NONENGAGEMENT LETTER -
DECLINING CASE AFTER RESEARCH OR INVESTIGATION*

RE: [Subject]

Dear [Name]:

Pursuant to my letter of [date], we have conducted [legal research or investigation] to determine whether or not we felt you had a claim that could be asserted against [insert appropriate name(s)].

The results of our [research/investigation] indicate that there is no enforceable legal basis for maintaining an action against [insert appropriate name(s)].

(optional paragraph)

Our opinion is based upon our preliminary research, however, we have found [insert number of cases] cases that support our conclusion.

We urge you to consult another lawyer if you wish a second opinion. Time limitations may affect your rights to pursue a claim, therefore, you should act promptly in consulting another lawyer, or otherwise pursuing your claim.

At this time, however, we are unable to proceed on your behalf. We are returning your original documents to you.

Thank you for your interest in our firm.

Very truly yours,

[Insert Lawyer's Name]

[Insert Firm's Name]

Enclosure

*if you decide to decline representation after research or investigation, you should protect yourself and your client by (1) promptly advising the client in writing of your decision not to take the case or matter; (2) be certain to inform the client of his or her right to contact another lawyer for a second opinion; and (3) inform the client that time lines may bar a claim and that his or her prompt attention is required. Disengagement and nonengagement letters are especially critical when a lawyer decides not to continue past a specific stage in the case.