

Lexcel England and Wales v6.1

**Case management checklist for in-house legal departments**

*Excellence in legal practice management and client care*

**Lexcel v6.1- Case management checklist for in-house legal departments**

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| Organisation name |  |
| Department's address |  |
| Legal advisors name(s) (First name, surname) |  |
| Date of review (DD/MM/YYYY) |  |
|  |  |
| Name of assessment body |  |
| Lead assessor name (First name, surname) |  |

| **Lexcel requirement** | **File number** |
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| 2.3 | Time recording evident, where appropriate (may be recorded on file or central system). |  |  |  |
| 5.7.b | Ensuring that key dates are recorded on the file and in a back-up system. |  |  |  |
| 5.8 |  Conflict of interest check carried out and acted upon appropriately. |  |  |  |
| 5.11.c |  If the file has been reviewed, a record has been retained on the matter file and centrally. |  |  |  |
| 5.11.d | Ensure any corrective action, which is identified in a file review, is acted upon within 28 days and verified.  |  |  |  |
| 5.12.b | Assess the risk profile of all new instructions and notify the **supervisor**, in accordance with **procedures** under 5.4, of any unusual or high risk considerations in order that appropriate action may be taken. |  |  |  |
| 5.12.c | Consider any change to the **risk profile** of the matter and report and advise on such circumstances without delay, informing the **supervisor** if appropriate. |  |  |  |
| 6.2 | Department's must communicate the following to clients in writing, unless an alternative form of communication is deemed more appropriate: |  |  |  |
| 6.2.a | Where appropriate, establish the client's requirements and objectives. |  |  |  |
| 6.2.b | Provide a clear explanation of the issues involved and the options available to the client. |  |  |  |
| 6.2.c | Explain what the legal advisor will and will not do. |  |  |  |
| 6.2.d | Agree with the client the next steps to be taken. |  |  |  |
| 6.2.e | Keep the client informed of progress, as agreed. |  |  |  |
| 6.2.f | Establish in what timescale that matter will be dealt with. |  |  |  |
| 6.2.g | Where appropriate, establish the method of funding. |  |  |  |
| 6.2.h | Where appropriate, consider whether the intended action would be merited on a cost benefit analysis. |  |  |  |
| 6.2.i | Agree an appropriate level of service. |  |  |  |
| 6.2.j | Explain the department's responsibilities and the client’s. |  |  |  |
| 6.2.k | Provide the client with the name and status of the person dealing with their matter. |  |  |  |
| 6.2.l | Where appropriate, provide the client with the name and status of the person responsible for the overall supervision of their matter. |  |  |  |
| 6.2.m | where appropriate, explain to the client their rights as data subjects and provide the client with the name of the person responsible for data protection. |  |  |  |
| 6.3 | Where appropriate, the department **should** have a service level or similar agreement with their client departments. There **should** be a **procedure** to regularly review such agreements to ensure they are in plain English. |  |  |  |
| 6.4 | Where appropriate, departments must give clients the best information possible about the likely overall cost of the matter, both at the outset and when appropriate, as the matter progresses. In particular, practices must: |  |  |  |
| 6.4.a | Advise the client of the basis of the department's charging. |  |  |  |
| 6.4.b | Advise the client where the organisation will receive a financial benefit as a result of accepting instructions. |  |  |  |
| 6.4.c | Advise the client if the charging rates are to be increased. |  |  |  |
| 6.4.d | Advise the client of likely payments which the department or the client may need to make to others. |  |  |  |
| 6.4.e | Discuss with the client how they will pay. |  |  |  |
| 6.4.f | Advise the client that there are circumstances where the department may be entitled to exercise a lien for unpaid costs. |  |  |  |
| 6.4.g | Advise the client of their potential liability for any other party’s costs. |  |  |  |
| 6.5 |  Complaints procedure used if any complaint raised by a client. |  |  |  |
| 7.1 |  Matter strategy/Complex case plan apparent on file. |  |  |  |
| 7.2 |  Any undertakings shown clearly. |  |  |  |
| 7.3.b | Documents, files, deeds, wills or any other items relating to the matter are identifiable and traceable. |  |  |  |
| 7.3.d | Ensure that the status of the matter and the action taken can be easily checked by other members of the department. |  |  |  |
| 7.3.e | Ensure that documents are stored on the matter file(s) in an orderly way. |  |  |  |
| 7.4.a | Key information **must** be recorded on the file. |  |  |  |
| 7.4.b | A timely response is made to telephone calls and correspondence from the client and others. |  |  |  |
| 7.4.c | Where appropriate, continuing cost information is provided. |  |  |  |
| 7.4.d | Clients are informed in writing if the person with conduct of their matter changes, or there is a change of person to whom any problem with service may be addressed. |  |  |  |
| 7.5.b | Where appropriate, consult with the client in relation to the selection of an advocate or other professional. |  |  |  |
| 7.5.c | Client informed of the name and status of the person being instructed, how long she/he might take to respond and, where disbursements are to be paid by the client, the cost involved. |  |  |  |

**Procedures to be assessed on closed files**

| **Lexcel requirement** | **File number** |
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| 5.12.e | Undertake a concluding risk assessment by considering if the client’s **objectives** have been achieved. |  |  |  |
| 7.6.a | Reports to the client on the outcome. |  |  |  |
| 7.6.b | Where appropriate, accounts to the client for any outstanding money. |  |  |  |
| 7.6.c |  Original documents or other property returned to client. |  |  |  |
| 7.6.d |  Client advised about storage and retrieval of papers. |  |  |  |
| 7.6.e |  Client advised whether they should review the matter in the future. |  |  |  |