



PROFESSIONAL COUNSEL[®]

Advice and Insight into the Practice of Law[®]

Top Lawyers Professional Liability Risk Control Resources

Introduction

The first step in avoiding legal malpractice claims is to know where the exposures exist in the daily practice of law. In case you missed them, the most popular risk control resources for CNA-insured attorneys are provided here for your convenience. The resources cover the importance of engagement agreements, the challenges created by artificial intelligence and cyber breaches, considerations for responding to errors and avoiding billing blues.

Lawyers' Toolkit 5.0: A Guide to Managing the Attorney-Client Relationship

Properly establishing an attorney-client relationship requires fundamentals. Attorneys should devote the necessary time with a prospective client to clarify what may and may not be accomplished through a representation. Clients should understand their responsibilities and expectations related to providing information, responding to attorney communications and payment for services. The Lawyers' Toolkit 5.0: A Guide to Managing the Attorney-Client Relationship provides sample language for various stages of the attorney-client relationship, from declination to closing matters letters, conflicts waivers and more.

Access the [CNA Lawyers' Toolkit 5.0: A Guide to Managing the Attorney-Client Relationship](#)

We Cannot Avoid AI: Practical Advice to Use AI and GAI Ethically

Is AI friend or foe to the legal profession? The answer is an evolving enigma. National headlines reveal that many attorneys do not understand the capabilities and challenges of using AI in their practice resulting in sanctions from courts and damage to their reputation. One point of clarity is that AI cannot be ignored in the profession. Attorneys must understand the benefits and potential pitfalls of implementing AI into their law firms.

Access [We Cannot Avoid AI: Practical Advice to Use AI and GAI Ethically](#)

Are You Ready to Commit?: Proper Client Intake and Client Selection

As a prospective client transitions to a current client of a law firm, risk mitigation continues by asking the appropriate questions. Law firms should still be on the lookout for red flags during the client intake process. Even something as simple as not being able to collect current contact information, provide necessary documentation or pay a retainer may prove challenging for some clients. By asking the right questions at the beginning, law firms may avoid disciplinary actions and allegations of malpractice by being selective in creating their book of business and building their client list.

Access [Are You Ready to Commit? Client Intake and Proper Client Selection](#)

To Err is Human: A Guide for Attorneys on How to Manage Errors

Perfection is impossible in the practice of law. Mistakes are made and attorneys must be prepared to identify the error, assess the impact of the error and if it needs to be disclosed to the client. The CNA Error guide provides information on how to respond when an error is discovered over the course of a client representation and how to mitigate or avoid a legal malpractice exposure.

Access [To Err is Human: A Guide for Attorneys on How to Manage Errors](#)

Law Firm Data Breaches: A Legal Snapshot

“It is not a matter of if, but when.” That is the mantra related to cyber-breaches for businesses, including law firms. As such, law firms should have a response plan in place for responding to a cyber-breach, know who to contact to investigate and when it is necessary to notify affected parties. Technology allows attorneys to save a great deal of time in representations. With the benefits of technology, there are new risks of client data being compromised and law firms must take steps to protect and respond to a breach.

Access [Law Firm Data Breaches: A Legal Snapshot](#)

Billing Blues: Best Business Practices for Fee Collection

Collection of overdue client invoices is an important law practice management skill, and in order not only to survive but thrive as a solo practice or firm, attorneys need to master this talent as well. While often an uneasy task, the discomfort can be lessened if attorneys are proactive on the front end and institute a process and procedure for debt collection on the back end.

Access [Billing Blues: Best Business Practices for Fee Collection](#)

Don't Miss Out on Future CNA LPL Publications

If you wish to receive the CNA Lawyers' Professional Liability Risk Control monthly publications, you may register [here](#).

About CNA Professional Counsel

This publication offers advice and insights to help lawyers identify risk exposures associated with their practice. Written exclusively by the members of CNA's Lawyers Professional Liability Risk Control team, it offers details, tips and recommendations on important topics from client misconduct to wire transfer fraud.

For more information, please call us at 866-262-0540 or email us at lawyersrisk@cna.com

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