

What To Do When Meeting A Client For The First Time

No	Item	Remarks
1.	<p style="text-align: center;"><i>Do not proceed to meet or discuss the matter further without conducting a conflict check.</i></p> <p>Have a standard question for the client to provide personal details and summary of matter.</p> <p><i>(a) Details of client can be used to check for conflicts and filed later.</i></p> <p><i>(b) If client is an individual, verify and make copy of MyKad or any other identification.</i></p> <p><i>(c) If client is a company/organisation:</i></p> <p style="padding-left: 20px;"><i>(i) do an online search to verify existence of company/organisation;</i></p> <p style="padding-left: 20px;"><i>(ii) verify position of the person in the said company/organisation and make a copy of MyKad or any other identification.</i></p>	
2.	<p>Gather as much information (and document, if necessary) to understand and review the matter.</p> <p><i>Identify what is required to be done and whether you have enough facts/documents to provide a preliminary advice. Make sure the client understands that the advice does not mean you have agreed to take on the matter (at this stage).</i></p>	
3.	<p>Observe the timeline and limitation periods.</p> <p><i>(a) Make sure you are able to take on the matter based on your workload.</i></p> <p><i>(b) Make sure the matter is within your knowledge.</i></p> <p><i>(c) Explain to the client about the applicable timeline and limitations.</i></p>	
4.	<p>Identify the client or the person whom you will be taking instructions from and sending updates to.</p> <p><i>This is pertinent to avoid any miscommunication and wrong instructions.</i></p>	
5.	<p>Discuss your job scope, agreed fee, other expenses, contact person with whom you will be liaising with and modes of communication (eg email), to handle the matter.</p> <p><i>(a) Make this clear at the beginning and confirm this in a letter of engagement/warrant to act.</i></p> <p><i>(b) If either party does not agree to retain or continue with the matter, confirm the matter in writing.</i></p>	
6.	<p>Look out for red flags.</p> <p><i>(a) Avoid assisting a client in criminal or fraudulent activities (eg money laundering, terrorism).</i></p> <p><i>(b) Client's ability to pay is critical.</i></p> <p><i>(c) Take note on Chapter 6 Conflict of Interests of Bar Council's Rules and Rulings, in particular:</i></p> <p style="padding-left: 20px;"><i>(i) Rule 6.03 Advocate and Solicitor acting pursuant to power of attorney;</i></p> <p style="padding-left: 20px;"><i>(ii) Rule 6.04 Advocate and Solicitor acting for another Advocate and Solicitor in same firm;</i></p> <p style="padding-left: 20px;"><i>(iii) Rule 6.05 Litigation against an existing client;</i></p> <p style="padding-left: 20px;"><i>(iv) Rule 6.06 Litigation against a company for which Advocate and Solicitor is a panel lawyer;</i></p> <p style="padding-left: 20px;"><i>(v) Rule 6.07 Advocate and Solicitor involved in transaction before dispute arose;</i></p> <p style="padding-left: 20px;"><i>(vi) Rule 6.08 Advocate and Solicitor who is director or substantial</i></p>	

	<p><i>shareholder not to act for the other party;</i></p> <p><i>(vii) Rule 6.09 Solicitor not to act for purchaser if he/she himself/herself or his/her sibling, partner, spouse, child or parent is a director or substantial shareholder of the property developer.</i></p> <p><i>(d) Refrain from taking a matter which you are unfamiliar with.</i></p> <p><i>(e) If you are taking over conduct of a matter from another lawyer, find out the reason for a change of representation.</i></p> <p><i>(f) If the client was rejected by another lawyer, find out the reason for the rejection.</i></p> <p><i>(g) Limitation periods.</i></p>	
7.	<p>Open a file.</p> <p><i>(a) File cover should include date file opened, client name and contact details, file reference number, name of lawyer-in-charge and brief updates with follow-up dates.</i></p> <p><i>(b) File content should include (in separate tabs/folders) client's payment details, correspondence between client-firm, correspondence between firm-third party, and drafts prepared.</i></p> <p><i>(c) Avoid holding original documents. Make a copy and return it to the client as soon as possible.</i></p>	

At the end of the meeting, issue a letter of engagement to the client with the points discussed. If you are not retained, issue a letter of non-engagement, and to state that you have no further obligations after the meeting.