

NOTE: This material is intended as only an example which you may use in developing your own form. It is not considered legal advice and as always, you will need to do your own research to make your own conclusions with regard to the laws and ethical opinions of your jurisdiction. In no event will **ALPS** be liable for any direct, indirect, or consequential damages resulting from the use of this material.

Sample Non Engagement Letters

{Date}

Re: Declination of Service

Dear _____:

We met in my office last week and discussed your potential claim against _____. After our meeting I further researched the law in this particular area and had your matter reviewed here at our firm. This review included a consideration of the time and expense that must be incurred in order to properly serve you in this matter.

At present, due to the number of pending cases here at our firm, we are not able to represent you in this case. Please understand that it is our firm policy to decline representation in any new matter where we do not feel confident that we can invest all of the time and energy necessary to do the best job possible for the client. We simply could not find the time to assure that in your case.

I urge you to seek the services of another attorney **as soon as possible**. It appears that you do have a time critical matter. This means that the law requires you to take legal action within a certain period of time after you sustain a loss or become aware of any action that might cause damage to you. The permissible times to file a legal action and take other steps to protect you vary depending upon all of the circumstances and potential defendants. If you wish to pursue this matter further, I encourage you to contact another attorney without delay in order to preserve whatever rights you may have.

We do appreciate your consulting us regarding this matter and regret that we can act no further on it. Enclosed are the materials you gave me during our office meeting. We have kept no copies.

Best wishes,

Enclosure(s)

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{Date}

Re: Declination of Service

Dear _____,

Thank you for consulting _____ (Firm Name) _____ in conjunction with your _____
_____. The confidence you have placed in this office by consulting us is appreciated.

Regrettably, we cannot assist you in this matter due to a conflict of interest. This means that we have a loyalty to a current or previous client that prevents us from representing you in this matter.

Enclosed please find the materials you left with me for review. We have not kept any copies, nor have we discussed this matter with anyone outside of this office.

I suggest that you take this matter to another lawyer promptly if you wish the work we discussed to be done. While the law may not include any time limit for this matter to be completed, it is always wise to have legal work done on a timely basis and to avoid delay.

Though we regret we could not undertake this project at this time, I hope you will consider _____ (Firm Name) _____ for any future legal work.

Sincerely,

Enclosure(s)

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{Date}

Re: Declination of Service

Dear _____:

We are sending you this letter to ensure you are clear about our role in your legal matter. Though we have met and discussed your case, and perhaps have taken some other steps to review it, we cannot represent you this matter. Please be aware that any advice or opinion given during our initial consultation was preliminary only and not based upon a thorough legal analysis of the issues involved. Further, this declination should not be construed as our making a statement about the merits of this case. We have made no such investigation and express no opinion as whether you have a viable or valuable claim.

You will find enclosed any documents you left with our firm for review. We have not kept any copies, and we have not discussed this matter with anyone outside of this office.

We do recognize that the case you brought to us was important to you. You should be aware that our preliminary investigation shows there may be a statute of limitations problem. It does appear that you have a time critical matter. Specifically, you may have a claim for _____. It would appear that ____ (Name of State) laws would bar you from bringing any suit for recovery within _____ years of _____. Understand, however, that there are exceptions that could substantially alter this time frame. The actual date may be earlier or later. We have not sufficiently investigated your matter to make a final determination at this time. If you wish to pursue this matter **do not wait to consult with other counsel about the statute of limitations** as failure to do so could result in the loss of valuable rights.

Though we regret we could not undertake this project at this time, you might consider the following firms for any future legal work: _____ *(List a minimum of three firms or refer to the state bar referral service)*.

Sincerely,

Enclosure(s)