# FILE CLOSING CHECKLIST

File No: ______________________

File Name: ______________________

Person authorising file closing: ______________________

Date: ______________________

* If the file is being transferred to another legal practice consider **Lexon's General File Transfer Checklist.**

## Client Relationship Management

- [ ] Have the client's instructions been completed?
- [ ] Have you documented:
    - [ ] Any refusal/failure of the client to provide instructions?
    - [ ] Any refusal/failure of the practice to follow client instructions?

### Has the client been:

- [ ] Notified in writing that the retainer is terminated/at an end and the matter closed/work completed?
  Date letter sent:

  ______________________
- [ ] Advised of all relevant critical dates.
- [ ] Notified who's responsible for following up all critical dates (i.e. ideally the client).
- [ ] Advised of the consequences if they fail to address the issue before the expiry of the critical date. (e.g. exercise an option, renew a binding death benefit nomination, enforcement of a judgement debt etc.)
- [ ] Has all feedback been documented as per practice policy?
- [ ] Consider whether the client's data card will be set to archived/closed/inactive.
- [ ] If holding safe custody documents for this client, what arrangements have been made to keep in touch with the client? (e.g. consent to be added to broadcast email service).

## Financial responsibilities

- [ ] Has the final invoice been sent?
- [ ] Are all issued invoices fully paid?
- [ ] Have all third-party invoices been paid? (e.g. Counsel fees)
- [ ] Have all third-party incurred disbursements been reimbursed?
- [ ] Are there any further anticipated disbursements not yet charged to the matter?
- [ ] Ensure there is a NIL balance
    - Trust Account
    - WIP – or authority to write off all outstanding WIP
    - Disbursements

- ☐ If using Trust Account cheques, have all cheques been presented?
- ☐ Has a final trust account statement been sent to the client?
- ☐ If there are still funds in the trust account, return the file to person authorising file closing for further direction.

## Matter Management

- ☐ Have all tasks and workflows been completed?
- ☐ Have all original documents been filed/lodged with the appropriate body? (e.g. transfers and leases stamped and lodged for registration)
- ☐ Have all undertakings been discharged? If not, should the file be closed? Are the outstanding undertakings noted in the undertakings register?
- ☐ Do you hold confirmation of stamping/registration?
- ☐ Have all ATO obligations (reporting or payment) been met?
- ☐ For litigation matters, do you need to withdraw from the court record? Have you notified all other parties?
- ☐ Are there any unique document retention needs or future obligations?
- ☐ Have all (other) original documents been returned to the client? When? How?
- ☐ Do you hold a copy of all documents returned to the client?
- ☐ Do you hold authority to store the file electronically? Have all parts of the file been scanned/saved (including emails)? Are the electronic records to be moved to an inactive file list/archive system?
- ☐ Consider the requirements for retention of original documents filed electronically (e.g. Court, Qld Titles, Qld Revenue Office).
- ☐ Prepare physical file for storage (if applicable). Consider removing bulldog clips, paper clips and other fasteners from file. Ensure file and all contents are securely bound.
- ☐ Do you hold client consent to destroy the file? What was the agreed timeframe?
- ☐ Have all safe custody documents (if any) entered into the safe custody register and safe custody facility?
- ☐ Should any documents from this matter be added to the firm's precedent bank (client confidential information to be removed)?
- ☐ Allocate the next successive file closing number (1) in the electronic file record, (2) on the physical file (and each part of it) and in the (3) file closing records book (if any).
- ☐ Make a record of the file closing date. Assign destruction date (if any).
- ☐ Clearly note whether the file is listed as "do not destroy" or if it has a unique document retention period. Consider storing "do not destroy" or unique document retention files separately from general archives.
- ☐ Close the file in your legal practice management system.
- ☐ Retain copy of completed checklist on file.

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|---|---|
| Allocated closed file number: | Click or tap here to enter text. |
| Person actioning archive request: | Click or tap here to enter text. |
| Date: | Click or tap here to enter text. |