Temporary practice leave and attorney guided practice closure

Temporary. Attorneys may need to step away from their practice temporarily to deal with a health, family, or other issue. These absences are seldom planned, and the attorney may not be at their best when the leave must occur. A rule allowing for up to 90 days leave for medical reasons will likely provide a method and procedure for attending to health needs.

1. Resource needs
   1. A checklist for immediate needs
   2. A checklist for uncertain duration but with the expectation of return
   3. A plan for 28 days
   4. Who must be notified
   5. Procedure and contacts
   6. Sample letters informing of temporary leave
   7. What should be provided to back-up counsel
2. Guidelines and protocols
   1. Timeline for continuance requests – not the first week after 28 days
   2. Possible scenarios for types of cases or reasons for leave
   3. Guidelines or protocols for judges?
      1. current system for requesting accommodations is woefully inadequate
      2. medical conditions and accommodation requests are private, but often are not treated as such

Permanent – Attorney guided. This comes up when an attorney believes they must leave practice for health reasons (including stress and burnout). This may also occur due to a TBI or other condition where the attorney can provide overall guidance but cannot do the work. The attorney may have limited capacity to discover all of the necessary steps so specific guidance will help the attorney and protect clients.

1. Resource needs
   1. A checklist for immediate needs
   2. A checklist for closing the practice
   3. List of requirements for client notification, trust accounts, etc.
   4. Sample letters to current and past clients
   5. File management checklist
   6. Tasks for assisting attorney
2. Guidelines and protocols
   1. Requirements for open files
   2. Requirements for closed files including storage and retention
   3. Requirements for funds in trust account or elsewhere