

### **RISK AND PRACTICE MANAGEMENT TIP: Representing friends and family**

Should you have a friends and family rate? Representing friends and family can put you in a precarious position and getting paid – even at the discounted rate – is only one issue.

Imagine, for example, that you are instructed to take some action that you have advised against. Ask yourself this question: “Would I feel comfortable writing my standard confirmation-of-acting-against letter or would I tone it down a bit, or even fail to write it altogether?” What about a conversation you might have about the case over dinner? Will you remember to document that conversation once dessert has been served or will you dictate a memo to file confirming the information and instruction received? The informal nature of communication with friends and family can make it challenging to properly document your file.

Here are some things to keep in mind if or when you represent your family or friends: determine in advance who qualifies for a discounted rate; think about how to properly document your file when communicating with your client; and be prepared for the worst-case scenario because if your approach is too casual and you make an error, it is still an error that you must report to your professional liability insurer.