

DISCLOSURE OF ERROR LETTER

[Law Firm typically coordinates all communications concerning material errors with general counsel or malpractice carriers before contacting the client. This letter should be sent to confirm the details of a prior live conversation with the client about the error.]

Re: **[Matter Name / File Number]**

We are writing to confirm our earlier conversation about an issue that has arisen in connection with our representation of you in the above-referenced matter. We believe it is important to bring this matter to your attention promptly and transparently.

Description of the Issue

During our review of the file, we identified an error relating to **[brief, objective description of what occurred]**. Specifically, **[concise factual explanation of the error, without speculation or blame; avoid legal conclusions like “negligence” or “malpractice”]**. We wanted to ensure that you are fully informed of this development.

Status and Next Steps

Currently, we are evaluating the potential implications, if any, of this issue and considering appropriate steps to address or mitigate its effects. We will keep you informed of any material developments and are prepared to discuss available options with you.

Your Rights and Interests (if the firm believes it can continue representation)

We believe we can continue to represent you competently and diligently in this matter; however, because this issue may create a potential conflict of interest, we will not proceed further unless and until you provide informed written consent after having had the opportunity to consult independent counsel. **[See Conflict of Interest Disclosure and Informed Consent to Continued Representation below.]**

[If the firm does not believe it can continue the representation or the client terminates the representation, please use language from the Termination/Withdrawal Letter above.]

Consistent with our professional obligations, we are committed to acting in good faith and in your best interests, and to addressing this issue responsibly and promptly. We remain available to answer your questions and to discuss this matter further at your convenience.

Please do not hesitate to contact **[Attorney Name]** at **[phone/email]** if you would like to discuss this letter or next steps.

Conflict of Interest Disclosure and Informed Consent to Continued Representation

As previously disclosed to you, an issue has arisen in connection with the firm’s representation of you in the matter referenced above (the “Matter”), described as follows:

[brief, factual description of the error, stated neutrally] (the “Issue”).

The Issue may create a potential conflict of interest between you and the firm. Specifically, the firm's interest in addressing issues arising from the Issue could differ from, or be perceived to differ from, your interests in connection with the Matter.

Nature of the Potential Conflict

You understand and acknowledge that, because of the Issue:

- The firm's advice or actions could potentially be influenced, or be perceived to be influenced, by its own interests;
- There may be circumstances in which your interests and the firm's interests are not perfectly aligned; and
- You are not required to continue the firm's representation and have the right to seek advice from independent counsel regarding the Issue, this waiver, and your available options.

Alternatives to Continued Representation

You understand that you have the following alternatives, among others:

1. Terminate the firm's representation and engage new counsel of your choosing for the Matter;
2. Retain separate, independent counsel to advise you regarding the Issue while the firm continues representation of the Matter; or
3. Consent to the firm's continued representation of you in the Matter, subject to this waiver.

Client Acknowledgments

By signing below, you acknowledge and agree that:

- The firm has explained the Issue and the related potential conflict of interest in a manner you understand;
- You have been advised of your right to seek independent legal advice and have had a reasonable opportunity to do so;
- You understand the reasonably foreseeable risks, advantages, and disadvantages of continued representation by the firm; and
- You are making an informed, voluntary decision based on your own judgment.

Informed Written Consent

With full knowledge of the Issue and the potential conflict of interest, and after due consideration, **you knowingly and voluntarily consent to the firm's continued representation of you in the Matter**, notwithstanding the Issue.

You agree that, subject to applicable law and ethical rules:

- The firm may continue to represent you competently and diligently in the Matter;
- The firm may take positions and provide advice it reasonably believes to be in your best interests, even if such actions could potentially affect the Firm's interests; and
- You waive any conflict of interest arising solely from the Issue and consent to continued representation on the terms stated herein.

Reservation of Rights

Nothing in this waiver limits your right to terminate the firm's representation at any time or affects any rights or remedies you may have under applicable law. Similarly, the firm reserves the right to withdraw from the representation if continued representation becomes impermissible under ethical rules or otherwise inappropriate.

Client:

I have read and understand this Conflict-of-Interest Disclosure and Consent. I have had the opportunity to consult independent counsel, or knowingly chosen not to do so, and I consent to the firm's continued representation.

Client Name: _____

Signature: _____

Date: _____

Law Firm Acknowledgment:

Authorized Representative: _____

Title: _____

Date: _____