

USING TEMPLATES

Every office should have a template repository, which contain all forms or documents used repeatedly in the office. The templates should be set up in such a way that anyone using them can change the pertinent information in the form to coincide with the case being worked on.

As new templates are added, you may find that a separate template repository for each area of law in which you practice will be easier to use, e.g., one repository for probate templates, one repository for litigation templates, one repository for corporate templates, etc. Ideally, instructions should be included with each template indicating how many copies are needed, what is done with the template once it has been prepared (i.e., filing or recording), if a fee is needed, if the client needs to sign the form, etc.

Be sure to **immediately** change standard terminology in forms when changes in law or procedure necessitate a change in the template. It is a good idea to review all templates and corresponding instructions following a legislative session and when new court rules go into effect. Failure to immediately change templates in your repository may mean the change does not get made the next time the template is used. If the mistake is not caught, the result could be disastrous to the client. The ultimate responsibility for giving legal advice remains with the lawyer. Reliance on the perceived correctness of the legal forms and other documents will not excuse any act of legal malpractice. The lawyer must always exercise reasonable professional judgment in adopting templates and boilerplate language in the creation of legal documents.

IMPORTANT NOTICES

This material is provided for informational purposes only and does not establish, report, or create the standard of care for attorneys in Oregon, nor does it represent a complete analysis of the topics presented. Readers should conduct their own appropriate legal research. The information presented does not represent legal advice. This information may not be republished, sold, or used in any other form without the written consent of the Oregon State Bar Professional Liability Fund, except that permission is granted for Oregon lawyers to use and modify these materials for use in their own practices. © 2023 OSB Professional Liability Fund