Closing letters

Closing letters are an essential element of ending a matter. They provide the client with an overview of the firm's work on the client's behalf and inform the client of next steps (if any) that the client might take. Letters also provide the client with any important documents created for the client or filed on the client's behalf.

Closing letters are not for clients. Closing letters protect the firm and its lawyers from any claims that instructions were not followed or that a matter was not brought to conclusion. If the firm must withdraw from a matter, a closing letter provides a record of the reasons for withdrawal. These letters face the Law Society and are written with the Law Society and the various *Rules of Professional Conduct* in mind.

Work on closing letters is not billable, regardless of the type of matter for which the letter is being issued.

TEMPLATE CLOSING LETTER

Note about workflow

Closing letters must be reviewed and signed by the lawyer with carriage of the matter.

With that said, lawyers are not responsible for drafting closing letters. Clerks draft closing letters based on file contents, with each letter being somewhat unique in that it may respond to particular client concerns.

When a file is set to close, the responsible lawyer will create a task for file closing. The closing letter is part of this task, and the file closing task will include any notes that need to be included in the closing letter.

Overview

Closing letters are formal documents that are completed on firm letterhead. They must accurately render the status of the matter, steps taken on the client's behalf, instructions received from the client, and any other salient detail relating to the file.

If the client must take any other or further step, that step must be included in the closing letter.

Closing letters are not an occasion for lengthy description. Use short, declarative sentences.

If a letter is being issued to a quarrelsome client, or to a client whose engagement is being terminated by the firm, the client's conduct and / or the reasons for termination must be noted up in

the letter.

If the client has a balance outstanding on their account with the firm, the client must be advised of that fact, of the interest rate on the outstanding balance, and of our intention to refer the outstanding balance to debt collection if it remains unpaid for thirty (30) days from the date of the letter.

Civil litigation

A closing letter for civil litigation must be issued as soon as the litigation has concluded with a final decision or order.

A closing letter for civil litigation must identify the client and the matter on which the firm worked. Each matter receives a letter on closing. The letter describes the work undertaken on the file and briefly reviews the steps taken in the proceeding. The letter sets out the documents produced in the context of the proceeding.

Once the proceeding has been described, the letter must provide details regarding the client's instructions and authorizations, such as the authorization to engage in a course of litigation. If the client has instructed the firm to act against the firm's advice, this instruction must be noted in the letter.

Any judicial decisions or outcomes must be described in the letter. If the client is not satisfied with the result, the client must be advised of the court to which an appeal may be taken or to which an application for judicial review may be made. The client must receive advice regarding the timeline for filing appeal or judicial review documents.

Enclosures

The following documents must be included in the following order:

1. orders and endorsements (reverse chronology);
2. reasons for decision (reverse chronology);
3. originating documents (pleadings, applications, etc.);
4. motion records (if any);
5. correspondence sent and received on the client's behalf;
6. any legal opinions (memoranda) drafted in the course of the matter;
7. the matter trust ledger (Cosmolex); and
8. all invoices issued for the matter, including a final invoice.

Real estate

The closing letters for real estate files are generated by Lawyer Conveyance System (LCS). The template letter provided by LCS is sufficient unless a client proves to have been quarrelsome.

A quarrelsome client's closing letter must state the fact that the client is quarrelsome, identify all issues raised by the client, and review each issue to directly and unequivocally address the client's concern.

Enclosures

The following documents must be included in the following order:

1. copies of all registered instruments;
2. the title insurance policy (if applicable);
3. a copy of the signed APS and any amendments and/or the signed mortgage commitment;
4. copies of all documents signed by one or more parties in connection with the transaction (do not include lawyers' undertakings);
5. a copy of the parcel register / title abstract as obtained during the title search;
6. a copy of any writ search;
7. correspondence sent and received on the client's behalf;
8. any documents relating to the property received on the client's behalf;
9. copies of all payout statements for the client's debts;
10. copies of all wire confirmations for wire payments made on the client's behalf;
11. copies of any checks made out on the client's behalf and transmitted to third parties;
12. the transaction trust ledger (LCS);
13. the matter trust ledger (Cosmolex); and
14. all invoices issued for the matter, including a final invoice.

Corporate

A closing letter is issued as soon as the work for which the firm was engaged is completed. The letter must describe the work undertaken on the client's behalf, the result obtained for the client, and any issues that arose in the course of the work.

The letter must re-iterate any important legal advice that was provided to the client in the course of the work. If the client has any right to litigate as a result of the matter, the client must be advised of this right. Further, if the client has agreed to engage the firm for the purpose of subsequent litigation, the client must be advised of the firm's decision to accept the new matter and that the firm is opening a new matter to handle the client's litigation.

The letter must set down any risks that the firm identified during the course of the matter. If there are mitigation strategies for any of these risks, those strategies should be briefly described in the closing letter.

Enclosures

The following documents must be included in the following order:

1. copies of all contracts or other instruments in their final signed or issued form;
2. copies of any correspondence that directly relates to the interpretation or negotiation of the contracts or other instruments;
3. copies of all due diligence searches and/or documentation relating to the transaction;
4. any legal opinions (memoranda) drafted in the course of the matter;
5. correspondence sent and received on the client's behalf;
6. copies of all payout statements for the client's debts;
7. copies of all wire confirmations for wire payments made on the client's behalf;

8. copies of any checks made out on the client's behalf and transmitted to third parties;
9. the matter trust ledger (Cosmolex); and
10. all invoices issued for the matter, including a final invoice.

From:
https://wiki.apstrom.ca/ - **A.P.Strom and Associates**

Permanent link:
https://wiki.apstrom.ca/firm:sop:matter-closing

Last update: **2026/03/18 03:32**