

Protecting your Practice in an Office Sharing Arrangement

Office sharing is a great tool for new attorneys. Not only is it cost effective, but it can also help you project a professional image, even if your bank account is still light.

However, there are important questions you should consider to ensure that your office sharing arrangement is compliant. The American Bar Association (ABA) published an article about office sharing and the potential problems it can cause.

Let's discuss some of the included issues.

Liability is a major concern in an office sharing situation. Do you intend to be held responsible for the actions of your office mates? If not, the ABA points out a number of steps you can take to protect yourself. First, remember that the client's perception is an extremely important consideration. If a client reasonably believes that you and your office mate are members of the same practice, you could be opening yourself up to liability. To view your practice through the eyes of a client, consider the following:

- How are your names listed on the front door or office signage? Are they all included together or are they listed separately as distinct and independent practices?
- Are your practice names listed on your individual office doors to further imply separation?
- Are there any signs or notifications within the office that clearly state the existence of separate practices within the space?
- Does each practice have a separate telephone number? Even if you share a receptionist or answering service, there are ways to create separate telephone numbers.

- Does each office mate have an engagement letter that explains the existence of separate offices within the space and advises the client that the other office mates are not providing their legal services?

Confidentiality is another key consideration in an office sharing arrangement. It is your responsibility to ensure the confidentiality of your client's information and case details. To consider your compliance in this area, ask the following questions:

- Are client records kept in a locked file cabinet that is only accessible to you and your staff members?
- Is your office soundproof, so that office mates and their clients cannot hear communications between you and your client or other communications about your cases?
- Do you refrain from discussing confidential matters in the common areas of the shared space?
- Do you have access to your own fax machine and copier to avoid disclosure of confidential information?
- If you are sharing office equipment, do you and your staff have procedures in place to promote confidentiality of documents?
- Do you and your office mates follow the Rules of Professional Responsibilities in regards to conflicts of interests and work to avoid conflicts that may arise among office sharers?

These are just some of the questions you may want to ask yourself when sharing office space. If you are unsure about the specific conditions of your office sharing arrangement, contact your state bar association for guidance.

About Erika Winston:

Erika Winston is a Virginia based writer with a passion for all things legal. As a former domestic relations attorney, she understands the challenge of determining the best fee structure for your practice. Erika is a regular contributor to [TimeSolv](#) and a variety of other publications.