CAN
Coach and Advisor Network
For lawyers and paralegals

Participant's Pre-Call Advisor Engagement Worksheet

CAN strongly recommends that you complete either Part 1 or Part 2 of this worksheet (as appropriate) for each Advisor Engagement to ensure that you turn your mind to your duty of confidentiality and to help you make the most of your limited time with your Advisor. Advisors expect that you will have prepared for the call.

CAN recommends that you *only* send this worksheet to your Advisor if you have already taken the steps outlined in the instructions below, and that you do not disclose any more confidential information than is necessary for the Engagement.

Confidential information in this context means all information concerning the business and affairs of the client acquired in the course of the professional relationship (r. 3.3-1 of the *Rules of Professional Conduct ("Rules")* and r. 3.03 of the *Paralegal Rules of Conduct ("Paralegal Rules")*. Contextual information about the client's situation, even if the client is not identified, may still be considered confidential under the *Rules* or *Paralegal Rules.*

Instructions to help reduce risk in a CAN Advisor Engagement

To comply with professional obligations and reduce the risk of conflicts of interest in a CAN Engagement, Participants are asked to:
 	
1. Submit an accurate Request for Time and:
    a. identify the names of individuals with whom or firms with which an Engagement could raise a potential or actual conflict of interest
    b. review the CAN Volunteer Roster and identify the names of any Volunteers with whom an Engagement could raise a potential or actual conflict of interest
    c. identify whether it is a general or a client-file specific inquiry.
2. Prepare for the Advisor Engagement by:
    a. considering the issue to be presented and whether confidential information concerning the business and affairs of the client acquired in the course of the professional relationship needs to be disclosed for a meaningful discussion
    b. consulting with the Practice Management Helpline if guidance is required about what constitutes confidential information or how best to comply with the *Rules* and *Paralegal Rules as applicable.*
    c. completing the pre-call worksheet to maximize time with Advisor.
3. Where confidential information needs to be disclosed:
    a. obtain and document the client's consent to such disclosure
    b. inform the Advisor of the need for disclosure and provide the Advisor with the information required to determine whether it is appropriate for them to proceed, and if so, to conduct an appropriate conflict check
    c. obtain consent from Advisor prior to any disclosure of confidential client information
    d. disclose no more information than is necessary for a meaningful discussion.

PLEASE NOTE: Participants have an ongoing obligation to assess and identify potential conflicts of interest that may arise throughout the Engagement.

- [ ] **PART 1: General Inquiry – I will not divulge confidential information during the call**

Inquiry – What is my specific question? What do I need help with?

- [ ] **PART 2: Client File Specific Inquiry -- I will divulge confidential information during the call**
  - [ ] I have determined that disclosure of confidential information is necessary for the Advisor engagement
  - [ ] I have obtained and documented client consent to this disclosure
  - [ ] I have provided appropriate notice and information to the Advisor so that he or she can satisfy his or her obligations under the *Rules* or the *Paralegal Rules* (as applicable) to conduct an appropriate conflict check
  - [ ] The Advisor has confirmed that they are willing to proceed and receive confidential information strictly necessary for the discussion
  - [ ] I understand that I have an ongoing obligation to assess and identify potential conflicts of interest that may arise throughout the Engagement

Inquiry – What is my specific question? What do I need help with?

Facts – What are the material facts relevant to the inquiry? Have I made assumptions?
Efforts to date – What research have I conducted on this issue to date?
Goal/Desired Outcome – What does the client need? What does the client want? What instructions do I have from the client right now?
Obstacles and Risks Identified – What difficulties or challenges do I anticipate in this matter? What concerns are present?