STANDARD OPERATING PROCEDURE

Conflict of Interest Check SOP

Document no.	SOP-LAW-002
Revision	1.0
Owner	Conflicts Analyst
Effective date	September 15, 2026
Review cycle	Every 12 months

1. Purpose

To identify and resolve any conflict of interest before the firm accepts a new client or matter, and to keep a clear record of every search and decision.

2. Scope

Applies to every new client, new matter for an existing client, and lateral hire conflict search. Client intake steps such as engagement letters and matter opening are covered by a separate SOP.

Definitions

Conflict of interest	A situation where representing a client would be adverse to another current or former client, or would be limited by another duty.
Ethical wall	An internal information barrier that restricts certain attorneys or staff from a matter to manage a potential conflict.
Waiver	Written, informed consent from an affected client allowing the firm to proceed despite a disclosed conflict.

3. Responsibilities

Conflicts Analyst	Searches the conflicts database and other sources, documents results and flags potential conflicts.
Intake Coordinator	Submits conflict check requests with complete party information and relays the outcome.
Responsible Attorney	Prepares waiver letters when needed and obtains client consent.
Ethics Partner	Evaluates flagged conflicts and decides whether to decline, wall off or seek a waiver.

RACI matrix

Activity	Conflicts Analyst	Intake Coordinator	Responsible Attorney	Ethics Partner
Compile parties to search	R/A	C	I	-
Search conflicts database and sources	R/A	-	-	-
Evaluate flagged conflicts	C	-	C	R/A
Prepare and obtain waiver	-	-	R/A	A

Activity	Conflicts Analyst	Intake Coordinator	Responsible Attorney	Ethics Partner
Record clearance decision	R/A	I	I	I

R = Responsible, A = Accountable, C = Consulted, I = Informed

4. Materials and PPE

Materials, tools and systems

- Conflicts database or conflicts module in the practice management system
- Conflict check request form
- Public records and news search tools
- Waiver letter template
- Ethical wall memo template
- Conflicts log

5. Procedure

Step	Task	Owner	Done
5.1	**Receive the conflict check request** The conflicts analyst receives the request from the intake coordinator and confirms it includes the client, all adverse parties, and related entities before starting the search. **Checkpoint:** The request is returned to the requester if any party name or entity is missing.	Conflicts Analyst	☐
5.2	**Compile the full list of parties** The conflicts analyst lists every individual and entity involved, including former names, subsidiaries, parent companies, officers and known affiliates, before running any search.	Conflicts Analyst	☐
5.3	**Search the conflicts database** The conflicts analyst searches the firm's conflicts database using each party name and known variations, and records every search term used.	Conflicts Analyst	☐
5.4	**Search additional sources** For new or unfamiliar parties, the conflicts analyst also checks public records and news sources to identify relationships that may not appear in the internal database.	Conflicts Analyst	☐
5.5	**Document the search results** The conflicts analyst records the parties searched, the sources checked and every hit returned, whether or not it turns out to be a true conflict, in the conflicts log.	Conflicts Analyst	☐
5.6	**Flag potential conflicts for review** The conflicts analyst marks any hit that could indicate a current or former client relationship, adverse representation, or personal conflict, and routes it to the ethics partner. **Checkpoint:** Every flagged hit is reviewed by the ethics partner before the matter is cleared.	Conflicts Analyst	☐
5.7	**Evaluate flagged conflicts** The ethics partner reviews each flagged hit against the firm's conflicts policy and decides whether it is a true conflict, and if so, how serious it is.	Ethics Partner	☐

Step	Task	Owner	Done
5.8	**Decide how to resolve the conflict** The ethics partner decides whether to decline the matter, build an ethical wall around it, or pursue a waiver from the affected client or clients.	Ethics Partner	☐
5.9	**Prepare a waiver letter if needed** When a waiver is the chosen path, the responsible attorney prepares a waiver letter describing the conflict in enough detail for the client to give informed consent. **Warning:** Do not begin work on the matter until any required waiver is signed by every affected client.	Responsible Attorney	☐
5.10	**Obtain signed waiver or consent** The responsible attorney obtains signed waiver letters from all affected clients and returns copies to the conflicts analyst for the file.	Responsible Attorney	☐
5.11	**Record the clearance decision** The conflicts analyst records the final decision, clearance, wall or decline, along with any waiver, in the conflicts database and conflicts log.	Conflicts Analyst	☐
5.12	**Notify intake of the outcome** The conflicts analyst notifies the intake coordinator and responsible attorney of the outcome so the matter can move forward or be closed out.	Conflicts Analyst	☐

6. Quality checks

- Every search lists all parties, including former names and related entities.
- Every flagged hit has a documented evaluation and decision from the ethics partner.
- No matter is opened before a clearance, wall memo or signed waiver is recorded.
- Conflicts log entries are complete enough to reconstruct the search later.

7. Records

- Conflict check request
- Conflicts log with search terms and results
- Ethical wall memo, where used
- Signed waiver letters

8. KPIs

- Average turnaround time for a conflict check
- Percentage of matters cleared without an escalation
- Number of matters declined due to unresolved conflicts

9. Common mistakes

- Searching only the exact client name and missing variations or former names.
- Skipping the search of related entities such as parent companies or subsidiaries.
- Letting work start before a flagged conflict is resolved.
- Failing to document why a flagged hit was cleared.

10. Revision history

Revision	Date	Description	Reviewed by

Revision	Date	Description	Reviewed by
1.0	September 15, 2026	Initial release	Ilia Pirozhenko

Approval

Prepared by	Approved by	Date

This is a template. Adapt it to your organization, equipment and local regulations before use.

Scan for the latest version

Opens this template online, where you can download it again in Word, PDF, Excel or CSV — free, no sign-up.

Or add it to Perfect Wiki so your team can find it and ask questions about it in Microsoft Teams, Slack, kChat or Mattermost.