Conflict of Interest Record

Matter Details

Matter Number:	**{ MERGEFIELD client_no }\{ MERGEFIELD matter_no }**
Fee Earner:	**{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION }**
Supervising Fee Earner:	**{ MERGEFIELD CALCULATION_EXECUTIVE_NAME }**
Client Name(s):	**{ IF {MERGEFIELD LINKNAME_SURNAME_1 } = "{ MERGEFIELD LINKNAME_SURNAME_2 }" "{ MERGEFIELD LINKNAME_TITLE_1} & { MERGEFIELD LINKNAME_TITLE_2 } { MERGEFIELD LINKNAME_INITIALS_1 } { MERGEFIELD LINKNAME_SURNAME_1}" "{ IF { MERGEFIELD LINKNAME_SURNAME_2 } = "" "{ MERGEFIELD LINKNAME_TITLE_1} { MERGEFIELD LINKNAME_INITIALS_1} { MERGEFIELD LINKNAME_SURNAME_1}" "{ MERGEFIELD LINKNAME_TITLE_1} { MERGEFIELD LINKNAME_INITIALS_1} { MERGEFIELD LINKNAME_SURNAME_1} & { MERGEFIELD LINKNAME_TITLE_2} { MERGEFIELD LINKNAME_INITIALS_2} { MERGEFIELD LINKNAME_SURNAME_2}" }" }**
Matter Description:	**{ MERGEFIELD MATTER_MATTER_DESCRIPTION }**
Matter Type:	**{ MERGEFIELD MATTER_WORK_ID }**

Conflict of Interest Checks

Was the System Conflict Check Complete? *Please ensure a copy of the system check is saved to the matter.*	**{ MERGEFIELD CF_COI_DET_CF_SYS_CON_CHK }**
Own Interest Conflict Check Complete	**{ MERGEFIELD CF_COI_DET_CF_OWN_INT_COMP }**
Do we have instructions which affect two or more current clients?	**{ MERGEFIELD CF_COI_DET_CF_TWO_CL_INST }**
Does the matter relate to the grant of a mortgage of land?	**{ MERGEFIELD CF_COI_DET_CF_MORT_LAND }**
Conflict Exists	**{ MERGEFIELD CF_COI_DET_CF_CONFLICT }**
Able to Act	**{ MERGEFIELD CF_COI_DET_CF_CAN_ACT }**
Reason for Decision to act	**{ MERGEFIELD CF_COI_DET_CF_RES_ACT }**

{ IF { MERGEFIELD CF_COI_DET_CF_TWO_CL_INST } = "Yes" "Conflict of Interest – 2 or More Clients

Do Exceptions Apply	**{ MERGEFIELD CF_COI_DET_CF_EXCEP_APP }**
Is there a substantial common interest?	**{ MERGEFIELD CF_COM_INT_CF_COMINT }**
Are the clients competing for the same objective?	**{ MERGEFIELD CF_SAME_OBJ_CF_COMPOB }**

" ""}{ IF { MERGEFIELD CF_COM_INT_CF_COMINT } = "Yes" "Conflict of Interest – Common Interest

Substantially Common Interest Details	{ MERGEFIELD CF_COM_INT_CF_COMINT_DE }
Is it reasonable to act for all the clients?	{ MERGEFIELD CF_COM_INT_CF_COMINT_RES_A }
Is acting in the best interests of all the clients?	{ MERGEFIELD CF_COM_INT_CF_COMINT_CL_BI }
Do the benefits of acting outweigh the risks to the clients?	{ MERGEFIELD CF_COM_INT_CF_COMINT_RISKS }
Have the relevant risks and issues been explained to the clients?	{ MERGEFIELD CF_COM_INT_CF_COMINT_EXP }
Do the clients understand the relevant issues and risks?	{ MERGEFIELD CF_COM_INT_CF_COMINT_UND }
Has written informed consent to acting been received from all affected clients?	{ MERGEFIELD CF_COM_INT_CF_COMINT_CON }

" "" }{ IF { MERGEFIELD CF_SAME_OBJ_CF_COMPOB } = "Yes" "Conflict of Interest – Same Objective

Same Objective Details	{ MERGEFIELD CF_SAME_OBJ_CF_COMPOB_DE }
Is it reasonable to act for all the clients?	{ MERGEFIELD CF_SAME_OBJ_CF_COMPOB_RES_A }
Is acting in the best interests of all the clients?	{ MERGEFIELD CF_SAME_OBJ_CF_COMPOB_CL_BI }
Do the benefits, to the clients, of acting, outweigh the risks?	{ MERGEFIELD CF_SAME_OBJ_CF_COMPOB_RISKS }
Have the relevant risks and issues been explained to the clients?	{ MERGEFIELD CF_SAME_OBJ_CF_COMPOB_EXP }
Do the clients understand the relevant issues and risks?	{ MERGEFIELD CF_SAME_OBJ_CF_COMPOB_UND }
Are the clients aware that we act of may act for others competing for the same objective?	{ MERGEFIELD CF_SAME_OBJ_CF_COMPOB_OTHER }
Has written informed consent to acting been received from all affected clients?	{ MERGEFIELD CF_SAME_OBJ_CF_COMPOB_CON }
Are all of the clients sophisticated users of legal services?	{ MERGEFIELD CF_SAME_OBJ_CF_COMPOB_SOPH }

" "" }{ IF { MERGEFIELD CF_COI_DET_CF_TWO_CL_INST } = "Yes" "Conflict of Interest – Conflict Assessment

Assessment of the effect of any difference in clients' interests	{ MERGEFIELD CF_ASSESS_DET_CF_ASS_INTEREST }
Assessment of the extent to which there will need to be negotiations between the clients. The more serious any unresolved issues are, then the less it is likely to be reasonable for you to act	{ MERGEFIELD CF_ASSESS_DET_CF_ASS_NEG }
Assessment of the effect any client vulnerability	{ MERGEFIELD

	CF_ASSESS_DET_CF_ASS_VUN }
Assessment of any fettering of our ability to give independent advice	{ MERGEFIELD CF_ASSESS_DET_CF_ASS_IND_ADV }
Assessment of the effect of any imbalance in clients' bargaining power	{ MERGEFIELD CF_ASSESS_DET_CF_ASS_BARG_PW }
Assessment of clients legal knowledge	{ MERGEFIELD CF_ASSESS_DET_CF_ASS_CL_KNOW }
Assessment of benefits to the clients (eg speed, convenience, cost) from you acting for both	{ MERGEFIELD CF_ASSESS_DET_CF_ASS_CL_BEN }

" ""}{ IF { MERGEFIELD CF_COI_DET_CF_OWN_INT_COMP } = "Yes" "Conflict of Interest – Own Interest Conflict

Assessment of the effect of any financial interest	{ MERGEFIELD CF_ASSESS_DET_CF_ASS_FE_FINAN }
Assessment of the effect of any personal relationship	{ MERGEFIELD CF_ASSESS_DET_CF_ASS_FE_PERSO }
Assessment of the effect of any commercial relationships	{ MERGEFIELD CF_ASSESS_DET_CF_ASS_FE_COMME }
Assessment of the effect of any appointment to public office of fee earner / member of firm / family	{ MERGEFIELD CF_ASSESS_DET_CF_ASS_FE_PUBOF }
Assessment of the effect the employment of the fee earner / member of firm / family	{ MERGEFIELD CF_ASSESS_DET_CF_ASS_FE_EMPOL }
Is There an Own Interest Conflict	{ MERGEFIELD CF_COI_DET_CF_OWN_INT }
Details of Own Interest Conflict	{ MERGEFIELD CF_COI_DET_CF_OWN_INT_DET }

" "" }{ IF { MERGEFIELD CF_COI_DET_CF_MORT_LAND } = "Yes" "Conflict of Interest – Grant of Mortgage

Are Borrower and Lender Clients?	{ MERGEFIELD CF_MORTGAGE_CF_MORT_CL_LEN }
Property to be Borrowers Private Residence?	{ MERGEFIELD CF_MORTGAGE_CF_MORT_PRI_RES }
In Best Interest of both borrower and lender?	{ MERGEFIELD CF_MORTGAGE_CF_MORT_BI }
Reasonable to act for both borrower and lender?	{ MERGEFIELD CF_MORTGAGE_CF_MORT_RES }
Mortgage is a Standard Mortgage	{ MERGEFIELD CF_MORTGAGE_CF_MORT_STD }
Is the Certificate of Title required by the lender in the form	{ MERGEFIELD

approved by the Law Society and the Council of Mortgage Lenders?	CF_MORTGAGE_CF_MORT_COT **}**

" "" }{ IF { MERGEFIELD CF_COI_DET_CF_TWO_CL_INST } = "Yes" "Conflict of Interest – Confidentiality and Disclosure

Assessed Conflict with Duty of Confidentiality?	**{** MERGEFIELD CF_CONFIDENTIAL_CF_CONF_ASSESS **}**
Does a conflict with our duty of confidentiality arise?	**{** MERGEFIELD CF_CONFIDENTIAL_CF_CONF_CONF **}**
Is Client 1's interest adverse to Client 2's?	**{** MERGEFIELD CF_CONFIDENTIAL_CF_CONF_ADVERSE **}**
Do you hold confidential information for one client which is material to the other?	**{** MERGEFIELD CF_CONFIDENTIAL_CF_CONF_INFO **}**
Does Client 1 Understand the Relevant Issues	**{** MERGEFIELD CF_CONFIDENTIAL_CF_CONF_CL1_UND **}**
Client 1 Given Informed Consent	**{** MERGEFIELD CF_CONFIDENTIAL_CF_CONF_CL2_INF **}**
Client 2 Given Informed Consent	**{** MERGEFIELD CF_CONFIDENTIAL_CF_CONF_CL2_INF **}**
Has client 2 agreed the safeguards put in place to protect their information?	**{** MERGEFIELD CF_CONFIDENTIAL_CF_CONF_CL2_SG **}**
Are effective safeguards in place?	**{** MERGEFIELD CF_CONFIDENTIAL_CF_CONF_EFF_SG **}**
Is it reasonable in all the circumstances to act for client 1?	**{** MERGEFIELD CF_CONFIDENTIAL_CF_CONF_RES_CL1 **}**
Able to Identify/Mitigate Risks to Confidentiality?	**{** MERGEFIELD CF_CONFIDENTIAL_CF_CONF_IDEN **}**

" "" }Conflict of Interest – Outsourced Services

Will any services be outsourced to an external service provider?	**{** MERGEFIELD CF_CONFIDENTIAL_CF_CONF_OUTSRCE **}**
Has the provider taken all appropriate steps to ensure protection of the client's confidential information?	**{** IF **{** MERGEFIELD CF_CONFIDENTIAL_CF_CONF_OUTSRCE **}** = "Yes" "**{** MERGEFIELD CF_CONFIDENTIAL_CF_CONF_PRO_STP **}**" "N/A" **}**