

Submitting Proposal for Legal Question

Dear Firm:

Your thoughts would be appreciated. A potential client (a coop apartment board) sent an email to me and other lawyers asking each interested lawyer to submit our respective analysis of the legal issues confronting the board. It asked for analysis of pros and cons of certain course of actions.

It asked for cost estimates as well.

I've never had to make such submission. Have you? And how thorough was your legal analysis? I feel that the coop board may be seeking free legal advice, which gives me pause. I don't know the board members personally.

This certainly feels like a buyer's market, and maybe where things are headed.

Thanks in advance for your insights.

This sounds like a RFP run amok, and while I see the appeal of possible work, I'd be reticent to give them what seems to be requested legal advice.

Offer up your rates and what you've done for similar clients, but I would not give them everything that they want for free.

Sarah Gold

Looks like this board is trying to backdoor, at no or little cost, services such as this company provides.

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We know the qualities that make our city's condominium and co-op buildings desirable and successful...well-maintained common areas and sought-after amenities, as ...

I would not respond, or if I did respond I would ask the name and contact information for their legal counsel.

There are many books out there addressing condominium/coop management and the like. If you have condo/coop clients, having the basic books on the shelf can be helpful.

Ideally, the board members should have a 3-ring binder with the coop's entity formation documents, charter, bylaws, minutes, etc. Incoming board members should receive a binder with up to date documents. Having said this, many do not like to pay for this element of good management.

Ideally, boards should have counsel present at board meetings.

Rob V. Robertson, Texas

I would background the coop board to see if I wanted to respond at all. Coop and association boards are high demand low pay clients generally. They fire lawyers who won't do what they want, regardless of how legal something is that they want to do. Here at least there is a high turnover, so it is also short-term business.

If it were here, I would not respond. Basically, they want legal analysis and work for free, so I doubt I would respond even if I had something in the can already with a similar fact pattern. Some business is not worth it, and coop, condo and association boards are generally at the top of my list for not being worth it.

Please note that some attorneys specialize in the area, but I have not ever seen value in chasing this market, absent some other tie in.

Darrell G. Stewart, Texas

I would politely decline to provide any information to them other than a proposal to be retained.

If you respond otherwise, you could later be sued without any control from your fee agreement [as to arbitration of claims against you or not, etc.] You would be leaving yourself open to such problems. Further, you would be doing work for free.

These folks are just evil.

Roger Rosen, California

That's why I love this group. The collective insight here is just unequaled. Thank you.

Tristan Loanzon, New York