

Firm Closure Notification



Before completing this form please read the guidance on closing down your practice published by Professional Ethics at www.sra.org.uk/closingdown.

This form should be used to notify us that your firm:

- is closing/ceasing to provide legal services
- no longer requires authorisation (including non-trading bodies, corporate managers or owners)
- is ceasing to practise because of an acquisition or merger with other authorised bodies

The form should be completed by a manager or the firm's Compliance Officer for Legal Practice (COLP). The declaration must be signed before submitting the form, this can be done electronically.

To ensure that the information provided is up to date and accurate, we advise that this form is submitted no more than 30 days before the intended date of closure.

Please answer all questions and complete all the relevant boxes. The form is an editable Portable Document Format File (PDF) and should be completed electronically and submitted via email to notifications@sra.org.uk. If you require this form in an alternative format please email or contact us on 0121 329 6845.

If you wish to provide additional information in separate sheets or documents, please provide a list of the enclosures and mark each document clearly with the section of the form to which it relates.

Section 1 - Firm and Closure Details

1.1 Firm name: SRA ID:

1.2 Date that the firm has ceased or will cease to practise (dd/mm/yyyy):

1.3 Reason firm is ceasing:

Please select a reason from the list and, if applicable, provide further information below:

Retirement

Ill health

Financial reasons

Difficulty obtaining indemnity insurance

Acquisition or merger

Other (ensure that further details are provided below)

1.4 **Acquisition or merger details** - to be completed if the firm is ceasing to practise because it has been acquired by another firm. If not applicable, please go to 1.5.

We will record the change as either an acquisition or merger. For our purposes we apply the following meanings to those terms:

Acquisition: A firm is acquired by or amalgamates with one or more continuing firm(s). This may include the taking of good will and client base, absorbing some or all of the offices and/or incorporating the firm name into the continuing firm. The acquired firm will cease to practise as a separate authorised body.

Merger: Two or more firms come together to form a new authorised body. The new body is a separate entity and will often trade under a new name. The merged firms will cease to practise as separate authorised bodies.

In a merger, the new body will need to apply to the SRA for authorisation as a recognised body or a licensed body. Forms and guidance can be found on our website at www.sra.org.uk/solicitors/firm-based-authorisation.page.

Please select which term reflects the nature of the change and provide a summary below:

Acquisition

Merger

Date that the change has or will take place (dd/mm/yyyy):

Summary below (include details of any trainee solicitors who will be moving firms):

Please provide details of any continuing firm(s) below. Provide further firm details on an additional sheet if required:

Firm name: SRA ID:

Contact name: SRA ID:

Firm name: SRA ID:

Contact name: SRA ID:

Any firm(s) which have taken over your firm and are continuing to practise may need to make updates in mySRA and submit further information or applications to the SRA. The 'Contact name' should be a manager in the firm who we can contact in relation to the change.

1.5 **Related entities:** Is this firm a corporate manager or owner of another SRA authorised body? Yes No

If you have answered **YES**:

Firm name: SRA ID:

Relationship:

(Details of further firms should be provided on an additional sheet.)

1.6 Does the firm have any corporate managers or owners? Yes No

If you have answered **YES**:

A separate Firm Closure Notification form should be submitted for each corporate manager/owner which is an SRA authorised body and will no longer require authorisation following the firm closure.

Entity name: SRA ID:

Is this entity also ceasing following the closure of the firm? Yes No

Entity name: SRA ID:

Is this entity also ceasing following the closure of the firm? Yes No

(Details of further entities should be provided on an additional sheet.)

1.7 **Practising status:** Has the firm practised, provided legal services or carried out reserved legal activities since it was authorised? Yes No

(If you have answered **NO**, sections 2 - 6 of this form do not need to be completed)

Section 2 - Professional Indemnity Insurance

2.1 Has the firm's current insurer been informed that the firm is closing? Yes No

2.2 Please provide the name of the participating insurer who will be providing run off cover for the firm or, if there is a successor practice, details of the insurance effected by the successor practice.

Participating insurer (not broker):

Policy number:

The definition of successor practice for indemnity insurance purposes can be found in the glossary to the SRA Handbook at www.sra.org.uk/solicitors/handbook/glossary.

Successor practice name:

SRA ID:

Section 3 - Informing Your Clients

3.1 **Live matters:** Does the firm have any live client files?

Yes

No

If you have answered **YES**:

How many?

3.2 What steps have been taken to inform current and potential clients of the closure?

It is for the client to decide which firm they want to take over their matter and proper consent should be obtained from clients about where they want their money and documents to go. In particular, bear in mind that you hold client's money in trust for them and you need their (properly informed) consent to transfer it to someone else. These principles also apply where you are selling your practice as a going concern.

3.3 Where will client files and associated client money be distributed?

3.4 Has all relevant consent been obtained?

Yes No

3.5 **Undertakings:** Are or will there be outstanding undertakings, given by you or anyone else in the firm in connection with the provision of legal services outstanding after the firm closure?

Yes No

If you have answered **YES:**

How many?

3.6 What steps have or will be taken to review outstanding undertakings and what action is planned to discharge them?

3.7 **Legal Aid Agency:** Does the firm hold a Legal Aid Agency contract?

Yes No

If you have answered **YES:**

What arrangements have been made in respect of the contract upon the firms closure?

Section 4 - Client Money

4.1 Has the firm held or received client money since it was authorised?

Yes No

(If you have answered **NO** go to section 5)

Following the closure of the firm, you must deal promptly with any monies still remaining in the client account, or received after you cease to practise, in accordance with the SRA Accounts Rules 2011.

4.2 Has the firm stopped holding or receiving client money?

Yes No

If you have answered **NO:**

Please provide estimated month and year which you intend to stop holding or receiving client money:

If you have answered **YES:**

Please confirm the date (dd/mm/yyyy):

If the firm has held or received client money in the last 12 months, Rule 33.5 of the SRA Accounts Rules 2011 requires you to deliver a final report for the period which ends on the date on which you/the firm cease to hold or receive client money. This report must be delivered within six months of the end of the accounting period, unless conditions on your practising certificate state otherwise. It may cover a period which is less than 12 months.

4.3 Does the firm have any residual matter balances?

Yes No

Clients who cannot be traced

If the amount held for each client is £500 or less, Rule 20.1(j) of the SRA Accounts Rules 2011 allows you to withdraw these balances without first obtaining authorisation from us, provided that the monies are paid to a charity and you comply with the safeguards in Rule 20.2.

In all other cases you will need to make an application to us for authorisation to withdraw the monies. Contact our Professional Ethics guidance team for further support.

Further guidance on the withdrawal of residual balances can be found on our website www.sra.org.uk/solicitors/code-of-conduct/guidance/guidance/Withdrawal-of-residual-client-balances.page.

If you have answered **YES**:

What is the total balance remaining?

4.4 How many individual client balances are over £500?

4.5 What are the plans for distributing these balances? e.g. steps taken to locate clients, applications to withdraw monies.

4.6 How many individual client balances are £500 or less?

4.7 What are the plans for distributing these balances? e.g. payments made to clients, withdrawals under the SRA Accounts Rules 2011.

Section 5 - Client Documents- Closed Files

5.1 Number of closed files held:

5.2 How is the firm dealing with closed files?

Handing files back to former clients

Continuing to hold files (i.e. in safe storage)

Arranging for another firm to take over storage

Storing documents electronically

Destroying old documents

Further details for handling closed files:

5.3 Please provide details of the storage arrangements made for closed files:

Storage provider:

Contact name:

Email:

Phone number:

(Details for further closed files storage arrangements should be provided on a separate sheet).

5.4 What payment arrangements have been made for the storage of closed files?

Section 6 - Client Documents- Wills and Deeds

6.1 Number of wills held:

6.2 Number of deeds held:

6.3 How is the firm dealing with wills and deeds?

Handing back to former clients

Continuing to hold (i.e. in safe storage)

Arranging for another firm to take over storage

Other (provide details below)

Further details for handling wills and deeds:

6.4 Please provide details of the storage arrangements made for wills and deeds:

Storage provider:

Contact name:

Email:

Phone Number:

(Details for further storage arrangements made for wills and deeds should be provided on a separate sheet).

6.5 What payment arrangements have been made for the storage?

6.6 **Contact Details (manager):** Please provide details of a contact for correspondence in relation to the closure of your firm. It is important for all individuals to ensure that their mySRA profiles are updated with current practising or contact details.

These details will be disclosed to former clients or third parties who request information in relation to files or documents held by the firm.

Contact Name: SRA ID:

Address: Phone No:

Email:

Please tick here if you do not wish these details to be disclosed and provide an alternative contact method for this purpose below.

Section 7 - Revocation of Authorisation

Authorised bodies are granted a lifetime certificate of authorisation. A firm will continue to be authorised by the SRA until it ceases to exist or its authorisation is revoked.

Once a firm is dissolved, or for any other reason ceases to exist, authorisation ceases to have effect under Rule 21.3(c) of the SRA Authorisation Rules 2011.

Where a firm will continue for purposes other than providing legal services you may apply to the SRA for revocation of authorisation.

The SRA is required to provide 28 days notice of its intention to revoke authorisation. Please note that this notice period cannot be waived and we cannot backdate revocation.

7.1 **Limited companies and LLPs:** Will the body continue to be registered at Companies House once it has ceased to practise? Yes No

7.2 If the body will continue to be registered:

Do you wish to apply for the revocation of authorisation under Rule 22.1(a)(vii) of the SRA Authorisation Rules 2011? Yes No

If you have answered **NO**:

Has a Striking Off application been submitted to Companies House?

Yes No

7.3 **Partnerships:** Will the partnership continue to exist at law once it has ceased to practise (in accordance with the Partnership Act 1890)?

Yes No

If you have answered **YES**:

Do you wish to apply for the revocation of authorisation under Rule 22.1(a)(vii) of the SRA Authorisation Rules 2011?

Yes No

7.4 Sole Practitioners

When you cease to practise as a Sole Practitioner your authorisation ceases to have effect under Rule 21.3(c) of the SRA Authorisation Rules 2011. If you want to resume practise as a Sole Practitioner in the future you will need to apply for authorisation.

Section 8 - Declaration

8.1 In providing this information on behalf of the closed/closing firm:

- I confirm that I have read and understood the guidance and that the information provided is correct and complete to the best of my knowledge and belief.
- I confirm that I have the authority to provide this information on behalf of the firm and all of its managers.

Surname: Forename(s):

SRA ID: Title: Date of Birth:

Role:

Signature: Date:

If completed electronically please tick to say that you confirm the declaration.

For further advice and guidance on your responsibilities when closing down a firm you can contact Professional Ethics on 0370 606 2577 (inside the United Kingdom (UK)) or +44 (0)121 329 6800 (outside the UK). Phone lines are open 09.00 to 17.00, Monday to Friday. Alternatively, you can contact them by email at professional.ethics@sra.org.uk.