

Memo to File

The memo to file is another term for documenting your work. Anytime a professional begins a project, a file should be started to document all work done, all conversations, any questions, issues researched, etc. This is the paper trail that enables a professional to ensure that he has done his due diligence when dealing with a client.

The format:

Memorandum to File

Date:

From: person doing the work

Re: situation or client (Dependents, Mr & Mrs John Smith)

FACTS: In this section all FACTS are states that are relevant to the issue and necessary for analysis of the situation.

ISSUES: Identify the issues that must be resolved based upon the facts stated above.

APPLICABLE LAW: Discuss ALL those laws that relate to the facts and may impact the position taken. This includes codes, regs, rulings, court case findings and any precedent that might affect the case. It is imperative that positive AND negative laws be addressed to enable thorough analysis and selection of appropriate options.

In identifying the law, present the evidence as it relates to the issues.

ANALYSIS: Apply each of the identified laws to the facts and address all facets of the issues. Present each possible option with all the ramifications of each as it pertains to the situation. (it is irrelevant to discuss the regulations regarding the dependency of an elderly parent if the issue pertains to claiming a cousin residing in Uruguay)

CONCLUSION: This section provides the “best fit” resolutions to the situation and may offer absolute eliminations because of legal positions BUT should not make a final selection. The purpose of this section is to provide recommended options with the supporting evidence from which the client shall determine his course of action.

ALWAYS INCLUDE COPIES OF RESEARCH DATA in the file. PROTECT YOURSELF in case of future questions or misunderstandings.
DOCUMENT...DOCUMENT...DOCUMENT!!!