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Conflict Check: How to Perform & Software That Can Help Firms

Katie Langer · Tuesday, August 26th, 2025

Few processes in law are as vital and as overlooked as the conflict check. Whether you're a solo attorney or part of a multi-office law firm, identifying conflicts of interest is the cornerstone of maintaining client trust, avoiding malpractice claims, and staying compliant with professional ethics rules.

Yet conflict checking can be tedious, especially for firms that rely on outdated systems or informal processes. This article breaks down what conflict checks are, when to perform them, how to execute a thorough check, and the software tools that can make the process faster, more accurate, and defensible.

Main Takeaways

- Conflict checks safeguard ethics and client trust. They prevent conflicts of interest that could compromise your representation.
- Checks are required at multiple points in the client relationship. From intake to lateral hires, they must be part of firm-wide workflows.
- A six-step process ensures thoroughness. Gathering complete data, searching comprehensively, analyzing results, and documenting findings are essential.
- Technology reduces risk. Conflict checking software automates searches, flags potential issues, and creates audit trails for compliance.

- Centerbase makes conflict checks simple. With firm-wide visibility, OCR search, and automated checks, your firm can confidently move forward with new matters.

What Is a Client Conflict Check in Law Firms?



A conflict check is the process law firms use to determine whether representing a new or existing client could create a conflict of interest. At its core, a conflict check ensures that attorneys remain loyal to clients, protect confidentiality, and uphold their duty of independent judgment.

Both the [ABA Model Rules of Professional Conduct](#) and state bar associations require conflict checks. Failing to conduct them can result in disciplinary action, malpractice claims, or reputational harm.

Conflicts of interest fall into several categories:

- **Current client conflicts:** Representing two clients with adverse interests in the same matter.
- **Former client conflicts:** Representing a new client in a matter substantially related to one

handled for a previous client.

- **Positional conflicts:** Advocating for legal positions in one case that undermine positions taken in another.

When Should a Law Firm Conduct a Conflict Check?



Conflict checks should be performed at multiple points throughout the client relationship and throughout the firm's lifecycle.

- **At client intake** – A conflict check should be one of the first steps before opening a matter. This ensures you're not agreeing to represent someone whose interests directly oppose a current or former client. Catching conflicts during the [client intake process](#) saves time, protects client trust, and avoids potential malpractice issues.
- **Before consultations** – Even if no formal representation has been agreed upon, prospective

clients may share sensitive or confidential information in an initial consultation. Running a conflict check beforehand prevents your firm from being exposed to information that could later compromise another representation.

- **When adding new attorneys or staff** – Every new hire comes with their own history of clients, cases, and relationships. Incorporating their data into your firm’s system is essential to identify whether prior matters they worked on create new conflicts with existing clients or cases.
- **During mergers, lateral hires, or acquisitions** – Combining firms introduces thousands of new contacts and matters into your database. Without a thorough conflict check, it’s easy for hidden conflicts to surface after the fact, putting the combined firm at risk.
- **When taking on new matters for existing clients** – Just because a client has been cleared in the past doesn’t mean every new matter is conflict-free. Each case should be evaluated on its own to ensure that new facts, opposing parties, or changing circumstances haven’t created a conflict.

The Conflict Check Process: Step-by-Step Guide

Conducting a proper conflict check requires diligence. Here’s how to do it effectively:

Step 1. Gather Complete Client Information

Start by collecting the names of all parties, including clients, opposing counsel, witnesses, affiliates, subsidiaries, and company associations. Even a missing middle initial or subsidiary name can cause you to overlook a potential conflict.

The more thorough your intake process, the less likely you’ll face issues later. [This guide to better client intake](#) shows how structured forms and checklists can help capture this information consistently.

Step 2. Input and Search Against Firm Records

Once collected, input the names into your firm's database. Search against current and past matters, using broad and wildcard searches to catch variations in spelling or aliases.

This is where technology is your partner. Instead of manually checking spreadsheets or paper files, conflict checking software allows cross-referencing across practice areas, offices, and legacy systems.

Step 3. Identify Potential Client Conflicts

When results appear, analyze whether the potential matter creates a direct, indirect, or positional conflict.

For example, if your firm previously represented a company's subsidiary, taking on a case against the parent company may create a conflict. Similarly, shared confidential information can create divided loyalty, even if the clients aren't directly opposing parties.

Step 4. Analyze Conflict Context and Severity

Not all conflicts are absolute barriers. Some can be waived with client consent, while others are strictly prohibited. Evaluating the severity of a conflict requires considering legal rules, ethical duties, and your firm's internal dynamics.

Think about shared staff, overlapping departments, or centralized systems that could expose sensitive information despite safeguards.

Step 5. Document Findings and Decisions

Every conflict check should leave behind a clear audit trail. Document who conducted the search, what sources were reviewed, and what the outcome was. This digital record supports compliance and protects the firm in the event of an ethics inquiry or malpractice claim.

Step 6. Obtain Client Consent (If Applicable)

If a conflict can be waived, draft and retain a written waiver. Clients should be informed of the limitations and protective measures the firm will take. This transparency fosters trust and makes it easier to defend the firm's position if the waiver is ever challenged.

Best Practices for Building a Strong Conflict Check System

Creating a robust conflict check system requires more than just running searches. It takes consistent processes, training, and tools that keep your firm compliant and efficient. Using [AI tools in your law firm](#) can help dramatically here. Consider these best practices for a conflict checking system:

Standardize Conflict Check Procedures Firmwide

Using standardized workflows, search protocols, and documentation requirements ensures that no matter who conducts the check, the process remains consistent. This consistency reduces risk, eliminates guesswork, and helps avoid gaps in compliance across different practice areas or offices. Using AI in law firms can

Train Staff Regularly on Conflict Policies

Regular training ensures that everyone, from attorneys to administrative staff, knows when and how to perform conflict checks. Policies should be reinforced with real-world examples, so staff understand the implications of skipping steps or failing to document findings properly.

Keep Records Up-to-Date and Centralized

Law firms often struggle with having data scattered across legacy systems, paper files, and siloed departments. Consolidating all client and matter information into a single, centralized system ensures that conflict checks are comprehensive and accurate. This unified source of truth also simplifies audits and reduces duplicated efforts.

Automate What You Can

Automation can dramatically improve the reliability of conflict checks. Software can flag potential conflicts as soon as new matters are created, reducing the burden on staff and preventing human error. By integrating with [law firm management](#) systems, automation also ensures that the data being checked is current and complete.

Review and Audit Regularly

Periodic reviews and audits are essential to confirm that conflict-checking policies are being followed consistently. Random spot checks, for example, can reveal whether staff are documenting their searches properly and whether the system is catching potential conflicts. These proactive measures can help your firm stay ahead of compliance issues.

Common Mistakes Law Firms Make During Conflict Checks



Even firms with established processes can fall into traps that undermine the effectiveness of conflict checks. And many firms don't realize that improving their conflict check process can directly [increase law firm profitability](#) by reducing malpractice insurance costs, avoiding costly conflicts disputes, and speeding up client intake. Here are the most common mistakes to watch for:

Incomplete Data Collection

Conflict checks are only as strong as the data behind them. Failing to collect full legal names, aliases, company affiliations, or subsidiaries often leads to missed conflicts. Skipping opposing parties or witnesses is another common oversight that can expose your firm to risk.

Relying on Memory or Informal Checks

Some attorneys attempt to rely on memory or “off-the-books” checks when pressed for time. This is a dangerous shortcut that increases the risk of conflicts slipping through. Without system verification, there is no reliable way to catch hidden connections or prove that a check was performed.

Not Searching Across All Systems

Many firms still operate with fragmented systems where data is stored in emails, legacy databases, or archived files. If conflict checks only search active matters, conflicts buried in old or disconnected systems will be missed, potentially creating serious compliance issues.

Failing to Re-Check After Firm Changes

Conflict checks should not be static. New hires, mergers, or newly discovered information can create new conflicts after the initial conflict check. Without a process for re-checking, firms risk taking on matters that appear clear at first but later reveal serious conflicts.

Poor Documentation or Audit Trails

Even if a conflict check is performed correctly, failing to document the process undermines its effectiveness. Without clear audit trails, firms cannot prove compliance in the face of malpractice claims or regulatory audits. Proper records are essential to protecting both clients and the firm.

What to Look for in Conflict Checking Software



The right conflict checking software does more than just speed up searches. It reduces risk, ensures compliance, and provides peace of mind. When evaluating software, consider these key features:

Centralized Conflict Check System

A single, searchable repository for all client, matter, and contact information ensures that nothing is overlooked. Centralized systems allow firm-wide visibility, meaning attorneys and staff across departments can access the same conflict data without duplicating efforts.

OCR and Advanced Search Functionality

Optical character recognition (OCR) makes it possible to search across scanned documents, PDFs, and attachments that might otherwise be invisible to keyword searches. Advanced search capabilities—including wildcards and phonetic searches—help capture variations in spelling, nicknames, or aliases that could signal hidden conflicts.

Integration with Practice Management Tools

Conflict checks are only as strong as the data they draw from. Software that integrates with practice management, CRM, and document management systems ensures that the conflict check

pulls from the most up-to-date and complete data. This integration reduces manual entry and increases accuracy.

Audit Logs and Documentation

Robust software tracks every step of the conflict check process, from search terms used to decisions made. These audit logs serve as invaluable evidence of compliance if the firm faces an ethics inquiry or malpractice claim. Documentation also supports better internal oversight.

User Access Controls and Permissions

Because conflict checks involve sensitive client data, role-based access is critical. User permissions allow firms to limit who can view or edit conflict information, preventing unauthorized access while still ensuring that those who need the data can work efficiently.

Simplify Your Firm's Conflict Check Process with Centerbase

Conflict checks are essential to maintaining your firm's reputation, ensuring compliance, and protecting against malpractice claims. Yet many firms still struggle with fragmented systems, manual searches, and incomplete documentation.

With Centerbase, you can streamline and strengthen your conflict check process. For example, when you open a new matter, Centerbase automatically runs preliminary conflict checks against your existing database, flagging potential issues before they become problems. Our advanced search, OCR capabilities, and firm-wide visibility ensure that no matter is overlooked and no check is undocumented. And

Take the guesswork out of conflict checks. [Book a demo today](#) or learn more about [Centerbase's built-in conflict checking](#) can kick off your client relationships efficiently and effectively.

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