



RISK BULLETIN

Disclaimers: Recommending Consultants To Clients

Many consultants provide their clients with the names of other consultants that can be used for other scopes of work on a project. However, this service can be construed as a recommendation to the client to use these consultants. Especially if a problem arises down the road, such a “recommendation” could increase your firm’s vicarious liability. To assist in minimizing this risk, the following four examples of language can be included



when providing a list of consultants to clients to help limit your liability. As with all contract provisions, an attorney who is familiar with your industry and your firm’s operations in your geographical area should be contacted.

1. *This list of [type] consultants is intended to provide you with the identity of consultants who may be able to provide the services you seek. The listing of a firm does not constitute a recommendation of this office with regard to*

the performance or ability of that firm. You need to contact each consultant independently to determine its capabilities and suitability for the services to be performed. We suggest that you contact more than one (1) consultant prior to making a final decision to hire.

2. *This list of [type] consultants does not constitute the full list of firms providing [type] services, nor does it constitute a specific recommendation of this office of any listed firm. You should carefully review and evaluate each consultant for compatibility to the project. We will aid you in that process if you desire.*

3. *This list of [type] consultants does not represent a recommendation by this office of the performance or qualifications of any firm contained on the list. Each project is different. A consultant should be reviewed by you for each project. There may be other consultants who are not on this list that you may want to contact for possible retention.*

4. *This list of [type] consultants is not a representation or guarantee of the performance capabilities of the firms identified. The list is intended to provide you with consultants who may be able to perform the services you seek. You must review each consultant carefully to determine their ability to provide you with the services required for the budget.*

The information contained herein is intended for informational purposes only and does not constitute legal advice. For legal advice, seek the services of a competent attorney. Any descriptions of insurance provisions are general overviews only.

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