

Akron Bar Association



MODEST MEANS REFERRAL PROGRAM

Membership Information
& Application

57 S. Broadway • Akron, OH 44308
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www.akronbar.org • lynng@akronbar.org

Dear Attorney,

Thank you for your interest in the Modest Means Referral Program (MMRP) of the Akron Bar Association. We are excited to be able to offer this much-needed service to our community.

For many years, low-income individuals in the Akron area living paycheck to paycheck have not been able to obtain affordable legal representation. They begin their search for legal help by calling attorneys listed in the phone book and quickly find that their fees are too high for the client to afford. Next, the client is directed to Community Legal Aid Services, where they discover that they do not qualify for services. More often than not, the client is turned away and left to try to deal with the problems on their own.

This is where we feel we can help.

By joining the Modest Means Referral Program as a panel attorney, you will not only assist people who would otherwise have nowhere else to turn, but you will also:

- ✘ Gain valuable experience
- ✘ Expand your client base
- ✘ Establish yourself in the legal community
- ✘ Maintain a work flow at non-peak times

Please complete the enclosed membership application and areas of concentration. We will also request a current copy of the Declarations page from your liability insurance. Once received, we will be happy to place you on the rotation for the appropriate panels. Information should be sent to:

Lynn Gittins
Akron Bar Association
57 South Broadway
Akron, OH 44308

Please review the information enclosed. If you have any questions or concerns, feel free to contact me at LynnG@akronbar.org or 330.253.5007.

Thank you for realizing that you can make a difference!

Respectfully,

Lynn Gittins
LRIS Director
Akron Bar Association

What is the Modest Means Referral Program?

The purpose of the Modest Means Referral Program is:

1. To provide reduced-fee, civil legal assistance to low-income Summit County residents who do not have access to Legal Aid or pro bono services and who cannot afford legal fees at market rates.
2. To allow Akron Bar Association members to provide a public service by rendering reduced-fee legal services to persons who could not otherwise afford such services.
3. To provide valuable experience to inexperienced lawyers through reduced-fee representation of low-income clients.

Client Eligibility

Clients who are eligible to participate in the MMRP meet the eligibility requirements set forth by Community Legal Aid Services, which is up to 200% of federal poverty guidelines. All clients are first screened by Community Legal Aid Services. If they are found to have a case, are financially eligible, and legal aid or pro bono services are unavailable, the client may be referred to the Modest Means Referral Program of the Akron Bar Association. This program keeps a rotating list of attorneys who are willing to accept cases at a reduced rate of \$60 per hour.

The following services are available through the MMRP:

Domestic
Post-decree support
Post-decree contempt
Post-decree custody
Child Custody & Support
Other areas not currently
receiving legal services

Consumer Law
Collections
Automotive
Home Repair
Retail
Other areas not currently
receiving legal services

Probate
Wills
Guardianship
Other areas not currently
receiving legal services

Attorney Participation

Attorneys participating in the MMRP must meet the following requirements:

- Must be a member of the Akron Bar Association.
- Must be licensed to practice law in the State of Ohio and in good standing with the Ohio Supreme Court
- Must carry liability insurance with minimum amounts of coverage equal to \$100,000.00 per occurrence and \$300,000.00 in the aggregate.
- Must provide the requested information to demonstrate competency to handle cases in selected areas of law through experience or association with a mentor or experienced attorney

The Akron Bar Association will provide a list of volunteer mentor attorneys to assist panel members who need guidance. Community Legal Aid Services will provide a free CLE seminar to all participating MMRP attorneys.

Fees

Retainers may be charged by attorneys up to the following amounts:

Domestic.....	\$400
Consumer.....	\$400
Estate Planning or Simple Will.....	\$100
Other Probate.....	\$400

Panel members will charge \$30 for the first 30 minute consultation with the client. This \$30 fee shall be paid to the Akron Bar Association for its administration of the program. If retained, the attorney will charge no more than \$60 per hour for their services. Upon conclusion of representation, an accounting will be presented to the client for all fees and retainers. Unapplied retainers shall be refunded to the client. The attorney shall receive full payment of the retainer prior to filing any documents with the courts.

If it becomes clear that the hourly fee will exceed the retainer amount, the attorney will promptly notify the client to discuss in good faith how to proceed. Attorneys must be mindful of the fact that the ability of clients to pay is limited and pro bono services are encouraged. No additional fee will be charged without the client's agreement. If the attorney and client cannot agree on how to proceed, the Chair of the Modest Means Referral Program Committee shall be contacted for further direction.

An MMRP fee agreement shall be used as required by the Akron Bar Association. (See next page.)

**Modest Means Referral Program
Fee Agreement**

Legal Services to be provided:

_____ and _____
(Client Name) (You) (Attorney Name) (I)

agree I will represent you by providing legal representation for the following legal issue(s):

My fees:

My fees for this matter are at a reduced rate of \$60.00 per hour as long as you remain financially eligible for this program through the Akron Bar Association Modest Means Referral Program. Listed below are our arrangements.

If for any reason, your financial status changes significantly due to finances or tangible property, or you acquire property that significantly changes your financial status while I am representing you through the Modest Means Referral Program, I may continue to provide my services as described above at my normal rate of \$_____ per hour.

Certain areas of law allow for the recovery of attorney's fees as part of the damages to which a claimant is entitled. In the event I obtain an award of attorney's fees in the course of representing you, I shall be entitled to retain the award of attorney's fees; however, you shall be entitled to a refund for any legal fees paid by you for which I receive compensation through the award of attorney's fees.

A retainer fee of \$_____ is required to be paid prior to my filing any documents with the courts therefore becoming the attorney of record for this issue. If this retainer fee is to be waived, please check here [] and both the attorney and client must initial in boxes listed below.

_____ Attorney's initials _____ Client's initials

The unused portion of the retainer will be refunded to you.

The retainer is an amount that will be held in escrow and applied against actual fees at the hourly rate above. The retainer does not include filing fees, court costs or other litigation expenses. You are responsible for the payment of these costs in a prompt manner. A poverty affidavit may be filed if appropriate. If my time exceeds the amount calculated in the retainer, you may be liable for additional fees. If it becomes clear that my fee will exceed the amount of the retainer, I will notify you promptly so that we can discuss in good faith how to proceed. No additional fee will be charged unless we have reached an agreement on the fee and the manner of payment.

Please understand that at the conclusion of this case and my services, any amounts due are to be paid upon an agreed date or plan.

If you disagree with my bill and there can not be any resolution between the two of us, you have the opportunity to submit a request to the Akron Bar Association Fee Arbitration Committee to resolve any disputes. If you submit your claim for review and resolution to the arbitrator, the decision of the arbitrator will be final and binding between you and me.

Date: _____

Akron Bar Association Modest Means Referral Program Attorney Membership Application

Contact Information:

Name: _____ Attorney ID: _____
Firm: _____ Phone: _____
Address: _____ Fax: _____
_____ Email: _____
_____ Website: _____

Areas of Practice:

Domestic & Family

Recommended Experience Requirements:

6 CLE hours in the last 2 years, 10% of practice in this area and represented on 5 cases.

_____ Post-Decree Support
_____ Post-Decree Contempt
_____ Post-Decree Custody
_____ Child Support & Custody
_____ Other: _____

Consumer

Recommended Experience Requirements:

3 CLE hours in the last 2 years, 5% of practice and represented 10 cases.

_____ Collections
_____ Automotive
_____ Home Repair
_____ Retail
_____ Other: _____

Probate

Recommended Experience Requirements:

6 CLE hours in the last 2 years, 15% of total number of clients and/or 15% of time spent on probate cases, and/or 20 probate cases including work through Legal Aid or VLSP

_____ Wills
_____ Guardianship
_____ Other: _____

Agreement:

I certify the following:

- ✓ I am a member of the Akron Bar Association and in good standing.
- ✓ I understand that I must carry Professional Liability Insurance at all times.
- ✓ I have read the areas of practice experience requirements and either:
 - a) Meet the experience requirements or;
 - b) Agree that I will consult a mentor from the Akron Bar Association's Mentor List if I need assistance in the areas where I do not meet the experience requirements.
- ✓ I agree to collect \$30 from the client for the first half hour of consultation, and remit said fee to the Akron Bar Association.
- ✓ I agree to charge the client at the set hourly rate of \$60.00 per hour, and not to collect retainers for more than the stated amount.
- ✓ If, after reviewing the case I find I am unable to represent the client, I will send the client back to the MMRP office to be referred to another panelist.
- ✓ I will notify the Akron Bar Association if I learn that the client is financially ineligible for the MMRP.

I further agree to indemnify and hold harmless, the Akron Bar Association, the Lawyer Referral Service and their officer, agents and employees from any and all liability and costs attendant thereto, (including fees for representation and other litigation expenses) arising out of my participation and/or membership in the Modest Means Referral Program of the Akron Bar Association.

Sign

Date