

**Akron Bar Association**



# **MODEST MEANS REFERRAL PROGRAM**

Program Information  
& Membership Application

57 S. Broadway • Akron, OH 44308  
Phone (330) 436-0117 • Fax (330) 253-2140  
[www.akronbar.org](http://www.akronbar.org) • [LRIS@akronbar.org](mailto:LRIS@akronbar.org)

### Vision

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 or online 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 or, if they do qualify, that Legal Aid services are not available for their needs. More often than not, the client is turned away and left to try to deal with the problems alone.

This is where we feel we can help.

Modest Means Referral Program attorneys assist people who would otherwise have nowhere else to turn. The program also helps attorneys:

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

We are excited to be able to offer this much-needed service to our community.

### Purpose

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 are those whose income does not exceed **250% 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.

## 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.

If you wish to be a part of this exciting opportunity, please complete the enclosed membership application and areas of concentration. We also request a current copy of the declarations page from your liability insurance. Once received, we will review your application and place you on the rotation for the appropriate panels. Information should be sent to:

LRIS Director  
Akron Bar Association  
57 South Broadway  
Akron, OH 44308

If you have any questions or concerns, feel free to contact the LRIS Director at [LRIS@akronbar.org](mailto:LRIS@akronbar.org) or 330.436.0117.

Thank you for making a difference!

# Services

## **Consumer**

*Recommended Experience Requirements: 3 CLE hours in the last 2 years, 5% of practice and represented 10 cases.*

- Automotive
- Bankruptcy
- Collections
- Home Repair
- Predatory Lending
- Retail Issues

## **Domestic**

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

- Divorce / Dissolution
- Post Decree Contempt
- Post Decree Custody
- Post-Decree Support

## **Juvenile**

*Recommended Experience Requirements: 6 CLE hours in the last 2 years, 10% of practice and represented 5 cases.*

- Child Support
- Contempt
- Custody / Custody Modification
- Visitation

## **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*

- Adoption
- Guardianship
- Power of Attorney
- Trusts / Estates
- Wills

## **Real Estate**

*Recommended Experience Requirements: 3 CLE hours in each subcategory or 6 general real property CLE hours in the last 2 years; or representation on at least 4 transactions within each sub area in the last 2 years; or 25% of practice in real estate law*

- Foreclosure
- Landlord / Tenant Issue

## Fees

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

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

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 Lawyer Referral and Information Service (LRIS) 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: \_\_\_\_\_

Signature: \_\_\_\_\_

# Akron Bar Association Modest Means Referral Program Attorney Application

## Contact Information:

Name: \_\_\_\_\_  
Firm: \_\_\_\_\_  
Address: \_\_\_\_\_  
Website: \_\_\_\_\_

Attorney ID: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

## Areas of Practice:

### Consumer

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

- Automotive
- Bankruptcy
- Collections
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### Real Estate

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## 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 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.

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Sign

Date