

**ST. LOUIS BANKRUPTCY
PRO SE ASSISTANCE PROGRAM (PSAP)
ATTORNEY REGISTRATION PACKET**

ATTORNEYS, PLEASE READ PRIOR TO REGISTRATION

The St. Louis Bankruptcy Pro Se Assistance Program (“PSAP”) is a bankruptcy clinic available in the Thomas F. Eagleton U.S. Eastern District of Missouri courthouse in St. Louis. The PSAP is sponsored by The Bar Association of Metropolitan St. Louis (BAMSL) and the Saint Louis Bar Foundation. This clinic was formed to assist individuals contemplating filing a bankruptcy case and current pro se debtors. The PSAP will consist of two distinct services: (a) a thirty-minute consultation with individuals contemplating filing a bankruptcy case (the “Pre-Filing Clinic”), and (b) a thirty minute consultation with a debtor or debtors that already have filed a bankruptcy case but are not represented by counsel (the “Post-Filing Clinic”).

Pre Filing Clinic. One of the goals of PSAP is to reach out to potential debtors before they file bankruptcy, in an effort to avoid unnecessary filings and to give a first-hand look at the importance of working with an experienced bankruptcy attorney. Therefore, volunteer attorneys will staff the PSAP office in the courthouse in two hour shifts on a regular basis. It is expected that individuals contemplating a bankruptcy filing will not need an advance appointment. All volunteers in the Pre Filing Clinic phase of this program will be required to attend at least one training session conducted by PSAP.

Post Filing Clinic. The percentage of pro se filings in the Eastern District of Missouri has been trending upward for the past several years. The entire bankruptcy system will operate more efficiently if pro se debtors avoid some common problems. The Post Filing Clinic permits pro se debtors to consult on discrete issues regarding their own cases. Pro se debtors will pre-schedule an appointment to meet with a volunteer attorney for a free 30 minute consultation. Volunteer attorneys will staff the Clinic in two-hour shifts. All volunteers in the Post Filing Clinic phase of this program will be required to attend at least one training session conducted by PSAP.

General Provisions. All volunteers must be a member in good standing of the Missouri Bar and admitted to practice before the U.S. District Court for the Eastern District of Missouri. Any volunteer may be removed from PSAP by BAMSL or the Foundation with or without cause. All

attorneys participating in the Pre Filing Clinic and Post Filing Clinic are required to attend at least one training session prior to participation in the PSAP.

At the appointment, volunteer attorneys should be available to answer questions, review filings, and address other matters that pro se debtors may encounter. To ensure volunteers are capable of answering questions at the clinic, the PSAP requires Post Filing Clinic volunteers to have 3 years of consumer bankruptcy experience. If a volunteer has less than 3 years of experience but feels competent to staff the PSAP, a waiver of this policy may be granted after written request to BAMSL.

Please note that attorneys are not expected to answer all questions. The PSAP hopes to answer questions that can reasonably be answered within a 30 minute consultation and to provide direction and guidance to individuals on how to proceed after the consultation (i.e. what to expect in their case if they continue without an attorney). If a potential conflict appears, the volunteer attorney should terminate the consultation.

The PSAP clinic office is a furnished office located in the intake area of the Bankruptcy Clerk's Office on the fourth floor of the courthouse. The office has a computer, scanner/printer/copier, and Wi-Fi Internet connectivity available for use by volunteer attorneys. The Wi-Fi access is only for the volunteer attorneys and is not for public use. The Bankruptcy Clerk's Office provides a waiting area for debtors to sit and wait until their scheduled appointment time.

Malpractice Coverage. Insurance is not automatically provided to PSAP volunteers. Volunteer attorneys should check their own firm's malpractice policy to determine if their volunteer work with PSAP is already covered. Moreover, limited coverage is provided under the Missouri Legal Defense Fund, Section 105.711 RSMo. All volunteer attorneys will be required to show that they are covered under an existing malpractice policy or register for coverage under Section 105.711 RSMo. The registration form is one page and provides limited coverage to attorneys practicing law without compensation through a pro bono agency. Please see the statute for more details and confer with your malpractice carrier.

Ethical Considerations. All individuals and clients are required to sign a limited representation form at the beginning of the consultation that acknowledges the limited relationship which

terminates at the end of the PSAP appointment. Please review Rule 4-6.5 of the Missouri Supreme Court Rules for an understanding of the applicable Rule of Professional Conduct. According to Rule 4-7.3 of the Missouri Supreme Court Rules, attorney volunteers are not permitted to solicit clients in-person or to hand out their business cards during the consultation or in the Bankruptcy Clerk's Office, but will refer clients to BAMSL and give the clients a BAMSL telephone number (toll-free 844-758-4059) so that they can call to ask for an attorney referral from BAMSL if they are interested in hiring an attorney after the consultation.

Training. Training will be made available to volunteer attorneys interested in participating in either the Pre Filing Clinic or Post Filing Clinic components of the program. The content of the Pre Filing Clinic training will be directed at showing the dangers of filing bankruptcy without an attorney and giving basic information about the bankruptcy process before a potential debtor(s) files for bankruptcy protection.

The content of the Post Filing Clinic training will be directed at updating participating attorneys on the proper handling of the consultations and conflict-of-interest issues. The participating attorneys are presumed to know the law relevant to assisting consumer debtors, so only a few substantive issues may be addressed.

If you wish to participate, all volunteers must complete the volunteer registration form, located at <https://www.bamsl.org/Bankruptcy>.

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**ST. LOUIS BANKRUPTCY
PRO SE ASSISTANCE PROGRAM (PSAP)
ATTORNEY VOLUNTEER REGISTRATION**

Name _____

Firm: _____

Address: _____

City, State, Zip: _____

Work Phone: _____

Cell Phone: _____

Email: _____

Member in Good Standing of Missouri Bar: Yes ___ No ___

Year Admitted: _____ Other States of Bar Admission: _____

Year Admitted to US District Court for the Eastern District of Missouri: _____

Languages Spoken (Other than English): _____

I would like to volunteer for the PSAP and staff the Pro Se Clinic at the U.S. Courthouse in St. Louis, MO.

I certify that: (1) the information above is true and correct, (2) I have been provided and have read the PSAP Attorney Registration information sheet, and I agree to the terms and conditions of participation in the program that are described therein, and (3) I will contact the PSAP Coordinator with any updates to my profile or requests for removal.

I will not solicit the PSAP client to retain me as the client's lawyer, either in the consultation or afterwards. I understand that PSAP clients may choose to initiate contact with me after the consultation and that I can accept such representation.

Volunteer - Print Name

Signature

Dated: _____

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**Attorney Enrollment
Missouri for Legal Expense Fund**

For the purpose of registering with the Attorney General of Missouri for Legal Expense Fund Coverage (Section 105.711, RSMo Supp.) for practicing law without compensation through the Saint Louis Bar Foundation, a governmental agency or a nonprofit community social services center, the following information is provided.

Name: _____

Address: _____

City, State, Zip: _____

Daytime phone: _____

Mo Bar Number: _____

Place of employment, if any: _____

Estimated number of hours per year of legal services provided without compensation are:

General area of law engaged in will be: Consumer Bankruptcy

Records of clients represented through this program shall be maintained at:

Saint Louis Bar Foundation, 555 Washington Ave, Ste 100, Saint Louis, MO 63101

At the address given above.

It is understood that:

- (a) I will not represent any client under this program if I have a preexisting attorney client relationship with the client under which fees have been collected or contracted for;
- (b) No fee will be charged, sought or accepted from the client for any representation or consultation regardless of outcome;
- (c) I will not discriminate in providing legal services on the basis of race, sex, religion, national origin or ethnic background.

Signed _____

Dated: _____

Witness for the governmental or charitable agency:

Signed _____

Name/Title _____

Dated: _____