

# MODEST MEANS COMMITTEE



## ACCESS TO JUSTICE COMMISSION

Committee Members: Chair Mark Surprenant, Hon. Sheral Kellar, Stacy Seicshnaydre, Meg Frazier, Virginia Listach, and Kimberly Theriot

ATJ Staff Liaisons: Monte Mollere and Amy Duncan

### **Progress Report**

Since September, the Modest Means Committee has: 1) filmed a one hour on-demand CLE on ethics required for attorneys who would like to join the directory and 2) finalized the language on the Modest Means Online Legal Directory.

### **The One-Hour Modest Means CLE**

In order to join the directory, attorneys are required to view a one-hour CLE that includes an overview of the Modest Means Online Legal Directory (“Directory”) and discusses ethical obligations to consider when representing clients with limited means. During the first portion of the CLE, LSBA President-Elect Barry Grodsky provides an overview of the online directory, the attorneys’ responsibilities as an LSBA member listed on the Directory, and eligibility requirements of a prospective user to view the directory. The second portion of the CLE is presented by Loyola New Orleans College of Law Professor Dane Ciolino, who presents ethical considerations when representing someone with limited means including engagement and non-engagement agreements, fee arrangements, communication, and competency. The one-hour CLE is available on the Online CLE section of the LSBA website. There is a \$40 fee to complete the CLE, which covers the cost of hosting it on-demand on the web. However, the Committee has decided to waive the cost for the first 50 attorneys who join the directory. Additionally, attorneys in the LSBA’s LIFT program will be able to watch the CLE and join the Directory at no cost.

### **The Modest Means Website**

During its last meeting, the Committee reviewed and finalized the verbiage appearing on the various pages of the Directory (available at: [www.lsba.org/ATJCommission/ModestMeans.aspx](http://www.lsba.org/ATJCommission/ModestMeans.aspx)). In order to test the functionality and usability of the website, the members would like prospective users eligible to view the Directory and attorneys who might agree to join to review and provide feedback before going live. To this end, the Committee will work with legal aid and pro bono organizations to get feedback from potential users. Additionally, staff has requested feedback from attorneys in LSBA’s LIFT Incubator Program, who have practices dedicated to serving modest means clients.

### **Next Steps**

Over the next few months, the Committee will work to invite attorneys, namely solo and small firm practitioners, to complete the CLE and join the directory. Once the directory has over 50 attorneys listed representing more than 10 parishes, notice will be sent to our ATJ partners to share the directory with those who do not qualify for free legal services, but fall below the 400% federal poverty guidelines. As requested, the Committee will provide a report to the LSBA Board of Governors on the progress of the Directory.

**ATJ Commission  
Modest Means Committee  
2017-2018 Action Plan**

**Modest Means Committee Mission:** The Louisiana Access to Justice Commission Modest Means Committee was established to brainstorm and develop ways to address the legal needs of modest means clients – clients who do not qualify for free legal services from non-profit civil legal service programs, but are unable to afford the average market rate for legal representation.

**Strategic Priority #1: Develop an online legal directory that will match modest means clients with attorneys offering reduced fee legal representation and services.**

<b>Action Step</b>	<b>Responsible Party(ies)</b>	<b>Proposed Completion Date</b>	<b>Notes</b>	<b>Completion Date</b>
Set eligibility requirements for attorneys to participate in listing of online directory as well as issues involving liability	Committee Members	November 2016	This action step will be an ongoing research project from now until the mock launch	March 2017
Launch Mock up online legal directory	LSBA Staff	December 2016	Work with IT to create a mock up online directory	March 2017
Present before BOG & request for approval to launch	LSBA Staff and Committee members	January 2017	Present mock up and explain eligibility criteria for approval	August 2017
Film CLE on ethical considerations when representing modest means clients	LSBA Staff and Bar leadership	October 2017	President-elect Barry Grodsky and Loyola Law Professor Dane Ciolino presented on the recording	November 2017
Work with CLE dept. and InReach to make CLE available on demand through the online programming	LSBA Staff	December 2017	The CLE is currently with InReach and is expected to be ready in December 2017	December 2017
Make LSBA members aware that this directory exists and create instructions for those who would like to join	LSBA Staff, ATJ partners, and Committee members	January 2018 thru January 2019	A plan for continual notification to bar members that this directory exists and those eligible should sign up to be listed through the website	
Report on progress to LSBA Board of Governors	ATJ Committee members	2018	The LSBA BOG requested a report from the Committee on the status of the directory	
Test usability and functionality of Online Directory with Attorneys who may join the list	LSBA Staff	January 2018	The Directory will be shared with the current and former LIFT participants for feedback	
Test usability and functionality of Online Directory with the public who may be eligible to view the directory	ATJ Partners and Committee Members	March 2018	The Directory will be shared with legal aid and pro bono partner org.'s to share with people who may be eligible	
Make the public aware that directory is available for use	ATJ Partners	TBD	At least 50 attorneys on the list representing 10 or more parishes before sharing	