

LEGAL RESOURCE AND REFERRAL CENTER

Find legal assistance whenever you need it.

Rules for LRS Panel Membership

State Bar of Michigan
Affordable Legal Services Committee
Online Legal Resource & Referral Center Committee

Rules of the LRS Program

Rule 1. Purpose and Scope

- 1.1. The State Bar of Michigan Lawyer Referral Service (LRS) Program is designed to match someone who can afford to hire a lawyer and needs help finding one with a lawyer willing and able to provide the needed legal services. The LRS Program charges a \$25 administrative fee that it uses to offset its expenses and will match a caller with a participating lawyer referral panelist who will provide up to a 25-minute initial consultation free of charge. The administrative fee is waived for residential tenants, Social Security claimants, workers' compensation claimants, and personal injury plaintiffs.
- 1.2. The LRS is operated as a public service and exists primarily for the benefit of the public. In addition to providing referrals to private attorneys, the LRS shall provide information about reduced fee and pro bono legal services and may establish such additional programs as are necessary and appropriate.

The LRS offers the following program:

- a Modest Means (MM) Program* connects moderate income people with attorneys who have agreed to provide reduced cost legal assistance, including limited scope representation and flat fee services.

Rule 2. Eligibility Requirements and Conditions of Panel Membership

- 2.1. State Bar members who are active and in good standing are eligible to serve as LRS panelists. Panelists must abide by these rules and will receive referrals in the areas of practice and geographic jurisdictions they select when registering for the programs via the LRS Online Portal. To access the portal, follow the link below to the Legal Resource and Referral Center homepage and click on the "LOGIN" box in the upper right-hand corner of the page. You will be taken to an account login page that includes a tutorial you can view. <https://lrs.michbar.org>
- 2.2. Panelists must be engaged in the practice of law on a full or part-time basis and must have ready access to suitable office or meeting space in which to hold confidential meetings. Use of space at the State Bar of Michigan, any local or county bar, a public library or similar space is allowed. Panelists must promptly notify LRS using the LRS Online Portal of any change in their membership status or contact information, including address, email, and telephone number.
- 2.3. Panelists must carry professional liability insurance in an amount not less than \$100,000 per occurrence and \$300,000 aggregate and must provide a current copy of their insurance policy declaration page. Expiration of a panelist's professional liability insurance will automatically suspend that panelist from the LRS Program until the renewed policy declaration page is filed with the State Bar. The declaration page must include the amounts of coverage, the dates of coverage, and the policy number. The declaration page can be uploaded to the LRS Program using the LRS Online Portal.
- 2.4. Panelists may elect to accept referrals in any field of law in which they are competent, in accordance with MRPC 1.1. Referrals are made to panelists on an impartial, rotational basis. Panelists are eligible to receive referrals in every practice area they have selected.
- 2.5. There is no attorney-client relationship or other professional relationship between the LRS Program and the LRS caller. Fee disputes are between the panelist and the caller, although LRS staff are willing to assist the parties in seeking to resolve a fee dispute.
- 2.6. A panelist's acceptance of a referral for an initial consultation does not obligate the panelist to provide legal services beyond the initial consultation. A panelist who has received a referral from the LRS Program that

is within the practice areas the panelist selected when registering with the program may not unreasonably refuse to accept the referral or to schedule an initial consultation. A panelist who declines a referral that is within a practice area the panelist selected when registering with the LRS Program may be placed at the end of the rotation list. A panelist's habitual refusal to accept referrals may be cause for removal from the LRS Program.

- 2.7. A panelist may temporarily suspend participation in the LRS Program at any time, for any length of time, and for any reason (sickness, vacation, press of business, personal reasons, etc.) by making the appropriate selection on the LRS Online Portal. For help in doing so, go to the LRS Panelist Quick Reference Guide.
- 2.8. If in the opinion of the LRS Program staff, there is reasonable cause to believe a panelist has violated the Rules of the LRS Program or any related policies, the LRS Program may suspend or remove the panelist from participating in the LRS program or take such lesser action as is deemed appropriate. In most cases advance written notice will be sent to the panelist's email address, but the LRS Program reserves the right to act without notice in cases where it deems immediate action is required.
- 2.9. It is the obligation of a panelist to immediately report to the LRS Program that a complaint has been brought against the panelist alleging malpractice or another tort pertaining to the representation of a client arising from an established attorney-client relationship or that a complaint as defined by MCR 9.115(B) has been filed against a panelist. The LRS Program, at its sole discretion, may elect to suspend the panelist during the pendency of the legal proceeding or disciplinary matter and similarly, at its sole discretion, may elect to reinstate the suspended panelist for the balance of the term covered by the registration fee last paid upon confirmation that the legal proceeding has been fully determined or that the disciplinary matter has been resolved without a warning, reprimand, or change in the panelist's membership status.
- 2.10. The LRS Program will collect a \$25 referral fee from a caller seeking a referral and callers referred to a panelist are entitled to a free consultation with the panelist of up to 25 minutes. Panelists must participate in the consultation and may not delegate it to non-attorney staff members. Any attorney fees following the initial consultation are settled upon between the caller and panelist, in accordance with MRPC 1.1 and 1.5. Panelists agree not to charge more fees and expenses to an LRS Program caller than they would to a client not referred by the LRS Program.
- 2.11. The annual base registration fee for participation in the LRS Program is \$150, which entitles a panelist to designate up to four practice area groupings and up to two geographic jurisdictions from which to receive referrals.
 - a. Up to Four Practice Areas. Each practice area selected (i.e. family law, consumer law, animal law, etc.) includes all sub-practice areas under that practice area, although the panelist has the option to select fewer than all of the sub-practice areas when registering.
 - b. Up to Two Judicial Circuits. Panelists will automatically receive the judicial circuit in which their primary office is located and may select one additional judicial circuit. There are many judicial circuits within the state that are comprised of more than a single county, and panelists may choose to limit referrals to fewer than all of the counties in a multi-county circuit. The Upper Peninsula may be treated as a single circuit, with the ability to opt out of any counties from which the attorney does not wish to receive referrals.

Additional practice areas may be purchased at \$25 for each practice area added.

Additional judicial circuits may be purchased at \$25 for each judicial circuit added or \$300 for all judicial circuits in the state.

Example:

Attorney Paisley Parker has a general practice firm. She lives in Arenac County. \$150 base fee.

Included in the base fee are bankruptcy & debtor/creditor, consumer law, family law, and general litigation & practice **and** 23rd Circuit Court jurisdiction and 55th Circuit Court jurisdiction.

She also handles labor & unemployment law (\$25) and real property law (\$25) and often appears in the 34th Circuit Court (\$25) and 18th Circuit Court (\$25).

\$100 for two additional practice areas and two additional judicial circuits. The total annual amount she would owe for her selections is **\$250**.

- c. The Modest Means Program registration fee is waived for LRS panel members. Fees for participation in the Modest Means Program are addressed in the Modest Means Program Rules.
- 2.12. Panelists are required to contact the caller within two business days of receipt of the referral to either conduct the consultation or to schedule a time when the consultation can be conducted. If there is a conflict of interest, the panelist will promptly notify the LRS Program via the LRS Portal and the caller will be referred to another panelist. The referral may not be transferred or referred to another attorney without the express prior written consent of the LRS Program.
- 2.13. A referral disposition report is required to be completed for each matter referred. This report is to be electronically completed within the LRS Portal and submitted within 24 hours of the consultation or initial contact. Panelists will receive monthly reminders prompting them to submit referral disposition reports. Panelists will also receive periodic reminders to update previously submitted LRS reports if follow-up is necessary for provision of services, completion of services, or percentage fee payments.
- 2.14. For any referral received by a panelist (other than through the Modest Means Program) which generates an attorney fee of \$250 or more, the panelist agrees to remit 10 percent of the entire attorney fee (including 10 percent of the initial \$250 attorney fee) to the LRS Program within ten (10) working days of receipt of any such payment of fees. Payments may be made electronically using the LRS online attorney portal or by check made payable to the State Bar of Michigan LRS Program. SBM LRS staff may review court records to verify reported dispositions of LRS matters.
- 2.15. Panelists are required to comply with all LRS Program reporting requirements, including those relating to the timely online submission of referral disposition reports and payments. A panelist who fails to comply with LRS Program reporting requirements may be suspended or terminated from the program. Advance written notice will be sent to the panelist's email address if SBM LRS staff deems termination appropriate.
- 2.16. Panelists are not permitted to refer or transfer an LRS referral to another lawyer. If a panelist declines to represent an LRS caller, the caller must be referred back to the LRS Program. Any panelist who violates this rule is subject to suspension from the program and is liable to the LRS Program for any fees the LRS would have earned had the panelist not transferred or referred the caller to a second attorney. A panelist is permitted to use another lawyer as co-counsel. A panelist who uses co-counsel shall remain liable to the LRS Program for 10 percent of all attorneys' fees recovered by both the panelist and co-counsel. The panelist shall give written notice of this requirement to co-counsel, along with a copy of the LRS Program rules at the time the co-counsel relationship is established. Send a copy of the written notice to the SBM LRS Program. Any panelist who fails to comply with this reporting requirement may be suspended from the program.
- 2.17. Panelists remain responsible for submitting and updating disposition reports, and timely payment of fees on all referred matters until such time as the matter and payment of fees are complete. This duty survives withdrawal from the Lawyer Referral Service panel and change of employment.
- 2.18. Panelists are prohibited from increasing legal fees to LRS Program callers to compensate for the required payments to the LRS Program. Please discuss any fees for travel with the potential client in advance of retention.

Rule 3. Operations

- 3.1. Calls received by the LRS Program will be screened by LRS Program staff. Call center staff will make every effort to ascertain the most suitable type of lawyer based on the information provided by the caller. LRS Program staff will manage day-to-day operations of the LRS Program. Periodic surveys may be distributed by email or telephone to panelists regarding their participation in the program. LRS callers may also receive survey requests regarding their experience with the LRS Program, LRS panelists and overall customer satisfaction.
- 3.2. The LRS Program will notify panelists of all referrals via email. The referral notification will include the caller's name, the practice area that is the subject of the caller's contact, and whether the caller has consent to being contacted by the panelist.
- 3.3. By registering with the LRS Program, panelists agree to:
 - a. Use written fee agreements for any services provided beyond the initial consultation.
 - b. Contact referred individuals within two business days of referral notification email.
 - c. Complete referral disposition reports in the LRS Portal within 24 hours of consultation.
 - d. Maintain updated profile in LRS Portal, including practice areas, geographical preferences, and membership status.
 - e. Respond to inquiries from LRS staff within 24 hours of request.
 - f. Provide notice of inability to accept referrals due to case load, vacation, illness, etc. This can be done either by pausing self in LRS Portal or communicating with LRS staff.
 - g. Keep clients reasonably informed about the status of their matters and respond promptly to reasonable requests for information.
 - h. Return telephone calls and emails promptly and timely provide clients with copies of important papers and letters.
- 3.4. The LRS Program may request panelists to verify that correct remittances have been paid. Upon request, panelists must provide verification to LRS to the extent reasonably necessary to resolve any remittance dispute and to the extent the rules of professional conduct allow.

Notes:

- Additional information about the SBM Modest Means Program and MM Program Rules can be found: https://www.michbar.org/programs/lawyerreferral_panel/MMP
- If you have any questions regarding the State Bar of Michigan LRS, MM, or LSR programs, please contact Monique Smith, LRS Coordinator at the State Bar of Michigan, either by phone (517) 346- 6323, or email msmith@michbar.org.