



MASSBAR
ASSOCIATION

LAWYER REFERRAL SERVICE

2017-18
BENEFITS • SERVICES • APPLICATION

RULES

**AUTOMATIC
REFERRALS**

PROCEDURES

ONLINE

*Build your client
base and expand
your practice.*



THE PURPOSE OF THE LAWYER REFERRAL SERVICE

The purpose of the Lawyer Referral Service is to:

- a. Provide a way in which any person may be referred to a lawyer who is able to render and interested in rendering needed legal services;
- b. Provide information about lawyers and the availability of legal services that will aid in the selection of a lawyer;
- c. Inform the public when and where to seek legal services; and
- d. Provide general and legal information needed by the public.

— *Statement of Purpose, Statement of Standards
and Rules of the Lawyer Referral Service*

The Massachusetts Bar Association Lawyer Referral Service is one of the largest referral services of its kind, helping more than 500,000 people across the commonwealth find attorneys. This handbook will help you understand more about the LRS — what we offer the public and what we offer you. In it you will find all the rules and references that you will need as a member of LRS.

If you have any questions or suggestions about the enclosed information, contact the LRS at (617) 338-0556 or LRS@MassBar.org.

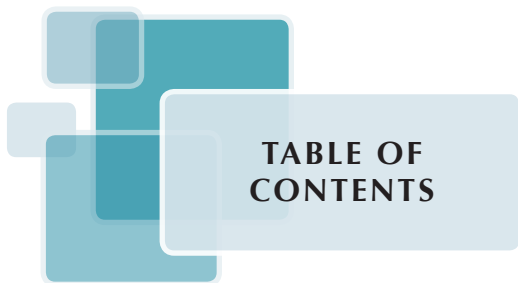


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INTRODUCTION

The Massachusetts Bar Association Lawyer Referral Service makes tens of thousands of referrals each year to its panel members across the state. That makes joining the LRS a sound choice for MBA members. Your participation helps the public, and, at the same time, offers you the opportunity to expand your client base. We invite you to invest in public service and your professional future by joining. Your membership will continue until **March 31, 2018**, but your expanded client base will continue for years.

To join the LRS, simply:

- Complete the application form in the center of this handbook (remember, you may choose up to 36 different areas of law in which to receive referrals, so carefully review the “Defining Your LRS Listing” section beginning on page 17);
- Attach your check (made payable to the MBA LRS) of either \$150 or \$100;
- Enclose a copy of the Certificate of Insurance from your current professional liability insurance carrier naming the MBA LRS as certificate holder (see page 43 for requirements);
- Sign, date and provide your BBO number on your LRS application; and
- Return the form to: MBA LRS, 20 West St., Boston, MA 02111-1204.

The staff and LRS Committee are committed to your success. Our trained staff representatives consider the user’s legal need, geographic convenience and financial situation in order to determine the appropriate referral. Referrals are evenly dispersed based on the time of the last referral.

If you have any questions, contact the LRS administrative office at (617) 338-0556 or LRS@MassBar.org. LRS information can also be found on the MBA website www.MassBar.org and at www.MassLawHelp.com.



STATEMENT OF STANDARDS AND RULES

The following rules were approved by the Executive Management Board on Oct. 29, 2015.

I. Statement of Purpose

- (1.1) The purpose of the LRS is to:
 - a. Provide ways in which any person may be referred to a lawyer who is able to render and is interested in rendering needed legal services;
 - b. Provide information about lawyers and the availability of legal services that will aid in the selection of a lawyer;
 - c. Inform the public when and where to seek legal services; and
 - d. Provide general and legal information needed by the public.

II. Committee Supervision and Reporting

- (2.1) An LRS Committee, referred to here as “the committee,” shall be charged with the supervision of the LRS as provided in this Statement of Standards and Rules, with the exception of the setting of all fees associated with the participation in and administration of the LRS that shall be set by the Budget and Finance Committee and the supervision of the MBA Executive Management Board and shall report at least annually to the Executive Management Board.
- (2.2) The committee shall be appointed by the president of the MBA and will operate pursuant to the specifications outlined in the MBA Bylaws. A vice chairperson may be selected by the chairperson.
- (2.3) The committee shall meet at regular intervals during the year to review overall policy matters and areas of LRS development and to address issues raised by MBA staff and panel members regarding the management of the LRS.
- (2.4) The committee shall formulate and adopt all rules for the conduct and operation of the LRS, subject to the approval of the Executive Management Board.
- (2.5) The rules of the LRS shall allow the committee to provide for appeal of any actions taken by the committee.

III. Plan for Organization

- (3.1) The LRS shall be operated from the MBA offices utilizing full and part-time staff members of the MBA as deemed appropriate. Internet-based and online services of the LRS may be supported remotely from the MBA offices with the approval of the committee. A staff member of the MBA shall serve as a liaison to the LRS Committee.

IIIA. LRS Phone Line

- (3.2) The LRS shall have a toll-free phone line maintained and staffed during business hours or on a full-time basis for initial intake, screening and referral to panel members by LRS staff. The toll-free phone line shall be staffed and maintained at MBA headquarters and/or other facilities approved by the committee and supervised by MBA staff members.
- (3.3) A referral to an LRS panel member for a person contacting the LRS by the toll-free phone line (a user) will be made only after:
- a. Initial intake and screening by LRS staff, including Identification of a practice area seemingly appropriate for the legal matter raised by the user; and
 - b. Agreement by the user to pay to the LRS panel member at least the initial half-hour consultation fee as established by the committee.
- (3.4) The LRS panel member to whom a referral is made will be selected on a rotating basis from a listing of LRS panel members who have indicated on their LRS membership application that their practice includes the area determined by the LRS staff to be appropriate.
- (3.5) Only one LRS panel member's name and contact information will be supplied to a user after an initial LRS staff screening. All such users will be encouraged to consult with LRS staff if they are not satisfied with either the fee or the choice of the lawyer after the initial office consultation. In a case where additional referrals to LRS panel members are to be made, the LRS supervisor will decide on a case-by-case basis whether further referrals to panel members are warranted.
- (3.6) The committee from time to time may adjust the initial office consultation fee.

IIIB. LRS Online Referral Component of Website

- (3.7) The LRS shall maintain an LRS online referral component of the website as an alternative to the toll-free phone line for initial intake, screening and referral to panel members. Subject to receiving consent of the MBA, the LRS online portion of the website shall be hyperlinked to and from the MBA website. As approved by the committee from time to time, the LRS online portion of the website shall be maintained and supported by LRS staff and/or others under the control of LRS staff at the MBA headquarters and/or other facilities supervised by MBA, LRS and/or IT departmental staff.
- (3.8) A referral to an LRS panel member for a person visiting the LRS online portion of the website user may be made automatically in accordance with mechanisms

approved by the committee for implementation by the LRS online portion of the website. Prior to making a referral, the LRS website shall:

- a. Obtain information corresponding generally to the information obtained by LRS staff during an initial intake and screening of an LRS phone line user, including at least the identification and contact information of the user and a practice area seemingly appropriate for the user's legal matter; and
 - b. Obtain an indication of the user's agreement to pay to the LRS panel member at least the initial half-hour office consultation fee as established by the committee and any other rules and procedures determined by LRS staff and committee.
- (3.9) The LRS panel member to whom a referral is made to an LRS online user will be selected on a rotating basis from a listing of LRS panel members who have indicated in their LRS membership application that: (i) their practice includes the area determined by the LRS online website to be appropriate for the user's legal matter; and (ii) they are willing to accept referrals made automatically by the LRS online website. No LRS panel member shall be included on more than 36 practice areas for website referrals.
- (3.10) Only one LRS panel member will be identified to an LRS user at the conclusion of an LRS online website intake and screening. In making a referral, the LRS online website will provide the name, address and phone number of the LRS panel member. To the extent practical, and with the prior approval of the committee, a referral may also include one or more hyperlinks and other information provided by the panel member, e.g., a website address, an email address, online social network links, etc. The LRS online website will include a notice encouraging visitors to whom a referral is made to consult with LRS staff if, after the initial office consultation, they are not satisfied with either the fee or the choice of lawyer.

IV. Panel Membership Requirements

- (4.1) An applicant must agree that:
- a. He or she is licensed to practice in Massachusetts and provides his or her Board of Bar Overseers number;
 - b. He or she is a member of the MBA;
 - c. He or she will grant an initial consultation of one-half hour. If a fee is charged, he or she will charge no more than the fee established by the committee to any user referred to him or her through the LRS;
 - d. Any charge for additional legal services will be agreed upon with the user; this fee will be fixed as clearly as possible during the initial consultation. Applicants shall note that written fee agreements are strongly recommended and may be required under the Massachusetts Rules of Professional Conduct;
 - e. He or she will arbitrate any dispute about the amount of a fee at the MBA Legal Fee Arbitration Board. In such a case, the arbitration will be binding on the lawyer. If the lawyer refuses to participate, an *ex parte* hearing shall be held at the Fee

Arbitration Board. If the user refuses to participate, the lawyer may initiate such legal action as he or she deems appropriate;

- f. He or she will carry minimum professional liability coverage of \$250,000/\$500,000. He or she will provide a Certificate of Insurance with the MBA LRS listed as the certificate holder. He or she further agrees to notify the LRS immediately if the policy is terminated or coverage is reduced during the period of LRS participation. He or she further agrees to carry the required professional liability coverage if and when he or she is no longer an LRS panel member but still has active cases that were referred during their participation with the LRS program;
- g. If appropriate, he or she will grant all users referred by the service an appointment as soon as practicable after a request is made by the user or LRS staff;
- h. He or she will abide by all the rules of the service, including those regarding fees set forth in Section V of the LRS Statement of Standards and Rules. He or she will hereby waive any and all claims against the MBA, the MBA's LRS Committee and all subcommittees, MBA officers, MBA members and MBA employees for any loss or liability arising out of a referral and/or handling of a referral. He or she also agrees to indemnify the MBA from any and all claims, losses and liability, including lawyer fees arising from his or her negligence in handling any referral made by or through the MBA's Lawyer Referral Service;
- i. He or she will abide by all decisions of the committee with regard to application procedures and continued eligibility as a member of the LRS;
- j. He or she will proceed with due diligence on referred user matters and will not neglect any matter referred by the LRS;
- k. He or she will pay fee remittances due to the LRS in a timely manner, no later than thirty (30) days after receipt by the LRS panel member, of the collected net legal fees. He or she will respond fully and in a timely manner (no later than (30) days after receipt by the LRS panel member), to any written request from the LRS for a listing of LRS referrals and their status. Failure to pay remittances in a timely manner or failure to provide accurate and complete accountings of referrals and their status will be grounds for suspension or removal of a member from the panel; and
- l. He or she will promptly notify the LRS of any suspension, disbarment, ethical censure or disciplinary action by the Board of Bar Overseers of the Commonwealth of Massachusetts or other discipline authority

(4.2) Regulations of panel membership.

The committee will have the authority to examine a prospective panel member's application to determine a panel member's continued eligibility and to adjust panel membership when necessary. The MBA's Chief Legal Counsel and Chief Operating Officer will have the right to temporarily suspend, for a period of up to seven (7) business days, a panel member in cases of emergencies in order to protect the public and the MBA, followed by the review of the LRS Committee. The committee may

suspend or remove a panel member at any time for good cause as determined by a majority of the committee members. Good cause may include, but is not limited to:

- a. Institution of criminal charges involving moral turpitude, theft, embezzlement or fraudulent appropriation of property;
- b. Suspension, disbarment, ethical censure or disciplinary action by the Board of Bar Overseers or other discipline authority;
- c. Violation of the Massachusetts Rules of Professional Conduct (S.J.C. Rule 3:07);
- d. Failure to obtain, maintain and report to the LRS legal malpractice insurance described in 4.1(f);
- e. Failure to pay the annual MBA membership dues;
- f. Failure to forward LRS dues and fee remittances owed the LRS, as required by Rule 5.1;
- g. Failure to timely return reports to the LRS as required by Rule 8.7(b);
- h. Failure to respond fully and in a timely manner, no later than thirty (30) days after receipt by the LRS panel member, of a written request from the LRS for a listing of LRS referrals and their status.
- i. Failure to maintain the standards of eligibility, qualification and compliances as set forth in the Statement of Standards and Rules;
- j. Consistent and/or excessive complaints from referred users that have completed and forwarded the LRS Dispute Questionnaire to the LRS staff;
- k. Refusal to arbitrate disputes over fees to referred users via the MBA's Fee Arbitration Board; or
- l. Rejection without cause of an initial interview with a referred user.

(4.3) Denial or suspension of LRS membership.

The staff will provide for the committee any and all information regarding a current or prospective LRS member if there is a question or concern regarding their panel membership pursuant to Rule 4.2(a–l).

The committee has the option of denying, suspending or limiting a current or prospective member's LRS membership. Limitations may include, but are not limited to, limiting the prospective or current panel member's chosen areas of practice, removing the area(s) of practice that caused a disciplinary action by the Board of Bar Overseers, and requiring the prospective or current panel member to follow through with all sanctions by the Board of Bar Overseers before the committee will entertain a decision regarding their LRS panel membership.

If the committee determines that a prospective or current panel member's LRS membership should be denied, suspended or limited pursuant to Rule 4.2(a–l), the following process should occur:

- a. The committee shall convey their reasons for the suspension, denial or limitation in writing to the lawyer;
- b. Any lawyer who has been denied membership in the LRS or has been suspended from the panel or limited from the panel will be offered the opportunity to make a written or oral response at a regularly scheduled LRS Committee meeting. In the suspension decision, the committee may decide the time at which the panel member may reapply;
- c. Dependent upon the sanction or infraction by the prospective or current panel member, the committee will have the discretion to impose various types of limitation to the prospective or current panel member;
- d. If the committee declines to grant panel membership or continues in its intention to suspend a panel member, the committee will provide the lawyer with a written statement of its reasons within a reasonable amount of time; and
- e. Once a formal decision has been made by the committee, the committee will not entertain another review of a prospective or current panel member's application unless there has been some change in the lawyer's circumstances.

V. Fees Associated with Membership

(5.1) Each panel member of the LRS will pay to the MBA nonrefundable dues in such amount as the Budget and Finance Committee may from time to time establish for each year for his or her membership. Payment of the annual dues is due on March 31st of the current year. A panel member who is delinquent in the payment of the annual dues will be suspended from the panel, but may be reinstated if full payment is made within the current year. In addition, in each case referred by the LRS, excluding Reduced-Fee Referrals pursuant to Rules 5.3 and 12.2, the panel member will remit to the LRS a percentage of all earned attorney fees (see below), obtained in the case by:

- (i) The panel member and/or other attorneys assisting the panel member; and
- (ii) Any other attorney (whether or not a panel member) to whom all or any part of the case was transferred or referred by the panel member, except to any extent that the required fee remittance is timely paid to the LRS directly by such other attorney.

A panel member who accepts a case from the LRS and refers all or part of the case to another attorney (directly or through a chain of multiple referrals) remains responsible, pursuant to this Rule and Rule 8.6 for timely payment of the entire fee remittance to the LRS. Panel members who transfer or refer LRS cases to other attorneys should explain this arrangement to such other attorneys promptly to avoid any confusion. "Earned attorney fees" do not include monies that are diverted to an unrelated collection agency or consumed as credit card transaction fees for obtaining the payment. Further, any amounts obtained for reimbursement of disbursements incurred in the course of the representation, such as court filing fees, courier, or expedited mailing services and the like are not included in "earned attorney fees."

No reduction may be made, however, for overhead or other general office expenses. A fee remittance shall be due to the LRS within thirty (30) days each time fees are earned and obtained (whichever is later) in a case received from the LRS, even if additional fees are possible or expected in the case. The fee remittance percentage will be set and amended from time to time by the Executive Management Board.

- (5.2) A user referred to an LRS panel member may not be charged a fee for legal services in excess of the fees charged for similar work done for the lawyer's other clients. The fees charged to a user referred by the LRS shall not be increased by reason of the obligation of the panel member to remit the fee specified in Rule 5.1 of the LRS Statement of Standards and Rules.
- (5.3) Each member of the Reduced-Fee Panel shall have the percentage remittance rule enumerated in paragraph (5.1) of the LRS Statement of Standards and Rules waived for reduced-fee cases, in consideration of his or her participation on that panel.
- (5.4) The committee shall be empowered to hear any such requests from a lawyer, that fees be reduced or waived in a particular matter and may, for good cause, grant such request at its discretion.

VI. Withdrawal from Membership

- (6.1) A panel member may at any time withdraw his or her name from participation in the LRS upon five (5) days written notice to the LRS staff. In such circumstances, the panel member must discharge his or her obligations to those clients who have previously been referred and must remit any fees due the LRS on previously referred cases. If after withdrawal there is an ongoing matter, the lawyer is still obligated to follow all procedures and rules outlined in the LRS Statement of Standards and Rules.

VII. Operation of the Panel

- (7.1) Referrals made to a user to the LRS phone line will be made to members of the panel in rotation in the county or other small geographic area closest to the user's home or business or where requested by the user.
- (7.2) Referrals made to an LRS website user will be made to members of the panel in rotation in the geographic area selected by the user during the online website intake and screening.
- (7.3) The LRS shall attempt to ascertain by inquiry whether or not a phone line user or online website user is currently represented by a lawyer, for the legal matter in question. If so, no referral will be made until he or she has satisfied the LRS that he or she has properly terminated the retention of any such prior lawyer and the prior lawyer-client relationship has ended.
- (7.4) A panel member shall accept any referral for initial interview in the substantive areas chosen on the application except for cause; provided however, that no panel member shall be obligated to make first contact with the user. Cause may include ethical or personal reasons. If a member has cause to refuse the initial interview, he

or she shall: (a) advise the LRS that the referral has not been accepted, and (b) advise the referred client to recontact the LRS. The initial interview, if appropriate, may be conducted by telephone. Nothing herein will be construed to obligate a panel member to accept employment beyond the initial consultation.

VIII. Referral Service Procedures

- (8.1) Procedures will be maintained to assure that each referral is made in a fair and impartial manner to all panel members. Such procedures shall be designed, to the extent reasonably possible and practical to respond to all circumstances of the user, including the subject of the legal problem presented, geographical convenience of the user, language needs and ability to pay for desired services.
- (8.2) No referral shall be made on the basis of race, sex, age, religion or national origin, or any other improper discriminatory criteria.
- (8.3) Each user to the LRS phone line shall be interviewed by a trained LRS staff representative. The interview will be conducted by telephone. Each user to the LRS referral website shall be screened by automated, preestablished inquiries approved by the committee.

(8.4) (a) Phone Line User.

The LRS staff representative shall ascertain whether the user has a problem appropriate for a referral. If so, a referral shall be made. If the user does not have a legal problem, the LRS staff representative shall attempt to direct the user to a source which can provide assistance, whether it be a human service, social service or other appropriate agency or resource

(b) Website User.

To the extent reasonably possible and practical, the automated intake and screening shall ascertain whether the website user has a problem appropriate for a referral. If so, and if other required information and the like is obtained from the user, a referral shall made.

(8.5) (a) Phone Line User.

Whenever feasible, the user shall be informed of the LRS rules applicable to his or her case, including information about:

- a. The first consultation fee to be paid by the user;
- b. The extent of legal services that will be rendered for such a fee;
- c. The method of selecting a lawyer;
- d. The competency representation made by lawyers;
- e. The percentage fee remittance LRS is entitled to; and
- f. Contacting the LRS staff concerning any complaints/disputes against the lawyer.

(b) Website User.

To the extent reasonably possible and practical, the information listed in section (8.5) (a), a–f shall be made available for viewing by the website user.

- (8.6) If the panel lawyer decides that special services are required and he or she is not qualified to render such services, the user should be so informed and provided the alternative of calling back the LRS for an additional lawyer, or with the user's consent, accepting the referring lawyer's recommendation of a new lawyer. If the panel lawyer refers this case to another lawyer, the panel lawyer must provide the LRS with the referred lawyer's name and address, and inform the lawyer of his or her obligations to the LRS, including the obligation to carry malpractice insurance at the levels required under Rule 4.1(f). The fee remittance due in such instances will be based on the formula as set forth by the Budget and Finance Committee. These percentages apply to the full collected net fee (i.e., after deduction of any unreimbursed expenses and disbursements) to whom the panel member referred the case. The panel member continues to be responsible, along with the referred lawyer, to ensure that the MBA LRS is paid the appropriate percentage of the full collected net fee.
- (8.7) The LRS should make regular and consistent attempts to obtain information that will enable the LRS to find out: (a) whether the user contacted the lawyer's office; (b) whether the referred user was satisfied with the lawyer's handling of the case; (c) whether the fee was within the user's means and similar information. This information will be obtained by the sending of reminder notices and client surveys. Information obtained by such follow-up procedures will be used to make such alterations in the operation of the LRS by the committee from time to time. The LRS will keep records showing:
- a. The number of users interviewed who are not referred to a lawyer;
 - b. A panel member's completion and return of referral reports, including reminder notices. Failure to return reports within the time specified by the LRS form will justify the LRS in removing a panel member's name from the panel; nothing herein will require a lawyer to violate the lawyer-client privilege or any provision in the Massachusetts Rules of Professional Conduct (SJC Rule 3:07);
 - c. The names, addresses and other appropriate contact information of the user referred to a lawyer including:
 - (1) the nature of the legal question involved;
 - (2) the lawyer to whom referred;
 - (3) the date when referred;
 - (4) the date when initial 30-day referral notice was sent;
 - (5) the method of hearing about the LRS program;
 - (6) whenever possible, the disposition of the referral, and

- (7) whether the user was satisfied with the legal services rendered via the client survey;
 - d. All applications for registration submitted by lawyers that consist of all chosen computer practice codes;
 - e. The amounts of all fee remittances;
 - f. The number of phone line user matters referred to each panel member; and
 - g. The number of website user matters referred to each panel member.
- (8.8) The LRS staff will make available an LRS Dispute Questionnaire for those users who have a complaint against the referred lawyer. The form shall include a waiver that authorizes the LRS staff to contact the referred lawyer and to try to resolve the dispute.

IX. Publicity

- (9.1) The LRS shall be publicized by such means and to such extent as may be determined by the committee and staff, and as such will fulfill its objective in a manner not inconsistent with SJC Rule 3:07.
- (9.2) No publicity about the service shall identify a particular lawyer or law firm as a participant accepting LRS cases, with the exception of articles appearing in *Lawyers Journal* newspaper and other MBA publications. This shall not prohibit a participating lawyer from acting as a spokesperson for the LRS if so authorized by the committee and the MBA communications office. Identification of a lawyer as an LRS panel member in the course of making a referral to that lawyer is not prohibited by this or any other section of these standards and rules.
- (9.3) Members of the LRS Committee may have press releases distributed recognizing their committee membership, these releases however, may not include the fact that the lawyer also belongs to the LRS panel and accepts referrals from the service. All such releases will be drafted and distributed by the MBA Communications office in a form to be jointly approved by that office and the LRS Committee.
- (9.4) The LRS shall publicize the program to legal aid programs, criminal justice agencies, hospitals, jails, courts, employers and other public and private agencies, and institutions in the area served by LRS to assure the use of the LRS by persons inquiring through such agencies and institutions.

X. Areas of Competency and Referral Panels

- (10.1) All LRS applicants shall indicate on the LRS application only those areas in which referrals are desired. An applicant may only list areas in which he or she is competent and either experienced or trained.

The Massachusetts Supreme Judicial Court Rule 3:07, Massachusetts Rule of Professional Conduct 1.1 states that “a lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness,

and preparation reasonably necessary for the representation.” The panel member may select up to thirty-six (36) practice areas for referrals from the Defining Your LRS Listing section.

- (10.2) The list of substantive categories located on the “Defining Your LRS Listing” section may be modified from time to time by the LRS staff.
- (10.3) The LRS shall establish such number and variety of panels as the committee determines will best enable the LRS to make referrals in a manner which is responsive to needs of users.
- (10.4) The LRS shall establish panels representing different fields of law. The committee may require special experience, education or training for participation on such panels. If the committee undertakes to evaluate this special experience, education or training, rather than rely on the lawyer’s affidavit of compliance, there shall be procedures for:
 - a. Determining the qualifications for membership on the panel, which qualifications shall not be based solely upon years in practice, but also upon experience and special education or training;
 - b. Reviewing the qualifications of a member to remain on or to be removed from the panel; and
 - c. Appeals of decisions to deny registration on the panel or to suspend or remove a member from the panel.
- (10.5) The LRS may establish other panels for special purposes including, but not limited to: (a) a reduced-fee panel for referral of persons in the lower income bracket; and (b) a lawyer-to-lawyer consultation panel to facilitate referrals to a lawyer in the geographical vicinity of the person requesting the referral, and accommodate non-English language requirements. Participation and recruitment efforts shall not be limited to or restricted to LRS members in such panels. MBA membership shall be required.

XI. Client Fees

- (11.1) An LRS user is entitled to one half-hour consultation at a reasonable fee to be set by the LRS Committee. During the first half-hour the lawyer shall inform the user (if possible) of the extent of the lawyer’s fees likely to be involved in the case (including hourly rate, retainer fees and number of hours to conclude the case). It is highly advisable that the lawyer execute a written fee agreement with the client pursuant to Massachusetts Rule of Professional Conduct 1.5. Contingent fee agreements shall be in writing. Lawyers are encouraged to set an hourly rate commensurate with the user’s ability to pay.

XII. Reduced-Fee Panel Guidelines Philosophy and Purpose

The primary users of lawyer referral services, both nationally and in Massachusetts, are the middle- to low-income groups. A clear need exists to provide the public with access to

a lawyer who is responsive to a user's income. One feature of the MBA LRS is the ability to respond to the needs of the public by providing access to lawyers at an affordable fee. A clear need exists to provide the public with access to a lawyer who is responsive to a client's income.

(12.1) Membership on the Panel.

Any lawyer who is a member of the LRS is eligible for membership on the Reduced-Fee Panel. Reduced-fee referrals will be made in those categories of law currently on the panel member's application. If a matter is subject to a contingent fee agreement, it will be treated as a regular fee referral.

(12.2) Waiver of Remittance Fee to LRS.

LRS panel members who are members of the Reduced-Fee Panel will not be required to remit a fee remittance to the LRS for reduced-fee cases.

(12.3) Lawyer Compensation.

Lawyer participants on the Reduced-Fee Panel agree to charge a fee not to exceed \$75 per hour, but it is expected that the lawyer will base his or her fee on the user's ability to pay, particularly where a \$75 per hour fee is unreasonable. If the lawyer and user cannot work out an acceptable fee arrangement, there is no obligation on the part of either, and the user shall be referred to the LRS.

(12.4) Administration.

Initial screening to determine a user's eligibility for a reduced-fee referral will be done by the LRS staff representative. The user will be asked:

- (1) what his or her total family gross income is; and
- (2) whether he or she would be interested in a reduced-fee referral. The user also will be informed that the referral lawyer will make further inquiry as to the user's income eligibility. The lawyer shall not be required to accept the case if this inquiry reveals that a user is ineligible. A lawyer's acceptance or non-acceptance of the reduced-fee referral shall have no effect on the lawyer's regular referrals.

The committee may from time to time adjust both the hourly rate fee and user income eligibility to reflect economic and inflationary factors. Where a flat fee or retainer is charged in a reduced-fee referral, the lawyer shall make every effort to adjust the fee to comport with the overall objectives of the reduced hourly rate.

(12.5) User Eligibility.

All lawyers participating in the panel will be furnished with a financial statement form to assist them in determining a user's financial status. User eligibility shall be determined by a schedule of income ranges to be provided to all reduced-fee panel members. If the lawyer should deem the user unqualified as a reduced-fee referral then the lawyer should notify the LRS of the change in the user's status and undertake the case as a regular fee referral.



DEFINING YOUR LRS LISTING

The following pages list the four-letter codes used by LRS staff in creating your listing on the LRS database. These codes cover areas of practice, geographic areas, foreign languages and jurisdictions. Please review these descriptions and, using page ii of the application form in the center of this handbook, choose the codes that apply to you. Remember, you can choose up to 36 different areas of law in which you wish to receive client referrals.

SMALL CLAIM REFERRALS

On June 15, 2011, the LRS Committee voted to allow the LRS Staff to make small claim referrals. This change was approved by the committee due to a change/increase in the jurisdictional amount from \$2,500 to \$7,000. However, LRS panel members must opt-in to take small claim matters. (To opt-in, see page ii of the New Member Application.)

REFERRALS

Referrals are distributed based on practice area and geographic location. Once a referral is made, your name rotates to the bottom of that particular substantive panel — it does not affect your placement in the other panels you have chosen. This same process occurs with both the Reduced-Fee Substantive Panels and the Limited Assistance Panels.

These computer codes are used only as a guide to the LRS representatives in making referrals. They are not all-inclusive. If you practice in a particular area of law, are admitted to practice in other states, jurisdictions and/or countries or speak a foreign language that does not appear on this list, please feel free to notify the LRS and we will add the requested area to the list the next time it is updated. You may change your codes any time by contacting the LRS.

If you have any questions about this information, contact the LRS at (617) 338-0556 or LRS@MassBar.org.

AREAS OF PRACTICE CODES

You may select up to 36 areas of practice. Enter each on your application form.
 (*Bold = new listing.)

Administrative (AD):

- ADAR Animal Rights
 Matters involving animal rights
- ADCU U.S. Customs
 Matters involving the U.S. Customs offices
- ADFE Federal Agencies
 Before federal agencies — general matters
- ADFL Firearms Licensing
 Matters regarding firearm licensure
- ADMU Municipal
 Before or about city/town/village government
- ADPU Public Utilities
 Dept. of Public Utilities — all matters
- ADRM Registry/Motor Vehicles
 Matters before registry of motor vehicles
- ADSA State Agencies
 Before state agencies — general matters
- ADSC School Committees
 Matters before or about school committees
- ADSD SSDI
 Title 2 Disability Benefits
- ADSE SSI/SSDI
 Overpayment(s)
- ADSI SSI
 Title 16 Social Security
- ADVB Veterans Benefits (*Must be accredited by Veterans Administration. See page iv of application.*)
 Denial of veterans benefits/rights
- ADVO Veterans Benefits Overpayment(s)

Admiralty (AL):

- ALCO Commercial
 Admiralty/maritime commerce or business
- ALPI Personal Injury
 Injury to person involving ships/boats

Appeals (AP):

- APCI Civil Appeals
Pursuing appeals in civil matters
- APCR Criminal Appeals
Pursuing appeals in criminal matters

Bankruptcy (BK):

- BKBU Business
Financial problems of businesses/trades
- BKPE Personal
Personal financial problems or debts
- BK13 Chapter 13

Business (BL):

- BLBK Banking
Rules/laws affecting banks and customers
- BLFL Franchises
Buying/selling business franchises or chains
- BLGC General Counsel* (*See page 32*)
General counsel/representation of a business
- BLHT High Tech
High technology-related issues
- BLIP Incorporation
For profit incorporations/start-up businesses
- BLIT International
International trade/business/U.S. Customs
- BLLI Litigation
Law suits involving business wrongs/injuries
- BLNP Non-profit
Organizing/incorporating a non-profit
- BLPA Partnerships
Forming/dissolving business partnerships
- BLSA Sales
Problems in sales transactions of goods
- BLSB Small Business
Affecting existing small businesses
- BLSC Securities
Securities and commodities/corporate stocks
- BLTO Business Torts
Damage to business caused by another

Collections (CL):

- CLCR Creditors
Acquiring monies owed to a creditor
- CLDE Debtors
Defending collection actions/credit advice
- CLDI Denial
Unlawful/discriminatory denial of credit
- CLEL Education Loans
Rights/responsibilities re: educational loans

Consumer (CS):

- CS93 Ch. 93A
Protection of consumers under Chapter 93A
- CSHI Home Improvement/Contractor Disputes
Disputes including fraud and misrepresentation
- CSIT Identity Theft
Legal issues involved with identity theft
- CSLL Lemon Law
Protection of purchasers of old or new car
- *CSTS Timeshare
Matters related to timeshare issues

Contracts (CN):

- CNDR Drafting
Writing/reviewing/interpreting agreements
- CNLT Litigation
Disputes involving contractual rights/duties
- CNPB Bid
Disputes involving public bid law
- CNPC Public
Disputes involving public contracts

Criminal (CR):

- CRCO CORI
Matters regarding Criminal Offender Records information
- CRDC District Court
Criminal matters in District Court
- CRGJ Grand Jury
Representation before the Grand Jury

CRJC	Juvenile Court Under eighteen and accused of a crime
CRPB	Parole Board Hearings/appeals re: paroles from prison
CRPR	Prisoners Rights of incarcerated persons
CRSC	Superior Court Criminal matters in Superior Court
CRSO	Sex Offender Registry Board Matters regarding the Sex Offender Registry
CRTO	Traffic Offense Defense of minor traffic violations

Discrimination (DI):

DIAD	AIDS Denial of rights due to AIDS/HIV
DIAG	Age Denial of rights due to age
DIEM	Employment Work-related discriminatory acts or omissions
DIHA	Disability Denial of rights due to disability
DIHO	Housing Discriminatory denial of housing
DIRE	Race/Ethnic Denial of rights due to race/ethnicity
DIRG	Religion Denial of rights due to religion
DISP	Sex Orientation Denial of rights due to sexual orientation
DISX	Gender Denial of rights due to gender

Education (EL):

ELBU	Bullying Matters involving bullying in schools
ELSE	Special Education Special needs children in education system
ELSR	Students Denial of rights to students by schools

ELTL Title 9
Student discrimination based on gender/sexual orientation

Entertainment (ET):

ETFM Film/TV
Business law of film/video/TV industry

ETMF Modeling and Fashion
Matters regarding the modeling and fashion industries

ETMU Music
Contracts/issues within the music industry

ETPU Publishing
Matters regarding published material

ETSP Sports
Representation of sports figures/teams

ETTH Theater
All matters regarding theater or dance industry

ETVA Visual
Matters of painters/sculptors/craftsmen

Environmental (EV):

EVCN Conservation
Problems with conserving natural resources

EVHW Wastes
Laws regulating hazardous/toxic waste

EVWT Wetlands
Protection of wetlands/preserves/swamps

Family (FL):

FLAB Abuse
Physical/sexual abuse in the family

FLAD Adoption
Adoption process

FLAN Pre-nuptial
Contracts before marriage regarding assets

FLCO Contempts
Non-compliance of court order

FLCP C&P
Care and protection proceedings

FLCR Child's rights
Representing children/advocating their rights

MASSACHUSETTS BAR ASSOCIATION
LAWYER REFERRAL SERVICE
2017–18 New Member Application

Please fill out the form below, list your practice areas on page ii of this application, review the Rules of the Lawyer Referral Service on page iii, and sign and date the application. Return this form, your payment and Certificate of Insurance to:

Massachusetts Bar Association Lawyer Referral Service
20 West St., Boston, MA 02111-1204

Questions? Call the MBA Lawyer Referral Service at (617) 338-0556 or email LRS@MassBar.org. *Please print or type.*

Name: _____

Firm: _____

Firm address: _____

City/state/zip: _____

County: _____ Email: _____

Office phone: _____ Cell: _____

Mailing address (if different) _____

City/state/zip: _____

MBA member #: _____ Date admitted to Mass. bar: _____

If you are admitted to practice in any other state, and want to receive referrals, please list the state and date admitted (see page 29 of the LRS Handbook under “State Codes”):

1. _____ 2. _____ 3. _____
State ▲ Date ▲ State ▲ Date ▲ State ▲ Date ▲

Please indicate your communication preferences:

How should the LRS contact you? (choose one): Email Phone U.S. Mail

Do you want to receive broadcast emails from the LRS? Yes No

Do you want your email address given to the user at the time of a referral? Yes No

Will you be updating your cases online? Yes No

ATTORNEY CASE ASSIGNMENT CRITERIA

Refer to the “Defining Your LRS Listing” section on page 17 of this handbook and select up to 36 areas of practice codes for your LRS record. You may also place up to four codes in each of the following: jurisdiction, language and other states where you are licensed to practice.

PRACTICE CODES (See pages 18–29 of the *LRS Handbook*)

1. _____	7. _____	13. _____	19. _____	25. _____	31. _____
2. _____	8. _____	14. _____	20. _____	26. _____	32. _____
3. _____	9. _____	15. _____	21. _____	27. _____	33. _____
4. _____	10. _____	16. _____	22. _____	28. _____	34. _____
5. _____	11. _____	17. _____	23. _____	29. _____	35. _____
6. _____	12. _____	18. _____	24. _____	30. _____	36. _____

LANGUAGE CODES (See page 30 of the *LRS Handbook*)

COURT/AGENCY CODES (See page 30 of the *LRS Handbook*)

REFERRAL PREFERENCES

Check if you wish to receive:

- Reduced-fee referrals in addition to your regular fee referrals
- Small Claim Referrals (see page 17)
- Limited Assistance Representation referrals in family law matters only (verify certification on page iv)
- Calls transferred directly to your office at the time of referral. Tel.: _____
- Information on volunteer opportunities: Dial-A-Lawyer Community Service programs

All referrals will be emailed to you directly at the time the referral is made. Indicate how you would like to receive your Monthly Case Updates (choose one): Email U.S. Mail

DUES PAYMENT. CHECK ONE BOX.

- I wish to join the LRS. I have been admitted to the bar for five years or less and I am enclosing my nonrefundable dues payment of \$100.
- I wish to join the LRS. I have been admitted to the bar for five years or more and I am enclosing my nonrefundable dues payment of \$150.

Make check payable to: Massachusetts Bar Association/LRS.

Credit card payment:

<input type="checkbox"/> MC					
<input type="checkbox"/> VISA					
<input type="checkbox"/> AMEX					

Signature: _____ Exp: _____

ACCEPTANCE OF LRS RULES

- LRS Rules:** I hereby acknowledge review of the LRS Statement of Standards and Rules. I agree to comply with the rules and affirm that the foregoing statements and information on file with the LRS are true and complete.
- Competence:** I hereby certify that in accordance with Section X of the LRS Statement of Standards and Rules, I am competent and either experienced or trained in the practice codes selected for referrals. I also acknowledge that I am aware of the MBA's Mentor Program for conferences with more experienced lawyers as needed.
- Insurance:** I acknowledge that I am required to carry and therefore do carry, minimum professional liability coverage of \$250,000/\$500,000. A Certificate of Insurance naming the MBA LRS as the certificate holder (see request form on page 43) must be submitted prior to the certificate's expiration date. I agree to notify the LRS immediately if this policy is terminated or coverage is reduced during the period of LRS participation. I further agree to carry the required professional liability coverage if and when I am no longer an LRS panel member, but still have active cases that were referred during my participation with the LRS program.
 Check here if you do not wish to have information regarding your insurance shared with the MBA Insurance Agency Inc.
- Disciplinary Action:** I acknowledge that I am a member in good standing of the bar, that I have never been disciplined publicly or privately by the Board of Bar Overseers or any other disciplinary authority in this or any other jurisdiction, and that I have complied with the registration requirements of the BBO. **If there has been any such discipline, check box, briefly explain in a separate letter and include the BBO Summary of Complaint.**
- Fee:** I am aware that the fee charged for the initial, half-hour consultation may not be more than \$25. During the first half-hour, I should inform the user (if possible) of the extent of the lawyer fees likely to be involved in the case (including the hourly rate, retainer fee and number of hours to conclude the case.) Written fee agreements are strongly recommended. (*See Rule 4.19(e) regarding resolution of fee disputes.*)
- Dues:** I have remitted my annual nonrefundable LRS dues. (The dues are assessed at \$150 if admitted over five years or \$100 if five years or under.) I am aware that renewal dues are assessed at the beginning of each fiscal year (April 1–March 31) and are not prorated.
- Referral Fee:** I acknowledge an obligation to contribute to the LRS a percentage of the full collected net fee as listed on page 32 of the LRS Handbook (i.e., after deduction of unreimbursed expenses and disbursements). There is no fee remittance required when the referral is on a reduced-fee basis ("reduced-fee" is defined in LRS Rule 12.3 as \$75 per hour or less).
- Reporting:** I acknowledge that I must return and update 30-day and final reports on all referred matters. Referral fees may be returned as the fee is collected but no later than the return of the final notice.
- Indemnification:** I hereby waive any and all claims against the Massachusetts Bar Association (hereinafter referred to as "MBA"), the MBA Lawyer Referral Service Committee and all subcommittees, MBA officers, MBA members and MBA employees for any loss or liability arising out of a referral to me and/or my handling of a referral. I also agree to indemnify the MBA from any and all claims, losses and liability, including attorney's fees arising from my negligence in handling any referral made by or through the MBA Lawyer Referral Service.

WAIVERS

- Limited Assistance Representation Referrals:** My signature on this application confirms I have been certified to accept Limited Assistance Representation (LAR) referrals for Family Law matters.

- LRS Application – Veteran Matters:** In order to receive referrals for (ADVB) Administrative – Veteran Benefits, you must be accredited as an attorney through the U.S. Department of Veterans Affairs. My signature on this application confirms I have complied with the accreditation processes/procedures and have received my accreditation.

- Board of Bar Overseers:** I hereby authorize the Board of Bar Overseers to release any and all information to the LRS regarding any disciplinary proceedings that have been commenced against me by the Board of Bar Overseers within the past five years. This does not include complaints that have not resulted in the commencement of disciplinary proceedings. I understand that applicants who have been disciplined within the past five years and not reviewed by the LRS Committee will not be accepted until after a satisfactory review by the committee. Current panelists who are disciplined, will be suspended until after a favorable review by the LRS Committee.

- I have read and will comply with the above rules. Subscribed and sworn under the penalties of law.

Read and signed ▲

Date ▲

BBO# ▲

Print name ▲

FLDS	Divorce Divorce/separation and related matters
FLGR	Grandparents Rights of grandparents in custody matters
FLIT	International Family law matters outside of the U.S.
FLPA	Paternity Determination of fatherhood and support
FLPL	Palimony Division of unmarried persons' property
FLRO	Restraining Order Obtain/enforce or defend against restraining orders
FLSC	Support and Custody Modification of support and custody order
FLSS	DCF (Dept. of Children and Families) Challenging DCF — not in C&P matters

Immigration (IM):

IMDE	Deportation Defense of deportation of immigrant
IMLE	Legalization Legalizing immigrant's citizenship
IMVA	Visa Matters regarding Visa issues

Individual Rights (IR):

IRCD	Commitment/Defense Mental health commitments or defenses
IRCR	Civil Rights Protection of state/federal constitutional rights
IRDD	Developmental Disability Protection for developmental disabilities
IRFR	First Amendment Freedom of speech/assembly
IRIN	Information Securing/protecting information from government
IRNC	Name Change Change of name

IRPO Police Conduct
Redress of improper conduct of police officer

Insurance (IN):

INAT Auto
Contested auto insurance claims

INDI Disability
Contested disability insurance claims

INFI Fire
Contested fire insurance claims

INHE Health
Contested health insurance claims

INHO Home
Contested homeowners insurance claims

INLI Life
Contested life insurance claims

Intellectual Property (IP):

IPCO Copyrights
Protection of original works of art/writing

IPIP Satellite/Cable/Internet Piracy
Unauthorized use of satellite/cable and/or Internet

IPLI Licensing
Protection of invented or patented items

IPPA Patents
Seeking patent for invention/design/process

IPPL Patent Litigation
Disputes regarding unlawful use of patents

IPSC Software
Copyright protection of computer software

IPTS Trade Secrets
Protection or enforcement of trade secret rights

IPTR Trademark
Protection of name/symbol/mark used in trade

Labor (LL):

LLCO Contracts
Writing or reviewing contracts of employment

LLCS Civil Service
Claims/denial of civil service matters

LLER	ERISA Employee Retirement Income Security Act
LLET	Termination Unjust firing from work (non-union office)
LLFL	FLSA Fair Labor Standards Act
LLMA	FMLA Family Medical Leave Act
LLNU	Non-union Rights of individuals in non-union setting
LLPE	Public employee Employment issues for public employees
LLPL	Pensions Rights to employee pensions
LLRR	Railroad Retirement Rights under Federal Railroad Retirement Act
LLSX	Harassment Sexual harassment in the workplace
LLUC	Unemployment Compensation Unemployment compensation/all matters
LLUE	Unemployment Overpayment(s)
LLUN	Union Rights of individuals in union setting
LLWB	Whistleblower Cases involving whistleblower issues

Landlord/Tenant (LT):

LTLO	Landlord Representation of landlords against tenants
LT TG	Tenant Groups Forming/representing groups of tenants
LT TO	Tenant Representation of tenants against landlords

Military (ML):

MLAD	Personnel Rights of military personnel and heirs
------	---

MLHE Hearings
Matters before a military tribunal

Probate (PR):

PRCO Conservator
Protecting the property of another

PREL Elderly
Laws/issues affecting the elderly

PREP Estate planning
Drafting wills/trusts/estate plans

PRGU Guardianship
Protection of a person

PRIT International
Probate outside of the U.S.

PRLT Long-term
Planning for long-term care/treatment

PRMC Medicare
Benefits/denial of Medicare

PRMD Medicaid
Benefits/denial of Medicaid

PRMH Mental Health
Matters re: mentally ill or disabled

PRML Medical Treatment
Legal issues re: medical treatment/consent

PRPA Administration
Admin. the estate of a deceased person

PRPX Healthcare Proxy
Drafting healthcare proxy

PRWT Litigation
Contesting/defending wills and/or trusts

Real Estate (RE):

RECC Commercial
Transaction involving business offices/land

RECN Construction
Involving new construction/developers

RECO Condominium
Buying/selling/disputes regarding residential condominiums

REED Eminent Domain

	Taking of private property by government
REHC	Construction Contracts Drafting/reviewing housing/home improvement contracts
RELC	Land Court Registration of land with Land Court
RELT	Litigation Real estate ownership/possession disputes
RELU	Land Use Litigation Use or zoning of real property
REMF	Mortgages To acquire mortgage or prevent foreclosure
RERC	Residential Buying/selling of residential property
RETE	Title Exams Examination of titles to real estate
REZO	Zoning Limitation on land use/building codes

Tax (TX):

TXBU	Business Tax matters of businesses
TXES	Estates Tax on the estate of a deceased person
TXLI	Liens Claims against property for payment of taxes
TXPE	Personal Tax matters of individuals/families
TXTE	Tax Exempt Exemption from taxes by non-profit

Torts (TO):

TOAA	Aircraft Injuries/damages caused by aircraft
TOAB	Assaults Injuries/damages caused by illegal touching/threats
TOAS	Asbestos Injuries/damages caused by exposure to asbestos
TOAT	Automobile Injuries/damages caused by auto accidents

TOBI	Breast Implants Injuries/damages caused by breast implants
TOCN	Construction Injuries/damages sustained at a construction site
TOCS	Chemical Sensitivity Injury due to exposure to chemicals
TODF	Defamation Damages due to libel or slander by another
TODM	Dental Malpractice Injuries/damages caused by dentist or staff
TOFI	Fires Injuries/damages caused by a fire
TOGL	Liability General liability issues
TOHA	Harassment General harassment issues
TOIN	Incest Injuries caused by incest/sexual abuse
TOIP	Invasion of Privacy Invasion of one's privacy by another
TOIT	International Injuries/damages sustained internationally
TOLM	Legal Malpractice Injuries/damages caused by lawyer or staff
TOLP	Lead Paint Injuries/damages caused by exposure to lead paint
TOMM	Medical Malpractice Injuries/damages caused by doctor/hospital/staff
TOMO	Mold Injuries/damages caused by mold
TONH	Nursing Home Injury caused by neglect or abuse in a nursing home
TOPD	Property Recovery/defense of property damages
TOPI	Personal Injury Recovery/defense of personal injury claims
TOPL	Products Injuries/damages caused by products

TOPM	Psychiatric Injuries/damages caused by psychiatrist or staff
TOPS	Premise Injuries/damages at a dwelling/recovery
TOSA	Sexual Assault Recovery/defense from sexual assaults/rapes
TOVM	Veterinary Malpractice Injuries/damages caused by veterinarian or staff
TOWD	Wrongful death Death caused by wrongful act of another

Transportation (TR):

TRAV	Aviation Air traffic/pilot license/commercial carriers
TRIC	Interstate Commerce Commerce between/among state boundaries
TRMC	Commercial Motor Matters re: commercial motor transportation
TRSH	Shippers Commercial shipping via land/waterways

Workers' Compensation (WC):

WCFE	Federal Federal employee workers' compensation
WCLA	FELA Federal Employer Liability Act
WCLH	Longshore and Harborworkers Longshore and harborworkers workers' compensation
WCMU	Municipal City/town employee workers' compensation
WCOM	Workers' Compensation Work-related injuries/recovery or defense
WCSL	State State employee workers' compensation

STATE CODES

(choose up to 4)

AL	Alabama	KY	Kentucky	OH	Ohio
AK	Alaska	LA	Louisiana	OK	Oklahoma
AZ	Arizona	ME	Maine	OR	Oregon
AR	Arkansas	MD	Maryland	PA	Pennsylvania
CA	California	MI	Michigan	RI	Rhode Island
CO	Colorado	MN	Minnesota	SC	South Carolina
CT	Connecticut	MS	Mississippi	SD	South Dakota
DE	Delaware	MO	Missouri	TN	Tennessee
DC	District of Columbia	MT	Montana	TX	Texas
FL	Florida	NE	Nebraska	UT	Utah
GA	Georgia	NV	Nevada	VT	Vermont
HI	Hawaii	NH	New Hampshire	VA	Virginia
ID	Idaho	NJ	New Jersey	WA	Washington
IL	Illinois	NX	New Mexico	WV	West Virginia
IN	Indiana	NY	New York	WI	Wisconsin
IA	Iowa	NC	North Carolina	WY	Wyoming
KS	Kansas	ND	North Dakota		

LANGUAGE CODES

(choose up to 4)

ARAB	Arabic	GREE	Greek	NORW	Norwegian
ARME	Armenian	HEBR	Hebrew	POLI	Polish
BULG	Bulgarian	HIND	Hindi	PORT	Portuguese
BURM	Burmese	HUNG	Hungarian	RUSS	Russian
CANT	Cantonese	ITAL	Italian	SIGN	Sign
CHIN	Chinese	JAPA	Japanese	SPAN	Spanish
CREO	Creole	KORE	Korean	THAI	Thai
FARS	Farsi	LATV	Latvian	VIET	Vietnamese
FINN	Finnish	LITH	Lithuanian	YIDD	Yiddish
FREN	French	MAND	Mandarin		
GERM	German				

COURT/AGENCY CODES*(choose up to 4 from entire list)***State Court Codes**

MDC	Massachusetts District Court
MSR	Massachusetts Superior Court
MJC	Massachusetts Juvenile Court
MHC	Massachusetts Housing Court
MPF	Massachusetts Probate and Family Court
MLD	Massachusetts Land Court
MCT	Massachusetts Appeals Court
SJC	Massachusetts Supreme Judicial Court

Federal Court Codes

BKC	U.S. Bankruptcy Court
FAP	U.S. Court of Appeals — 1st Circuit
FDT	U.S. District Court for the District of Mass.
FPT	U.S. Patent Court
FTX	U.S. Tax Court
SCT	U.S. Supreme Court

State Agency Codes

BBO	Board of Bar Overseers
DCF	Department of Children and Families
INS	Division of Insurance
MCF	Massachusetts State Correctional Facilities
MCD	Massachusetts Commission Against Discrimination
MEN	Massachusetts Dept. of Environmental Protection
MIA	Massachusetts Industrial Accident Board
MLC	Massachusetts Licensing Boards
MLF	Massachusetts Labor Relations Board
MRV	Massachusetts Department of Revenue

Federal Agency Codes

ICC	Interstate Commerce Commission
IRA	Internal Revenue Service Appeals
NLB	National Labor Relations Board
SEC	Securities Exchange Commission

Miscellaneous Codes

AFL	Arbitration — Family Law
ALL	Arbitration — Labor/Employment
FAB	Fee Arbitration Board (MBA)
IND	Native American Indian Court
ZON	Zoning Board of Appeals



CLIENT FEES AND FEE REMITTANCE GUIDELINES

Client Fees

Under your agreement with the LRS, you may charge no more than \$25 for an initial half-hour consultation. Written fee agreements are highly recommended and in some cases are required by the Massachusetts Rules of Professional Conduct (SJC Rule 1.5(c)). Model fee agreements are available free in the members-only section of the MBA website (www.MassBar.org) or by calling the Legal Fee Arbitration Board at (617) 338-0552.

Fee Remittance Guidelines

Pursuant to Rule 5.1 of the LRS Statement of Standards and Rules, fee remittances are required of all LRS attorneys who collect fees on any non-reduced-fee LRS cases. Remittances should be calculated based on the referral date and corresponding formula.

As the LRS program has grown and developed over the years, several changes have been made to the fee-remittance structure. Fee-remittance calculations will depend on the LRS policy in effect at the time the case was referred to your office. To calculate the correct fee remittance, determine when the case was referred and use the chart below. If you have questions, call the LRS at (617) 338-0556.

Case referred:	You pay:
April 1, 1986 to Aug. 31, 1993	10 percent of each net fee (i.e., after deduction of any unreimbursed expenses and disbursements) over \$100 up to \$3,000 plus 15 percent of the portion of the fee that exceeds \$3,000.
Sept. 1, 1993 to March 31, 2000	10 percent of each net fee (i.e., after deduction of any unreimbursed expenses and disbursements) \$3,000 plus 15 percent of the portion of the fee that exceeds \$3,000.
April 1, 2000 to March 31, 2001	15 percent of each net fee (i.e., after deduction of any unreimbursed expenses and disbursements).
March 12, 2001 to June 30, 2016	15 percent of the full collected net fee.
July 1, 2016 to present	15 percent of the full collected net fee up to \$3,000, plus 20 percent of fees above \$3,000.

BLGC and Fee Remittances

A fee remittance is due on all business-related work done for clients referred under the Business General Counsel category. Please be advised that the LRS committee deemed there be no time limit on the representation of BLGC clients, thus a remittance will be due on all work for as long as the Business Law/General Counsel relationship exists.



LRS AUTOMATIC REFERRALS

The Massachusetts Bar Association now offers an LRS Automatic Referral system. This newly developed online program is now available to the public. This enhancement will allow the public to receive an instant referral to an attorney for their legal issue — 24 hours a day, seven days a week — through the MBA’s LRS website, www.MassLawHelp.com.

How does this work for the public?

People looking for a referral to an attorney will visit www.MassLawHelp.com, and click “FIND A LAWYER.” From there, they will be given a list of questions, including the area of law they need help with and the preferred geographical location of their attorney. Once they enter in their contact information and submit the form, the name of an attorney that matches their criteria will appear.

Users will be sent an email listing the name, address, telephone number and email address of the attorney. The attorney will also receive an email containing the user’s contact information, including telephone number and email address. A third email will be sent to the LRS, alerting the program that an automatic referral was made. Anyone needing a reduced-fee referral will be asked to contact the LRS via telephone to determine their eligibility.

Do I have to sign up for this?

If you are a current LRS panel member you will automatically be enrolled in this program.

Will this affect my rotation placement in regular or reduced fee referrals?

Your rotation placement in regular, automatic and reduced-fee referrals will still rotate separately from each other.

Will my email address be provided to the public?

Yes. You may want to create a general email account if you prefer not to provide your direct email address.

Can I opt out if I don’t want to participate in the automatic referral system?

Yes, but you must notify the LRS to be removed from automatic referrals. Contact us at:

Mail: Lawyer Referral Service, 20 West St., Boston, MA 02111-1204
Telephone: (617) 338-0556 • Email: LRS@Massbar.org • Fax: (617) 338-0503

This exciting new feature offers LRS panel members a great opportunity to become even more accessible to potential clients and increase referrals. If you have any questions, do not hesitate to contact us at (617) 338-0556 or LRS@MassBar.org.



REDUCED-FEE PANEL

The Reduced-Fee Panel provides the public with access to LRS lawyers who are responsive to a user's income. For more information about the panel, see page 15 "Reduced-Fee Panel Guidelines: Philosophy and Purpose."

User Eligibility Income Range

*Approved Jan.18, 2017. Effective Jan. 19, 2017.

FAMILY SIZE	GROSS YEARLY \$	GROSS MONTHLY \$	GROSS WEEKLY \$
1	29,700	2,475	570
2	40,050	3,338	770
3	50,400	4,200	970
4	60,750	5,063	1,168
5	71,100	5,925	1,368
6	81,450	6,788	1,568
7	91,825	7,653	1,765
8	102,225	8,520	1,965

HOURLY RATE

Effective Jan. 19, 2017, the reduced hourly rate increased from \$40 an hour to \$75 an hour. All reduced fee referrals made on or after Jan. 19, 2017 are subject to this new hourly rate.

REMINDER

Under the attorney's obligation with the LRS, the attorney may charge no more than \$25 for an initial half-hour consultation. If additional work is required, the hourly fee may not exceed \$75. Written fee agreements are highly recommended and in some cases required by the Rules of Professional Conduct (SJC Rule 3:07). **NO PORTION OF THE LAWYER'S FEES NEED BE REMITTED TO THE LRS ON REDUCED-FEE CASES.**

CLIENT ELIGIBILITY

The evaluation of a client's assets should include not only wages, but also the payment or receipt of any support and amounts of readily available money or securities. Ownership of assets such as real estate or other equity interests will **NOT** be disqualifying, but may be used as an indicator of ability to pay a non-reduced fee. Asset limitations for individuals over 60 or individuals with disabilities should be more flexible. If the attorney should deem the client disqualified as a reduced-fee referral, the attorney should notify the client. If the client agrees to another fee agreement, the attorney must notify the LRS.

2017–18 REDUCED-FEE PANEL USER ELIGIBILITY FORM

USER INFORMATION:

NAME: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

PLACE OF EMPLOYMENT: _____

FAMILY INFORMATION:

NO. OF DEPENDENTS: _____ AGES: _____ TOTAL FAMILY SIZE: _____

INCOME INFORMATION:

SALARY/WAGE: + _____

INCOME OF ADULT CHILDREN: + _____

RENTAL INCOME: + _____

ALIMONY/CHILD SUPPORT: + _____

PENSION: + _____

GOVERNMENT BENEFITS:

SOCIAL SECURITY: _____

UNEMPLOYMENT: _____

WORKERS' COMPENSATION: _____

AFDC: _____

EAEDC: _____

SSI/SSDI: _____

VA BENEFITS: _____

FOOD STAMPS: _____

RENTAL SUBSIDY: _____

TOTAL GOVERNMENT BENEFITS: + _____

TOTAL GROSS INCOME: = _____

REDUCED-FEE REMINDERS

- This form is provided to the LRS panel member to verify the income of MBA LRS-referred users. The LRS staff screens referrals based on gross income and family size only. It is your responsibility to inquire further into the user's financial situation.
- LRS panel members are obligated to charge no more than \$75 per hour should the user's total gross income fall within the confidential guidelines on the reverse side of this form.
- If the user does not qualify, based on the guidelines, LRS panel members are encouraged to offer services at a fee that is reasonable to the LRS referred user.
- If the LRS panel member is unable to provide representation, he/she is encouraged to refer the user back to the LRS for another referral. The LRS phone number is (617) 654-0400 or in-state toll-free (866) MASS LRS / (866) 627-7577

CHECK ONE AND SIGN BELOW:

- This user **IS** income-eligible for reduced-fee services.
- This user is **NOT** income-eligible for reduced-fee services.

▲ USER SIGNATURE

▲ PANEL MEMBER SIGNATURE

▲ DATE

▲ DATE

Any false statements or misrepresentations made by the user in this financial statement are sufficient reason for the lawyer to terminate the reduced fee arrangement and notify the LRS.



The LRS staff knows how valuable a quality referral is to you, so each caller must answer certain questions before a referral is made.

1. Staff representatives begin by asking callers if they are interested in hiring an attorney. (This is so callers realize that the services will not be free.)
2. If so, callers are asked to briefly explain their problem. If they indicate that: they are calling for someone else, they are seeking a second opinion or they are looking for free legal services, they will not be referred to an LRS panel member.
3. Once it is determined that callers are eligible for referrals, their names, addresses, legal dilemmas and geographic preferences are entered into the computer. The computer then selects the LRS panel member who meet the requested criteria and are due the next referral.
4. Callers are informed that they are entitled to a half-hour consultation for no more than \$25 and that any fees after the first half-hour will be set by the attorney.
5. No more than three referrals will be made per case matter.

The LRS does not have lawyers answering the phones and does not give legal advice.

USER SURVEY

A sample of the survey may be found on page 38. It asks the caller to comment on the performance of the LRS and the referred panel member. The completed survey is recorded for statistical purposes and maintained for reference use. (Surveys are not sent to callers with domestic relations matters.)

SAMPLE USER SURVEY FORM

Thank you for using the Massachusetts Bar Association Lawyer Referral Service. In order to improve our service to you and the community, please take a few moments to complete the following questions. Additional comments may be added on the back of this page.

Panel member's name ▲

Telephone ▲

Date of referral ▲

YES NO

1. Was the LRS representative courteous and professional when you called? YES NO
2. Did the LRS representative refer you to the correct lawyer for your legal issue? YES NO
3. If you received your referral through MassLawHelp.com, was our online form easy to use?
If not, explain why: YES NO
4. Did you contact the lawyer we referred to you?
If not, explain why: YES NO
5. If you had to leave a message, did the lawyer return your call? YES NO
6. Did the lawyer handle themselves in a professional manner? YES NO
7. Did the lawyer collect a \$25 fee for the first 30 minute consultation? YES NO
8. Did you hire the lawyer?
If not, explain why: YES NO
9. If you were referred to another lawyer:
New lawyer's name: _____
10. If you hired the lawyer, what was the fee arrangement:
 Hourly Flat fee Contingent Other
11. What are the total fees you have paid the lawyer to date? \$ _____
12. Would you use the Lawyer Referral Service again? YES NO
13. Do you give us permission to use your comments in our publications? YES NO
If yes, how do you prefer to be listed? Anonymously By name
If by name, sign here: _____
Date: _____
14. Check here if you do not want a copy of this survey to be sent to the referred attorney.

Thank you your participation in this survey. Please return your completed survey in the enclosed, self-addressed envelope.



PROFESSIONAL PROGRAMS AND SERVICES

Ethical Advice

The MBA Committee on Professional Ethics will, at no charge, confidentially advise you on ethical problems encountered in your practice. Committee opinions are based on interpretations of law. The committee CANNOT provide advice on: (1) hypothetical matters; (2) matters involving another lawyer's conduct; (3) matters before a court or tribunal; (4) matters on substantive law; and (5) questions on the unauthorized practice of law. All requests for advice, including rapid (emergency) advice, must be in writing and mailed to: Committee on Professional Ethics, Massachusetts Bar Association, 20 West St., Boston, MA 02111-1204. Fax to (617) 338-0550 or email to JStevens@MassBar.org.

The MBA has published the "Opinions of the Committee on Professional Ethics." For more information, call MBA Member Services at (617) 338-0530, toll-free in-state [outside 617] at (877) 676-6500, TTY (617) 338-0587 or email Membership@MassBar.org.

Legal Fee Arbitration Board

Through arbitration and/or mediation, the Legal Fee Arbitration Board (FAB) resolves fee disputes. FAB accepts both lawyer/client disputes and lawyer/lawyer disputes. Arbitrators are volunteer attorneys and non-attorneys who are trained in accordance with standards set forth by the MBA. Binding decisions are rendered as awards and the proceedings are conducted pursuant to Mass. G.L. c. 251. For information about the FAB, call (617) 338-0552 or email FAB@MassBar.org.

MentorMatch

A virtual career development tool, MentorMatch provides you with a unique opportunity to share and receive leadership and management skills, guidance, advice and valuable life lessons from fellow MBA members. This new, exclusive benefit allows you to learn different perspectives from various practice levels, and begin to build strong relationships and referral networks with MentorMatch participants. Visit www.MassBar.org/MentorMatch for more information.

Fastcase

Massachusetts Bar Association members have **FREE**, unlimited access to Fastcase — one of the nation's most popular legal research services. Log in to Fastcase through our website, www.MassBar.org/Fastcase, using your member I.D. and password. Fastcase provides coverage from state and federal courts, state statutes and administrative regulations, as well as court rules, constitutions and other valuable libraries. It is used by more than 800,000 subscribers, including 28 state bar associations and many of the nation's largest law firms.



PUBLIC AND COMMUNITY SERVICES PROGRAMS

LAW-RELATED EDUCATION PROGRAMS

The MBA is committed to bringing law-related education programming to communities throughout the commonwealth. This includes programming in schools, youth centers and other community-based organizations serving young people. Whether visiting students in their communities, or inviting them into the courts, there are many ways for MBA members to get involved in LRE in Massachusetts.

Statewide High School Mock Trial Program

Each year, MBA members are needed to serve as coaches and judges for this program, in which thousands of high school students across Massachusetts prepare a hypothetical case, and then test their skills as lawyers and witnesses in a simulated courtroom competition.

As a Mock Trial judge, you will attend an orientation session and will be scheduled to preside over a trial in a courtroom near your home or office. Each trial lasts approximately 2½ hours. Attorneys may volunteer for just one trial, although many prefer to judge more.

Attorney coaches are matched with teacher coaches at nearby schools to serve as legal advisors to the teams. Some coaches attend two to three team meetings throughout the year to assist in developing basic strategy and courtroom techniques, while others play a more active role in the team and accompany students to each trial. To volunteer, call (617) 338-0570 or email MockTrial@MassBar.org.

PUBLIC INFORMATION

The MBA's public information programming helps inform the public of their rights and responsibilities under the law. Through speaking engagements, educational presentations and special events, members are needed to share their expertise on a wide range of legal topics.

Dial-A-Lawyer

On the first Wednesday of each month, attorneys gather at the MBA's Boston office from 5:30–7:30 p.m. to provide the public with free basic legal information by telephone. The program is also offered twice a year in western Massachusetts. To volunteer, call (617) 338-0556 or email DAL@MassBar.org.

Elder Law Education Program

During May, in celebration of Law Day, MBA members throughout the state volunteer their time to speak on various elder law topics at their local senior centers or councils on aging. Topics range from basic elder legal issues to more substantive areas. If you are interested in volunteering, call (617) 338-0695 or email CommunityServices@MassBar.org.

CAREER AWARENESS PROGRAMS

The MBA's Career Awareness programming introduces school-aged children to the possibility of careers in law. MBA members are encouraged to volunteer their time to help students in their community learn more about opportunities in the legal field.

Judicial Youth Corps

Since 1991, the Judicial Youth Corps program, administered by the Supreme Judicial Court, has offered high school students from urban communities the opportunity to learn about the court system and the law. This program is not only educational, but offers a way to connect students with possible future mentors and learn how laws and rules can have a positive effect on the community. The JYC is currently offered to students at Boston and Worcester high schools. For more information, call (617) 338-0695 or email CommunityServices@MassBar.org.

Tiered Community Mentoring Program

Tiered Community Mentoring provides students at the high school, undergraduate and law school levels access to legal professionals to provide them with an understanding of the legal profession and an awareness of the career opportunities available to them. The program is based in Boston in an effort to reach urban high school students, with a focus on building a diverse mentoring network.

The overall goal is to provide information, guidance and real-life experiences to participants so that they can make informed decisions regarding their future and career, including:

- exposing high school students to information about college;
- providing pre-law undergraduate students with information about the law school admission process and the importance of taking challenging classes; and
- providing law students with an inside view of the practice of law with their attorney mentors.

The program matches 10 mentoring groups, each comprised of a high school, undergraduate and law student and an attorney. The MBA organizes events throughout the year to enable participants to observe or participate in a legal education program. Additionally, the teams meet periodically to discuss law as a career and participate in field trips. To volunteer as a mentor, call (617) 338-0695 or email CommunityServices@MassBar.org.

WEBSITES

MassLawHelp.com

MassLawHelp.com has been developed specifically for the general public who are looking for legal information and assistance. The website offers detailed information on various legal topics and provides additional links to legal resources and ways to find legal assistance through the MBA Lawyer Referral Service.

MBA Website: www.MassBar.org

At www.MassBar.org, you can access an extensive catalogue of legal resources, including:

- Fastcase legal research service — FREE 24-hours-a-day for members;
- MBA On Demand™ — watch an MBA program from the convenience of your home or office, at a time that suits you, FREE with your MBA membership;
- Publications, including *Lawyers Journal* and the *Massachusetts Law Review*;
- The latest legal and MBA news;
- Legislation related to the practice of law;
- Information about upcoming events and programs;
- My Bar Access — an exclusive online, interactive member community; and
- FREE, unlimited MBA CLE seminars included with your membership (excludes conferences).

2017–18 LRS COMMITTEE

Beth R. Levenson, Esq., chair	Claude Lavallee, Esq.	Samuel A. Segal, Esq.
Jared D. Correia, Esq.	Peter D. McDermott, Esq.	Gregory P. White, Esq.
Sheryl R. Furnari, Esq.	Daniel Occena, Esq.	Kimberly E. Winter, Esq.
Scott M. Heidorn, Esq.	Lucy E. Reyes, Esq.	

LRS STAFF

Elizabeth A. O’Neil, Director, MBA Community and Public Services.....(617) 338-0560

Claudia J. Staten, LRS Public Services Manager..... (617) 338-0564

Joseph Caci, LRS/Public and Community Services Marketing Manager.... (617) 338-0516

LRS Email Address LRS@MassBar.org

LRS Administrative Office(617) 338-0556

ABOUT THE LRS COMMITTEE

The Lawyer Referral Service Committee is the standing committee of the MBA that supervises the LRS. The committee reviews overall policy matters and areas of development; formulates and adopts all rules for the conduct and operation of the LRS; decides whether an attorney who has received disciplinary action is eligible for the LRS; and votes on other matters affecting the quality of legal services. All members of the committee are appointed by the MBA president. *For more information about this committee, see page 5, Committee Supervision and Reporting.*

PART-TIME STATUS

All panel members having part-time liability coverage must submit an affidavit defining the number of hours to be worked per week that the coverage includes.

CERTIFICATE OF INSURANCE REQUIREMENT

The LRS requires a Certificate of Insurance issued to the MBA LRS as certificate holder, as proof of malpractice coverage for participation in the LRS program. You will need to request a Certificate of Insurance from your insurance agent/carrier to renew and acquire membership in the LRS. We no longer accept binders or policy declaration pages. *Please note that the LRS no longer requires proof of insurance at the time of renewal. The LRS now requires that all panel members provide proof of insurance before the current policy expires.*

Requesting a Certificate of Insurance from your agent/carrier should be easier than obtaining a copy of your policy declaration page. Normally, your policy declaration page does not become available until the entire insurance policy is compiled. This can take weeks or even a month after you have paid and your policy has become effective. A Certificate of Insurance is an independent document produced by your insurance agent/carrier which is issued as a matter of information to the MBA LRS indicating that you do have coverage with them, the issue and expiration dates of the coverage and the amounts held. Your insurance agent/carrier will endeavor to notify the MBA LRS within a set number of days if your policy is cancelled prior to the expiration date. Send the form below to your agent/carrier when requesting a Certificate of Insurance to assist your agent/carrier in completing this process.

2017–18 LRS MEMBERSHIP RENEWAL Request for Certificate of Insurance

TO (your agent/carrier name): _____

DATE: _____

FROM (your name/insured): _____

RE: Certificate of Insurance for Policy #: _____

Dear (agent/carrier name): _____

Issue a Certificate of Insurance to the Massachusetts Bar Association Lawyer Referral Service, 20 West St., Boston, MA 02111-1204, as Certificate Holder. Professional Malpractice Insurance (and proof of such via a Certificate of Insurance) is a requirement of my membership in the MBA LRS. The Certificate of Insurance must have the following items: 1) professional liability insurance wording located in the "Other" section of the certificate; 2) an original or stamped signature on the lower right corner under "Authorized Representative"; 3) minimum professional liability coverage of \$250,000/\$500,000; 4) inception and expiration dates appropriate for time of renewal and application; and "MBA LRS" with full address listed in the certificate holder box located in left-hand corner on certificate. **Fax the Certificate of Insurance to the MBA LRS at (617) 338-0503.**

Thank you for your immediate assistance.

