

2009 Modest Means Panel Attorney Survey

1. What is the best part about participating in the Modest Means program?
 - a. Can't think of anything
 - b. Like to **help** people
 - c. **Referrals**
 - d. **Helping** out people who otherwise would not get assistance
 - e. Contribution of **pro bono** services
 - f. **Helping** the disadvantaged. **Waiver of the application fee** for referral list (good incentive for other attorneys)
 - g. **Helping** out people
 - h. Only had one case which was a **bad experience** [see "h" below]
 - i. **Helping** people who need it yet can't pay full fare. I think that the fact they **pay something is a positive** for the client as they don't feel they are a total charity case. I'm not sure they feel that, most would prefer a free attorney.
 - j. **Helping** people who would not otherwise be helped. I find they are very appreciative. I get the feeling they realize attorneys are not just out there to make money.
 - k. The opportunity to get **good cases** and **help** those in need.

2. What is the worst part?
 - a. Some cases are **labor intense** – especially family law cases since the clients tend to be more demanding
 - b. The **rate** - \$50 per hour
 - c. Reduced **rate**
 - d. N/A
 - e. Hard to estimate how much client will give as a **retainer**. It is hard to gage how much money is needed up front.
 - f. Not very much **payment**
 - g. **Nonpayment**
 - h. Not a good experience of **nonpayment** and **non cooperation**. Again, only one case was a bad experience.
 - i. The problem is if you charge a reasonable retainer most would find that as unaffordable as paying the full fee. This gets to be a problem when you're in the middle of the case and obligated to continue representation. Generally once retainer is exhausted getting **further payment from the client** is problematical.
 - j. Being pulled into **other avenues or problems** they have. Some figure once they have a cheap lawyer, everything is the same.

- k. **Referrals** of those with bad cases and those who **don't care** about their cases.
3. How can we make it easier for other attorneys to participate?
- a. Having a **mentoring program** similar to the Pro bono program
 - b. **Publicize** it more
 - c. Make people more **aware** of the program
 - d. Find a **way to get more information out** there about the program
 - e. **Easy enough to participate already.**
 - f. **Other incentives** for attorneys to participate since she likes the referral fee incentive.
 - g. We communicate it well so **nothing else** we can do.
 - h. **Make client understand what a bargain** they are getting.
 - i. As to the problems addressed above perhaps there needs to be a **flat fee system.**
 - j. This is personal decision that each lawyer has to make. Many lawyers have lost sight at the reason they went to law school. **Reaching smaller firms** would be helpful because those firms have more flexibility.
 - k. More **one-on-one contact with lawyers** to explain the program, and to see what they feel are possible benefits to them.
4. Other comments
- a. N/A
 - b. **Clients are much more demanding** (this is true of the pro bono program in general)
 - c. N/A
 - d. N/A
 - e. N/A
 - f. N/A
 - g. N/A
 - h. N/A
 - i. Many of the **referral clients are unaware that there is even a modest means** program
 - i. Persons with matters related to a **business** they own should **not qualify** for modest means representation
 - ii. Perhaps there needs to be **time or scope limits**
 - iii. Also any modest means client who fires his counsel or gets fired by counsel and has an **unpaid balance with the attorney should be ineligible for modest means** representation until that bill is satisfied

- j. **Fee share**
- k. This is a **needed service which we should strive to continue.**

SUMMARY

1. Most attorneys said the best part of the experience was that they were **helping people.**
2. Generally, the comments related to the worst part raised concerns about the **retainer amount, payment and difficult clients.**
3. When asked how we can make it easier for attorneys to participate, respondents suggested **publicizing the program to attorneys** more. One attorney suggested that we create more incentives (like the fee waiver) to participate in the program.
4. Other suggestions included **helping the callers understand what a bargain** they are getting, disqualifying any **clients who don't pay legal bills;** and considering a **cap on hours** spent.