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LRIS Feature

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The Brief Advice Panel: A Method to Expand Community Service and LRIS Business

Pro Bono

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The Value of Advice

The Brief Advice Panel

When I first opened my law practice, I applied to become a panel member of the Philadelphia Bar Association Lawyer Referral and Information Service (LRIS). As a newly minted attorney, LRIS provided me with an invaluable referral base, which has followed me throughout my career.

From the Chair

ABA LRIS Committee Serving the LRS Community

In addition to having served as a panel member, I also have had the privilege to work as an intake attorney for LRIS. The Referral component of LRIS is an invaluable service that in many cases benefits both the client and the attorney. However, there is a real and unaddressed need, which currently is not utilized by most LRIS programs, and that is a brief legal advice panel.

2010 LRIS Workshop

Serving as both a panel member and as an intake attorney for LRIS has provided me with a unique bird's eye perspective of the issues and needs facing the clients who call LRIS. I have been struck by the multitude of people who are faced with a finite problem, and who need guidance that as a practical matter does not warrant the expense, time, and emotional cost that would ensue for both the client and the attorney if they were to take formal legal action.

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Additional Resources

- » The [ABA LRIS Committee Clearinghouse](#) contains information on how two LRIS programs established brief advice services in connection with a traditional LRIS referral model.
- » The ["Standards for the Operation of a Telephone Hotline Providing Legal Advice and Information."](#) adopted by the American Bar Association, August 2001 describes the ethical issues involved with establishing a brief advice line.

In these instances, what is really needed is a brief advice line that the LRIS client can call to speak with an attorney who can help the client approach their particular problem. The price for this service should be set at a low rate that is attractive to the consumer.

Thus, an advice line is an ideal way to handle a situation when an individual has a question, is seeking advice, or wants to know their rights, but does not want to make a "federal case" out of their issue.

Communication Gap Frustration

It is quite frustrating and disheartening for both me and the client when I receive a call from a client who has a problem that is very real to them, but whose fact pattern does not make it worthwhile to undertake legal representation. Many clients will call me with an issue that is monetarily not worth a lot, but for them is personally and emotionally important. Often they reason, "it is not the money, it is the principle of the matter."

It is very difficult to argue against the client's desire to right a wrong. However, I also cannot in good conscience act as counsel if I believe the client would spend more on legal fees than they would ever hope to recover. As a panel member, this places me in an awkward situation, which could be circumvented if there was a legal advice line that captured the LRIS client that was just in need of brief legal advice, as opposed to formal legal representation.

The reality is, most attorneys cannot afford to spend time consulting with a client if they believe that there is not sufficient monetary recompense in the case. Many clients will say, "I cannot get a single question answered unless I am prepared to plunk down a couple hundred bucks at the outset."

The client may just want to know their rights and how to approach a matter, and that is the extent of their inquiry. Unfortunately, there are few outlets for the individual who just has some questions that they want answered about their rights and their options. If they do not qualify for pro bono or modest means legal representation, many people do not know where to turn, or where to find the resources that may be available to them.

Advice Line Scope

Oftentimes, people are faced with a problem that is legal in scope, but is more quotidian in nature, and could best be resolved without the formal engagement of an attorney. There are many day-to-day issues that arise that demand resolution, and people just do not know how to approach the problem, and this is where the advice line becomes a very viable option.

Examples of the issues that the advice line could handle include:

- What rights do I have as a consumer if a service provider does not do what they promised?
- What should I do if the item that I recently purchased is defective?
- What are my rights if a creditor claims that I have a debt that I do not owe?
- What are my rights as a tenant or a landlord?
- What do I do if there are mistakes on my credit report?
- How do I wage a complaint against a particular business or utility?
- What do I do if my medical or financial privacy has been compromised?
- What do I do if I am the victim of identity theft?
- What alternative resources are there that I can explore to address my problem?

As can be seen, the list of topics that the advice line can effectively address is extensive, and this kind of service is desperately needed.

Methodology

LRIS programs could operate brief advice panels in much the same fashion as they currently run LRIS referral panels. Brief advice panels would be established in those areas of the law that the LRIS intake staff identifies as particularly strong areas of need. As the brief advice topics generally parallel existing LRIS panels, programs could recruit from existing referral panels. This new program could also serve to bring in new attorneys who are interested in providing this type of community service.

If desired, a separate telephone number for the brief advice line could be established and advertised as a service of the Lawyer Referral and Information Service. That number could be answered by LRIS staff.

The LRIS intake person would identify a caller as being appropriate for a referral to an attorney who is a member of a brief advice panel, no matter which number the potential client called. Inevitably, there will be people who call in on the brief advice line telephone number who need a referral to an attorney for representation and others who call in on the LRIS number

who only need brief advice. Clearly, the LRIS intake person is in the best position to direct the caller.

Cost, of course, would be a selling point for this new service. There are many options for pricing. The cost could be a set amount for up to a particular length of the attorney's time. With this pricing option, LRIS could obtain payment up front before transferring the caller to the appropriate attorney.

Another pricing option would be to break down the time into increments as small as five minutes. In these cases, it would become the panel attorney's responsibility to keep track of the time expended, and to charge the client appropriately.

Either way, a decision will have to be made regarding who keeps the fees paid by clients who use the brief advice line. A percentage fee sharing arrangement is an option. However, this option may differ from the percentage fee schedule that attorneys are expected to pay LRIS programs for regular referrals.

When a referral is made to an attorney for brief advice, the attorney should be able to make the final decision whether brief advice is appropriate. If the brief advice panel attorney feels that the client's issue would be better served with a more traditional, extended legal representation, the attorney can send the client back to LRIS for a referral attorney. Accordingly, if a referral attorney feels that the client's inquiry can be best addressed by the brief advice line service, the attorney can refer the client back to LRIS to be connected to a member of the brief advice panel.

This dual method approach will enable LRIS to provide more comprehensive and practical legal assistance. Without this brief legal advice component, I believe that LRIS loses a significant amount of paying clients that are in need of legal assistance. I also believe that LRIS, from a public relations vantage point, loses the confidence of potential clients who are turned away by the referral attorney who cannot address their problem. Clients who have minor concerns today may have major cases tomorrow, and a good experience when a caller only needs brief advice will encourage that person to contact LRIS again and again.

Expand Legal Communication Channels

The implementation of a legal advice line is an inexpensive, but valuable method to bridge the information gap that currently exists between the client and the legal professional. A brief advice line can open up exciting alternative legal channels of communication that have not been tapped effectively. This supplemental approach to address the legal needs of the LRIS client has the potential to not only provide a vital and comprehensive service to the community, but it also has the potential to be a profitable and worthwhile endeavor for all involved.

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