Use of the ABA Lawyer Referral and Information Service logo indicates that this lawyer referral program has been reviewed by the ABA and meets the specific public service standards established by the ABA. ABA approved lawyer referral programs:

- Agree to establish and maintain objective experience criteria for their panel attorneys,
- Provide a mechanism for client feedback and resolving client complaints,
- Do not limit the number of attorneys who may join the Lawyer Referral and Information Service, provided that they meet the objective requirements for panel membership,
- Require and verify that all panel attorneys carry legal malpractice insurance.

Use of the logo indicates that this program meets ABA standards for lawyer referral services. The ABA does not review the qualifications of the individual lawyers who participate in the service. For more details on the ABA standards, visit www.abanet.org/legalservices/lrsrules.html.
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**The Purpose of the Service**

The Lawyer Referral & Information Service is a special program offered by the Maine State Bar Association to:

- serve the public with information and access to legal services;
- provide member attorneys with opportunities for clients and good PR;
- promote a positive image of the legal profession; and
- express the Association’s commitment to professional excellence.

LRIS is not intended to offer lawyer services to people who can't afford them; on the other hand, it is not just a way to capture paying clients. More callers are assisted by the service with information or direction to more appropriate resources than are actually referred to an attorney. With dues and remittals, your attorney is helping to support this aspect of the public service provided by LRIS staff, as well as our capacity to make referrals. And when we make those referrals we want them to be helpful to the clients and worthwhile for our members, and to reflect well on the Bar Association in every way. To make it all work, we have Standards & Rules.

Our rules deal with how to handle referrals, make reports, and remit fees. Your attorney has signed an agreement to meet our standards and follow our rules, and will need your alert assistance to keep that agreement.

This handbook is intended to help you help your attorney gain the most from membership in the Lawyer Referral & Information Service.
What Else?

Stay in touch!
Call us when you have questions...and we’ll do the same.

Let Us Know About Absences, Illnesses, and Full Schedules

Sick? Vacation? In court for the next 3 weeks? It’s ok — just tell us!
If your attorney is not going to be available for more than a couple of days, please let us know. Remember, your attorney has an agreement to call each LRIS referral back within 3 days of his/her first call to your office. Not receiving a timely call back could damage their legal position, and it is bad public relations for your firm and our service. Call us ahead of time: we will put your attorney out of rotation for as long as you request. That way our service will meet customer expectations, you won’t have to deal with an upset caller, and your attorney will remain in compliance and in rotation.

Changes in Contact Information

We have found through experience that communications via e-mail can fail utterly if you or the staff who handles your paperwork have changed your e-mail addresses without telling us. Please let us know of ALL contact information changes as soon as possible — e-mail, telephone, fax, address, firm changes, etc. It will save us all time, confusion, and frustration.

To contact LRIS:

Director
Penny Hilton 622-7523, ext. 223 philton@mainebar.org

Administrative Assistant
Rachel MacArthur 622-7523, ext. 222 rmacarthur@mainebar.org

LRIS FAX 623-0083

Mailing Address
Lawyer Referral & Information Service
P O Box 788
Augusta ME 04332-0788
Client Feedback

We solicit client feedback in the form of a Client Survey when a referred case is reported closed by your office, as a means of verifying status reports, and as a way to measure client satisfaction with our service. We enter the results from every returned survey into the computer records pertaining to the attorney, put a paper copy into the attorney’s file, and mail a copy to the attorney. We may follow up with a phone call if we feel the respondent’s remarks warrant more attention. Only written complaints are considered. If we receive three or more complaints about an attorney within a year, we notify the attorney that the complaints will be considered by the LRIS oversight committee at its next meeting. Similarly, if within two years we receive three or more complaints noting the same kind of issue – failure to return calls, for example, or rudeness, or apparent incompetence – we will notify the attorney and bring the complaints to the committee’s attention. The committee may ask for an explanation, or may choose to suspend or expel the attorney. The LRIS Standards and Rules document describes the process for appealing such a decision.

Complaints regarding alleged malpractice or disputes regarding fees are directed to the Maine Board of Overseers of the Bar. While we do not arbitrate in these matters, repeated complaints will be reported to the committee.

LRIS Sanctions

Temporary Placement Out of Rotation
Delinquent/incomplete report returns
Expired Proof of Insurance
Unpaid Annual Dues

LRIS Committee Consideration for Suspension
3 or more complaints in a year
3 or more complaints about the same issue in 2 years
Referral out of service
Withholding of percentage fees
Consistent failure to comply with LRIS rules

Expulsion
Maine Board of Bar Overseers sanction
Failure to maintain required liability insurance
Unresolved issues related to suspension

Final Sanctions are imposed by the MSBA Board of Governors - see Standards & Rules document.

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When We Make Referrals For Attorneys

We get many calls from attorneys, many from out of state, who need direction to attorneys who can help them with legal matters in Maine. Sometimes they are calling on behalf of themselves, sometimes on behalf of their clients. Sometimes they will call your office personally, and sometimes their clients will be the ones who call. As a professional courtesy, we do not charge these attorneys the regular Client Referral Fee. However, we will only make one referral at a time, as we found we were not getting accurate reports back from attorneys when multiple referrals were made.

THESE ARE STILL LRIS REFERRALS.

We fax you the regular Attorney Confirmation Form, with the same contact information, panel indications, and brief description of the issue. If the attorney is calling on behalf of a client, please note that the client's name will be included in the description.

And

LRIS REPORTING and REMITTAL AGREEMENTS APPLY

Whatever the fee-splitting or payment arrangement your attorney makes with the LRIS-referred attorney, 10% of the fees collected by your attorney for that case in excess of $200 must be remitted to our service.

The Lawyer Referral & Information Service is in a unique position to connect your attorney with attorneys not already connected to a Maine network, networking that can directly and indirectly bring paying cases to your office for years to come. And it works both ways: your attorney can also get free referrals to other LRIS attorneys.

The percentage remittal to our service is a small and fair fee to pay to keep this service running for the benefit of all.

Please report and remit accurately.

Quarterly Report and Remittal

This report is for LRIS referrals your office previously reported as Retained or Retained on Contingency. It is our reminder to you to send in the percentage remittals as you receive client payments, and to let us know when cases are closed. It is very important that these reports be accurate, and that you return them on time, even when there is no payment to make or no status change to report. Even if the status is unchanged, you must enter a status code for each case listed. As with the Record Update, we enter your responses into our data base, and if no status is entered for even one of the referrals listed, your attorney will appear on the list of delinquent reports when the 30-day return report is run, which will put your attorney out of rotation.

Calculating Percentage Fees

LRIS collects percentage fees of 10% calculated on collected fees for service your attorney receives from each referred client above a specific threshold, excluding court costs and expenses. For referrals made before October 1, 2005, the threshold is $150. For referrals made after October 1, 2005, the threshold is $200. Examples:

Referral #2004122500001 (made December 25, 2004) brings in $2,115 of which $75 are court fees.

\[
\begin{align*}
\text{$2,115 - $150} &= $1,965 \\
\text{$1,965 - $75} &= $1,890 \\
\text{10% to LRIS} &= $189
\end{align*}
\]

The same financial outcome of Referral #200512250001 (made December 25, 2005) results in a smaller fee to LRIS.

\[
\begin{align*}
\text{$2,115 - $200} &= $1,915 \\
\text{$1,915 - $75} &= $1,840 \\
\text{10% to LRIS} &= $184
\end{align*}
\]

The $150 or $200 deduction is made only once with each client account. Referral fees for several cases may be paid together in one check. Please make sure to indicate on the form, however, how much should be associated with each referral number, and check your addition.
Referral Reporting

All of the forms below are due within 30 days of their date.

**Attorney Confirmation Form**

This is the form we fax or mail to you soon after we make a referral to your attorney, usually within 24 hours. It is intended to alert you to the call, to inform you of the basics of the issue, and to show the panels we used that pulled your attorney’s name up in our referral search. It is the first report you need to return to us for each referral, and should be returned within 30 days, by fax or mail. Please be as accurate as you can in selecting the report responses, and include additional notes whenever necessary.

**Record Updates**

The Quarterly R&R’s (p.11) include only those referrals for which you have actually been retained or taken on a contingency basis. If you have sent back a report that states conclusively that contact with a referral was minimal - Telephone Conference Only, Services Under Threshold, Referred Back, etc - that referral will not show up on future reports.

The remaining referrals we track by means of reports we call “Updates.” These are the referrals that show in our data as “reportless” - where we have heard nothing from you since sending the referral out; “Possible Services” - where you have reported that you may possibly take a case, depending upon (though you don’t have to specify) receiving a retainer, or doing more research, or waiting to see how something related develops; and “CNC - No Contact.”

Your office, quite reasonably, may assume someone who hasn’t called within several weeks, won’t, and will return the report to us saying so. But we have learned that while most callers will call the attorneys we refer them to within minutes of speaking with us, others, for one reason or another, will wait weeks and even months. For this reason, we follow up on each of these referrals for two - three months after our original referral before dropping them off our report. We understand that it can be annoying to have to report “No Contact” more than once - but delayed or deferred follow-through comes with the territory, and we hope you will accommodate our needs with good humor.

**When Our Caller Calls Your Office**

- **Note the LRIS caller’s Confirmation Number.**

While we have used confirmation or “call” numbers on paperwork to identify our referrals to member attorneys since our service began, it is only in the last year that we began instructing callers to give their confirmation number to you the first time they call. We made this change because so many callers were forgetting to identify themselves as LRIS referrals. This number is your cue that our rules with regard to call-back time, personal attention, attorney feedback regarding inappropriate referrals, timely reporting, and percentage fees will all apply.

- **Direct LRIS callers ONLY to the attorney to whom they have been referred.**

Your attorney has certified with us that the panels indicated on this year’s application are areas in which s/he has experience and will accept referrals. S/he has also specifically agreed to conduct the first consultation personally with every LRIS caller we send.

This means that even if you usually refer people with one kind of legal need to one person in the office, and people with another kind of legal need to someone else, LRIS callers MUST be directed only to the attorney to whom we have referred them. Our selection process uses a database that includes all of the areas of law for which your attorney has told us s/he would like to receive referrals. We use our best judgment in selecting the panels we use for our referral search, based on the information the caller gives us. If your attorney shows up in a search, it means that s/he told us to put her/him on those specific panels. Attorneys may drop or add panels to their LRIS registry at any time. Please notify us so we can make our data reflect her/his current choices, and avoid making inappropriate referrals.

- **Make sure your attorney calls back within 3 business days.**

Our guarantee to all LRIS callers is a return call from the referred attorney within 3 business days. Your attorney is aware of this guarantee, and has agreed to comply.
Do not charge an LRIS referral for the first half-hour of consultation with your attorney.

We know that some of our members routinely provide a first consultation at no charge, while others charge immediately. LRIS clients pay our service a $25 administrative fee for providing an appropriate referral, and additional referrals, if needed. Your office does not collect this fee. We guarantee that this payment to us covers the first half-hour of their consultation with your attorney, and that your office will not charge for that time. You should know that we do not refer to it as a “free” half-hour, and that we advise them to discuss fees at that time. In our intake, on our website, and in the paperwork they receive from us, we emphasize that they should not expect to “solve their legal problems” in a half-hour, and that attorneys are ethically bound to know the facts and give them due consideration before offering advice. We emphasize that they should be prepared to pay for any service or consultation that extends past a half-hour. Please note that with the exception of that first half-hour, our callers should not be treated differently than those who access you through other means. If your attorney routinely consults for more than a half-hour without charge, this same practice should extend to LRIS referrals.

If your attorney cannot assist, s/he MUST refer LRIS referrals back to our office for referral to another LRIS attorney.

We understand that it is common practice within the profession to give people the names of other attorneys to consult when, for whatever reason, your attorney can’t assist them. With LRIS referrals, however, your attorney has agreed to depart from this standard practice and refer LRIS callers back to the LRIS office instead. This is essential to the success of our service in terms of both financial viability and professional credibility. And remember, if we made an inappropriate referral, we want to know. We tell callers that if your attorney cannot assist, they should call us back for another referral. Callers do let us know when attorneys have directed them elsewhere, and it is grounds for suspending your attorney from the service.

Please note that we are committed to providing ethical, professional service to every caller. We will never refer a caller inappropriately for the sake of keeping them in the service. If your attorney has some specific advice about how to redirect the referral, or feels strongly that the caller has needs that only a specific attorney or firm can meet, s/he must discuss this with the LRIS Director. The Director has the authority to permit out-of-service referrals on a case-by-case basis.

After the initial consultation, your attorney MAY refer an LRIS client to another non-LRIS member attorney in your firm.

Let us know. However, the original LRIS member attorney to whom we referred the caller will still be considered responsible for the case, and all the reporting and service obligations that pertain. All LRIS correspondence will continue to be with the original attorney.

Open LRIS Cases MUST be identified within your casefile with the LRIS Letter of Obligation.

If your attorney is retained by an LRIS client, you must immediately include some version of the Letter of Obligation in the file you open for that client. This is so the case will always be clearly identified as coming from LRIS. This became particularly important in recent years when there was an up-tick in attorneys travelling to other firms or leaving the practice of law. Once an LRIS case, always an LRIS case, with the attendant obligations.

LRIS Paperwork

Application and Proof of Insurance

If you are reading this, your attorney has already accomplished the major step of applying and being accepted to our service. There are a couple of follow-up steps that you will want to anticipate:

Anniversary Update of Proof of Insurance – The ABA has advised us to pull member attorneys out of rotation immediately on the end date of the proof of insurance we have on file. There is now no grace period for getting proof of renewal to us. As soon as you receive the new policy for the year, send POI (the page noting amount, date, and who is covered) to us, so we can reinstate your attorney.

Experience Panel Applications – Attorneys now have to meet additional requirements to participate in certain LRIS panel areas. If your attorney is interested in participating an experience panel - currently Family Law, Employment Law, Medical Malpractice, Civil Rights, Social Security Law, or Alternative Dispute Resolution - panels, please note that they can join at any time during the year as soon as they can present documentation of meeting the criteria. There is no extra cost to participate in Experience Panels.