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From the Chair...



By Sheldon Warren

Standing Committee on Lawyer Referral and Information Service

At the beginning of every new year, we reflect on the events of the previous 12 months and speculate about what is likely to occur in the coming 12 months. Last year was one of the most difficult economic periods this country and the legal profession has seen since the Great Depression. Across the economy, people lost their jobs, homes and retirement savings.

In the legal profession, "Big Law" shed existing jobs like a snake sheds its skin and deferred or withdrew previously extended job offers to newly admitted attorneys. As a result, thousands of lawyers joined the ranks of the "suddenly solo." Small and mid-sized firms saw many of their existing clients either go out of business or downsize to a point where the need for legal assistance was nearly non-existent.

While most economic indicators seem to predict a recovery this year, there is no doubt that the legal profession has undergone a change that many believe to be permanent.

So, how did the events of the past 12 months affect the Lawyer Referral and Information Service (LRIS) world? While 2009 brought more than its share of challenges, it also brought opportunities. As discussed in an earlier column, the suddenly solo phenomenon provided referral services across the country with a unique pool of potential panel members. While far from scientific, anecdotal reports from LRIS directors on the ABA LRIS LISTSERV list appear to confirm that the services that have reached out to these attorneys have seen a marked increase in the number of applications for panel membership.

While it is always rewarding to have attorneys anxious to join one's service (rather than having to go hat in hand and plead with them to do so), increased panel membership obviously brings with it the need to increase the number of quality referrals the service has available to make. In this

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regard, I found the results of a new survey conducted by a prominent legal information website to be informative. A summary of the survey was recently posted on the LRIS LISTSERV list. According to the survey, 22% of respondents indicated that they had a legal issue with which they may have required legal assistance in the past year, while 12% - just over half of those needing legal assistance - indicated that they hired an attorney in 2009. Additionally, 5% indicated they had chosen to represent themselves.

People who indicated they had problems for which legal assistance may have been required were most likely to hire attorneys for divorce, estate planning and housing issues. Respondents indicated they were least likely to hire a lawyer for civil actions, such as personal injury or discrimination.

The above results confirm that the need for the services offered by legitimate lawyer referral and information services remains substantial. Further, I believe these results also indicate that this need is going unmet, notwithstanding the continuing proliferation of entities on the web offering to "hook up" attorneys with potential clients.

Obviously, public service oriented referral services are never going to have the capital available to compete from a marketing standpoint with purely commercial enterprises. However, an LRIS that uses the ABA Model LRIS Rules as its operational guide will, in my opinion, be offering a "better product" to those in need of legal services as well as to attorneys willing to provide those services. I believe offering the better product continues to be the best recipe for success, regardless of your marketing budget. It bears repeating (as I regularly do in this column) that legitimate public service oriented lawyer referral and information services across the country continue to operate profitably.

One of the means by which an LRIS can maximize its potential is to take advantage of the ABA's Program of Assistance and Review (PAR). While I intend to talk more about PAR in a future column, a recent discussion on the LRIS listserv reminded me of the importance of making sure, on a regular basis, that the lawyer referral community is aware of this program. That same discussion also reminded me that while we all have the same goal, i.e. making quality referrals of individuals with a legal need to qualified attorneys, every LRIS is obviously unique. The PAR consultants who volunteer their time are sensitive to this and make their "best practice" recommendations to each LRIS they visit with these unique characteristics in mind. Again, though, I'll talk more about PAR as we get further into 2010.

Finally, I would like to remind you again about the [2010 ABA LRIS Workshop](#), which will be held in Portland, Oregon from October 27 through October 30. Portland is a fun city (with no sales tax) and the program the LRIS Standing Committee is working on will be both interesting and helpful to you. I hope to see you there.

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