

## **Modest Means Attorney Information**

The Modest Means Program (MMP) is a reduced fee program organized by the Oregon State Bar. Attorneys who accept referrals through the MMP charge reduced rates to make legal services accessible to lower and moderate income people who are ineligible for legal aid but unable to afford private attorney fees. Attorneys who accept MMP referrals agree to charge no more than \$35 for an initial consultation, and no more than \$60 per hour for any additional services.

Program staff screen client calls for general eligibility (subject matter, income, and location of dispute) and send an application to the potential client. Except for 72-hour eviction cases, clients cannot qualify for MMP without submitting a written application.

As soon as the client returns a completed application, staff reviews the application and determines whether the client qualifies for the program. The staff reminds each client of potential fees including: the attorney's hourly rate (set at approximately ½ of the regular rate), the \$35 consultation fee, the need for a retainer fee, and other costs such as filing and service fees. Clients are told that the Modest Means participants are private attorneys with regular caseloads who agree to perform services at a reduced fee for a limited number of clients.

Clients for the MMP qualify if their income does not exceed 200% of the federal poverty guidelines, which translates to approximately \$1,342 monthly for a single person or \$2,275 for a family of four. The income caps are adjusted annually based on adjustments to the Federal Poverty Guidelines. Restrictions on client assets also apply.

Qualified clients are referred to the MMP attorney who most closely matches the subject matter of the problem within the geographic area of the client. It is up to the attorney and client to decide whether to continue the attorney/client relationship beyond the first office visit.

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For further information call the Referral Services staff at (503) 620-0222 or 1-800-452-8260, extension 408.

## **Modest Means Policies and Procedures**

### **1. Program**

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#### **A. Overview**

The Modest Means Program is designed to make legal services available to lower income people who are ineligible for legal aid but unable to afford regular attorney fees.

#### **B. Operation**

The Referral & Information Services (RIS) Manager shall develop and revise referral procedures and shall be responsible for the operation of the program. Procedures and rules shall be consistent with the program goals and the following guidelines:

1. Staff may not comment on the qualifications of a Panelist and may not guarantee the quality or value of legal services.
2. Staff shall not make referrals on the basis of race, sex, age, religion, sexual orientation, or national origin.
3. No more than three referrals may be made to a client for the same legal problem.

4. RIS staff may provide legal information and referrals to social service agencies for callers for whom a legal referral would not be appropriate, and may develop agency resource lists.
5. Legal advice may be provided to callers only by an RIS staff attorney.
6. Callers complaining about possible ethical violations by Panelists shall be referred to the Oregon State Bar Disciplinary Counsel's Office.

### **C. Client Eligibility and Attorney Fees**

1. Client income status must not exceed 200% of the Federal Poverty Guidelines, with allowable adjustments based on guidelines of the Legal Services Corporation.
2. Attorney fees shall be set at a maximum of one-half of the statewide average of attorneys working in each particular area of law. Fees are to be calculated based on the most recent edition of the Oregon State Bar Economic Survey. The client fee for an initial consultation is \$35.

## **II. Panelists**

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### **A. Eligibility**

Lawyers satisfying the following requirements shall be eligible for participation in the program:

1. A Panelist must remain an active member of the Oregon State Bar in good standing with malpractice coverage from the Professional Liability Fund and not be the subject of a formal disciplinary proceeding.
  2. Panelists against whom disciplinary proceedings have been approved for filing shall be immediately removed from MMP until those charges have been resolved. Disciplinary proceedings shall include those authorized to be filed pursuant to Rule 3.4 of the Rules of Procedure. A matter shall not be considered resolved until all matters relating to the disciplinary proceedings, including appeals, have been concluded and the matter is no longer pending in any form.
3. A Panelist whose status changes from "active member of the Oregon State Bar who is in good standing " shall be automatically removed from the MMP.

### **B. Rules For Panelists**

In order to remain eligible to receive referrals each Panelist shall:

1. Participate only on those panels reasonably within the Panelist's competence.
2. Refer back to MMP any client with whom the Panelist has a conflict of interest.
3. Cooperate with the MMP staff by responding promptly to requests for information.
4. Immediately notify staff if the Panelist is unable to accept referrals due to vacation, leave of absence, heavy caseload, or any other reason.
5. Fill out and return all MMP referral notices within two weeks of the referral date.
6. Submit any fee disputes with clients referred by MMP to the Oregon State Bar Fee Arbitration Program.