



## **Guidelines for Participating Attorneys & Attorney Agreement**

### **How Texas CBAR referrals work:**

**Step One: Contact.** A non-profit organization contacts Texas CBAR for legal assistance.

**Step Two: Screening.** The organization is screened by Texas CBAR staff to determine whether it meets our eligibility guidelines, if the legal matter is appropriate and is ready to refer to a volunteer attorney. If so, the organization is asked to complete and return an acknowledgment form to Texas CBAR.

**Step Three: Referral.** Once accepted, Texas CBAR sends a weekly email notice to attorneys who have agreed to consider pro bono referrals from Texas CBAR. The notice contains a brief description of the organization and the type of legal assistance requested. Attorneys are free to contact us for additional information about the legal matter or organization needing assistance. Texas CBAR's referral list is typically sent *every Wednesday*. Matters not accepted that week remain on the list for the following week.

**Step Four: Acceptance.** Attorneys interested in accepting a legal matter for representation should contact Texas CBAR. We will refer the matter to one of the accepting attorneys, taking into consideration their area of interest, expertise, geographic location, and the number of pending matters within the firm. The attorney will receive an *intake sheet* summarizing the client's information for conflicts check.

**Conflicts Check:** The attorney is expected and sometimes required by their pro bono department to run a *conflicts check and notify Texas CBAR upon completion*. *Due to some time sensitive deadlines, attorneys are encouraged to notify Texas CBAR if conflicts check will take more than four days to process.*

**Step Five: Retainer.** Once conflicts check has cleared, referral letters are sent to volunteer attorney and client describing legal services obtained through Texas CBAR's pro bono referral program. At this time, and supporting documentation in Texas CBAR's possession relating to legal matter are also released to volunteer attorney. After a matter is placed with a volunteer attorney, it is advised to the client and attorney to contact one another upon receiving referral letters.

**Scope and Duration of Representation:** Texas CBAR refers specific, discrete matters for representation. Attorneys should not feel obligated to assist the client with additional unrelated legal questions. If a client requests legal assistance for a matter outside of the scope of the matter referred, please send the client back to Texas CBAR so that we may open a new matters file for the client.

**Fees and Costs:** The participating attorney agrees to represent the client on the matter referred without charging fees for the attorney's services or any internal costs (*i.e.*, copying, long distance, faxes, Federal Express, travel, secretarial support, and other expenses incurred by the attorney during the representation). The client is responsible for paying any filing fees or other external costs necessitated by the project which are not waived by the attorney, such as title reports, IRS filings, closing costs, and other state and federal filing costs.

Retainer Agreement: Attorneys are free to use their own *retainer agreement/client engagement letter* or use Texas CBAR's *form retainer agreement* available on our website at [www.texasbar.org](http://www.texasbar.org). The agreement should reflect the scope of representation and duration of the engagement discussed with the client.

Right of First Refusal: An attorney who has assisted the client in the past and wishes to continue working with that client has the right of first refusal to work on future legal matters. Attorney may also re-direct client to Texas CBAR for new matters.

Community Counsel Partnership: If the attorney wishes to provide *ongoing legal assistance to the same client*, Texas CBAR will formalize the arrangement through a Community Counsel Partnership. The Partnership remains open for *one year*, with the option for annual renewal by agreement of both attorney and client. Texas CBAR will check in with the partnership attorney on a quarterly basis for an update on the types of additional legal matters for which the attorney is providing assistance.

**Step Six: Texas CBAR Support.** Texas CBAR staff is available to help attorneys work through any issues that arise in the representation and to provide legal support related to the referral. Participating attorneys may access legal resources available on our website, [www.texasbar.org](http://www.texasbar.org), which includes information and legal forms for typical transactions. Texas CBAR can also assist by involving other attorneys in complicated matters or matters requiring additional expertise. Texas CBAR will contact the volunteer attorney and the nonprofit periodically for a an update on the status of the legal matter referred.

**Step Seven: Case Closure.** Upon completion of the representation, the attorney should notify Texas CBAR. We will provide a *final disposition form* and an *evaluation* to complete and return to us. Texas CBAR relies substantially on foundation funding in order to support our activities. To continually attract and maintain philanthropic support, Texas CBAR must be able demonstrate the quality and impact of time and resources donated to the nonprofit clients and their communities. Completion of the evaluation is essential to the long-term success of Texas CBAR.

Texas CBAR Library: To help Texas CBAR leverage the impact of services provided by our *pro bono* volunteers, please share redacted copies of significant forms, templates and documents prepared in the course of your representation with Texas CBAR so that we can make them available to other attorney volunteers.

### **Attorney Agreement:**

**In accepting a case from Texas CBAR, each volunteer attorney agrees to:**

1. Treat the client with the same dignity and respect you would accord any other client.
2. Conduct all legal work in a timely manner and with the same degree of professionalism that you would accord any other client.
3. Make sure that you have no conflicts of interest.
4. Consult with Texas CBAR as needed.
5. Track the number of pro bono hours spent working on the legal matter.
6. Inform Texas CBAR when the matter is complete.
7. Contact Texas CBAR immediately if any problems arise in the course of your representation.

If you have questions, please call us at (512) 374-2712 or contact us by email: [texasbar@trla.org](mailto:texasbar@trla.org). Thank you for assisting the nonprofit community through Texas CBAR. Your help empowers nonprofit organizations to continue to benefit the communities they serve.