



LRS NEWS

NH Lawyer Referral Service Newsletter

December 2017

FIFTEEN YEARS AT THE LAWYER REFERRAL SERVICE!

This month marked my fifteenth year with the Lawyer Referral Service and my third year as LRS Coordinator. Being Coordinator has been both rewarding and challenging. The rewards include getting to know panel members on a more personal level and working together to implement new projects like the Modest Means Legal Program.

The challenges include trying to balance the LRS dual mission to assist the public with referrals to qualified lawyers, while providing panel members with an additional source of clients who can afford customary legal fees. Potential clients want qualified attorneys and attorneys want good cases. To attract either, we must provide the other.

LRS policies have not changed much since I began working here 15 years ago, but consumer needs and legal trends have changed considerably. To be competitive, we must also change. To that end, the LRS Committee will be reviewing and updating LRS rules and policies over the next year. We have already made some slight changes which will become effective with the 2018 LRS membership application, and are detailed in the articles to follow.

Fiscal Year 2017 was a good year for referrals and percentage fees, and FY18 looks promising, as well. Referrals are up 16% over this time last year. As always, we welcome your ideas and feedback, and we thank you for your continued participation in the service. Jackie, Tom, and I wish you warm and peaceful holidays and a very successful new year!

~ Sheila Vermacy, Coordinator



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LRS staff members Jacqueline Geddes, Tom Jarvis, and Sheila Vermacy at the NHBA staff Christmas party.

RULE CLARIFICATION—OUTSIDE REFERRALS

When a panel member signs the member agreement in the LRS membership application, they agree to refer clients back to LRS if they cannot assist the client. However, LRS often discovers via client surveys (or panel member confession!) that the attorney referred them elsewhere instead of referring them back to the service, pursuant to LRS rule D.2.d.

We understand that panel members want to be helpful to the people who contact them for representation, but that's what LRS is here for. We ask a lot of questions of both attorneys and clients, and can make referrals based on many different criteria. As a result, LRS has a case retention rate or double the national average for bar-sponsored lawyer referral services.

We Know People

We make referrals to law firms big and small, located in NH, MA, ME, and VT; we keep track of who offers unbundled services, flat fees, and deferred payments; and we know which firms have attorneys and staff that speak foreign languages. Additionally, LRS is currently compiling lists of attorneys who handle specific pharmaceutical injury cases. We are also connected to a nationwide network of bar-sponsored lawyer referral services who can help us out with referrals at any time. *(Call me if you ever need a courtesy referral to an out-of-state attorney in a specific practice area, even if it's not for an LRS client.)*

LRS Is A Business

LRS is in the business of helping to increase your business, by providing an information and referral service to the public. Membership and percentage fees are re-invested in the service to facilitate this dual mission. As such, you are a stakeholder in LRS.

The LRS marketing budget is based in large part on how much we received in percentage fees the year before. Last year was a good year; panel members made \$1.4 million through LRS referrals.

As a result, this year LRS increased its Google Adwords campaign and will be adding NHPR underwriting. The goal is to advertise in more areas that will attract clients able to pay full fees for legal services.

It's Your Business

Attorneys pay a fee to belong to this service. When LRS cases are referred to non-LRS attorneys, fellow panel members miss out on the opportunity to earn those fees, and LRS loses potential funding needed to sustain and improve the service. Accordingly, the LRS Committee decided to provide clarification to the LRS policy regarding referral transfers and have amended LRS rule D.2.d. as follows:

2. A panel attorney in making application with either program agrees:

d. To refer the client back to the Programs if the attorney is unable to provide a consultation and/or representation. **ADD:** No panel member shall transfer a referral to another attorney unless 1) the other attorney is also a panel member and 2) the original attorney notifies LRS of the transfer within 10 business days if the panel member is not employed by the same firm. Any violations of this rule constitute grounds for possible suspension or removal from LRS. The panel member will be liable for 10% of any fees recovered by the attorney to whom the transfer was made or his/her successor, if the panel member receives compensation as a result of the referral to the non-LRS panel member. The foregoing prohibition does not preclude a panel member from engaging another attorney as co-counsel if required by the panel member's professional responsibility to the client. A panel member engaging co-counsel will be liable to LRS for 10% of all attorneys' fees recovered by both the panel member and co-counsel. LRS requires that such panel member give written notice of this requirement to co-counsel when the co-counsel relationship is estab-

“Membership and percentage fees are re-invested in the service...”

MODEST MEANS PROGRAM

One of the goals of the Modest Means Legal Program is to make legal services accessible to lower and moderate-income people, while also assisting panel members with growing their practices. The combination of receiving payment for work performed and the rewards of helping someone in need, makes the Modest Means Legal Program a win-win for everyone.

Recently, a Modest Means panel member told us about a client we had referred to her through the program, who was having a difficult time obtaining employment due to his age and some past medical conditions. He had fallen eight months behind on his mortgage payments and became depressed with the thought that he would not be able to keep his home where he resided with his adult daughter and grandchild. The MMLP panel member filed a Chapter 13 bankruptcy case to stay the foreclosure. The Chapter 13 plan was affordable for him, but still tight for his budget. The attorney knew the client was a proud man and wanted to work so she provided him with a list of resources to assist him with finding a job. When the client returned to the law office a month or so later, he was a different man. He had obtained employment and could not say enough about how much he loved his new job and how thankful he was for the attorney and the program. This referral not only saved David's home for his family, but also his life. The Modest Means panel member said the most rewarding part for her was to hear him say that he was happy.

For more information about joining the Modest Means Legal Program, contact us at 229-0002, or email LRSreferral@nhbar.org.

~ Jacqueline Geddes

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ACCREDITED LAWYER REFERRAL SERVICE

ONLINE REFERRALS

LRS is pleased to announce plans to launch a new avenue for clients to receive referrals 24 hours a day, seven days a week, by early next summer. Clients will be able to access an LRS online portal allowing selection of attorneys by case type for automatic referrals. Those unsure of the type of law involved and lawyer needed can still complete an online request form and receive a referral or callback from LRS during regular business hours.

Participation by LRS attorneys in the online service will be optional. LRS believes offering this opportunity will help strengthen the Service's online visibility and increase referrals for participating attorneys. More and more people find their attorneys on the internet and LRS wants to make sure to optimize this source of business for its panel attorneys.

We are constantly on the lookout for new ways to improve LRS through marketing and technology to generate more business for you, and welcome your ideas and suggestions. We are hoping to implement this online service by June 2018. If you have any questions in the meantime, please feel free to contact us. ~ Tom Jarvis



(Continued from page 2—Rule Clarification)

lished, as well as notifying LRS within 10 business days. For good cause shown, the LRS Committee can waive all or a portion of the obligations imposed by this rule.

If you know of an attorney with specialized training who might be better suited to assist a client LRS referred to you, just call or email me. If unable to locate an appropriate referral for the client, we will give the client the information on your behalf. It's sometimes easy to forget that a client was referred through LRS, but if you make a habit of referring all clients you cannot assist to LRS, you won't have to think about it. Plus, you will be providing valuable support to the service, your fellow panel members, and the client. ~ Sheila Vermacy

NEW SUBJECT MATTER PANELS—BANKRUPTCY

In November of this year, we gathered together a workgroup of five experienced bankruptcy attorneys and three bankruptcy trustees to create minimum experience standards for panel members wishing to receive bankruptcy referrals from LRS. The goal of experience panels is simply to ensure that panel members have the basic minimum experience and training necessary to handle cases in a particular area, especially those where a lot is at stake for prospective clients.

The subject matter criteria developed by the workgroup is as follows:

For both Chapters 7 & 13, panel members:

- Must have taken the CM/ECF training through the Bankruptcy Court;
- Must have bankruptcy filing software with automatic updates;
- Must be familiar with both US Bankruptcy Code and local rules;
- Must be a member of the Federal Bar;
- Must have completed three (3) hours of bankruptcy-related CLE in the past two (2) years;

Chapter 7 Panel Members also:

- Must have represented at least two (2) chapter 7 cases to completion within the past year; and,
- Must have represented at least two (2) chapter 13 cases to confirmation overall.

Chapter 13 Panel Members also:

- Must have represented at least two (2) chapter 7 cases to completion overall; and,
- Must have represented at least two (2) chapter 13 cases to confirmation within the past year.

As with our other two subject matter panels (Medical Malpractice and Criminal Felony Law), upon written request, a panel member may ask for a waiver of these standards by demonstrating a substantially equivalent level of training or experience.

Implementing experience standards is a way to strengthen the service for the benefit of members and the public. According to the ABA, "unless the lawyer referral service can provide the legal consumer with a valid reason to choose LRIS, it will not survive as a business in today's competitive legal market place. The market place is flooded with options for the public to connect with attorneys, particularly with the proliferation of online lawyer referral services. The current economic realities of operating an LRS put the competition issue front and center."

These experience standards become effective with the 2018 LRS membership application. If you have any questions or concerns, please contact Sheila at 603-715-3235 or email svermacy@nhbar.org.