



# LAWYERS IN THE LIBRARY

## PROCEDURES AND GUIDELINES FOR VOLUNTEER ATTORNEYS

Thank you for agreeing to participate in the Lawyers in the Library program. Due to the limited nature of the consultations that we provide, there are certain procedures that all attorneys should observe in conducting the library clinics.

### PURPOSE AND GOAL OF THE PROGRAM

The purpose of the consultation is to provide guidance on how the patron might be able to solve his or her legal problem rather than to provide in-depth legal analysis or advice. Patrons are advised that no continuing attorney/client relationship may be formed.

### GENERAL PROCEDURES

The librarian will sign patrons up for 20 minute consultations. Some of the consultations may be performed in a few minutes while others could last the 20 minutes allotted.

Your first job is to determine the nature of the problem and whether it is one that can be resolved through the legal system. Many of the people who come to the clinics have serious legal problems and must be encouraged to contact a referral service as soon as possible, while others have relatively straightforward issues that they could probably handle themselves with help from a Nolo Press book or other resource.

Please assure the patrons that, even though you are not entering into a continuing attorney/client relationship, your discussions with them will not be disclosed to third parties. Explain that due to the library setting, you cannot guarantee that the communications will be private or confidential.

### YOU WILL NEED TO BRING TO EACH SESSION:

INTAKE SHEET: The Librarian will provide you with the patron's Intake Sheet. Please indicate on the Intake Sheet: 1) the time the consultation began, 2) the patron's case type (i.e. family, probate, etc.), and 3) the time the session concluded. You may also indicate what services or referrals were provided.

REFERRAL SERVICES INFORMATION: Provide each patron with a copy of the San Francisco

Bar Association Lawyer Referral Service Brochure if he/she requires legal advice or representation.

LIST OF ADDITIONAL LOCAL RESOURCES: Low-income patrons may need a referral to Legal Aid of Marin or patrons with Family Law matters may need a referral to the Family and Children's Law Center. A list of social service agencies is also available if the patron has health, housing or other non-legal needs.

## **ATTORNEY/CLIENT RELATIONSHIP**

To ensure that you do not establish a continuing attorney/client relationship with the patrons, you must follow these guidelines:

1. Volunteer Attorneys may not consult with patrons outside the clinic setting;
2. Volunteer Attorneys may not make calls or write letters for the patrons (but can help them draft their own letters as part of the consultation);
3. Volunteer Attorneys may not make a private referral. If a Volunteer refers the patron to a referral service in which the Volunteer Attorney participates, the Volunteer Attorney may not accept the referral; and,
4. If a patron asks you to represent her or him you must decline.

## **ISSUES WITH PATRONS**

If a patron becomes abusive or threatening, notify the librarian immediately. It is the responsibility of the library staff to escort this person out of the program.

If you have seen the same patron repeatedly at different sessions, it is in your discretion to turn the patron away if you believe all his/her issues have been addressed. You may refer the patron to the LIL Liaison for further explanation. Patrons are not entitled to endless consultations with volunteer attorneys. If a patron needs continued help with a particular issue, it might be most appropriate to refer the patron to a more comprehensive legal service.

If a patron tells you that he/she has already sought advice from another volunteer, you are under no obligation to continue the consultation.

## **ATTORNEY ATTENDANCE; CANCELLATION AND SUBSTITUTION**

If you cannot make your standing shift, please remember that it is your responsibility to ensure that your shift is covered with a replacement volunteer. You should also contact the librarian to inform her of the staffing change. If you have an emergency and cannot make a shift, contact the library immediately so that your sessions can be cancelled.