

Dear Attorney Volunteer:

Thank you for participating in the Law Day 2013. As you know, the first part of the program is to give library patrons information about the importance of access to justice and about legal resources available in Maine, including how to find representation. In addition, you will be allotting some time to answering general group questions about resources and process. If you are asked to answer specific legal questions in the group session, please remember to state that you cannot provide specific legal advice and, if appropriate, address the question in general terms without providing legal advice.

The second part of the program is voluntary (you can chose whether or not to participate) and consists of providing 15 to 20 minute individual pro bono consultations for library patrons under the auspices of the Volunteer Lawyers Project and the Justice Action Group. The short term limited legal service that you provide is covered by the Maine Rules of Professional Conduct Rule 6.5 (provided below).

If you plan on providing individual consults please read and then print the Limited Representation Form **attached to this e-mail** and provided on the Lawyers in Libraries web site at lawyersinlibraries.org. You should plan on bringing enough of these forms, to allow for copies for yourself and each person you meet with, to your library on May 1st.

If you have any questions about the second part of the Law Day program, the limited representation form, or the rules, please contact Juliet Holmes-Smith at jholmes-smith@vlp.org or Chris Largay at chris@largaylaw.com

RULE 6.5 NONPROFIT AND COURT-ANNEXED LIMITED LEGAL SERVICES AND PROGRAMS

(a) A lawyer who, under the auspices of a program sponsored by a nonprofit organization or court, provides short-term limited legal services to a client without expectation by either the lawyer or the client that the lawyer will provide continuing representation in the matter:

(1) is subject to Rules 1.7 and 1.9(a) only if the lawyer is aware that the representation of the client involves a conflict-of-interest; and

(2) is subject to Rule 1.10 only if the lawyer is aware that another lawyer associated with the lawyer in a law firm is disqualified by Rule 1.7 or 1.9(a) with respect to the matter.

(b) Except as provided in paragraph (a)(2), Rule 1.10 is inapplicable to a representation governed by this Rule.

COMMENT

[1] Legal services organizations, courts and various nonprofit organizations have established programs through which lawyers provide short-term limited legal services such as advice or the completion of legal forms—that will assist persons to address their legal problems without further representation by a lawyer. In these programs, such as legal-advice hotlines, advice-only clinics or *pro se* counseling programs, a client-lawyer relationship is established, but there is no expectation that the lawyer's representation of

the client will continue beyond the limited consultation. Such programs are normally operated under circumstances in which it is not feasible for a lawyer to systematically screen for conflicts of interest as is generally required before undertaking a representation. See, e.g., Rules 1.7, 1.9 and 1.10.

[2] A lawyer who provides short-term limited legal services pursuant to this Rule must secure the client's informed consent to the limited scope of the representation. See Rule 1.2(c). If a short-term limited representation would not be reasonable under the circumstances, the lawyer may offer advice to the client but must also advise the client of the need for further assistance of counsel. Except as provided in this Rule, the Rules of Professional Conduct, including Rules 1.6 and 1.9(c), are applicable to the limited representation.

[3] Because a lawyer who is representing a client in the circumstances addressed by this Rule ordinarily is not able to check systematically for conflicts of interest, paragraph (a) requires compliance with Rules 1.7 or 1.9(a) only if the lawyer knows that the representation presents a conflict-of-interest for the lawyer, and with Rule 1.10 only if the lawyer knows that another lawyer in the lawyer's firm is disqualified by Rules 1.7 or 1.9(a) in the matter.