

THE LAWYER REFERRAL AND INFORMATION SERVICE

A SEVENTY-YEAR LEGACY OF SERVICE TO THE PUBLIC



Kathleen Guthrie Woods

Beginning in 1946 as a program for assisting World War II veterans, the Lawyer Referral and Information Service (LRIS) quickly expanded to aid anyone in need of legal assistance. By 1948, approximately one hundred attorney panel members participated and 350 referrals had been given.

Attorneys agreed not to charge more than \$5.00 for an initial conference fee, the equivalent of \$45.00 today (LRIS currently charges \$35 for consultations).

Today, seven decades after its inception, the San Francisco–Marin LRIS has grown to handle approximately fifty thousand calls and emails per year. It offers a comprehensive program of legal services to the community and the courts, with its network of lawyers partnering in the vision to provide as many people with legal assistance as possible.

The Bar Association of San Francisco’s (BASF) oldest and largest public service program, LRIS remains dedicated to educating people about their legal rights, enabling access to affordable and competent legal representation,

and monitoring cultural trends in order to identify areas of need in our justice system. A multilingual and highly trained staff fields inquiries, assesses legal situations, and refers callers to more than 250 resources in the community or to one of more than 400 LRIS panel attorneys.

Along the way, LRIS has been recognized as a leader and role model for lawyer referral service programs nationwide, has helped to build the practices of hundreds of local attorneys, and has assisted hundreds of thousands of people in need.

A HISTORY OF MEETING THE NEEDS OF THE TIMES

A large component of LRIS is also its sixty-plus-year relationship with the San Francisco courts, specifically the criminal and juvenile courts.

LRIS’s court programs got their start in the early 1950s when BASF’s Barristers Club Civil Assistance Program was created to find volunteer attorneys for cases in which



photo by Jim Block

The Lawyer Referral and Information Service's Governing Committee, back row from left: Josh Rtdless, John Hickman, Tad Devlin, Julianne Jensen, Deborah England, Michael Whelan, David Otsuka (chair), Phil Ward; front row from left: Blanca Young, Jill McInerney, Judge Patrice McElroy, Roger Meredith, Inder Comar, Pam Herzig, Renee Richards, Mark Wasacz

the Legal Aid Society, which at that time handled criminal court matters, had a conflict of interest. (Later, the Civil Assistance Program would become BASF's Volunteer Legal Services Program [VLSP], now known as the Justice & Diversity Center, or JDC) "In the old days," says Julie Traun, director of the LRIS Court Programs, "judges appointed who they tended to know as opposed to having a roster of attorneys whose qualifications had been assessed objectively."

At that time, the Barristers Club had developed the District Court Panel (renamed the Indigent Trial Panel) and the Indigent Misdemeanor Panel, and BASF became the resource a court clerk called when new representation was needed. All of this later was combined under LRIS's Conflicts Program in the early 1970s. At that time, the court turned to LRIS for its ability to qualify lawyers under experience standards, and today these standards are some of the highest and most rigorous of any lawyer

DID YOU KNOW...

LRIS began in 1946 as a program for assisting World War II veterans.

referral service in the nation. It also provided for the calendaring of attorneys to appear every day in court, based on their level of qualifications, to assist the court when the San Francisco Public Defender's Office had a conflict of interest.

LRIS services evolved with the times as issues were identified and addressed. Reduced rates were offered to Vietnam War veterans in the 1970s; the AIDS Legal Referral Panel, which was affiliated with VLSP, was established

LRIS MISSION STATEMENT

- ▶ *To educate as many people as possible about their legal rights;*
- ▶ *To give as many people as possible access to affordable, competent legal representation;*
- ▶ *To study cultural trends and investigate current social and political realities, in order to identify those most in need of access to our system of justice;*
- ▶ *To modify and expand our capabilities and services in order to accomplish the above.*

in the early 1980s when AIDS became a nationwide epidemic, no more pronounced than in San Francisco; and the Disability Rights Panel was established in the 1990s in response to the passing of the Americans with Disabilities Act (ADA) in 1992. In the early 2000s, LRIS developed an Elder Abuse and Disability Benefits Panel when the Elder Abuse and Dependent Adult Civil Protection Act was passed. Most recently, LRIS was asked to play a central role in the newly formed San Francisco Immigrant Legal Defense Collaborative (SFILDC), housing its legal director and immigration case coordinator. SFILDC is funded by the City and County of San Francisco and was formed in response to the epic surge in families and unaccompanied children entering the United States (see page 22).

Throughout its history, LRIS has been a role model for lawyer referral services across the country, and in 2000 won the American Bar Association's Cindy A. Raisch Award for superior public service. It won that same award for its ADA Compliance and Education Program for Business in 2014.

“LRIS Director of Public Service Programs Carole Conn and LRIS Outreach Coordinator and Case Development Manager Emmy Pasternak have a high standard—very ethical, very strict—and they strive to meet it,” says Rodney Low, who, as program developer for the State Bar of California Office of Legal Services, certifies all of the state's legal referral service programs. Recertification happens annually, and Low lists the number of referrals made, the well-trained staff, strong revenue, and stability of the “robust” number of panel members as keys to the success of BASF's LRIS. That number increased in 2014 with the opening of the Marin County Panel. There are now twenty local attorneys, in ten areas of law, ready to assist Marin residents.

BENEFITS FOR MEMBER ATTORNEYS

While LRIS's primary focus is public protection and service, the by-product of that focus is building attorneys' practices, and the qualification process to participate is rigorous. “Lawyers are carefully vetted,” says Conn, in a



process that includes an application and review by the directors of the program's Governing Committee or by its Qualifications Subcommittee. Applicants may qualify by meeting the prima facie experience requirements on the application or by way of substantial equivalent experience, and once approved, there are tremendous benefits. "Under the state bar rules, LRIS maintains a fair rotation," says Conn. "so there is an equitable distribution of cases and referrals. There is also oversight and monitoring of the quality of services the attorneys render."

"When I meet someone who is thinking about starting a solo practice, I ask, 'Have you signed up for the LRIS panel in your field of expertise?'" says Joshua Ridless of Ridless Law Office, who built up his clientele through LRIS referrals when he moved from a large firm to solo practice. "It's a good exercise to speak with prospective clients—plus amazing cases come out of it," he says. "Some are smaller matters I can quickly complete, then they become long-term clients or they give me referrals."

"I had instant credibility with LRIS referrals—a kind of stamp of approval," says Eric Toscano, managing attorney at Toscano Law Group. It was a huge benefit as he launched his solo practice and, later, a successful law partnership. Several LRIS referrals became clients, including his first big landlord-tenant win. "We got almost a six-figure settlement and the client got a fresh start on life," he says. Furthermore, "she's kept in touch—we're Facebook friends!"

A WIN-WIN-WIN PROCESS

The client wins, the attorney wins, and the charitable programs of the Justice & Diversity Center of BASF win too. Here's an overview of the process.

1. A prospective client contacts LRIS or an attorney refers a client.
2. A staff interviewer fields the inquiry in English, Spanish, Cantonese, Mandarin, Tagalog, Vietnamese, Farsi, or French. "We have always sought to maintain the foreign languages most spoken in our local demography," says Conn, ensuring that as many people

DID YOU KNOW...

LRIS handles approximately 50,000 calls and emails per year.

as possible have access to legal services. Currently 12 percent of the calls are in Spanish, and Conn says there's a need for a Russian-speaking interviewer to capture the needs of San Francisco's Russian-speaking population better.

3. The interviewer does a brief analysis of the case and determines whether a referral to a lawyer or to a legal service agency is most appropriate. Most of the issues are not appropriate for a referral to a lawyer, and 75–80 percent of the calls are referred to community-based organizations, governmental and social services agencies, JDC, and other pro bono legal services providers. The triage of these thousands of calls not referred to a lawyer is a tremendous service component that LRIS provides to assist the public.
4. The remaining 20–25 percent of calls are referred to experienced LRIS panel lawyers in twenty practice areas (or, when subareas are counted, more than a hundred).
5. Once a client is referred to an LRIS attorney, he or she is charged just \$35 for a half-hour initial consultation. That consultation fee is waived in matters of injury and public benefits. The low consultation fee, and LRIS's Low Fee Program offered to those with lower incomes in almost all twenty of the main practice areas, help to close the justice gap for those unable to afford standard attorney fees.

6. The attorney takes the case; if the attorney wins the case, then he or she sends a percentage of the attorney fee to LRIS.
7. This fee is then used to support LRIS operations, as well as to fund contributions to JDC programs, including its Bay Area Minority Law Student Scholarship Program.

PUBLIC SERVICE THROUGH COMMUNITY PARTNERSHIPS

“The program has always epitomized a multipronged approach that includes legal education, outreach to multiple communities, and community partnerships to address problems,” says Jane Nosbisch, American Bar Association’s LRIS staff counsel, when asked what makes BASF’s LRIS a national leader.

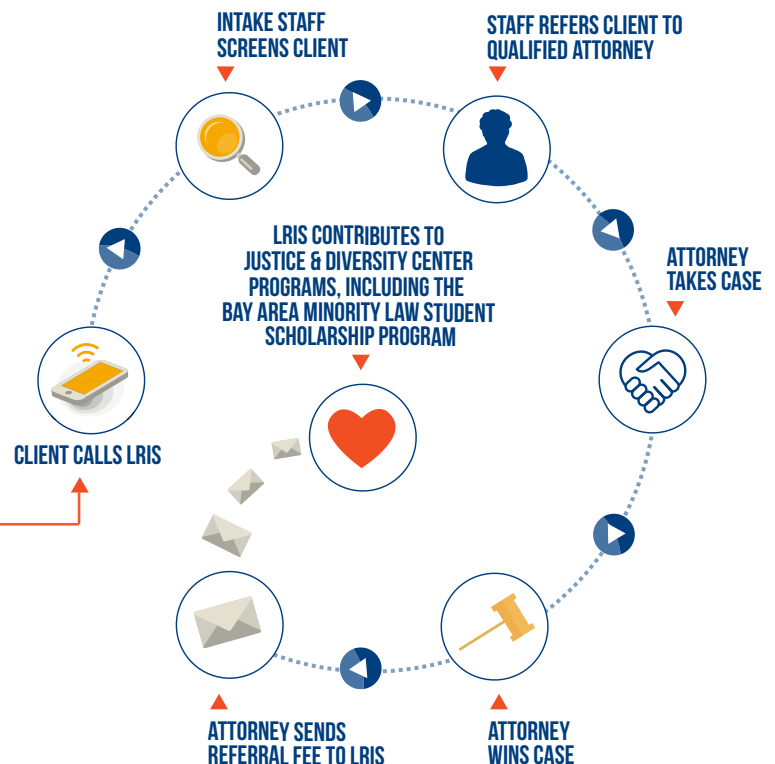
LRIS has been creative and forward thinking as it demonstrates its commitment to public service through community partnerships. A recent example is the Veterans Hub (V-Hub), launched in 2015, through which LRIS joined forces with JDC and its Homeless Advocacy Project, Golden Gate University School of Law, Swords to Plowshares, the Legal Aid Society–Employment Law Center, and the U.S. Department of Veterans Affairs. In another example, in 2011, San Francisco Supervisor Carmen Chu reached out to LRIS when small businesses in her district were targeted for not being in full compliance with the ADA. Together with San Francisco’s Office of Small Business and the Mayor’s Office of Disability, LRIS hosted workshops and developed materials to help business owners understand their rights and responsibilities. Concurrently, LRIS created the ADA Compliance for Business Panel so that merchants could be referred to qualified attorneys.

YOUR REFERRAL HELPS MORE THAN ONE CLIENT

IT HELPS THE COMMUNITY WE SERVE

Your referrals to the San Francisco–Marin Lawyer Referral and Information Service support pro bono legal services and diversity education programs of the Justice & Diversity Center.

When you refer a client





LRIS pursues opportunities when its mission aligns with other programs, and such was the case when a partnership was created in the 1980s with Chuck Finney, host and producer of *Your Legal Rights* on KALW (91.7 FM in San Francisco). LRIS not only sponsors the live one-hour public radio program (Wednesdays at 7:00 p.m.; www.KALW.org), but they also schedule panel attorneys to be in the studio for the once-a-month “Call-a-Lawyer Night” to address listeners’ questions. Finney has been impressed with LRIS attorneys he’s met. “They are very well qualified; they have been practicing in their areas of law for years,” he says. “I have a great confidence that they are serving the public well, as am I through the show, and in this way, we are a great partnership.”

Through another partnership with San Francisco State University (SFSU), LRIS is helping to provide services to students and faculty while also educating future legal professionals. Attorney Roger Rubin teaches two classes at SFSU that support the Legal Resource Center, a legal referral service on campus. “My students learn what questions to ask in conducting a legal interview and how to refer individuals to various resources, including BASF’s LRIS,” says Rubin. His curriculum includes using the LRIS legal interviewer training manual—what Rubin calls “our bible”—to teach how to handle different kinds of cases and having Conn give a lecture on the components of a lawyer referral service: interviewing clients, privileged communication, and the difference between giving legal information versus legal advice. Each semester, LRIS accepts students from the classes to observe LRIS in action.

TRENDS: GUIDEPOSTS FOR CHANGES AND EXPANSIONS

In addition to being able to determine which attorneys can handle specific cases, the interview/intake process includes keeping tabs on cultural and social trends—or “living with the headlines,” as Conn calls it. Being aware of emerging trends and routinely talking to its panel of attorneys allows LRIS to be ready to respond by expanding or highlighting specific services it offers. “The recession saw an increase in foreclosures and bankruptcies,” says

Antonio Hernandez, who joined LRIS as an interviewer in 2005 and stepped up as supervisor in 2008. “After a spinach *E. Coli* outbreak, we saw an uptick in calls for personal injury compensation.” Calls regarding elder abuse, commercial landlord-tenant conflicts, police brutality, wage and hour claims, and intellectual property matters have all increased over the last few years.

Helping the public with their legal needs is a proposition LRIS can carry out only through its partnership with its panel attorneys. Areas where attorneys are needed currently are in legal malpractice, tenant eviction defense, removal defense representation, and military law. And anyone who offers services in Spanish is a plus.

As LRIS’s services have evolved over the past seventy years, the original commitment to serving the community remains as steadfast as ever, as does its partnership with attorneys to achieve this end.

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