

Pro Bono Referral Network – Attorney Expectations

PLS is grateful for the attorneys who represent incarcerated people in the Commonwealth through our Pro Bono Project. We are excited to welcome new individuals and firms looking to join our growing network of attorneys who wish to receive pro bono and contingency fee case referrals. To ensure that our clients receive the timely, high-quality legal services they deserve, we ask all attorneys who wish to join our referral network to read and agree to the following expectations.

Qualifications

- Attorneys must be authorized to practice law in Massachusetts pursuant SJC Rule 3:01 or 3:04 or be eligible for pro hac vice admission under SJC Rule 3:15.
- Attorneys must carry their own malpractice insurance.

The Referral Process

In general, PLS will send a referral packet including information about a potential case to one attorney/firm at a time via email. As soon as possible within 3 weeks of receiving a referral, the attorney must notify PLS if they have accepted the case for representation, rejected the case, or accepted the case for investigation. If the attorney has not reached a decision at the end of 3 weeks, PLS may refer the case to another attorney.

If there is an emergency or impending deadline that requires a quicker decision, PLS will communicate those needs when making the referral. In these circumstances, PLS may also make referrals to multiple attorneys at once in order to maximize the chances of quickly finding an attorney for the potential client.

- Accepting a case for representation:
 - By accepting a case for investigation, the attorney commits to represent the client pending an agreement with the client. The attorney will perform necessary conflict checks, contact the client and, if the client agrees, execute a representation agreement between the attorney and the client. The attorney will then inform PLS that the representation has been finalized.
- Accepting a case for investigation:
 - By accepting a case for representation, the attorney affirms that they have a genuine interest in representing the client and will conduct further investigation into the facts or law of the case prior to making a final decision about representation. If accepting the case for investigation, the attorney must provide PLS with a time frame for their investigation and notify PLS as soon as they have made a final decision on whether to accept the case for representation.

When an attorney accepts the case for representation or investigation, PLS will send a letter of introduction to the potential client, CC'ing the attorney.

When an attorney rejects a case, the attorney is encouraged to identify the reasons for PLS so that we can better tailor future referrals to the attorney's interests.

Representation of Clients

Attorneys must comply with SJC Rule 3:07: Rules of Professional Conduct. Attorneys are expected to treat pro bono/contingency fee clients the same as they would paying clients.

Reporting

PLS receives grant funding that requires us to report pro bono engagement in our work. When accepting a case for investigation or referral, attorneys agree to provide the following information to PLS at the end of each quarter and at the conclusion of a case referred by PLS:

- Outcome or status of the case
- Total number of attorneys who worked on the case during the quarter
- Total number of attorney hours spent on the case (aggregated for the quarter)
- Total number of paralegals who worked on the case during the quarter
- Total number of paralegal hours spent on the case (aggregated for the quarter)

Fees

PLS does not collect referral fees for our services screening and referring cases. However, many firms choose to donate some or all of their attorneys' fees and/or contingency fee recovery to PLS at the conclusion of the case. We are deeply grateful for this support.