

NYC BAR COMMITTEE ON PRO BONO AND LEGAL SERVICES
Pro Bono Representations: Tips for Clients

A pro bono legal services arrangement generally means that a lawyer is handling a matter for you without charge for his services. Here are some general guidelines that you may find helpful. Please bear in mind that you and your lawyer may have an arrangement that is a bit different, and so it's always important to talk with your lawyer about any concerns or questions you may have about the arrangement. And please feel free to ask questions; legal matters often are very complex and it's important that you understand the situation. It can even help your lawyer when you ask questions so that he can understand what isn't clear to you.

What documents should I bring when I meet with my lawyer?

It's important that your lawyer have all the necessary information and paperwork relating to the matter he is handling for you. You should try to gather all documents you have that have anything to do with your legal problem or matter. If you have received anything from a court, for example, please be sure to bring that with you. If you spoke with another lawyer in the past, please bring all papers that you have that you exchanged with that lawyer. It's also very helpful to bring any contact information (such as names, addresses, telephone numbers, email addresses) for anyone who you believe knows anything about your matter.

Can I tell people what my lawyer told me?

You'll want to check with your lawyer before talking to anyone else about what she said. For example, she might tell you that it's fine to tell others that you won your case in court. But as a different example, sometimes it's very important not to tell anyone what advice your lawyer gave you.

What is a "retainer letter" or an "engagement letter"?

These are two different names for the same thing. When a lawyer agrees to represent you, he may give you a letter that summarizes your relationship with you. It may describe the legal matter your lawyer is handling for you and your arrangement with him about the payment of fees and expenses.

Do I have to pay the lawyer?

Generally, if a lawyer agrees to represent you on a pro bono basis because you're not in a financial position to pay for legal services, you won't be expected to pay her for the time she spends on your matter. Sometimes a pro bono lawyer won't even expect you to pay for expenses, which can include fees that courts require, the cost of hiring someone to transcribe testimony, payments to messengers, and lots of other types of expenses. (Other times, a pro bono lawyer won't expect you to pay expenses in advance, but may expect you to pay back expenses from payments you receive because the lawyer helped you get money you're entitled to when he represented you.) This is another reason that it's important to talk with your lawyer to be sure that you understand what is expected of you.

Can I bring all my legal problems to my lawyer?

Probably not. Typically, your lawyer agrees to represent you in a particular matter. A matter may not include a future appeal or a related matter, for example. The "retainer letter" or an "engagement letter" usually describes what legal problem or matter your lawyer will handle for you. The lawyer might not take on other matters with you.

How will the lawyer reach me if I don't have a telephone number or an email address?

Discuss with your lawyer the best way to reach you. For example, it may be possible for her to leave a message with a friend or neighbor who is reliable about passing along messages to you. You also can arrange for an email address without charge, and there are places where you can access the Internet to check your email without charge; for example, you can go to a public library to get Internet access and ask for help setting up an email address.

What if I can't keep an appointment my lawyer has arranged?

It's important that you cooperate with your lawyer so that she has all the information she needs to handle your matter. As an example, please try to keep appointments your lawyer has arranged because it can be hard to re-schedule. If you have a problem, promptly get in touch with your lawyer or, if you can't reach her, ask to speak with your lawyer's secretary, to let her know that you can't meet her as arranged. You should try especially hard to go to the court on time and to be on time for any depositions, settlement meetings, and other important appointments. It's even possible that if you don't show up when you're required to be in court, you might lose your case.

What happens if my lawyer leaves the law firm or the company where he has been working?

Discuss this with your lawyer. Often another lawyer at a law firm will be assigned to help you. Or sometimes a lawyer with a company will continue to represent you when the lawyer takes a new job somewhere else.

What if I have a problem with my lawyer and I don't want him to represent me anymore?

It's a good idea to talk with your lawyer about any concerns you have. Many law firms have someone called a "Pro Bono Attorney" or a "Pro Bono Coordinator" who can speak with you about a problem with your lawyer. But you're always free to tell your lawyer that you don't want him to represent you anymore. If you decide to end your relationship with him, you should do so in writing (in a letter to him). You will need to find a new lawyer, and even though your lawyer works with lots of other lawyers, it doesn't necessarily mean that one of them will take on your case.