

Referral and Matching Protocols

1. Initial Screening and Referral

The Salvation Army BC Pro Bono Program, the Western Canada Society to Access Justice, LawLINE, the Law Students' Legal Advice Program, the University of Victoria Law Centre, private lawyers and advocates will refer clients to the Roster Programs.

For each prospective client, the referring lawyer, student or advocate should complete the standard Referral Form (available in hard copy from the above-named referral agencies, on request from Pro Bono Law of BC and on-line at www.probononet.bc.ca in PDF printable and writable formats).

The Referral Form requires that the referring lawyer, student or advocate provide the name and contact information for both him/herself and the client. The Referral Form also requires that the referring lawyer, student or advocate provide the following information necessary to determine whether the client meets the basic requirements for acceptance into the Roster Programs:

- confirmation that the client has exhausted all available options for legal aid, duty counsel or other pro bono assistance;
- confirmation that the client's income falls within the financial eligibility requirements of the particular referring agency (Pro Bono Law of BC will determine the financial eligibility requirements for clients referred through private lawyers and advocates);
- a concise description of the client's legal issue/s, sufficient to determine if the issue/s, *prima facie*, fall within the scope of the Roster Programs;
- confirmation that the client's Legal Problem demonstrates some legal merit; and
- a concise description of the type and scope of legal assistance and/or representation that the client would likely require from a Roster Program lawyer.

The referring lawyer, student or advocate will forward the completed Referral Form to Pro Bono Law of BC by mail, fax, e-mail or by posting on the on-line Referral Form.

2. Second Screening and Referral

Upon receipt of a Referral Form, Pro Bono Law of BC will first determine whether the Referral Form is completed in its entirety. If further information is required in order to process the referral, Pro Bono Law of BC will contact the referring lawyer, student or advocate to that end.

Pro Bono Law of BC will then determine if the type and scope of the suggested legal assistance and/or representation is *prima facie* suitable for a Roster Program lawyer. If suitability is established, Pro Bono Law of BC will forward the Referral Form to the Program Coordinator. If suitability is not established, Pro Bono Law of BC will send a standard-form rejection letter to the client by mail or e-mail notifying him or her of that fact.

3. Third Screening and Matching

Upon receipt of a Referral Form from Pro Bono Law of BC, the Program Coordinator will first determine whether the type and scope of the suggested legal assistance and/or representation is suitable for a Roster Program lawyer. The Program Coordinator has the unfettered discretion to reject an application on this basis.

The Program Coordinator will then determine whether any Roster Program lawyers are located within the general area of the client's address. If so, the Program Coordinator will send an e-mail (including an e-version of the vetted Referral Form) to all such lawyers advising them of the particular pro bono opportunity. If not, the Program Coordinator will notify Pro Bono Law of BC, who will in turn send a standard-form rejection letter to the client by mail or e-mail notifying him or her of that fact.

Pro bono opportunities will be available to Roster Program lawyers on a first-come, first-served basis. Roster Program lawyers are encouraged to advise the Program Coordinator as to whether they are interested in the pro bono opportunity or not. Roster Program lawyers must conduct a thorough conflict check of the parties listed on the Referral Form prior to volunteering for the pro bono opportunity.

If the Program Coordinator's initial e-mail does not yield any interest, the Program Coordinator may then call particular Roster Program lawyers or advertise the pro bono opportunity to non-Roster Program lawyers. Note: if a non-Roster Program lawyer accepts a pro bono opportunity, s/he must sign on to insurance coverage through Pro Bono Law of BC.

Once a Roster Program lawyer expresses interest in pursuing the pro bono opportunity, the Program Coordinator will forward the following packages of standard documents to him/her:

Lawyer Package	Client Package
Waiver Form	Initial Client Letter/E-mail
Action Form	Special Instructions
Service Agreement	Complaint Form
Closing Survey	Closing Survey

The Program Coordinator will then contact the client by telephone, mail or e-mail, and provide the client with the Roster Program lawyer's e-mail and/or telephone number. The Program Coordinator will explain the following to the client:

- a) the client is responsible for contacting the Roster Program lawyer;
- b) the Roster Program lawyer has agreed only to an initial consultation with the client;
- c) if the Roster Program lawyer agrees to assist or represent the client, it will be strictly for those issues outlined on the Referral Form and confirmed in the Service Agreement (or its equivalent);
- d) the client will be responsible for paying all court fees and disbursements as they come due, unless the Roster Program Lawyer agrees to pay for disbursements or alternative arrangements are established; and
- e) the client will receive an acceptance package at the initial meeting, outlining this information in writing.

By mail or e-mail, the Program Coordinator will deliver the Initial Client Letter and Special Instructions to the client. The Program Coordinator will then record on www.probononet.bc.ca that a tentative match has been made for the particular pro bono opportunity.

4. Lawyer/Client Initial Consultation

The Roster Program lawyer will meet with the client to finally determine if s/he can assist or represent the client. The client should bring all relevant documents to the consultation.

At the consultation, the Roster Program lawyer will provide the client with the Waiver Form to sign. If the Roster Program lawyer agrees to assist or represent the client, s/he may outline the scope of the representation in the Service Agreement. Once the Service Agreement (or its equivalent) is signed and the consultation is concluded, the Roster Program lawyer will forward the Service Agreement (or its equivalent) and the completed Action Form to the Program Coordinator by mail or e-mail (PDF).

5. Follow-up

The Program Coordinator will follow-up with the Roster Program lawyer by e-mail approximately every 90 days until the Legal Problem is closed. Thus, the Program Coordinator will inquire as to whether the Roster Program lawyer has access to adequate administrative support, and whether any problems have arisen between the Roster Program lawyer and the client.

6. Terminating a client

The criteria for terminating a client are set out in the Service Agreement and described in the client's Special Instructions. Once the Service Agreement (or its equivalent) has been signed, the Roster Program lawyer has the same obligations to a pro bono client as s/he would have to a paying client.

On occasion, a Roster Program lawyer may be unable to continue representing a client due to unforeseeable circumstances. With the client's consent, the Program Coordinator will then attempt to secure another Roster Program lawyer willing to take over the obligations under the Service Agreement (or its equivalent). If the Program Coordinator succeeds in securing another Roster Program lawyer, the matching/meeting process will recommence. If the replacement Roster Program lawyer agrees to assume the responsibilities under the Service Agreement, the original Roster Program lawyer will forward the client's Legal Problem files to him or her.

7. Closing a File

Upon closing a file, the Roster Program lawyer should send the Closing Survey to the Program Coordinator and Pro Bono Law of BC. Likewise, the client may send the client's Closing Survey to Pro Bono Law of BC. These documents are vital for determining client satisfaction, for assessing the efficiency of the Roster Program and for reporting statistics.

As concerns record-keeping, the Roster Program lawyer should maintain possession of the client's Legal Problem files for several years after the Legal Problem is closed. If a client or Roster Program lawyer sends Legal Problem files (other than the Service Agreement and Action Form) to the Program Coordinator or Pro Bono Law of BC, they will be immediately returned to the Roster Program lawyer for safekeeping.