

**ORANGE COUNTY BAR ASSOCIATION
MODEST MEANS PROGRAM GUIDELINES**



BASIC STRUCTURE:

Reduced fee for Bankruptcy Law, Consumer Law, Elder Law, Family Law, Housing (Landlord/Tenant), and Immigration Law.

Client Eligibility for Bankruptcy, Consumer, Family, Immigration and Landlord/Tenant (Housing):

Under \$60,000 annual gross household income, plus COLAs. Less than \$10,000 in liquid assets, plus COLAs.

The LRIS staff will determine client eligibility.

Client Eligibility for Elder Law:

Age: 60

Means: \$50,000 of assets if he or she owns a home.
\$100,000 of assets if he or she does not own a home.

(Others who are not elderly themselves but need services pertaining to the elderly will qualify under the regular Modest Means test.)

Attorney Eligibility:

Agreement to abide by the LRIS rules and requirements including insurance and experience standards. For Consumer, Family Law, and Housing (Landlord/Tenant), Attorneys agree to charge no more than \$125.00 an hour, and not to request more than a \$1,000 retainer deposit.

For bankruptcy matters involving Chapter 7's with 15 creditors or less, attorney agrees to a fixed rate of \$1,000 plus filing fee. If the case involves more than 15 creditors, the attorney agrees to charge \$1,000 plus filing fee for the first 15 creditors and up to \$125.00 per hour thereafter. For bankruptcy matters involving Chapter 13's, attorney agrees to a fixed rate of \$1,300 plus filing fee.

For Elder law referrals, Attorneys agree to abide by the following fee schedule:

Set Fees: Will	<u>\$125.00</u>
Durable Power of Attorney	<u>\$75.00</u> (each)
Small Estate Administration Spousal Set-Aside	<u>\$1,000.00</u>
Deeds, Affidavits	<u>\$75.00</u>

The following services will be provided at the standard modest means rate of up to \$125.00 per hour unless otherwise approved by Court from an elder's estate:

- Review of Shared Housing Lease
- Conservatorship, Defense or Voluntary
- Elder Abuse, and Grandparent Guardianships

For Immigration Law referrals, attorneys agree that the following range of legal fees (not including government filing fees, medical exam fees, advertising fees, etc.) will be charged for the following types of petitions/applications:

▪ I-130 Immigrant Petition for Family Member (only)	\$400.00 - \$700
▪ I-130 with Adjustment of Status Application	\$1000.00 - \$1300
▪ Consular Processing	\$3000.00 - \$4000.00
▪ I-765 Application for Employment Authorization	\$125.00 - \$175
▪ I-751 Petition to Remove Conditions (joint)	\$300.00
▪ U Visa Application	\$600.00 - \$1200.00
▪ VAWA Application	\$600.00 - \$1200.00
▪ Special Immigrant Juvenile Status	\$1500.00 - \$3000.00
▪ Deferred Action for Childhood Arrivals (DACA)	\$400.00 - \$800.00
▪ DACA Renewal	\$150.00 - \$300.00
▪ N-400 Application for Naturalization	\$400.00 - \$600
▪ Cancellation of Removal (for LPRs)	\$1600.00 - \$2000.00
▪ Cancellation of Removal (for non-LPRs)	\$2500.00 - \$4000.00
▪ Temporary Protected Status	\$200.00
▪ Affirmative Asylum	\$2200.00 - \$3000.00
▪ Consultation for Detainees	\$75 - \$150
▪ Credible Fear Interview	\$250 - \$500
▪ Bond Hearing	\$650 - \$800
▪ Defensive Asylum Application	\$2500.00 - \$4000.00
▪ Administrative Appeals	\$750.00
▪ BIA Appeals	\$1500.00 - \$2000.00
▪ I-131 Application for Travel Document	\$200.00

For other types of immigration cases and cases listed above that involve services above and beyond a “typical” case (i.e., criminal issues, prior immigration violations, etc.), attorneys agree to charge no more than \$125.00 per hour, and not to request more than a \$1,000 retainer deposit.

The mission of the Modest Means Program is to meet the overwhelming need for access to the justice system by those Orange County residents with low and fixed income where access to legal aid and pro bono assistance is not possible, and household resources are insufficient to pay prevailing hourly rates for legal services. The Modest Means Program will meet this need by providing those residents access to a panel of attorneys who, along with providing a public service, will also have the opportunity to broaden their practice with the guidance of more experienced attorneys.

To be eligible for a referral to an attorney through the Program, the caller’s annual gross household income must be under \$60,000, with less than \$10,000 in liquid assets. The Lawyer Referral & Information staff will determine the client’s eligibility. *The attorney verifies client eligibility.* The caller will also be told that the attorney will charge them at a rate of up to \$125.00 per hour for legal services. If the caller indicates that they are not able to afford these fees, they will be referred to the Legal Aid Society, the Public Law Center, or to another agency for assistance.

The rules and requirements of the Lawyer Referral & Information Service apply to the Modest Means Program as well. All members must be covered by a policy of errors and omissions insurance in the minimum amount of \$100,000.00 single occurrence and \$300,000.00 aggregate per year. For Family Law and Bankruptcy, and Immigration referrals, Modest Means panel attorneys must also meet the standard qualifications. Modest Means Program participants are not required to submit the standard 15% forwarding fee for Modest Means referrals.

To participate on the Modest Means Program **only**, there is a membership fee of \$75.00 (waived for Immigration Law). There is no additional fee for members of the Lawyer Referral & Information Service.

INDICATE YOUR INTEREST ON THE PANEL BREAKDOWN FORM