

HRI Legal Referral Panel
(A Project of Housing Rights, Inc.)

Until difference no longer makes a difference.....

Rule 1

PURPOSES

Housing Rights, Inc. (hereinafter “HRI”) is an educational and charitable organization.

The purposes of the HRI are:

- 1) Eliminate Discrimination
- 2) To prevent Evictions
- 3) Encourage Diversity in our communities

Rule 2

ADMINISTRATION OF THE PANEL

A. HRI shall operate according to the organization’s Articles of Incorporation, Bylaws, Rules, and Fee Protocol, as approved by the Board of Directors of HRI (hereinafter referred to as the “Board”). The Board shall govern HRI.

B. The Board shall have the responsibility of regularly reviewing and, if necessary, amending these Rules.

C. The HRI expressly reserves the right to decline to make its services available to any person or entity, except that such refusal may not be on the basis of age, color, creed, disability, economic status, gender identification, housing status, marital status, medical condition, national origin, political affiliation, race, religion or sexual orientation.

D. The Board supervises the finances of HRI.

E. The Board shall appoint a Governing Committee to be comprised of not less than three individuals, 50% of whom shall NOT be members of the Panel. The Governing Committee shall have the authority to approve and remove attorneys from the Panel and shall perform such other duties as required by the State Bar of such entities.

Rule 3

ESTABLISHMENT OF PANELS

A. HRI Attorney Referral Panel shall operate through separate panels of lawyers and shall make referral for service under these Rules.

B. There shall be a general panel which the Board may subdivide into as many subpanels as appropriate. All general panel attorneys shall attend a training before joining HRI or shall demonstrate requisite experience.

C. There shall also be at least the following subject matter panel: *Housing Discrimination*. All experienced panel attorneys shall attend a training course before joining the respective experience panel or shall demonstrate requisite experience in their practice (e.g., to have handled at least two cases in their specific area of law).

Rule 4

MEMBERSHIP, ELIGIBILITY AND TITHING

A. Each HRI attorney applicant must be an active member of the State Bar of California and shall agree to:

- 1) Attend the appropriate training or demonstrate requisite experience (e.g., at least 2 cases handled in each of the legal areas in which they receive referrals);
- 2) Abide by the Rules and Fee Protocol procedures attached to the Attorney’s Application form;
- 3) Submit accurate statements on the Attorney's Application form;
- 4) Pay an administrative fee upon acceptance into the panel and for each referral which is accepted by the participating attorney as an open case.
- 5) Report all cases accepted from HRI on a form provided by HRI; and
- 6) Contribute fifteen percent (15%) up to fees settled in the amount of \$39,999 or less and 25% for \$40,000 or more of any fees earned through HRI referrals to HRI.

B. An attorney applicant shall submit a written application for membership on HRI on a form approved by the Governing Committee.

C. The Governing Committee may arrange a meeting with an attorney for whom over 50% of their practice is with landlords/housing providers. The Governing Committee is concerned that any and all conflict of interest or the appearance of conflict of interest be avoided. HRI may refuse membership to any attorney applicant upon failure to meet any one or more of the requirements herein set forth.

D. Each HRI attorney member, if the client so elects, must submit any fee dispute with an HRI client for binding arbitration to the Fee Arbitration Committee of the Bar Association of San Francisco, if the client so elects.

Rule 5

RESIGNATION, SUSPENSION, REMOVAL & OTHER DISCIPLINE

A. Any HRI attorney member may resign at any time with completion of reports on all unreported referrals and payment of any tithing. This does not relieve the attorney member of obligations under the State Bar Code of Ethics and the Business and Professions Code regarding withdrawal from representation.

B. The Governing Committee may suspend an attorney member or the attorney member's law firm for failure to:

- 1) Pay any required tithing; or
- 2) Submit all required reports; or
- 3) Abide by all applicable sections of the Business and Professions Code regulating the conduct of attorneys; or
- 4) Abide by the Code of Professional Responsibility of the State Bar of California; or
- 5) Sign, return and comply with the HRI's Rules and Fee Protocol.

C. The Governing Committee may permanently remove an attorney member or the attorney member's law firm for the above grounds meriting suspension if the conduct is egregious or is a repeat offense.

D. If an attorney member or the attorney member's law firm has engaged in conduct not meriting suspension or removal, HRI may send a written reprimand.

E. The procedures for suspension, removal and other discipline are:

1) Investigation and Response to Complaints

(a) The Governing Committee establishes an Attorney-Client Relations Subcommittee (hereinafter referred to as the "Subcommittee") to investigate all complaints from any source regarding the conduct of an HRI referral attorney. The Subcommittee shall conduct its investigation with due diligence. The Subcommittee shall obtain a response to the complaint from the HRI attorney. The Subcommittee shall have the power to suspend temporarily an attorney member and/or the attorney member's law firm pending Governing Committee action.

(b) The Subcommittee shall maintain a file of its investigation. Whenever the Subcommittee determines that grounds exist for disciplinary action, the Subcommittee shall recommend that the Governing Committee suspend or otherwise discipline the HRI attorney and/or the attorney member's law firm. Where discipline is not warranted, the Subcommittee shall close the matter with no action and shall notify the parties if appropriate.

(c) After review of the Subcommittee's report and recommendation, the Governing Committee shall decide what action it deems appropriate and shall implement its decision regarding suspension, removal or other disciplinary action.

2) Notice of Action

The Governing Committee shall give written notice to the attorney member or the attorney member's law firm of the suspension, removal or other disciplinary action. Such notice shall contain a statement of the charges and a statement of whatever action the Governing Committee has taken.

3) Right to Appeal

An HRI attorney member or the attorney member's law firm that desires to appeal the suspension, removal or other disciplinary action shall, within 15 days of the mailing of the notice of action, submit a written rebuttal to the alleged violations together with any supporting material and arguments. If the attorney member or the attorney member's law firm fails to submit a written response, the decision of the Governing Committee shall become final. The attorney member or the attorney member's law firm shall mail the response to the Subcommittee addressed to the HRI office. The Subcommittee shall consider all response documents and may also consider other information before making its recommendation to the Governing Committee. An attorney member or the attorney member's law firm does not have a right to appear before the Subcommittee. The Subcommittee, however, in its sole discretion, may take any steps, including conducting a hearing, in order to consider the matter. The Governing Committee shall then make a final decision regarding the appeal.

F. HRLRS Participating Attorneys will be notified in writing regarding any negative action taken by the Governing Committee. All such notices will provide a 30 day reply period before the action is taken.

Rule 6

REFERRAL PROCEDURES

- A. HRI shall operate its referrals according to the organization's Rules and Fee Protocol.
- B. Low or lower income household in Alameda and Contra Costa may contact HRI for a referral to an attorney.
- C. Every effort will be made to make HRI services accessible.
 - 1) All staff and volunteers shall make all reasonable efforts to serve people who may appear disorganized, non-compliant, or difficult to work with due to a physical or mental disability.
 - 2) HRI reserves the right to decline to refer a client to an attorney or to refuse service altogether if after reviewing the client's case, HRI determines that the client does not have the kind of problem an HRI volunteer can help with.
- D. HRI shall refer a prospective client to the next available HRI attorney(s) on a rotation basis unless circumstances warrant a referral of a client to a particular attorney. HRI shall make referrals that respond to the client's circumstances, including the type and degree of difficulty of the client's legal problem, geographical convenience, language needs and physical or mental disabilities.
- E. Each attorney shall handle HRI referral clients with the same courtesy and diligence as non-referral clients.
- F. HRI will make three types of referrals: pr bono, contingency fee and reduced fee. Each attorney will indicate which and how many of each type of referral he/she will accept.

See HRI Fee Protocol before signing and returning New Attorney Form

Please Call 510-548-8776 with Questions

Housing Rights, Inc. is an independent, nonprofit, 501(c)(3) organization