

Innovative Delivery Methods from the Private Bar

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Brief Description: Lawyers working in the marketplace are experimenting with different ways of delivering legal services in cost-effective manners. Members of the ABA Standing Committee on the Delivery of Legal Services illustrate some of these innovations and examine ways in which these ideas may be adaptable to the delivery of legal services to the poor.

Topical Outline:

- I. Mission of the ABA Standing Committee on the Delivery of Legal Services
 - a. Focus on legal services for those of modest means
 - b. History of examining pro se and analyzing unbundled legal services
 - c. Development of the booklet Innovations in the Delivery of Legal Services

- II. Innovations from the original booklet, 20 years ago
 - a. Models that became institutionalized
 1. Lawyer Referral
 2. Group and Prepaid Legal Services
 3. ARD
 4. Clinical Legal Education
 5. Small Claims Courts
 - b. Models that have not proven out
 1. Judicare
 2. Legal Clinics
 3. Law Collectives

- III. Innovations in the Delivery of Legal Services highlights a new series of models

- IV. Unbundled Legal Services – Includes many facets
 - a. In the low income delivery system
 1. Hotlines
 2. Brief Advice

3. Clinics/workshops
 - b. In the moderate income delivery system
 1. Coaching
 2. Mediating/negotiating
 3. Document preparation (ghost-writing)
 4. Limited appearances
 - c. Differences between low income and moderate income delivery
 1. Ability to pay
 2. Being set adrift or sense of empowerment
 3. Formal intake or self-selection
- V. Collaborative Law – a form of unbundling
 - a. What it is – dispute resolution without litigation
 - b. How it works – parties and lawyers contract to avoid litigation
 - c. Who it benefits – Those with an ongoing relationship, e.g. parents, employee/employer
- VI. Distance Lawyering
 - a. Discussion of the use of technology for client interface
- VII. Networked Practices
 - a. Discussion of the use of technology for intra-lawyer communications
- VIII. Outreach Models
 - a. Low income models include Self Help Offices, Mobil Home Resources
 - b. Moderate income models include Legal Grinds
- IX. Preventive Law – Unfulfilled potential
- X. Subsidiary Marketing
 - a. Using indirect resources to properly channel clients to the right resources