



SVLAS Direct Referral Process



How direct referrals work and why the procedures are necessary. This presentation will discuss the referral process and the ethical and grant requirements affecting referrals.



Who we are and why we have different rules to follow.

SVLAS is a law firm whose clients are limited by income and geography. As a law firm we must follow the Professional Rules of Conduct established by the Virginia State Bar. In addition to the rules every law firm in Virginia must follow we must follow rules set out by Legal Services Corporation (LSC), our primary funder as well as rules for any other funding sources we have (e.g. VOCA, VAWA, etc.)



What is a referral?

SVLAS has a specific form for advocates use to refer victims of Domestic Violence/Sexual Assault/Stalking/Elder Abuse, Human trafficking and Financial exploitation for our services. It is one sheet and has all the relevant information that we need before speaking with a potential client.

SVLAS – Domestic Violence Referral Form

Potential Client
Full Name (include middle) _____ Date of Birth _____
Last 4 digits of Social Security Number _____ County of Residence _____

Adverse Party
Full Name (include middle) _____ Date of Birth _____
County of Residence _____

****If there is a conflict of interest, we cannot talk to the potential client**
If there is no conflict, we will be able to move on to Step 2**

STEP 2. Potential Client

Are you staying at a shelter? No Yes, which one? _____

Phone number (residence) _____ Safe to call: YES NO Safe for Message: YES NO
Contact number (if different) _____ Safe to call: YES NO Safe for Message: YES NO
*If number is cell phone, is it safe to text YES NO

Address _____ Is it safe to send mail? YES NO
Email (please write clearly) _____ Is it safe to send email? YES NO

Please list best time to contact you, if preferred (8:30am to 4pm, Mon-Fri): _____
Best method of contact: Phone Mail Email

Why I Need Legal Assistance

Tell us what kinds of help you need:
 Protective Order Housing
 Divorce Debts
 Custody Spousal Support
 Child Support Order (will get additional info when we contact you)

Do you have a hearing date? Yes No
If yes, please list date, time and county of hearing _____ URGENT legal issue? YES NO

This is a referral only. It does not create an attorney/client relationship or mean your case will be accepted for representation by Southwest Virginia Legal Aid Society.
Please indicate your citizenship status: I am a U.S. citizen I am not a U.S. citizen.

Signature _____ Date _____

Temporary Consent to Exchange Information to Facilitate Referral and Expedite Representation

By signing this form, I am allowing _____ (referring agency) and Southwest Virginia Legal Aid Society to exchange information about me and my circumstances so it will be easier for them to evaluate my eligibility for services, and to work together effectively to provide or coordinate services and/or possible representation.

Signature(s): _____ Date: _____
(Consenting person or persons)

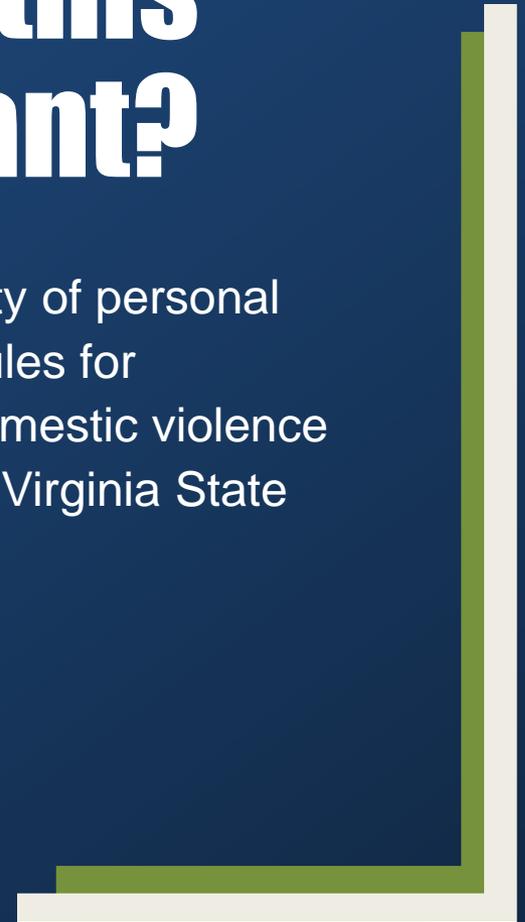
This consent for the release of information expires on: _____ (ordinarily no later than four weeks after signing).

Person explaining form: _____ (Name) _____ (Title) _____ (Phone#) _____ (Email)

(Please send completed referral to Anita E. Robinson, Fax: 276-738-4400 or email arobinson@svlas.org AND debbie@svlas.org. If you have any additional questions contact Ms. Robinson at 866-455-8716 ext. 2014)

Why is all this information important?

Our funders have specific rules regarding confidentiality of personal identifying information. The Department of Justice's rules for grantees and subgrantees who work with victims of domestic violence or other crimes . As a law firm we must also follow the Virginia State Bar Rules of Professional Conduct.



How to send a referral to us

Referrals are generally sent via email to us, arobinson@svlas.org AND debbie@svlas.org, please remember to put both Anita and Debbie on the email. We can also receive them via fax as well- FAX NUMBER- 276-738-4400. If you have any issues with either of these options, let us know, we will do everything we can to accommodate your issues.

What happens when we get your referral

- Debbie runs a conflict check. A conflict exists if we have talked to someone who may be a party to the case. If there is no conflict, we proceed, if there is, we will let you and the applicant know.
- Debbie then calls the applicant at the number on the referral. Our policy states that we call three times. We also leave voice messages and texts if the boxes are checked safe.
- If we do not reach the applicant, we tickle the case for 5 working days. If we still have not heard back from the applicant, we close the application and let you know.
- If we are able to complete the application, we will let you know if it has been sent to our field offices or if the applicant was advised on their legal issue.

Some things to remember...

- It is very important to check the boxes that the phone number is safe to call, leave a message, and/or text. If a box is not checked as **SAFE**, we will not use that method of contact.
- Even if the completed application is sent to the field office, it does not guarantee representation, that is up to the attorneys to decide, they will let the applicant know.
- If you want to be able to get information regarding the applicant's application and representation, **THEY HAVE TO SIGN THE TEMPORARY CONSENT SECTION!** All we can tell you if it is not signed is if it was completed or not. Signed with verbal consent does not count as a signature under our grants or the Rules of Professional Conduct.

How Intake works -

- Calls to the Intake Unit are "first come first served".
- If the caller does not have all the necessary information to complete an application, there is no attorney/client relationship created.
- Online applications do not create an attorney/client relationship. They START the application process.
- Online applications receive one call and an email.

Advantages of the Direct Referral System

- It allows a vulnerable person to bypass the busy Intake system.
- Direct referrals are given priority over other applicants.
- They are immediately entered into our system.
- When the referral is entered into our system it creates a conflict for 5 business days.
- The victim gets multiple calls over 5 days.
- We have a DV Intake paralegal who is trained to do DV interviews.
- You can tell us the best way and time to call the victim.

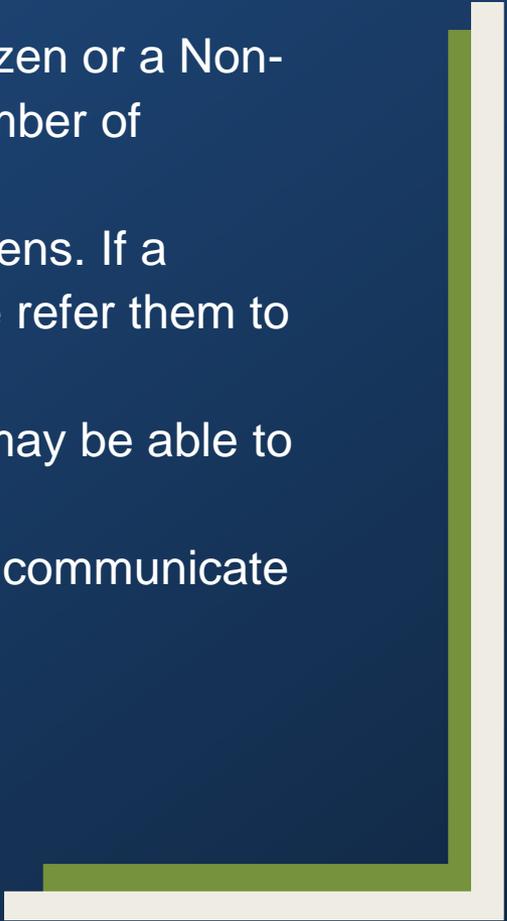
Why can't I just call an attorney directly?

- The victim is not a client until we complete an application for them.
- Anything they or you tell the attorney is NOT confidential until they are a client.
- Our attorneys do not know how to check for conflicts or determine if a client is eligible for assistance.
- You will be told to call Intake or do a referral.
- The attorney may not be in the office or able to talk to you right away.
- You lose valuable time resulting in the other person calling our Intake Unit and becoming a client. That prevents us from representing the victim.

Why we must have the victim's signature on the direct referral

- Client information is confidential. Without a release or permission from the client we cannot discuss their case with anyone outside our program. VA Rules Professional Conduct Rule 1.6
- The Department of Justice grant rules require **WRITTEN** consent or permission **SIGNED BY THE VICTIM**.
- Verbal consent does not meet the DOJ grant requirement or the VSB rules.

Does U.S. Citizenship matter?

- We must report the whether a client is a U.S. Citizen or a Non-citizen. We do not report their name, only the number of Citizens and Non-citizens served.
 - The VAWA allows us to represent some Non-citizens. If a person is a victim of a crime or domestic violence refer them to our office.
 - Even if they are not eligible for our services, we may be able to find other programs who can.
 - We also have translator services that allow us to communicate with people who speak different languages.
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Why we cannot take every case.

- There may be a conflict of interest. VA Rules of Professional Conduct 1.7 and 1.9 prohibit a law firm from representing people with conflicting interests.
- A conflict arises when we are or have represented or advised the opposing party or someone who is a possible opposing party about this or a related matter in the past, is a current client or where we have relevant confidential information.
- The victim may not be eligible for our services due to income, assets, citizenship or geographic location of the legal issue.
- Staffing - Remember we have 6 attorneys covering these cases in 17 counties and 4 cities.

Questions or Concerns?

