
LEGAL REPRESENTATION ON A BUDGET

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I believe it was Abraham Lincoln who said "he who represents himself has a fool for a client." This is true in most cases, especially those involving complex legal issues or an attorney representing the other party. Even as an attorney, there are matters that I would not represent myself as I may not know enough about a particular area of the law to be an effective advocate for myself. Some people do not hire attorneys because they believe that they cannot afford one. Depending on the nature of the legal matter, an individual is not required to have money to obtain representation. Many attorneys accept cases on a contingency fee basis, that is, the attorney does not require money upfront from the client and collects a fee and recovers cost from any money received at the conclusion of the case. At the Mike Kelly Law Group, LLC our cases involving personal injury, medical malpractice, consumer law, workers' compensation, social security disability and veteran's disability are generally accepted on a contingency fee basis. We also provide free consultations, so it costs nothing to speak with one of our attorneys regarding your legal matter. If you have a legal question outside of our practice areas, I recommend that you at least speak with an attorney to see how much or how little is required to obtain representation.

The South Carolina Bar Association has improved South Carolinians' access to legal representation by creating the Ask-A-Lawyer and Pro Bono Programs. The Ask-A-Lawyer Program allows the public an opportunity to ask attorneys legal questions regarding various areas of the law. Attorneys volunteer for televised phone banks and Web chats. If you have a legal question, you can call the station in your area during the hours indicated at the phone number provided during the newscast. Ask-A-Lawyer events are currently scheduled for May 20, 2009 on WCSC in Charleston and on May 26, 2009 on WLTX in Columbia. You may also write to an attorney via an online chat room and have an attorney respond to your questions. The Ask-a-Lawyer program does not provide you with legal representation, but it will be a good place to obtain some valuable insight into a legal matter.

Unlike the Ask-a Lawyer Program, the Pro Bono Program does provide for representation. Pro Bono means without charge. Attorneys offer their services for free to clients who cannot afford to pay for help with civil legal matters. These matters include family, housing, bankruptcy or probate matters. To be eligible for the Pro Bono Program, you must meet federally established poverty guidelines. You can contact the Legal Aid Telephone Intake Service (LATIS) at (888) 346-5592 to determine if you qualify for assistance. If you qualify, the South Carolina Bar Pro Bono Program will refer you to a lawyer. You will not be responsible for attorney's fees; however, you still must pay related costs, such as filing fees and service charges. You may also be responsible for attorney's fees for the opposing party if a judge decides you should pay such.

If you do not qualify for pro bono assistance, all is not lost. There are some matters that are simple enough to handle pro se, which means "on one's own behalf." Many matters filed in magistrate or municipal courts are designed to allow pro se litigants access to forms and instructions to assist them with said representation. You should contact the magistrate or municipal court in your city or county for additional information. Another area which has recently become accessible to pro se litigants is a simple divorce in family court. Individuals now have access to simple divorces in the Self-Represented Litigant Simple Divorce Packet for plaintiffs and defendants. The packet provides instructions and forms for people who cannot afford an attorney but would like to file a divorce based on one-year continuous separation. You can only use these forms if you and your spouse have lived in separate homes for at least one year; have no marital property or debts or have reached an agreement as to marital property and debts and have no children and none or expected or have reached an agreement as to custody, visitation and child support (according to the South Carolina Child Support Guidelines).

Do not allow the fear of attorneys' fees prevent you from obtaining quality legal representation. The Self-Represented Litigant Simple Divorce Packet can be found at <http://www.sccourts.org/forms/indexSRLdivorcepacket.cfm>. If you would like additional information regarding the Ask-A-Lawyer or Pro Bono Program, you can contact the South Carolina Bar at (877) 797-2227 or www.sccourts.org/public_services. If you have a question regarding a contingency fee matter, please feel free to contact us at the Mike Kelly Law Group at 1-803-726-0123, 1-866-692-0123 or click here www.mklawgroup.com.