

## **J. REUBEN CLARK LAW SOCIETY**

### **Additional Guidelines for Priesthood Leaders**

1. *Do not pass judgment on the merits of any legal matter. Refer members to an attorney.*
  - a. Refer members to community legal resources if available for a particular matter.
  - b. If community legal resources are not available, the Priesthood leader may – after assessing whether the member qualifies for welfare assistance as described in the Church Handbook of Instructions – approve a referral through the Law Society referral process.
2. *If appropriate, contact the local Law Society Service Coordinator.*
  - a. The Priesthood leader may, as appropriate, assign a member of the Ward Welfare Committee, home teacher or other responsible person to contact the Service Coordinator. The person so assigned should be willing:
    - i. To make initial contact with a Volunteer Attorney if requested by the Service Coordinator.
    - ii. Assist the referred member to gather necessary information and documentation; and
    - iii. If necessary, help the referred member arrive on time to meet with the Volunteer Attorney.
3. *Once the referred member retains an attorney, never encourage or attempt to control the progress of the case or termination of the attorney's services. Do not comment on the attorney's competence or the quality of advice rendered.*
4. *Do not attend conferences or participate in telephone calls between the member and the attorney.*
5. *Do not communicate with the attorney in any way substantively related to a referred matter.*
  - a. Priesthood leaders (or those assigned by them) may:
    - i. Coordinate appointments for the member;
    - ii. Prior to the initial meeting between the attorney and the referred member, communicate to the attorney the general subject matter at issue;
    - iii. Assist the member in negotiating a reduced fee or pro bono agreement for legal services; and
    - iv. Provide other logistical support as necessary.
  - b. Priesthood leaders must maintain members' confidences.

- c. There may be times when it will be necessary for a Priesthood leader to talk with a member's attorney (for example, when the legal matter bears upon an ecclesiastical matter being handled by the Priesthood leader). In those situations, the Priesthood leader should contact the Office of General Counsel for approval. It might also be advisable to obtain the member's written consent before having a discussion with the member's attorney. The Office of General Counsel can advise the Priesthood leader on the advisability of a written consent.
6. *Never align, legally, on one side or another of any sort of matter involving abuse or of any adversarial matter. Scrupulously comply with the guidelines stated in Church Policies – Legal Matters, Book I of the Church Handbook of Instructions ( ).*
7. *Priesthood leaders may provide direct financial assistance from Church funds for attorney fees and costs only in non-adversarial matters such as: legal status or immigration, social security, disability benefits or uncontested estate planning matters.*
  - a. Do not provide Church monetary assistance in adversarial matters (i.e., disputed matters between or among individuals or non-governmental entities, including domestic disputes, landlord-tenant disputes, debtor-creditor disputes or criminal defense) unless specifically approved by the Church's Office of General Counsel.
  - b. When giving monetary assistance, provide in writing a maximum support figure to the attorney to prevent inflated expectations. Priesthood leaders may consult with the Law Society Service Coordinator regarding types of expenses to be expected in particular matters for purposes of this assessment. Priesthood leaders may revise the maximum support figure if the member demonstrates changed needs.