

# Dollar-a-minute legal advice has its merits

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Acting as one's own legal counsel in a court of law and without any prior experience or proper preparation can be personally demoralizing and costly.

Judges have very little patience for someone who thinks they know the law and then portray themselves as a legal expert. Conversely, people appear less likely to pursue a small claim, or violation against them knowing the high cost of lawyers' fees.

There is nothing small about the bill for hiring legal counsel to defend you on a misdemeanor charge, ordinance violation or in small claims court. Lawyers' fees can run well over \$200 an hour – and victory is not guaranteed.

We believe Lee County Clerk of Court Linda Doggett may have a solution. She is suggesting dollar-a-minute legal help for those advice for cases, typically amounting to less than \$15,000, and don't necessarily require full-time representation.

The person would pay for 15 to 60 minutes of time to consult with a lawyer, review documents and provide assistance on what to expect in court. Of course, once you get into the court room, and before the judge, you are on your own, but at least you are armed with a little more information and probably more confidence.

There is evidence people are less likely to fight in small claims court as they once were. Civil cases in county court are down 22 percent since 2013. That does not mean these cases are going away. There are more than 160 small claims county court cases filed every week. People need legal help but don't want to pay an arm and a leg to get it.

There also appears to be buy-in from the Lee County Bar Association. Doggett, who is state clerks association representative to the state Access to Civil Justice Commission, has been meeting with the group to set up a program. She hopes to get the program started in the next three to six months.

Basically, a lawyer would be available in the courthouse Monday through Friday for people to make an appointment and receive help, depending on what legal action the person wanted to take. It's working in Pinellas County, where the office is booked solid each day. These lawyers, however, will not tell a person what legal action to take.

David Seitz, executive director of the Lee County Bar Association, would prefer it if people take full advantage of a lawyer's expertise, but he understands the financial limitations and the importance of at least offering some advice and some direction. The bar would be responsible for assigning a lawyer to the courthouse office, where clerk of courts personnel would direct

individuals. Lawyers will need to adjust their hourly pay grades during this time, but they will be providing a necessary service. The availability of Spanish-speaking lawyers also will be important.

Providing a type of drive-through legal service has its own legal hurdles to overcome. The state Supreme Court has definitions of a lawyer's responsibility in a case. It's the difference between "unbundled" – offering some help – and a "bundled" – the lawyer's time appears to exceed a limited, advisory capacity – advice. The state bar association has proposed a more specific definition to “unbundled” cases to free lawyers up to offer more advice. The case has been pending before the high court for more than a year.

In the meantime, Doggett and the local bar association will pursue the dollar-a-minute help. Actually, the minimum you would pay is \$15 – even if the advice takes only two minutes – and the most is \$60 – for an hour's worth of a lawyer's time.

The jury may still be out on its effectiveness, but people should be able to get some legal advice without going into the poor house.