



# JEFFERSON COUNTY BAR ASSOCIATION

## CAAP – Client Attorney Assistance Program

### **KNOW THE STEPS: How to get assistance from JCBA CAAP**

#### **Step 1: Write a letter to your attorney**

- Write directly to the attorney of record. Make sure to include the following:
  - Any questions or concerns about your case or legal situation
  - What action you would like your attorney to take
  - A 7-10 business day timeframe for your attorney to respond
- Send the letter to your attorney by certified mail (whenever possible) and keep a copy for yourself.
- Allow your attorney time to respond
- If your attorney responds and there are still more concerns, write to your attorney again, including your new questions.
- If your attorney does not respond, proceed to step 2

#### **Step 2: Complete your CAAP Request for Assistance (RFA) form**

- Fill out all sections and sign the form
- RFA must have:
  - A copy of the letter you sent to your attorney regarding your concerns (not over 90 days old)
  - A copy of your dismissal letter from the Chief Disciplinary Counsel if you previously filed a Grievance against your attorney
  - Power of Attorney (POA), or Letter of Protection (LOP), if necessary

\*\*\* RFA's that do not comply with the requirements will not be processed.

#### **Step 3: Send the RFA form to CAAP**

- Mail RFA and attachments to JCBA CAAP at 1085 Pearl, Ste. 202, Beaumont, TX
- RFA's are processed in the order in which they are received and subject to volunteer mediator availability
- If we are unable to process your request, you can expect to receive a letter from CAAP along with a copy of the letter we send to your attorney
- If your request is denied, you will receive a letter or phone call explaining why

#### **REMEMBER:**

- The JCBA Client-Attorney Assistance Program is a voluntary mediation program. Our purpose is to help clients communicate better with their attorneys; we **cannot compel** your attorney to take specific action
- JCBA CAAP can only contact an attorney on behalf of the client of that attorney; i.e., the Request for Assistance form and the letter sent to the attorney must be from the actual client, **not a friend or family member**. If you are not a client of the attorney who is the subject of the RFA, **you must include a copy** of the Power of Attorney form with the Request for Assistance.
- **CAAP cannot contact your attorney on your behalf while a grievance is pending.**
- Requests for client files on criminal cases are subject to the discovery rules of the specific jurisdiction and The Texas Code of Criminal Procedure



# REQUEST FOR ASSISTANCE (RFA)

## Jefferson County Bar Association Client-Attorney Assistance Program

1085 Pearl, Room 202 • Beaumont TX 77701 • Tel: (409) 835-8647 • Fax: (409) 835-8778 • [www.icba.org](http://www.icba.org)

- This IS NOT a State Bar of Texas Grievance
- This program can only attempt to work out a voluntary conciliation between you and your attorney
- This program, nor any of the volunteer lawyers associated with the program, represents you or your attorney
- We cannot give you legal advice

### SECTION A: PERSON COMPLETING THIS APPLICATION (If not the client, you must provide Power of Attorney)

Name \_\_\_\_\_ Phone (\_\_\_\_) (\_\_\_\_) (\_\_\_\_)  
First Last Daytime Cell Other

Address \_\_\_\_\_ Email \_\_\_\_\_  
Street City State Zip Code

### SECTION B: IF THE PERSON COMPLETING THIS APPLICATION IS NOT THE CLIENT, COMPLETE THE FOLLOWING

Name \_\_\_\_\_ Phone (\_\_\_\_) (\_\_\_\_) (\_\_\_\_)  
First Last Daytime Cell Other

Address \_\_\_\_\_ Email \_\_\_\_\_  
Street City State Zip Code

### SECTION C: INFORMATION ABOUT THE ATTORNEY

Name \_\_\_\_\_ Phone (\_\_\_\_) (\_\_\_\_) Bar Card # \_\_\_\_\_  
First Last Work Other (If known)

Address \_\_\_\_\_ Email \_\_\_\_\_  
Street City State Zip Code

### SECTION D: CLIENT-ATTORNEY RELATIONSHIP INFORMATION

Is this your current or previous attorney? Yes \_\_\_ No \_\_\_ If previous, are you currently represented by a new attorney? Yes \_\_\_ No \_\_\_

Date Attorney was hired \_\_\_\_\_ Is there a signed fee contract? Yes \_\_\_ No \_\_\_ Do you a copy of the contract? Yes \_\_\_ No \_\_\_

Has CAAP assisted this client before? Yes \_\_\_ No \_\_\_ If yes, type of legal matter (Ex: family, criminal, business, etc.) \_\_\_\_\_

Is there a coming deadline, court date, hearing or limitation? Yes \_\_\_ No \_\_\_ If yes, when is deadline or date? \_\_\_\_\_

Was a grievance filed against the attorney in this matter with the Office of Chief Disciplinary Counsel? Yes \_\_\_ No \_\_\_

If yes, you MUST include a copy of your grievance dismissal letter.

### SECTION E: ASSISTANCE NEEDED

#### Assistance is needed with the following:

- \_\_\_ Return telephone calls      \_\_\_ Need an appointment      \_\_\_ Itemized Statement of Charges
- \_\_\_ Status letter      \_\_\_ Fee dispute resolution      \_\_\_ Refund
- \_\_\_ Copy of \_\_\_\_\_      \_\_\_ Return client file
- \_\_\_ Other (Use back for details, if needed) \_\_\_\_\_

#### What steps have you taken to resolve the problem with the attorney?

- \_\_\_ Made telephone calls If so, when \_\_\_\_\_ \_\_\_ Written to attorney (You MUST include a copy of the correspondence with this form)
- \_\_\_ Made appointment/ discussed w/ attorney      \_\_\_ Other \_\_\_\_\_

I do not intend this request to be a formal grievance against this attorney; **this is a request for the bar association to help me resolve this problem.** I also understand that it may be necessary to act promptly to preserve any legal rights I may have and that filing a lawsuit may be required to preserve those rights. I acknowledge my understanding that completion of this form is not the filing of a lawsuit and understand that the Jefferson Bar Association will not file a lawsuit for me. I understand and acknowledge that it is my responsibility to seek and obtain any necessary legal advice regarding this matter. I understand that the information I send may be used to assist me in and will remain confidential for purposes of resolving the issue(s) described above.

\_\_\_\_\_  
Client/Power of Attorney

\_\_\_\_\_  
Date

**In preparing a written complaint (grievance), keep in mind the following suggestions:**

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- Organize any documents that will be submitted to support the allegations of attorney misconduct.
- Prepare a timeline as a guide in the preparation of the complaint and to help the investigator understand the circumstances surrounding the events and alleged misconduct.
- Be factual in describing any and all events and behavior. Be thorough in describing the issues, events, and alleged misconduct.
- It is helpful to reference the documents that support particular claims, facts and allegations. The documents may be given reference or exhibit numbers that may help the investigator in evaluating the allegations.
- Have someone assist in writing or reviewing the grievance for clarity, particularly if grammar and spelling are a challenge.

**When a grievance is filed, JCBA CAAP may not be able to provide assistance that involves contacting the attorney.**

## **CONTACTING THE JCBA CAAP**

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**BY PHONE:  
(409) 835-8647**

**BY FAX:  
(409)835-8778**

**BY EMAIL:  
director@jcba.org**

**BY MAIL:  
1085 Pearl Street, Ste. 202  
Beaumont, Texas 77701**

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## **HELPFUL INFORMATION FROM CAAP**



## **CLIENT ATTORNEY ASSISTANCE PROGRAM**

**WHAT IT IS AND HOW IT WORKS**



### **1. What is the Client Attorney Assistance Program?**

The Client Attorney Assistance Program is a service of the local bar association. Its objective is to assist the public in resolving concerns, disputes and misunderstandings with Southeast Texas lawyers and to facilitate and improve communications between clients and their lawyers. Most problems can be resolved by providing information, suggesting various self-help options for dealing with the situation, or contacting the attorney either on the phone or by letter.

### **2. What kind of information does the JCBA CAAP provide?**

JCBA CAAP does not provide legal advice. CAAP volunteer lawyers attempt thru mediation to help provide a voluntary conciliation between you and your attorney. Many people contact CAAP because they don't know where else to turn.

### **3. What are some of the self-help options JCBA CAAP may suggest?**

The most common reason a client contacts JCBA CAAP is because an attorney is not returning phone calls. If an attorney is not returning phone calls for extended periods of time, it is often effective to send a letter to the attorney. Written correspondence accomplishes two important objectives: (1) the attorney has the clients concerns in writing so there is no misunderstanding about the clients concerns; (2) the letter documents the communication problems that are occurring. Many clients have used these letters successfully to request an appointment with the attorney, ask questions regarding the case, request information, etc. Sending the letter by certified mail also documents when the attorney received the client's letter. Emails and faxes are also effective in documenting client concerns.

### **4. When and how does JCBA CAAP intervene?**

If an attorney does not respond to a client's efforts by telephone and written correspondence, or if the client is dissatisfied with the attorney's response, the client may request assistance from JCBA CAAP. CAAP may be contacted by telephone to request a CAAP "Request for Assistance" form. A CAAP volunteer lawyer will contact you to address the situation and provide other suggestions, strategies, or options that may be appropriate to the particular circumstances. In cases that do not involve misconduct according the Texas Disciplinary Rules of Professional

Conduct, A CAAP volunteer attorney will contact the client's attorney in an effort to resolve the situation. JCBA CAAP makes every effort to help both parties achieve an acceptable result.

### **5. What if I need to file a grievance?**

The disciplinary process for attorneys is the appropriate option when an attorney violates any one or more of the Texas Disciplinary Rules of Professional Conduct. One does not need to know what rules were violated in order to file a grievance. To initiate an investigation into the attorney's alleged misconduct a grievance against a Texas attorney must be submitted in writing to the State Bar Of Texas Chief Disciplinary Counsel. When the grievance is received, it will be evaluated initially by an investigator. The investigator will "classify" the grievance as a formal "Complaint" or dismiss it as a "Inquiry" after determining whether or not the written allegation describes misconduct according to the Texas Disciplinary Rules of Professional Misconduct.

**To file a grievance  
contact the  
State Bar of Texas  
800-204-2222  
Option #9**