

Pro Bono Mediator Panels for Legal Aid of North Carolina

Legal Aid of North Carolina (LANC) cases for mediation include general civil in state and federal courts as well as administrative hearings. These cases may include custody, foreclosures, collections, rent abatement, workers compensation, employment and insurance matters.

LANC clients are screened for financial eligibility to qualify for legal services. The average annual gross income for a LANC client is approximately \$11,000 for a family of four. Settlements or recoveries for legal services clients significantly impact and improve the household's financial picture. LANC clients need every dime of a settlement. If the settlement is small, paying a mediator reduces the justice which the client feels they have received.

Legal Aid lawyers have not considered mediation as a viable strategy in many cases they handle because of the client's inability to pay for mediation services. In cases with mandatory mediation, LANC lawyers may rely on the "lottery" of court appointment for a mediator because there is hesitancy among them to seek a mediator of their choosing. That hesitancy comes from the likelihood that a Legal Aid client will have difficulty paying -- that is, a mediator will not be fully paid for the mediator's work. The Legal Aid lawyer may be embarrassed to ask a mediator to work without full compensation.

In order to address this situation, the Dispute Resolution Section has established regional mediator panels of volunteers who are willing to waive or reduce their fee in order to assist Legal Aid of North Carolina (LANC). The panels provide a choice of mediator for the parties and remove that hesitancy. The list of mediators is available to Legal Aid offices and to Trial Court Coordinators.

Ethical guidance for this program was obtained in 2008 and can be found at the N. C. Dispute Resolution Commission website. Specifically Advisory Opinion 08-14, http://disputeresolution.ncbar.org/media/10903935/14-08_011609.pdf, discusses mediating without charge or at a reduced charge.

More volunteer mediators are needed. If you would like to volunteer, please follow this link <http://www.surveymonkey.com/s/DHDXXKY> and provide the requested information.

If you have any further questions concerning the Pro Bono Mediator Panels please contact Rick Igou at rigou@earthlink.net.