

[Your Organization Name]

## **RETAINER AGREEMENT**



This is an agreement between you and your [Your Organization] lawyer about the work you and [Your Organization] will be doing together. Please read this and let your [Your Organization] lawyer know if you have any questions. If you are okay with what it says, sign it and return it to [Your Organization].

### **Your Information:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

### **Your Lawyer's Contact Information:**

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

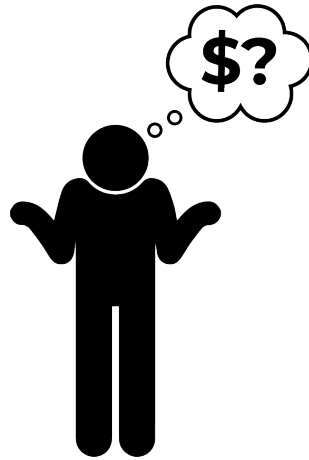
Email: \_\_\_\_\_

**[Your Organization] will help me with:**

- Protection Order** \_\_\_\_\_
  - Safety Planning** \_\_\_\_\_
  - Privacy** \_\_\_\_\_
  - Housing** \_\_\_\_\_
  - School** \_\_\_\_\_
  - Work** \_\_\_\_\_
  - Immigration** \_\_\_\_\_
  - Public Benefits** \_\_\_\_\_
  - Victim Compensation** \_\_\_\_\_
  - Criminal Justice Support** \_\_\_\_\_
  - Other** \_\_\_\_\_
- 

[Your Organization] has only agreed to help you with the things that are checked above. If there is something else that you want help with that you do not see on the list above, you will need to ask your lawyer if they can help you with anything not checked above.

## I. Will I have to pay [Your Organization]?<sup>1</sup>



No. **[Your Organization] will help you for free.** This means that you will not have to pay money to [Your Organization] for their help.

Sometimes, but not often, you or [Your Organization] will need to spend money when working on your case. If [Your Organization] or the court needs you to pay for something, your lawyer will always talk with you about it first to make sure you agree. If you do not have the money to pay, you and your lawyer can explore other options. It does not mean that your lawyer will stop working on your case.

There are also times when the Judge may award attorney's fees at the end of your case. If that happens, those fees will belong to [Your Organization].

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<sup>1</sup> This fee policy is included for purposes of illustration. Your organization should incorporate the terms of your own client fee policy using plain language.

## **II. What is my [Your Organization] Lawyer's Job?**

Your lawyer will work as hard as they can to help you with the things you have agreed on together. These are the boxes that are checked on page 2.

### **1. Your [Your Organization] lawyer will listen to what you say and will only help you with things that you want help with.**

If you say that you do or do not want to do something, your lawyer will listen to you and talk to you about your options.



### **2. Your [Your Organization] lawyer will answer any questions about your case.**

Your lawyer will always tell you what is happening with your case.



### **3. Your [Your Organization] lawyer will keep private all information about you and your case unless you say that it is okay to share the information.<sup>2</sup>**

If you want your lawyer to share your information with anyone else, tell your lawyer. You will need to sign a **Release of Information** to give your lawyer permission to share any of your information.



Your lawyer may share information about your case with the other lawyers at [Your Organization] to work on the case together. Any information that is shared with other lawyers at [Your Organization] will stay within [Your Organization] and will still be private.

There may be times when your lawyer is forced to share information about your case because there is a law or Judge that says they have to. If that happens, the lawyer will tell you about it before sharing any information.<sup>3</sup>

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<sup>2</sup> If your organization has a stand-alone confidentiality policy, consider incorporating by reference.

<sup>3</sup> Incorporate any relevant mandatory reporting laws or rules of professional conduct that would guide an attorney's obligations here.

**4. Your [Your Organization] lawyer will talk with you about all of the options you have for the case or cases your lawyer is helping you with.**

You will always be the one to decide what to do.



**III. What is my job as a client?**

You are a client of [Your Organization]. As the client, there are a few things you need to do so your [Your Organization] lawyer can help you:

**1. Give Information.**

Your lawyer will ask you questions about the things that they need to know to represent you. It is okay if you do not remember everything. If you cannot tell your lawyer everything at one time, that is okay. Your lawyer will try not to ask you to share more than they need to know for your case.

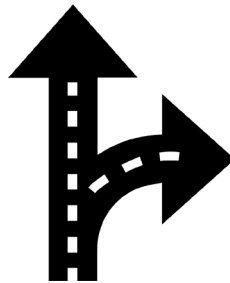
**2. Tell the Truth.**

You must also tell the truth in court. If you do not, your lawyer will try to give you another chance to be honest. If you still do

not tell the truth, your lawyer may not be able to represent you anymore. Your lawyer may also be required to tell the court that you were not truthful. You could get in trouble for not telling the truth in court.



**3. Tell your [Your Organization] lawyer if your goals change.**



Sometimes people change their mind about what they want to do with their case. That is okay, just let your lawyer know.

Here are the things that you told your lawyer you want to accomplish:

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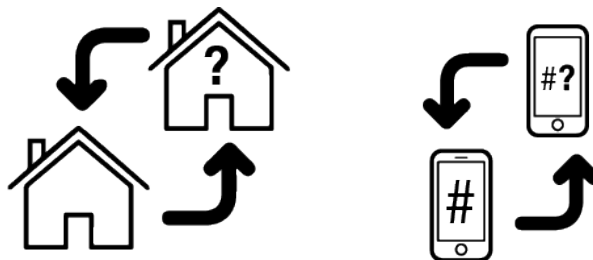
#### 4. Try to be on time.

It is important that you come to all your meetings with your lawyer on time. It is also important that you arrive at court on time. If you are running late or cannot make it, you should let your lawyer know as soon as possible.



#### 5. Tell [Your Organization] right away if you move to a new place or if you get a new phone number.

It is important for your lawyer to know your mailing address and your phone number so they can contact you.



If [Your Organization] tries to reach you and you do not respond for [enter the details of your client communication

policy here], [Your Organization] may not be able to work with you anymore. This means [Your Organization] may close your case file and your lawyer may stop representing you.

**6. Tell [Your Organization] as soon as you can if the person who hurt you or their lawyer tries to contact you in any way.**

If the person who hurt you has a lawyer too, their lawyer is not allowed to talk to you. Their lawyer should only talk to your lawyer.



Tell your lawyer if anyone asks you not to go to court or if you feel threatened by anyone. This may be a crime.

**7. Tell [Your Organization] as soon as you can if the person who hurt you or their lawyer offers you money.**

This may be a settlement offer. A settlement offer is when somebody offers you money so that you will not go forward with a legal case against them.



## IV. Conflicts of Interest

### 1. What is a “conflict of interest”?

My lawyer has a responsibility to represent each client with loyalty and independence, meaning that my lawyer will act in my best interest and help me reach my goals.

Sometimes a lawyer has responsibilities to other people or organizations that can affect their ability to represent a client. Other times, a lawyer may want to help two or more people whose cases have something in common. Sometimes those clients might not agree on what is best or they have different goals. These are examples of “conflicts of interest.”

### 2. What happens if a “conflict of interest” happens?

If a “conflict of interest” happens, my lawyer will talk to me about what the conflict is. Sometimes a conflict of interest means that the lawyer cannot help one or both clients anymore. Other times, the clients can agree to “waive” the conflict and continue working with the attorney.

If a “conflict of interest” happens, my lawyer will explain my options to me. If I decide to waive a conflict of interest, I will sign a separate agreement after talking to my lawyer about it.

\_\_\_\_\_ **I understand what I need to do for my [Your Organization] lawyer to be able to help me** (sign your initials on the line).

## V. Ending the Relationship Between You and Your Lawyer

### 1. What if I don't want to work with [Your Organization] anymore?

You can choose to stop working with [Your Organization] at any time. If you want to stop working with [Your Organization], tell your lawyer.



### 2. Can [Your Organization] choose to stop working with me?

Yes, but only if certain things happen that make it necessary. If [Your Organization] cannot work with you anymore, they will tell you as soon as possible and explain why.

Some reasons that [Your Organization] may need to stop working with you are:

- If you use the services of [Your Organization] to commit a crime.
- If the work you have asked [Your Organization] to do goes against the rules that all lawyers must follow. These are called **ethical rules**.

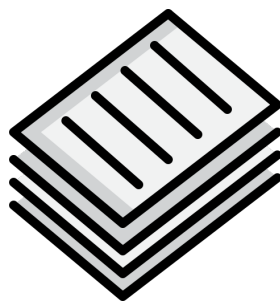
- If there is a breakdown in the relationship between you and your [Your Organization] lawyer. Ask your lawyer for examples of what this means.

These are not all the reasons that [Your Organization] might need to stop working with you. If there is a problem, your [Your Organization] lawyer will try to talk with you about it before it becomes necessary to stop working with you.

## **VI. What happens to the file that [Your Organization] has about my case?**

After your case is closed, [Your Organization] will keep your file for [enter number of years required in your jurisdiction]. After [enter number of years required in your jurisdiction] years, your file will be destroyed to protect your privacy.

When you are done working with [Your Organization], you can ask for a copy of your file. This includes papers that you gave to [Your Organization] or other papers about your case. You can also ask for copies of evidence or papers from court.



## **VII. What if I am unhappy with [Your Organization]?<sup>4</sup>**

If you feel unhappy about the work that your lawyer is doing, you should tell [Your Organization] as soon as you can. You can talk to your lawyer or their supervisor or write to [Your Organization] to say why you are unhappy.

Your Lawyer's Supervisor:

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

If there is a problem, the first thing that [Your Organization] will do is talk with you about it and listen to why you are unhappy. In the past, many problems between a client and [Your Organization] have been made better by talking about what is wrong and coming up with ideas to fix the problems.



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<sup>4</sup> This complaint resolution policy is included for purposes of illustration. Your organization should incorporate the terms of your own complaint resolution policy using plain language.

## **VIII. What does it mean if I sign this agreement?**

Both you and your [Your Organization] lawyer will sign this paper if you agree with what it says and want to work together.

You and your lawyer may decide that you want to change something in this agreement. If this happens, then you and your lawyer will write down those changes and **both** sign the updated agreement.

**Please initial next to the following if you agree:**

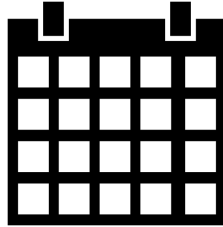
\_\_\_\_\_ **I have talked about this agreement with my lawyer.**

\_\_\_\_\_ **My lawyer has answered all my questions I have about this agreement.**

\_\_\_\_\_ **I understand that I need to sign and return this agreement to my lawyer to work with [Your Organization].**

## **IX. When do I have to sign this agreement by?**

I must give my lawyer the signed agreement by \_\_\_\_\_  
(date). My lawyer can only start helping me after I have returned  
the signed agreement to [Your Organization].



**If you return the signed agreement to your lawyer after \_\_\_\_\_ (date), [Your Organization] may not be able to help you. If [Your Organization] never receives this signed agreement, then [Your Organization] will not be able to help you.**

\_\_\_\_\_  
Client Name

\_\_\_\_\_  
[Your Organization]  
Lawyer Name

\_\_\_\_\_  
Client Signature

\_\_\_\_\_  
[Your Organization]  
Lawyer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

This project was supported by Grant Nos. 15JOVW-24-GK-03024-MUMU and 2017-FW-AX-K004 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Justice.