



DESCRIPTION OF PRO BONO SERVICES

Thank you! We are delighted that you will consider assisting a CAFTA client. Below is some key information about CAFTA and how the legal referral process works. We appreciate your careful review.

About Us

Colorado Attorneys for the Arts (CAFTA) is a program of the Colorado Business for the Arts (CBCA). This program is based on a national model that exists in over 20 states. CAFTA is a pro bono legal referral program that supports the growth of Colorado's creative sector. CAFTA boosts artists' career growth and self-sufficiency, while providing meaningful pro bono opportunities for attorneys looking to make tangible and positive impact.

Client Eligibility

Residency Restrictions

CAFTA can only make pro bono referrals for Colorado residents. CAFTA can only make pro bono referrals for entities incorporated or registered in good standing in Colorado.

Arts- Related Matters

CAFTA only refers legal questions related to a person's art business or an arts organization. Our definitions of "art" and "creative" are very broad and include visual, literary, film, media, design, crafts, and performing arts, as well as non-traditional art forms. For example, we might ask a volunteer attorney to help an artist negotiate a lease for their studio space, but would not ask for assistance with an issue related to a lease for their personal residence. This ensures that we are filling gaps in the legal aid community and not duplicating existing services.

Financial Criteria

In order for a client to receive pro bono assistance, the client must demonstrate financial need by meeting our eligibility requirements. These criteria are determined by our CAFTA Advisory Committee and are consistent with similar legal referral and volunteer organizations across the country. Prior to referral, each client must provide documentation that their income meets our eligibility requirements (e.g., federal tax returns, audited financials, annual reports).

Scope of Representation

Upon accepting a pro bono referral, the volunteer attorney maintains discretion as to the scope of representation. Volunteer attorneys may select matters based on their personal interest, legal expertise and availability.

The client will be informed that you have only agreed to consider assisting them with this specific issue and that they must contact you directly to arrange a possible engagement. The client is also informed that you are NOT his/her general counsel, consultant, or attorney for any issue other than the single, specific matter referred. You are only asked to consider handling the specific matter assigned. We understand that it is not always easy to separate issues, so we rely on our volunteer attorneys to define the scope of the representation and maintain focus only on that specific matter. The client has also been informed that if they require assistance with a



different issue, they must return to CAFTA for a new referral. If they request that you assist them with another matter instead of returning to CAFTA, that should be handled as a separate engagement and you are free to determine whether to handle it on a pro bono or paid basis.

Litigation

The client has been informed that their volunteer attorney's duties are not expected to include litigation. Upon meeting with your client, you are encouraged to discuss whether litigation may be required, and if so, whether you will handle litigation. In the event that litigation, arbitration, or a similar proceeding becomes necessary, the client has signed an agreement representing that he/she will not oppose your decision (or formal motion) to withdraw from their representation.

Other Logistical Notes

Malpractice Insurance

CBCA carries professional liability insurance that covers attorneys acting in a professional capacity performing pro bono legal services on behalf of a client referred through CAFTA. This coverage shall be primary and all other insurance shall be considered excess thereto. If you'd like a copy of this policy, please contact CAFTA@cbca.org.

Conflicts Checks

When you accept a matter, we provide you with the client's contact information so you can clear conflicts. You have 3 business days to clear conflicts or notify CAFTA on the status of the conflicts check. Once conflicts have cleared, CAFTA will provide the client with your contact information and notify them of the referral. It is the client's responsibility to contact you promptly. Please respond to the client promptly once he/she contacts you. If you do not hear from the client within 3 business days after your conflicts have cleared, please contact CAFTA immediately.

Out-of-Pocket Expenses

All matters referred through CAFTA are on a pro bono basis. The clients are informed that they may be responsible for any out-of-pocket expenses incurred such as filing fees, long-distance calls, copying, messengers, etc. in relation to their matter. Please be sure to discuss any potential expenses with your client in advance and include the provision of such expenses, if any, in your engagement agreement with your client.

Evaluation Survey

When you conclude your representation, we strongly encourage you to complete an online Evaluation Survey detailing the hours you volunteered and an evaluation of the overall referral process. We very much appreciate your time in completing this report and helping us track the value and efficiency of this program. The Evaluation Survey is found at coloradoattorneysforthearts.org.

Thank you for your willingness to volunteer your time and expertise. If you have any questions or concerns during your time as a CAFTA volunteer attorney, don't hesitate to contact us.

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