

FORECLOSURE PREVENTION CONTRACT ATTORNEY

The Montgomery Volunteer Lawyers Program seeks to enter into a legal services contract with a Montgomery-area attorney or small firm with experience in dealing with consumer mortgage defaults, loss mitigation, foreclosure prevention, foreclosure litigation, and post-foreclosure legal assistance. The contracted attorney/firm will receive referrals from the Montgomery Volunteer Lawyers Program ("MVLP") for clients who, after initial intake, are eligible to participate in the Avoid Foreclosure Alabama initiative. This includes homeowners with household income of 250% or less of the federal poverty guidelines who are experiencing financial difficulties that could likely lead to foreclosure or who are already facing foreclosure action. Matters referred to the contracted attorney will be those that are beyond the scope of work normally performed by MVLP volunteer attorneys.

The proposed contract term will begin Feb. 1, 2017 and conclude Dec. 31, 2017. The maximum amount available under the contract will be \$30,000.00. Compensation for legal work performed under this contract will be based on the amount of legal work required and the degree of complexity involved for each referral. For matters not requiring an appearance in court, such as negotiations with a mortgage loan servicer, resolution of familial ownership issues, a cash for keys sale, delayed eviction, etc., the contracted attorney will be paid at the rate of \$100.00 per hour up to a maximum of \$1,000.00 per case.

When a case involves a court appearance and substantial involvement in the negotiation of a loan modification or other pre-foreclosure benefit for the client, or post-foreclosure benefits for the former owner, the attorney will be paid a flat fee of \$1,500.00 per case, exclusive of any required out-of-pocket expenses incurred. For complex cases that involve extensive court briefing and multiple court appearances, the contracted attorney shall be allowed to petition the MVLP for an increase in the flat fee up to a maximum of \$5,000 per case. The decision to authorize any such increase shall be in the sole and absolute discretion of the MVLP Executive Director, upon consultation with the MCBF Executive Committee. Whether a case referral falls under the hourly rate or flat fee arrangement will be determined in advance by the MVLP Executive Director upon consultation with the contracted attorney. Reimbursement for any required filing fees will be paid from the MVLP Client Assistance Fund and not included in the computation of the flat fee awarded, subject to prior approval by the MVLP Executive Director.

The successful candidate will be able to demonstrate knowledge and experience in matters related to foreclosure, or the prevention thereof, including successful negotiation of loan modifications, and other loss mitigation options, eviction delay/avoidance, assistance with tax consequences, garnishment, and foreclosure litigation. In addition, the attorney must have a working knowledge of related programs, including HAMP, HARP, the Hope Loan Portal, and Hardest Hit Alabama.

Interested attorneys are asked to submit a letter of intent, detailing their experience in dealing with foreclosure and consumer debt issues, along with a resume, to Mike Martin, Montgomery Volunteer Lawyers Program, PO. Box 644, Montgomery, AL 36101. The deadline for application is January 20, 2017.