

LEGAL SERVICES PROGRAM

MISSION

BGSU has contracted with Student Legal Services, Inc. at Bowling Green State University (SLS) to assist main campus students in identifying and resolving legal issues that have the potential to adversely affect student well-being or otherwise interfere with academic success. SLS provides high quality legal services through individual counseling sessions, in-court representation, and various educational programming. SLS also maintains a network of referral resources should a student need assistance in areas beyond the scope of the program.

Accordingly, SLS will assist with those legal problems most frequently encountered by today's university student. Nevertheless, legal services cannot be provided for every situation. Because of the difficulty of anticipating all of the specific legal problems students may encounter, the following benefit guidelines provide a framework for the procedure and extent to which SLS will handle specific problems. For a specific determination regarding your specific legal needs, you must meet with SLS for an explanation of the services, if any, available to you.

ELIGIBILITY FOR SERVICES

All degree seeking students attending Bowling Green State University's main campus are given the opportunity to enroll in the legal service plan during each Fall, Spring and Summer semester.

Students electing to pay the participation fee may access SLS for individual counseling and representation during that semester, subject to the limitations expressed herein. Legal services will only be available during the academic semester in which the participation fee has been paid, except as provided below during the Winter semester. For example, a student paying the participation fee for the Summer semester will not be eligible for services once the Fall semester begins unless that student has also paid the Fall semester participation fee.

Winter semester students who have participated in the previous Fall semester and who participate in the following Spring semester will be entitled to services at no additional cost during that Winter term. Winter semester students waiving either the immediate prior or subsequent semester will not be eligible for services during that Winter term.

Summer semester students who have paid the participation fee for any summer term shall maintain eligibility for services for that entire summer semester.

A student's waiver of participation during one semester does not prohibit the student from electing to participate in any subsequent semester(s) so long as that student is otherwise eligible.

If a student loses eligibility for any reason while being represented in a pending court proceeding then legal services will be withdrawn at the earliest opportunity that would not unduly prejudice the legal rights of the client.

Legal services are provided to the individual fee-paying student and are not available to faculty, staff, administrators, parents, spouses, dependents, friends or partners of eligible students who are not otherwise personally eligible. Furthermore, no campus organization, student business, student club, fraternity, sorority or other such entity shall be advised or represented by SLS.

COSTS OF PARTICIPATION

The current student legal service participation fee is **nine dollars (\$9.00)**.

Separate charges

In addition to the student participation fee, each student client will be responsible for any investigative, discovery or other litigation costs, such as travel, depositions, interrogatories, document production, expert witness, subpoena, service of process and copying charges. These costs will be approved by the client prior to being incurred and then passed directly to such client for immediate payment.

Other expenses

Filing fees, court costs, fines, damages and other penalties or expenses imposed by the court or administrative agency will be the student client's financial responsibility. Such costs can vary widely among jurisdictions and can depend upon the nature of the matter. These costs will be paid directly by the client.

SCOPE OF BENEFITS

SLS will strive to assist students in identifying and resolving legal problems within the parameters of this document. Attorneys will be available at reasonable times during each semester to render legal and referral services to individual BGSU students who have chosen to participate in the legal service plan. If the type or complexity of a problem or the desire for services exceeds the scope or capabilities of the program, additional services may be arranged, at the student's expense, through attorneys or other resources in the community. SLS attorneys, properly licensed for practice in Ohio, will assist students in the following ways.

Guidance

Legal services will be provided through one-on-one counseling with individual students. Counseling sessions shall provide students with answers to their legal

questions, advice on ways to proceed and/or referrals to available resources to assist in resolving the problems. Students may seek advice on a variety of legal topics even if full in-court legal representation is unavailable in that area.

Education

Students will receive education regarding their legal rights and responsibilities through a combination of seminars, workshops, and/or lectures presented by SLS attorneys or sponsored by the SLS office. Additionally, SLS will produce, acquire and distribute law-related publications that will assist students in understanding the law.

Individual students or groups may utilize SLS as a resource for locating sources of legal information or assisting in class projects dealing with the law and the judicial process. SLS can arrange shadowing opportunities for those students considering careers in the judiciary. Finally, requests for law-related or legal education programs and suggestions for program topics will be given due consideration by SLS.

In-Court Representation

Unless otherwise limited by this document, in-court legal representation will only be available to students in the Bowling Green Municipal Court, the Perrysburg Municipal Court, Sandusky County Municipal Court #2 in Woodville, Ohio, the Wood County Court of Common Pleas, the Wood County Court of Appeals, and the Ohio Supreme Court.

Typical matters in which representation will be available include the following:

Actions between landlords and students

- ADA compliance
- Drafting/reviewing/interpreting lease
- Emotional support animal
- Eviction defense
- Fair housing complaints
- Illegal entry
- Obtaining necessary repairs
- Parking/towing
- Rodent/vermin/bed bug infestation
- Roommate agreements
- Security deposit disputes
- Snow removal/yard care issues
- Sub-lease agreements
- Utility disconnects

Actions involving the defense of a student charged with a misdemeanor crime

- Assault/menacing
- Criminal damaging/mischief
- Disorderly conduct
- Driving under the influence
- Inducing panic
- Interrogation meetings
- Littering/failure to clear premises
- Marijuana/paraphernalia possession
- Nuisance party host
- Obstructing official business
- Open container
- Petty theft
- Presenting false identification/misrepresentation
- Resisting arrest
- Search warrant/
- Tampering with fire alarm/false alarm
- Traffic offenses
- Trespass
- Underage alcohol possession/consumption/intoxication/furnishing
- Zoning violations

Actions involving consumer transactions

- Breach of warranties
- Garnishment wage/bank
- Identity theft
- Internet fraud
- Lemon law violations
- Negotiation with debt collectors
- Review of consumer transactions/contracts

Actions involving the resolution of domestic matters

- Civil protection/anti-stalking orders
- Domestic violence
- Name changes
- Paternity dispute resolution
- Marriage dissolution

Actions involving conversion of property

- Recovery of unlawfully held property
- Victims of crime reparations

Miscellaneous matters

- Collateral consequences of convictions
- Conferences, mediation, and/or negotiations
- Early probation termination proceedings
- Employment contracts review
- Estate planning document drafting or review
- Investigation and factual research
- Non-compete agreements
- Notary services
- Record sealing/expungement
- Simple wills, living wills, medical power of attorneys

USING SERVICES

Eligible students should contact SLS directly to schedule an appointment with an attorney. Legal advice will not be available over the telephone.

Appointments may be made during regular office hours, 8:30am-12:00pm and 1:00pm-5:00pm, Monday through Friday, when classes are in session. SLS is closed Saturdays, Sundays, all University holidays, and when classes are not in session. Same-day appointments are typically available.

The SLS office is located in room 100 of the Wooster Street Center located at 1124 East Wooster Street. The mailing address is Student Legal Services, 100 Wooster Center, Bowling Green State University, Bowling Green, OH 43403. Other ways to contact SLS include by phone at (419) 372-2951, fax (419) 372-9945 and electronic mail to sls@bgsu.edu.

CONFIDENTIALITY

All members of the legal profession in Ohio practice law subject to the restrictions of the Rules of Professional Conduct as promulgated by the Ohio Supreme Court. The obligation of a lawyer to preserve the confidences and secrets of a client is controlled by strict policies. Therefore, information regarding a student may not be released to third parties, even parents or guardians, without prior written authorization from the client.

LEGAL EMERGENCY

Students encountering a legal emergency between semesters may qualify for services under certain circumstances. A legal emergency is understood as an arrest or other unforeseen legal matter requiring a court appearance that cannot

be delayed until the start of the next semester. Ordinarily, legal emergencies are limited to situations in which students have been arrested, are being held in jail, and/or are being evicted. Legal emergencies do not typically include cases where a student desires to initiate a court proceeding. If a legal emergency exists, a student must have paid the participation fee for the preceding semester and be a continuing fee-paying student.

CONTINUED REPRESENTATION

Many legal problems are complex and continuing in nature. As a result, clients may initiate a legal action while eligible for services and find that the case is still pending at a later time when they are no longer an eligible student. For example, a court action may begin during the Spring semester and a court date be scheduled for the middle of summer. If the student does not attend classes, pay tuition and the participation fee during that Summer semester, he/she would not fall within the normal eligibility requirements.

For this reason, that is, to guarantee continuity of services, to protect individual clients' interests and to preserve the professional responsibility of the attorney involved, continued services are available on the following basis.

If a student is involved in an unresolved legal matter initiated during a semester in which he/she paid the legal fee then SLS will normally continue to represent that student until the case is concluded, subject to any other limitations in this document. If, however, alternative legal services are available, without unreasonable interference in the progress of the case, SLS may withdraw in favor of such alternative services consistent with the ethical obligations of all attorneys.

At no time will a student be eligible for continued service for purposes of initiating a separate legal matter; extended eligibility for legal services is provided as a measure for protecting the client once a legal procedure has been initiated.

Subject to the foregoing, SLS will withdraw from any case as follows: after final judgment is rendered, when the client fails to meet other requirements for coverage, when the client is no longer a BGSU student or the legal matter is otherwise resolved. Clients desiring to initiate new and differing legal matters must be eligible for legal services at that time.

LIMITATIONS AND EXCLUSIONS

If a particular legal problem should fall outside of the foregoing parameters, a student will be referred for legal assistance to private attorneys or other

appropriate resources. Even if representation is not provided for a legal problem, students are encouraged to meet with SLS for information and referral.

Legal Restrictions

In compliance with Ohio law governing operation of the legal service plan, representation will not be provided for the following:

- Actions between students and BGSU, including code of conduct violations;
- Actions between students of BGSU;
- Actions against a member of the Board of Regents, Board of Trustees, faculty or staff of BGSU arising out of the performance of the duties of the office of the member or in the course of the member's employment by BGSU;
- Actions against a state officer or agency arising out of the performance of the officer or agency;
- Actions against a law enforcement officer arising out of the performance of the officer; and
- Any other actions specifically prohibited by Ohio Revised Code § 3345.022, as may be amended from time to time.

Policy Restrictions

Due to consideration of the costs in terms of time, energy, money, expertise required and value to the student community as a whole, representation will not be provided for matters such as the following:

- Actions involving intellectual property such as copyright and patent issues;
- Actions involving a student that is charged with a felony;
- Actions involving immigration and/or naturalization;
- Actions involving representation in the Federal court system, including bankruptcy;
- Actions in which a conflict of interest arises;
- Actions in which representation may typically be secured through private counsel without the payment of money in advance of the resolution of suit (i.e. contingent fee cases);
- Actions in which the attorney's involvement is likely to have little or no impact on the outcome of the case and/or matters in which the student can provide adequate representation on his/her own (i.e. parking tickets);
- Actions involving the provision of services normally performed by non-lawyers (i.e. financial planning, tax returns);
- Actions involving pre-existing legal problems;
- Actions involving excessive time or expertise if, in the judgment of the attorney, assistance or representation for such a case would unduly monopolize program resources to the disadvantage of other students. Typically, civil cases under the jurisdiction of the common pleas court will fall into this category.

If any student believes that SLS should reconsider the foregoing policy restrictions due to changes in student community needs or for other legitimate reasons, the student may petition the Undergraduate Student Government, the Graduate Student Government, the Vice President of Student Affairs and Vice Provost, or the SLS Managing Attorney for consideration of the proposed expansion of services among these various university representatives.

STUDENT VS. STUDENT MATTERS

SLS may not, according to the Rules of Professional Conduct, represent both sides in the same lawsuit. Therefore, if two eligible students are adversely involved in a single legal action, SLS can assist only one student, and then, only if both parties agree which one will use the program services and if the other waives the right to service from the program. When agreement on waiver is not reached, both parties will be referred to outside counsel or other agencies. Once it has been determined that, because of conflict of interest, service will be denied to both adversaries in a dispute, neither adversary will be represented by SLS in the dispute at any future time, even if one party leaves school or otherwise loses eligibility for service.

CLIENT RESPONSIBILITIES

A student who seeks counseling and representation from SLS has certain obligations as a client. Some basic duties, which are vital to any successful attorney/client relationship include:

- Always advise SLS of any change of address or telephone number at the earliest opportunity;
- Always attend all scheduled appointments (see paragraph below), hearings, or trials;
- Bring all documentation or other information relating to the legal problem to any meeting with your attorney;
- Communicate openly and honestly, the attorney must know all the facts, both good and bad, to properly represent a student;
- Be prepared to pay for all sheriffs' service fees, filing fees, fines and other court costs necessary to prepare, file or conclude the case.

Students who consistently schedule appointments and then fail to appear without advance notice risk losing their SLS eligibility for the semester. SLS has a "no-show" policy to discourage this practice. Thus, should a student schedule an appointment and fail to appear or cancel on at least two (2) in any single semester, that student will lose SLS eligibility for the remainder of that semester.