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Disclaimer: The contents of this draft version of the Memorandum of Understanding reflect my intent at this time. Although I expect the final version to be quite similar, provisions are subject to change.

Lighthouse Disability Law Board Member

Memorandum of Understanding

- The Need:** There are many hundreds of families in Virginia that do not have meaningful access to Circuit Courts for guardianships because they cannot afford attorney fees. Legal aid services cannot meet the need. In fact, of the 14 legal aid societies in Virginia only 2 help with guardianships in limited numbers. William and Mary has a free clinic. And BeneCounsel currently provides reduced fee and pro bono services but it cannot fill this need on its own without jeopardizing its ability to stay in business.
- Solutions:**
- 1) Create a professional, non-stock, nonprofit law firm to help provide legal services to low-income families so that we can access grants and donations.
 - BeneCounsel has hired Eric Perkins, Esq., to help us establish this law firm and to provide counseling, registered agent services, and related services.
 - 2) The services can be provided directly, through an attorney/employee, or indirectly, by paying hand-selected attorneys/law firms in remote areas of Virginia.
- Mission:** Lighthouse Disability Law, PC, will engage in the sole and specific purpose of providing free legal services, directly and indirectly, to low-income families (who have a family member with disabilities) in the areas of guardianship, powers of attorney, disability benefit planning, last wills and testaments, and third-party special needs trusts.
- The Board:** The Board will likely consist of at least 3 attorneys who will have voting rights¹ and at least 9 non-attorneys (parents, advocates, individuals with disabilities) without voting rights. Board members would all be volunteers.
- Matt Bellinger will be a **non-voting** member of the board to start and the starting Executive Director/employee/attorney who would report to the Board.
- Expectation:** The plan is for the Board of Directors to rely upon its committees and the Executive Director to minimize each person's time commitment. Many Boards expect their members to do too much, in my opinion, which becomes a problem for retention and the long-term viability of the company.

¹ Because the Virginia State Bar requires law firms to be run by lawyers. Although "Legal Aid Societies" only have to have a majority of attorneys on their Boards, Lighthouse Disability Law is not going to be a legal aid society.

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Each board member would be responsible for:

- Setting policy,
- Providing oversight,
- Ensuring the firm's financial health,
 - Setting the annual budget,
 - Commissioning and reviewing financial audits,
- Strategic planning,
- Hiring, supervising, and firing the Executive Director,
- Attending a monthly meeting of the full Board,
 - 1 hour a month is the goal
- Attending committee meetings as required
 - The time commitment will vary but if we share the work...
- Communicating our goals and values to the community and representing us when requested, and
- Recognizing when a personal conflict of interest may arise

In addition, each **attorney/voting** Board member would be responsible for:

- Filling an officer's role (President, Treasurer, or Secretary), and
- Chairing 1 committee
 - Executive/Governance
 - Fundraising/Marketing
 - Finance/Audit

In addition, each **non-attorney/non-voting** Board member would be responsible for:

- Participating on at least 1 committee, and
- Researching/writing/preparing committee work to present to the committee chair and to the Board as required/agreed upon

Board members will **NOT** be responsible for:

- Making financial contributions.

Initial Funding: Initial start-up funding and in-kind donations of services will be provided by BeneCounsel and its employees.