

Scenario 2: Legal Threats

Swoopy Pines Co-op is having some rocky in-house problems involving a few "toxic" members and conflicts they get involved in. The board and some members of Swoopy Pines begin a membership review of a handful of members, which staff will have to implement if the review ends in an eviction. Alex is under review, and threatens the staff and members with promises to bring a lawyer to the review, claiming that the review is illegal. Alex also encourages other members who are being reviewed to bring lawyers to their reviews. The members are under stress, and have questions about the legality of the coop's actions. The threat of lawyer involvement begins to undermine staff experience and credibility in the eyes of some members.

Questions:

1. When is a member's legal threat actually a threat? [E.G- bringing a lawyer vs. free consulting with a group of law students]
2. What can your staff do to reduce legal liabilities? [E.G.- Documentation, outside facilitator, notification, appeals process]
3. How can staff work with the member review body to keep them "grounded" in their legal obligations during the process?
4. How do staff talk to the larger affected communities and groups e.g. house(s), board, members to maintain their credibility?
5. When should staff consult with a lawyer?

