



2010 TPCBA Lawyer Referral Service Application

Including Rules & Regulations

621 Tacoma Avenue South, Suite 403
Tacoma WA 98402

Phone: (253) 383-3432 – Fax: (253) 627-4718

Name: _____

Bar #: _____

Firm: _____

Office Address: _____

Phone: _____ Fax: _____

Cell: _____ Email: _____

ABC Messenger Service: Yes No

Website: _____

PART 1 PANEL SELECTION

Please do not mark more than 5 of the panels listed, excluding the “Other” Panel. You may mark as many of the subjects listed within each of the panels. Membership is contingent upon knowledge within that area of law and the basic competence requirements of RPC 1.1.

Administrative Law

- _____ County Codes
- _____ Health Departments
- _____ Municipal Codes
- _____ Adult Protective Services
- _____ Child Protective Services
- _____ Department of Motor Vehicles
- _____ Dept. of Social & Health Services
- _____ Professional Licensing
- _____ School Law

Bankruptcy Law Panel

- _____ Business Bankruptcy
- _____ Chapter 7
- _____ Chapter 11
- _____ Chapter 13
- _____ Creditor Claims

Business Law Panel

- _____ Formation of Business
- _____ Dissolution of Business
- _____ Sale of Business
- _____ Lease Agreements\Contracts
- _____ Non-Profit Business
- _____ Franchises
- _____ Business Partnership

Collections Law Panel

- _____ Civil Collections over \$5,000
- _____ Collection Disputes

Consumer Law Panel

- _____ Automobile\RV Dealers &
Auto Repair
- _____ Business Complaints\Disputes
- _____ Uninsured or Excess Insurance Coverage

Contract Law Panel

- _____ Breach of Contract
- _____ Drafting Contracts
- _____ Entertainment Contracts
- _____ Home, Health & Life Insurance Disputes

Criminal Law Panel

- _____ Assault
- _____ Child Abuse (physical)
- _____ Domestic Violence
- _____ DUI
- _____ Expungement
- _____ Felonies - General
- _____ Misdemeanors - General
- _____ Juvenile Matters
- _____ Sexual Offenses
- _____ Traffic Offenses
- _____ Criminal Appeals
- _____ Federal

Disability Law Panel - Social Security

(no referral service fee)

- _____ Social Security Disability Denials/Termination
- _____ Social Security Supplemental Income Denials/Termination
- _____ VA Disability

Disability Panel - Worker's Comp.

- _____ Worker's Compensation – State
- _____ Private Disability
- _____ Admiralty/Maritime/RR/Longshore

Elder Law Panel

- _____ COPES
- _____ Estate Planning for Elders
- _____ Medicaid/Medicare

Employment Law Panel

- _____ Employment Contracts

- _____ Employment Discrimination/Harassment
- _____ FMLA Violations
- _____ Pension & Retirement Plans
- _____ Unemployment Compensation
- _____ Wage Claims
- _____ Wrongful Termination
- _____ Tribal (EE only)

Family Law Panel

- _____ Dissolutions with Children
- _____ Dissolutions with no Children
- _____ Adoptions (includes step-child adoptions)
- _____ Child Support and/or Modification
- _____ Child Custody and/or Visitation
- _____ Family Law Guardianship
- _____ Juvenile Dependency
- _____ Paternity
- _____ Post Dissolution Matters
- _____ Prenuptial Agreements
- _____ Restraining Orders
- _____ Third Party Custody/Visitation
- _____ Meretricious Relationship
- _____ Collaborative Dissolution

Immigration & Naturalization Panel

- _____ Adjustment of Status or Change of Non-immigrant Status
- _____ Deportation and/or Fraud
- _____ Visa/Naturalization

Intellectual Property Panel

- _____ Copyright/Trademark
- _____ Patents

Internet Law

- _____ E-Commerce Consumer/Business Matters
- _____ Identity Theft/Privacy/Security
- _____ Internet Law – Criminal & Civil
- _____ Software Copyright/Licensing
- _____ Internet Rip-Offs/Scams

Military Law Panel

- _____ Administrative
- _____ Crime & Punishment

Real Estate Law Panel

- _____ Buying/Selling or Leasing
- _____ Condominiums
- _____ Construction, Contractor, Realtor Problems
- _____ Foreclosure
- _____ Home Owners Association Problems
- _____ Land Use/Water Rights
- _____ Manufactured/Mobile Home Problems
- _____ Neighbor Problems and/or Disputes
- _____ Represent Landlord
- _____ Represent Tenants
- _____ Title and/or Boundary Dispute
- _____ Utilities and/or Easements
- _____ Property Tax

Tax Law Panel

- _____ Business\Corporate
- _____ Federal
- _____ State

Torts: Personal Injury Panel

(no referral service fee/except defense)

- _____ Assault/Battery
- _____ Dental Malpractice
- _____ Medical Malpractice
- _____ Product Liability
- _____ Slip & Fall
- _____ Vehicular Collisions
- _____ Wrongful Death

Torts: Other

(no referral service fee/except defense)

- _____ Interference with Business/Contact
- _____ Property Damage

Wills & Estates Panel

- _____ Contesting a Will
- _____ Drafting a Will
- _____ Estate Planning
- _____ Health Care Directive
- _____ Living Will
- _____ Power of Attorney
- _____ Probate
- _____ Trust

DISCOUNT Senior Citizen Panel

This panel is available for those persons 55 years of age and older and seeking assistance from an attorney. There will be a reduced consultation fee of \$20 in lieu of the normal \$35 referral fee.

The client is to be charged the following discounted senior citizen fees: Simple Wills \$85, Durable Power of Attorney \$40, Living Will \$20, Community Property Agreement \$30, and an additional \$35 for house calls.

____ Yes, I wish to serve on this panel and I will do the following:

- _____ Simple Wills
- _____ Durable Power of Attorney
- _____ Living Wills
- _____ Community Property Agreement
- _____ House Calls

Other

- _____ Alternate Dispute Resolution
- _____ Americans w/Disabilities Act
- _____ Animal Involved Issues
- _____ Long Distance Matters (see part 5)
- _____ Tribal Law – Civil & Criminal
- _____ Securities/Investments

PART 2
GENERAL INFORMATION

I was admitted to practice law in _____, (year) and have since engaged in active practice in Washington since _____, (year).

At the time of this application, I am in good standing with the Washington State Bar Association and my membership dues to the Tacoma-Pierce County Bar Association have been paid, or they are included with this application.

YES _____ NO _____

I have been disbarred, suspended, reprimanded or had any other disciplinary action taken against me.

YES _____ NO _____
(If yes, please give details on a separate sheet)

PART 3
MALPRACTICE INSURANCE

I am covered by professional E & O insurance in compliance with LRS rule III(k)iii as set forth by the Lawyer Referral Committee. (*Minimum Coverage is \$100,000*)

Company: _____

Policy #: _____

Amount of Coverage: _____

Expiration Date: _____

A copy of your policy information must be provided before your application can be processed. Members are required to provide LRS with an updated information sheet when the policy lapses.

PART 4
AVAILABILITY

My normal business hours are:
_____.

When calling to schedule appointments, you should speak to _____.

PART 5
SPECIAL SERVICES & SKILLS

I will accept referrals in the following other counties:

_____.

I am available for these special services:

_____ Evening Appointments

_____ Home, Hospital or Nursing Home

I am fluent in the following languages: _____

I have staff available to speak the following languages:

_____.

Other than Washington State, I am licensed to practice law in _____.

I am willing to assist clients who are long distance and would like to receive a consultation over the phone.

YES _____ NO _____

(If yes, be sure to check Long Distance Matters in the "Other" Panel, page 3)

PART 6
CERTIFICATION

I certify that I will:

- **Personally grant a half hour consultation without any charge except for the \$35.00 consultation fee,** which I will collect and forward to LRS unless the fee is waived or prepaid. I will also return the LRS referral form. If I am a member of the Discount Senior Citizen Panel, I will grant a half hour for the \$20.00 consultation fee, which I will collect and forward to LRS unless the fee is waived or prepaid.
- **Personally meet with and provide a 30 minute consultation to clients referred to me in connection with the LRS service.**
- **Carry a minimum of \$100,000 coverage in professional malpractice coverage,** and will disclose to LRS the carrier, policy number, amount of coverage, and will report immediately any changes in coverage. *A copy of your policy information must be provided before your application can be processed.* Members are required to provide LRS with an updated information sheet when the current policy lapses.
- **Remit 10% of any attorney fees collected from LRS clients to the Tacoma-Pierce County Bar Association LRS Program.** A client remains a client for the duration of the matter referred. I also understand I am personally liable for the 10% of fees actually collected.
- **Not increase the cost of services to the client** in order to cover any LRS fees charged.
- **Read and agree to abide by these rules and procedures regulating panel membership.**

I also certify:

- **That I have knowledge in the panel subjects marked** pursuant to RPC 1.1.

- That at the time of this application neither the Washington State Bar Association nor its Disciplinary Board have recommended that I be tried for violation of my duties as an attorney, and I agree to inform LRS if at any time it is so recommended.

- And I agree to indemnify the Tacoma-Pierce County Bar Association from any and all claims, liability, or loss incurred through any negligence or intentional conduct which causes damage to a client referred by LRS. In addition, I waive any or all claims against the Tacoma-Pierce County Bar Association for loss arising from the operation and policies of LRS.

Date: _____

Signature: _____

Additional comments, including special areas of practice not listed on this application:

ATTENTION
Please detach the rules and regulations
and keep with your files.



Tacoma-Pierce County Bar Association Lawyer Referral Service

Rules and Regulations

I. Purpose.

The Lawyer Referral Service (LRS) exists to provide legal referrals for members of the public. When appropriate, referrals are made by LRS staff to attorney members of the LRS panel. The LRS works with other legal service organizations to provide a comprehensive system of information and service.

II. The Service.

The LRS is managed by the LRS Committee (Committee) and the Executive Director of the Tacoma-Pierce County Bar. Operational responsibility is delegated to LRS staff, who screen potential clients. The contact with LRS and any information provided by the caller is confidential. Such communication will not be divulged to anyone outside LRS without the express written consent of the client except in furtherance of client representation.

III. Formation of the Panel.

- A. All members of the Tacoma-Pierce County Bar Association who are active members of the WSBA in good standing may become members of the LRS by filing a written application except:
 - (i) No one is eligible for LRS membership if:
 - (a) A review committee or disciplinary board of the WSBA recommends that the attorney be tried for or be disciplined for violation of his/her duties as an attorney or,
 - (b) The attorney has been disciplined by the WSBA for violation of his/her duties as an attorney within a period of one (1) year prior to application in the case of a censure or a reprimand, and five (5) years after reinstatement prior to application in the case of a suspension or disbarment or,
 - (c) The Board of Governors requests his/her exclusion from the panel. The exclusion shall terminate if the attorney is exonerated in accordance with the Washington Rules for Discipline of Attorneys.
 - (ii) The Committee has the power to reject an applicant or to remove him/her from the panel for good cause, subject to review as provided in Section VI. Good cause may be:
 - (a) One or more substantiated complaints from clients that involve:
 - 1. Failure to pursue the case as promised/scheduled.
 - 2. Failure to communicate case status.
 - 3. Failure to treat client with respect.
 - (b) Failure to report or remit fees due LRS under Section III (C)(iv).
 - (c) Failure to personally grant a half hour consultation without charge except for the administrative consultation fee due LRS or arrange personally with the client for any additional services. (Section III (C)(i),(ii),(iii) and (vi).
 - (d) Failure to carry a minimum of \$100,000 coverage in professional malpractice insurance.
 - (e) Behavior on the part of the panel applicant/member which indicates instability or substance abuse such that the Committee determines the applicant/member cannot properly perform as a LRS member.
 - (f) Behavior that reflects poorly on LRS or TPCBA.
 - (g) Failure to fully cooperate with the Committee in any investigation concerning a complaint.

- B. An applicant for LRS membership may list a maximum of 5 panels in areas of laws in which he/she wishes to receive referrals.
- C. The LRS panel member agrees to the following conditions:
 - (i) He/she will personally grant a half hour consultation without any charge except for the administrative consultation fee forwarded to LRS.
 - (ii) He/she will personally meet with the client, collect the \$35.00 consultation fee at the initial office consultation, and return the fee to LRS with the LRS referral form.
 - (iii) He/she will carry a minimum of \$100,000 coverage in professional malpractice coverage, and will disclose to LRS the amount, term, carrier, and deductible of the coverage, and will report immediately any changes in coverage.
 - (iv) He/she will remit 10% of any fees collected at time of collection from LRS clients upon receipt thereof. A client remains a client for the duration of the matter referred. The panel member is personally liable for the 10% of fees collected at the time of receipt.
 - (v) He/she will not increase the cost of services to the client in order to cover any LRS fees charged.
 - (vi) He/she has read and will agree to abide by these rules and procedures regulating panel membership.

IV. Panel Operation.

- A. Assignment of referrals is made on a rotating basis by subject matter, with consideration of the nature of the client's case and geographical location. Rotation is done by the LRS staff.
- B. If a panel member is unavailable for any reason, the member will be skipped, but will not lose their place on the rotation list.
- C. If the panel member refuses three referrals without good cause, the member will be placed on inactive status.
- D. Random client satisfaction questionnaires will be mailed periodically to evaluate the service. Such questionnaires will include questions about LRS service, attorney service, and fees.
- E. A client dissatisfied with an initial referral shall be entitled to one additional referral on the same matter. Subsequent referrals should only be made if the reason for the dissatisfaction could have been remedied prior to making the referral, i.e. conflicts or unforeseen cancellations.
- F. Panel members who fail to send in the \$35.00 referral fee, return the referral information form, or remit the 10% of fees collected without good cause or in within due time, will also be placed on inactive status. Any panel member placed on inactive status with Lawyer Referral can petition the Committee for reactivation at any time. Exceptions to the above may be made, on a case by case basis, if circumstances dictate it.

V. Fees.

- A. There is no registration fee to be a member of the referral service, all members in good standing of the Tacoma-Pierce County Bar Association are eligible to be a member of the referral service. TPCBA membership dues must be kept current.
- B. Deadline for receipt of the LRS application is February 1st. Applications may be accepted after the deadline provided space permits additional members.

- C. Each client shall give to the LRS panel member a \$35.00 consultation fee at the time of the consultation, to be sent to LRS to cover the ½ hour consultation. For those members on the Discount Senior Citizen Panel, the consultation fee is \$20.00. There is no consultation fee for Personal Injury and Social Security Disability matters. Only LRS has the authority to waive or defer such fees.
- D. Collection of the 10% fee sharing will be done by LRS staff as follows:
 - (i) Statements will be sent to LRS panel members listing clients referred.
 - (ii) Statements and payments shall be returned to LRS 30 days after receipt of the statement.
 - (iii) Efforts will be made to verify accuracy of statements including requests for information about fees in random client questionnaires as described in Section IV(D).

VI. Removal from LRS.

- A. The Committee may remove or reject an attorney for cause. The grounds for exclusion in III(A)(i) require removal of a member. Those in III (A)(ii) may result in rejection or removal. An attorney removed/rejected has a right to have the TPCBA Trustees review the action. The review must be requested in writing within 30 days of receipt of the notice of removal/rejection. The attorney will not receive referrals while the review is pending. If reinstated by the Trustees, the attorney's name will be placed in the rotation without loss of position.
- B. The complaint procedure is as follows:
 - (i) Any client complaining about either LRS or the referral attorneys will be sent a written complaint form, including a waiver of attorney-client privilege with respect to information relating to the complaint.
 - (ii) Upon receipt of the form, the Executive Director shall call the client and the attorney, to obtain more detailed information. The attorney and the client shall each provide timely information and cooperate with the Executive Director and or Committee. The client's failure to do so will result in dropping of the complaint. The attorney's failure to timely and fully cooperate may result in removal from the panel as in Section III A (ii)(f).
 - (iii) The Executive Director shall determine whether the complaint involve in Section III (A)(ii)(a), (d) or (e) that should be reviewed be the Committee, whether the client should have a new referral, whether the complaint has sufficient substance to warrant further action or whether the matter is an ethical issue that should be handled by the WSBA.
 - (iv) If the Executive Director determines that one or more Section III (A) matters above are involved, the complaint form and any additional information will be forwarded to the Chairperson of the LRS Committee.
 - (v) The Chairperson will review and attempt to resolve the matter. If no resolution occurs, and the Chairperson determines that the client's complaint has merit, the Committee will schedule a meeting with the attorney to discuss the matter. After such meeting, the Committee will decide whether to remove or retain the member.
 - (vi) If the member is removed, he/she may appeal as provided in Section VI(A).
 - (vii) A removed panel member may reapply during the next registration period

subject to approval by the Committee.

- C. A panel member may withdrawal from the panel at any time by giving written notice. Withdrawal does not relieve the panel member of responsibility for cases previously accepted from LRS. The 10% remittance is due so long as any LRS case remains active.

VII. Indemnification.

The panel member must agree to indemnify the Tacoma-Pierce County Bar Association from any and all claims, liability, or loss incurred through any negligence or intentional conduct of the attorney which causes damage to a client referred by LRS. In addition, the attorney agrees to waive any or all claims against the Tacoma-Pierce County Bar Association for loss arising from the operation and policies of LRS.