



Lawyer Referral Service Annual Application

2019 Membership year: January 16, 2019 – January 15, 2020

TPCBA Members ONLY!

Note: we refer cases by type of law and geographical location in the Tacoma-Pierce County area. If you are an attorney interested in serving on this panel and your office is outside of our "area" please call the LRS Coordinator 253 383-3432

Name: _____ WSBA # _____
 Firm: _____
 Office Address: _____ (City) _____ (State) _____ (Zip) _____
 Mailing Address: _____ (City) _____ (State) _____ (Zip) _____
 Office Phone: _____ Fax: _____
 Cell: _____ Email Address: _____
 Website: _____ Business Hours: _____
 Person(s) we can contact to schedule appointments and/or direct questions regarding billing:
 Receptionist/Legal Assistant/Paralegal (if not applicable-leave blank) (please update any changes throughout the year)
 Name: _____ Phone: _____ Email: _____
 Bookkeeper or Accounting (if not applicable-leave blank) (please update any changes throughout the year)
 Name: _____ Phone: _____ Email: _____

I have attached a copy of declarations page for my professional E&O insurance in compliance with 3(c) as set forth in TPCBA LRS Rules and Procedures. (Minimum coverage: \$100,000 per occurrence/\$300,000 aggregate per year.)

- I will accept referrals from **Pierce** and these Washington counties: _____
- I am available and willing to accept referrals for these special services:
 Phone Consultations Evening Appointments Visits (Home, Hospital or Nursing Home)
- I am fluent in, and will accept referrals, for clients speaking these languages: _____
- I was admitted to practice law in _____ (year) and have engaged in active practice in Washington since _____, (year). Other than Washington I am licensed to practice law in: _____.

I certify that:

1. I have read and will adhere to and comply with the TPCBA LRS Rules and Procedures.
2. I have legal knowledge and skills in the panel subject (matters) selected pursuant to RPC 1.1.
3. 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).
4. I **have** **have not** been disbarred, suspended, reprimanded or had other disciplinary action taken against me. (If you have, please give details on a separate sheet).
5. At the time of this application neither the Washington State Bar Association nor its Office of Disciplinary Counsel has recommended that I be tried for or be disciplined for any alleged violation of my duties as an attorney, and I agree to inform LRS if at any time it is so recommended.
6. I agree to indemnify the Tacoma-Pierce County Bar Association from any claims, liability, or loss incurred through any negligence or intentional misconduct which causes damage to a client referred by LRS. In addition, I waive all claims against the Tacoma-Pierce County Bar Association for loss arising from the operation and policies of LRS.

Signature: **X** _____ Date: **X** _____

Tacoma-Pierce County Bar Association - Lawyer Referral Service

621 Tacoma Avenue South, Suite 403, Tacoma, WA 98402

Phone: (253) 383-3432 – Fax: (253) 444-4012 – Email: LRS@tpcba.com



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You may select a maximum of **five** panels in the major areas of practice, plus any subjects listed under "Other" (You may choose as many as desired of the subjects listed within each of the panels.)

Only select to serve on panels in the areas of law you have legal knowledge and skills in compliance with RPC 1.1.

ADMINISTRATIVE LAW PANEL

- County Codes
- Health Department
- Municipal Codes
- Adult / Child Protective Services
- Department of Licensing (Motor Vehicles)
- WA State Agencies (DSHS / L&I / DOR etc)
- Professional Licensing
- School Law
- Unemployment Compensation

BANKRUPTCY LAW PANEL

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

CONTRACT LAW PANEL

- Breach of Contract
- Drafting Contracts
- Arts & Entertainment
- Home / Health / Life Insurance Disputes
- Insurance Bad Faith

CRIMINAL LAW PANEL

- DUI
- Expungement / Vacate Judgment
- Felonies – Adult
- Misdemeanors - Adult
- Felonies - Juvenile
- Misdemeanors - Juvenile
- Traffic Infractions
- Criminal Appeals
- Federal Court

SOCIAL SECURITY / DISABILITY LAW PANEL

NO REFERRAL FEE

- SSD / SSI Denials
- VA Disability
- FERS Disability
- Private Insurance Disability

WORKER'S COMPENSATION / L&I LAW PANEL

NO REFERRAL FEE

- State
- Federal

ELDER LAW PANEL

- COPES
- Estate Planning for Elders
- Medicaid / Medicare

EMPLOYMENT LAW PANEL

- Employment Contracts / Severance Package
- Discrimination / Harassment
- FMLA--Family Medical Leave Act
- Pension / Retirement Plans
- Wage Claims
- Wrongful Termination

MILITARY LAW PANEL

- Administrative
- Crime & Punishment (UCMJ)

REAL ESTATE LAW PANEL

- Buying / Selling or Leasing Real Property
- Condominiums
- Construction / Contractor / Realtor Disputes
- Loan Modifications
- Foreclosure
- Home Owners Association Disputes
- Land Use / Water Rights
- Manufactured / Mobile Home Disputes
- Neighbor Problems and/or Disputes
- Title and/or Boundary Disputes
- Utilities and/or Easements
- Property Taxes
- Represent Landlord
- Represent Tenant

TAX LAW PANEL

- Business / Corporate
- Federal
- State

BUSINESS LAW PANEL

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

COLLECTION LAW PANEL

- Civil Collection OVER \$5,000
- Collection Disputes



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CONSUMER LAW PANEL

- Automobile / RV Dealers and Auto Repair
- Business Complaints / Disputes
- Uninsured or Excess of Insurance Coverage

FAMILY LAW PANEL

- Dissolution
- Parenting Plans / Custody
- Child Support / Modification
- Paternity / Parentage
- Post Dissolution Matters
- Non-Parental Custody
- Adoption
- Guardianship
- Dependency / Termination
- Prenuptial / Partner Agreements
- Unmarried Couples (CIR)
- LGBT Family Law
- Restraining Orders / DV Protection Orders

IMMIGRATION PANEL

- Adjustment / Change of Status
- Deportation
- Visa / Naturalization

INTELLECTUAL PROPERTY PANEL

- Copyright / Trademark / Trade Secrets
- IT Infringement
- Patents

DISCOUNT SENIOR WILLS PANEL REDUCED REFERRAL FEE

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

The client is to be charged the following discounted senior citizen fees: **Simple Will* \$130 each, Durable Power of Attorney \$60 each, Health Care Directive/Living Will \$60 each, Community Property Agreement \$50 each and an additional \$50 for each house call.** (*During the appointment the attorney will determine if what the client describes qualifies as a "Simple Will", if not the attorney is not obligated to offer the reduced fee).

- Yes, I wish to serve on this panel and will do the following:
 - Simple Wills
 - Durable Power of Attorney
 - Health Care Directive/Living Wills
 - Community Property Agreement
 - House Calls

TORTS: PERSONAL INJURY NO REFERRAL FEE

- Assault/Battery
- Legal Malpractice
- Medical / Dental Malpractice
- Slip and Fall / Premises Liability
- Vehicular Collisions
- Wrongful Death
- Interference with Business / Contact
- Property Damage
- Product Liability
- Toxins / Chemicals

WILLS & ESTATES PANEL

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

OTHER

- Animal Law
- Restoration of Civil Rights (gun and voting)
- Securities / Investments
- Personal Injury Defense/ MVA Defense
- Indian Law
- Small Claims Preparation (Coaching/Strategy)

Additionally, I am experienced in and will accept referrals in the following area(s) of law (not previously listed on this form):

Signature: **X** _____

Date: **X** _____

Additional comments: _____

ATTENTION

Please detach the Rules and Procedures and keep with your files.



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621 Tacoma Avenue South, Suite 403, Tacoma, WA 98402

Phone: (253) 383-3432 – Fax: (253) 444-4012 – Email: LRS@tpcba.com

Lawyer Referral Service Rules and Procedures

-Please keep this portion for your records-

- 1) **Purpose.** The Lawyer Referral Service (LRS) exists to provide legal referrals to members of the public. When appropriate, referrals are made by the 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.
- 2) **Management.** The LRS is managed by the Executive Director and the LRS Coordinator of the Tacoma-Pierce County Bar. Operational responsibility is delegated to LRS staff to screen potential clients and make referrals to panel attorneys when appropriate. 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.
- 3) **Panel Membership.** To be a member of the TPCBA LRS, an attorney must:
 - a. Be a member of the WSBA in good standing and be a current member of the Tacoma-Pierce County Bar Association.
 - b. Remit an annual application and updated proof of insurance. Deadline for receipt of the LRS application is February 1st. (Note: new panel operations begin each year on January 16th.) Applications may be accepted after the deadline provided space permits additional members.
 - c. Carry and maintain a minimum \$100,000 per occurrence and \$300,000 aggregate per year coverage in professional errors and omissions (E&O) insurance and provide documentation to LRS of the amount, term, carrier and deductible coverage, and report immediately any changes in coverage to LRS. (*Failure to submit updated proof of insurance or timely renewal will result in deactivation from the panels.*)
 - d. Have professional office availability for client meetings, conferences, receipt of service and other formal contacts. Professional offices include virtual offices that can receive services on your behalf and provide access to meeting rooms and video conferencing. If a panel member uses a home office exclusively it must have a separate entrance for clients, unless otherwise approved.
 - e. Agree to read and abide by these LRS Rules and Procedures.
 - f. Select a maximum of five panels in areas of law in which they would like to receive referrals, plus any subjects listed under “Other”. Panel members must only select to serve on panels in which they have the legal knowledge and skills in the panel subject matters pursuant to RPC 1.1.
- 4) **Panel Operation.**
 - a. Assignments of referrals are made on a rotating basis by subject matter, with consideration of the nature of the client’s case and geographical location.
 - b. If a panel member is unavailable for any reason that panel member will be skipped but will not lose their place on the rotation list.
 - c. If a panel member refuses three referrals, without good cause, they will be placed on inactive status.
 - d. LRS intake staff will screen callers to determine the nature of their legal concern and if it is appropriate to make a referral based on parameters set regarding the various areas of law.

- e. A referral fee will be prepaid to LRS in accordance with 6b.
- f. Consultation appointments are set to meet with an attorney in their professional office; callers who are out of the area are scheduled for a phone consultation. The client and/or attorney may request a phone consult. When a phone consult is scheduled, the client will be instructed to call the attorney at the appointment time unless the attorney requests otherwise.
- g. When a referral is agreed upon with the prospective client the LRS staff will contact panel members (or their staff) by phone to schedule the consultation appointment. Time is of the essence so if no one is available to schedule an appointment no voice message will be left. The Coordinator will proceed through the list until an appointment is made.
- h. The Coordinator will then call the client to notify them of their appointment details.
- i. An appointment letter will be mailed (or emailed) accompanied by a satisfaction survey, to all clients whenever possible.
- j. An LRS Return Form will be faxed (or emailed) to the panel member referred for each referral.
- k. Client satisfaction surveys will be mailed (or emailed) and/or clients will be called to evaluate the service. Surveys will include questions about LRS service, attorney services, and fees. (Note: panel members may request copies of surveys that have been returned to LRS by their clients.)
- l. A client dissatisfied with an initial referral shall be entitled to one additional referral on the same matter. This referral may only be made if the reason for the dissatisfaction could have been remedied prior to making the referral, i.e. conflicts of interest or unforeseen cancellations.
- m. A panel member may withdraw 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 client remains an LRS referral client for the duration of the matter referred. Even if the attorney leaves the LRS panel, the 10% remittance fee is due and payable.
- n. Panel members who fail to return the referral information form or remit the 10% of fees collected without good cause or within due time may be placed on inactive status. Any panel member placed on inactive status with LRS may be reinstated upon compliance, or the member 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.

5) Panel member responsibilities. Panel member attorneys agree to:

- a. Personally grant up to a one-half hour consultation without any other charge beyond the administrative consultation fee paid to LRS.
- b. Return the completed LRS Return Form to LRS within seven days of the consultation.
- c. Complete and return Annual and Semi-Annual Percentage Fee Reports and Open Case Reports (OCRs) within 30 days of receipt.
- d. Report the total amount of attorney fees collected by that attorney or their firm from LRS clients, which arise out of the subject matter of the original referral and remit 10% to LRS. *The 10% fee is due on any attorney fees collected from LRS clients upon receipt thereof.* If the fee is paid to the attorney panel member in installments the 10% may be paid periodically. If the fee is paid on contingency the fee is to be paid when the total fee has been received.
- e. Not increase the cost of service to the client in order to cover any LRS fees.
- f. Report to LRS if they have plans to be unavailable for more than a week. LRS should be notified and the panel member will be placed on inactive status for the period of unavailability.
- g. Communicate with LRS the case status.
- h. Treat the client with respect.

- i. Behave in a manner that reflects favorably on the LRS and/or TPCBA.
- j. A client remains a client for the duration of the matter referred.
- k. Fully cooperate with the Committee in any investigation concerning a complaint.

6) Fees.

- a. Annual TPCBA membership dues must be kept current. There is no additional registration fee to be a panel member of the referral service.
- b. The LRS administration fee is prepaid by the client directly to LRS. The fees are: \$35 for a regular in-office consultation, \$40 for a phone consultation, and \$20 per person for referrals under the Senior Wills Panel. There is no consultation fee for Plaintiff Personal Injury/Tort panel referrals, Social Security Disability panel referrals, or Worker's Compensation panel referrals. Only LRS has the authority to waive or defer LRS fees.
- c. Reporting of the 10% fee sharing will be completed by LRS staff as follows: percentage fee and open case reports will be sent by email (or mailed by request) annually (in January) and semi-annually (in July) to LRS panel members for all cases referred during the reporting period and any cases previously reported as being open. These reports will show any fees paid to LRS to date according to the LRS database from information gathered from LRS Return Forms and from previously submitted attorney panel member/firm reports and payments.
- d. Efforts will be made to verify accuracy of statements, including requests for information about fees utilizing client surveys described in 4k above.

7) Rejection, Suspension or Removal from the panel. The Committee may reject an attorney's application for panel membership or suspend or remove an attorney for any of the following reasons:

- a. A review committee or disciplinary board of the WSBA recommends that the attorney is to be tried for or be disciplined for violation of their duties as an attorney.
- b. The attorney has been disciplined by the WSBA for violation of their duties as an attorney within a period of one year prior to application in case of a censure or a reprimand, and five years after reinstatement prior to application in the case of suspension or disbarment.
- c. The Board of Governors requests an attorney be excluded from the panel. The exclusion shall terminate if the attorney is exonerated in accordance with the Washington Rules of Discipline of Attorneys.
- d. One or more substantiated complaints from clients that involve failure to pursue the case as promised/scheduled, failure to communicate case status, failure to treat client with respect.
- e. Failure to abide by any LRS rules or procedures.
- f. Failure to report or remit fees due to LRS as required by 2d and 6c.
- g. Behavior that reflects poorly on LRS or TPCBA.
- h. Failure to fully cooperate with the Committee in any investigation concerning a complaint.

8) Client Complaint Procedure.

- a. 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.
- b. 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.

- c. The Executive Director shall determine whether the complaint should be reviewed by 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.
 - d. If the Executive Director determines that one or more matters are involved, the complaint form and any additional information will be forwarded to the Chairperson of the LRS Committee.
 - e. 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.
 - f. A removed panel member may reapply during the next registration period subject to approval by the Committee.
- 9) **Reinstatement of Panel Member.** An attorney removed/rejected has a right to have the TPCBA Trustees review the action. The review must be requested in writing within thirty 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 a loss of position.
- 10) **Indemnification.** The panel member must agree to indemnify the Tacoma-Pierce County Bar Association from any 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.

NOTE: If there is no active LRS Committee, wherein stated "Committee," matters shall be referred to the TPCBA Executive Committee (President, Vice President, Secretary and Treasurer) and/or the TPCBA Board of Trustees.