



ATTORNEY HANDBOOK



State Bar of California Certified Lawyer Referral Service #134

This version of the Attorney Handbook was approved by LawLinq, Inc. (Jan 2016)

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MEMBERSHIP APPLICATION & AGREEMENT

SECTION 1: Applicant Details

Lawyer Name:	
Firm Name:	
Firm Size:	
Address:	
Website:	
Phone:	Fax:
Email:	Office Hours:
Law School:	Year Graduated:
CA State Bar Number:	Admit Date:
Jurisdictions Licensed to Practice:	

SECTION 2: Background Information

<p>(1) Insurance Do you currently have a policy of professional liability insurance? <i>*Attach of copy of the declaration page of your policy</i></p>	<input type="checkbox"/> yes <input type="checkbox"/> no
<p>(2) Discipline Have you ever been the subject of disciplinary proceeding by the State Bar of California or by the bar of any other jurisdiction? <i>*If yes, please provide a written explanation of the nature, date and result.</i></p>	<input type="checkbox"/> yes <input type="checkbox"/> no
<p>(3) Client Disputes Have you ever been sued by a client? <i>*If yes, please provide a written explanation of the nature, date and result.</i></p>	<input type="checkbox"/> yes <input type="checkbox"/> no
<p>(4) Fee Disputes Have you ever been a party to an attorney-client fee dispute? <i>*If yes, provide a written explanation of the nature, date and result.</i></p>	<input type="checkbox"/> yes <input type="checkbox"/> no

<p>(5) Language Do you represent non-English speaking clients (including Sign Language)? <i>*If so, indicate what language(s):</i></p>	<input type="checkbox"/> yes <input type="checkbox"/> no
<p>(6) Accessibility Is your office accessible to physically disadvantaged persons?</p>	<input type="checkbox"/> yes <input type="checkbox"/> no
<p>If not, are you willing to meet physically disadvantaged persons or other clients at an accessible location other than your office?</p>	<input type="checkbox"/> yes <input type="checkbox"/> no
<p>(7) Fees / Retainers Do you take contingency cases?</p>	<input type="checkbox"/> yes <input type="checkbox"/> no
<p>Provide the range of rates you generally charge: Hourly Rates: Flat Rates: Contingency Fees: <i>*If so, for which subpanel(s):</i></p>	
<p>Do you accept credit cards? <input type="checkbox"/> Visa <input type="checkbox"/> Mastercard <input type="checkbox"/> Amex <input type="checkbox"/> Other:</p>	<input type="checkbox"/> yes <input type="checkbox"/> no
<p>(8) Percentage of Practice Areas Identify the different areas of law you practice and assign a percentage each area makes up of your total practice.</p> <p>1. ___% 2. ___% 3. ___% 4. ___% 5. ___%</p>	
<p>(9) Expertise Tell us about your practice:</p>	
<p>Do you specialize in any particular types of cases? <i>*If yes, please explain:</i></p>	<input type="checkbox"/> yes <input type="checkbox"/> no
<p>Are you certified by the California Board of Legal Specialization as a</p>	<input type="checkbox"/> yes <input type="checkbox"/> no

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specialist? <i>*If yes, please identify:</i>	
(10) Modest Means* I am willing to handle matters at 50% of my regular rate for a Modest Means client. <i>*Panel attorneys will pay reduced percentage fees of 10% to LawLinq for Modest Means clients</i>	<input type="checkbox"/> yes <input type="checkbox"/> no

SECTION 3: Panel Practice Areas & Membership Fees

I understand there is a \$500 annual placement fee for each practice area panel. Upon application approval, I will be invoiced for my membership fees associated with the chosen practice area panels.

I hereby apply to be a Participating Attorney on the following practice area panel(s) and I request referrals for matters in the following panel(s).

Practice Area Panels

	LRS Fee Panel	Modest Means Panel
Bankruptcy	<input type="checkbox"/>	<input type="checkbox"/>
Business Litigation	<input type="checkbox"/>	<input type="checkbox"/>
Consumer Law	<input type="checkbox"/>	<input type="checkbox"/>
Criminal Law	<input type="checkbox"/>	<input type="checkbox"/>
Estate Planning, Probate & Elder Law	<input type="checkbox"/>	<input type="checkbox"/>
General Civil Litigation	<input type="checkbox"/>	<input type="checkbox"/>
Immigration	<input type="checkbox"/>	<input type="checkbox"/>
Labor & Employment	<input type="checkbox"/>	<input type="checkbox"/>
Landlord & Tenant	<input type="checkbox"/>	<input type="checkbox"/>
Mediation	<input type="checkbox"/>	<input type="checkbox"/>
Personal Injury	<input type="checkbox"/>	<input type="checkbox"/>
Real Estate	<input type="checkbox"/>	<input type="checkbox"/>
Workers' Compensation	<input type="checkbox"/>	<input type="checkbox"/>

SECTION 4: Terms & Conditions

By submitting this application, you hereby certify and agree to the following:

1. I, _____, am a member in good standing with the State Bar of California, and I regularly practice and maintain a full time office for such practice in the County of _____, California. I represent that I am not the subject of any disciplinary proceedings by the State Bar of California or like-licensing authority in any state, have no criminal convictions or charged pending in an state, and have had no disciplinary proceeding adversely resolved against me, which has resulted in public or private discipline by the State Bar of California or like-licensing authority in any state.
2. I have read this Application and the LawLinq Rules of Operation contained in the LawLinq Attorney Handbook (a copy of which is available at www.lawlinq.com), including Title 3. Programs and Services, Division 5. Providers of Programs and Services. Chapter 3. Lawyer Referral Services, effective January 21, 2014, and Business and Professions Code Section 6155, and I agree to abide by these Standards and Rules, or as may be amended from time to time. I certify that I will abide by these mentioned rules, all rules promulgated by LawLinq, and that I have read and am familiar with the State Bar Rules of Professional Conduct.
3. I am qualified to handle matters in the practice are panels I have selected. If I am unable to assist a referred client, I will promptly inform LawLinq and refer the client back to LawLinq for an appropriate referral to another LawLinq attorney. I will not refer any client or portion of any LawLinq referred matter to another attorney or organization or referral service, unless LawLinq informs me that it is unable to refer the client to a qualified panel attorney at which time I may refer the client to a non-LawLinq attorney.
4. I understand and agree that any referral(s) that I receive from LawLinq that result, directly or indirectly, in a single, multi-plaintiff and/or class action case, shall be considered a referral from LawLinq. All parties represented by the LawLinq member attorney, including parties not initially referred by LawLinq, but who subsequently retain the member attorney in connection with the case, shall be considered as arising from the subject matter of the original referral and shall be included in the calculation of Total Attorney Fees, as defined in Paragraph 6 below. The percentage fees payable to LawLinq shall be based on the total attorney fees collected in the case, including attorney fees collected by any lawyer(s) and/or law firms to perform legal services for a client referred to the member attorney by LawLinq. The member attorney shall notify LawLinq, in writing, within fifteen (15) days of any such association.

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5. **Initial Consultation**: I agree to personally conduct the initial consultation with each referred client for a minimum of one-half hour without charge. For services rendered beyond the initial consultation, I agree to establish with the client in advance in a written retainer agreement the fees to be paid by the client for legal services to be rendered.
6. **Modest Means**: I understand that I will charge reduced hourly rates and reduced initial retainer fees for individuals accepted under the Modest Means panel. For Modest Means individuals, I agree to charge between \$100 - \$250 per hour and between \$500 - \$1,500 for the retainer fee. Percentage fees paid to LawLinq will be reduced to 10%. I understand that I will be informed if an individual is being referred to me as part of the Modest Means panel and that Modest Means individuals are pre-screened by LawLinq staff to be eligible for this program.
7. **Payment of Percentage Fees**: I agree to report monthly the status of open cases to LawLinq of which were referred to me by LawLinq. I agree to remit to LawLinq 25% of the total attorney fees that arise out of the original referral or any subsequent referral from LawLinq within thirty (30) days of receipt of any attorney fees. I agree to remit to LawLinq 10% of the total attorney fees related to a Modest Means client that arise out of the original referral or any subsequent referral from LawLinq within thirty (30) days of receipt of any attorney fees. 'Total attorney fees' are fees received by the member, partner, associates, or by any attorney to whom the case has been transferred, with or without LawLinq consent. I agree to provide LawLinq with copies of any retainer and/or fee agreement pertaining to a referral from LawLinq, if so requested by LawLinq. I shall pay to LawLinq an interest charge at the maximum legal rate on any percentage fees not received by LawLinq within sixty (60) days of receipt by the attorney of payment of attorney fees. I understand that failure to remit fees to LawLinq may result, at the option of LawLinq, in legal action or alternative dispute resolution, as set forth below. I acknowledge that this is a contractual agreement that can be enforced by any legal means available. I shall not pass on, either directly or indirectly, LawLinq percentage fees to any client through an increase in the rate that would ordinarily be charged for the matter, or in any manner.
8. **Confidentiality Agreement**: Any confidentiality agreement entered into between a client referred through LawLinq and an opposing party in connection with the settlement of a case shall make provision for disclosure of the settlement terms to LawLinq, which shall hold the terms of the settlement confidential.
9. **Auditing Member Records**: I agree that I will provide LawLinq with a copy of each referred clients' accounting and/or legal file, if requested. I further agree that I will maintain accurate records of all cases referred to me by LawLinq and promptly respond

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to inquiries by LawLinq regarding any referrals sent to me. If a question arises with respect to fees owed to LawLinq, I shall make the files available in my office for review by LawLinq or its agents within 5 business days of notice from the LRIS. The audit may include, but is not limited to chart of accounts, general ledger, court filing records, calendars, appointment records, time sheets, docket sheets, engagement letters, fee agreements and contract with clients from LawLinq. All documents, files, communications and materials reviewed during an audit shall be considered and treated as a confidential and shall be available for inspection only by LawLinq or its agents.

10. **Informed Client Consent:** I hereby acknowledge that California ethics rules require a written fee agreement with my client that includes informed client consent to the fee-splitting arrangement with LawLinq (a sample consent form is available on our website www.lawlinq.com). If co-counsel is engaged, the co-counsel attorney will abide by the percentage fee agreement, or I will be responsible for the entire fee generated in the engagement. I understand that I may not refer any case referred to me by LawLinq to another attorney, unless approved by LawLinq.

11. **Reporting Requirements:**

- a. I shall notify LawLinq within ten (10) days in writing if any of the following occur: (A) the imposition of discipline or the opening of any investigation of me by the State Bar of California or any bar of which I am a current or former member; (B) the filing of an accusatory pleading charging me with a felony or misdemeanor involving moral turpitude; (C) the filing of any order by a judicial officer imposing sanctions against me exceeding \$500 or adjudging me guilty of contempt. I hereby authorize the State Bar of California and any bar of which I am a current or former member to release information to LawLinq about pending or past disciplinary investigations or discipline.
- b. I understand that any disciplinary action taken against me by the State Bar of California, or like-licensing agency in another State, whether public or private, shall result in my immediate and permanent removal from LawLinq. If LawLinq becomes aware of a complaint or other notice pertaining to me that may adversely affect prospective clients' perception of LawLinq if publicly known, the Managing Director or his or her designee may on his or her sole discretion suspend or remove me from LawLinq.
- c. LawLinq may report to the State Bar of California any violation of LawLinq Rules, or any possible violation of the State Bar Act or the Rules of Professional Conduct, about which it has knowledge.

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- d. Information in this Application or otherwise known to LawLinq may be furnished to clients seeking referral by LawLinq. Pursuant to Civil Code Section 43.95, LawLinq must disclose to the public the nature of any disciplinary action taken against an attorney accepting referrals from LawLinq. I waive confidentiality for the State Bar of California to notify LawLinq of the status of any disciplinary proceeding pending against me.
12. **Errors and Omissions Insurance:** I have Errors and Omissions Professional Liability Insurance in a minimum amount of \$100,000 for each occurrence and \$300,000 aggregate per year which covers me and/or my firm. I am enclosing a copy of the declaration page, certificate of insurance, or cover sheet for such insurance with this application and agreement. I agree to provide LawLinq a copy of same upon each renewal of such policy. I agree to inform LawLinq immediately of any termination or cancellation of such policy, which notification shall be made within at least fourteen (14) days from the date of such termination or cancellation.
13. **Disputes:** I agree to submit to any dispute concerning fees owed LawLinq, regardless of when the dispute arises, to binding arbitration by JAMS or such other independent arbitration service. Each party shall waive the statute of limitations as a defense in the arbitration proceeding if the commencement date of the arbitration is prior the expiration of the statute of limitations. I acknowledge that submitting such disputes between me and LawLinq will provide both parties with a fast, economical and private way to resolve our disputes and I waive any objection to the jurisdiction of such a committee to process such disputes.
14. **Choice of Forum:** This agreement shall be governed by and construed in accordance with the laws of the State of California. Any arbitration proceeding and/or any other action arising out of this Agreement shall take place in Los Angeles County, California.
15. **Entire Agreement; Severability; Section Headings:** This document constitutes the entire agreement between the parties. If any provision of this Agreement is unlawful, void or unenforceable, then that provision shall be deemed severable from the remaining provisions and shall not affect the validity and enforceability of the remaining provisions of the Agreement. Section headings of this Agreement are to facilitate reference and do not convey legal meaning. I acknowledge that I have not received any type of promise, representation or guarantee regarding the referral(s) made by LawLinq.

16. **Term of Agreement and Renewals:** The terms of this Agreement shall commence on the effective date of this Agreement shall continue until terminated by me or LawLinq. I may initiate the renewal of my annual membership in LawLinq by timely remitting LawLinq's annual membership fee. LawLinq may consider, among other things, my willingness to meet with referred clients, compliance with the LawLinq rules, client survey responses, and other relevant information. I understand that renewal of my membership is at the sole discretion of the Managing Director of LawLinq or his/her designee.
17. **Ratings:** I understand that in order to maintain the high quality of its membership and the confidence of the general public in LawLinq, LawLinq rates its members based on the level of satisfaction reported in surveys by its referred customers as to the service provided by the member attorneys. I understand that I will be so rated and I agree to such rating. LawLinq reserves the right to cancel the membership of any attorney who is not performing to the expectations of LawLinq. I understand that by signing this agreement, I agree to allow LawLinq to share the surveys relating to me, and the results, with members of the general public who contact LawLinq in search of an attorney.
18. **Miscellaneous:**
- a. I agree to waive any and all claims against LawLinq its officers, directors, agents, and employees for any and all liability or loss arising out of the of operation of LawLinq or the referral of clients pursuant to this Agreement.
 - b. I agree to indemnify and hold harmless LawLinq, its officers, directors, agents and employees from any and all claims, demand, actions, liabilities, expenses, or losses arising out of or related to my representation of clients referred pursuant to this Agreement. Nothing herein shall abrogate, modify, or waive any of the terms and conditions of the insurance policies or LawLinq of the applicant whose signature appears below.
 - c. The acceptance of my application and continuance of membership in LawLinq is subject to the approval and discretion of LawLinq and its Governing Committee in accordance with the LawLinq rules and practices as in effect and as may change over time. If I was previously a member of LawLinq and am reapplying for membership, approval of this application may be subject to satisfaction of additional requirements related to my prior membership.

- d. I will fax or email the following necessary materials for membership in LawLinq to (800) 385-6417 or contact@lawlinq.com.
 - i. Subject Panel Statement(s) of Qualifications
 - ii. E&O Insurance Declaration Page
 - iii. Letterhead
 - iv. Business Card

19. **Effective Date**: Once approved by LawLinq, this Agreement shall be effective on the date signed by the member attorney below.

CERTIFICATION

I certify under penalty of perjury, pursuant to the laws of the State of California, that the information contained in this Application is true and correct.

Executed on _____, at _____, California.

Signature of Attorney

Print Name



RULES OF OPERATION

1. PURPOSE

LawLinq, Inc. (“LawLinq”) is a private Lawyer Referral Service, which provides individuals assistance in finding high-skilled attorneys and mediators for specific legal needs. At LawLinq, we believe that every individual has a right to qualified, competent and experienced legal representation. LawLinq will facilitate access to pre-screened legal representation taking into consideration the type and complexity of the legal issue presented, a person’s financial circumstance, language, and geography. LawLinq is committed to referring leads to high-skilled legal professionals in various legal practice areas. LawLinq will provide referrals with when and where to seek legal services, the contact information for experienced attorneys, access to legal representation for Modest Means individuals, and the names and contact information for non-profit organizations, and consumer and government agencies when doing so is in the best interest of the individual.

2. ORGANIZATION & ADMINISTRATION

2.1 LawLinq is a private service and shall operate under the guidelines of Title 3. Programs and Services, Division 5. Providers of Programs and Services. Lawyer Referral Services, effective January 21, 2014 (hereinafter “Title 3”).

2.2 LawLinq shall be administered by a Governing Committee and by personnel employed or appointed by the Governing Committee in accordance with its Articles of Incorporation, By-Laws and these Rules of Operation.

2.3 LawLinq shall place referrals with member attorneys by utilizing a fair and sequential rotation.

2.4 While placing referrals, LawLinq will not discriminate on the basis of race, sex, age, religious affiliation, national origin, ancestry, sexual orientation, disability, medical condition, marital status, political affiliation or veteran status.

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2.5 LawLinq shall be comprised of the following separate parts: (1) Staff personnel who process the requests for legal assistance, refer prospective clients to member attorneys, and operate the service; (2) Panel member attorneys who provide legal assistance; and (3) the Governing Committee, who shall oversee the administration of the LRS as may be deemed appropriate.

2.6 LawLinq shall provide to each client referred to a member attorney, an address and telephone number in his or her county to which complaints about the Lawyer Referral Service or its attorneys may be directed, and shall inform clients that any unresolved complaints should be addressed to the State Bar of California.

2.7 LawLinq shall not be principally operated by telephone answering service or device.

2.8 The staff persons making the referrals will not be an employee of any attorney to whom the referrals are made.

2.9 LawLinq shall maintain accurate and complete records of its operation, including, but not limited to the following information:

(a) The name, address and pertinent qualifications of each panel member and the number and types of matters referred to each panel member;

(b) The name, address and type of matter presented by each client referred, the name of the panel member to whom the referral was made, and the date the referral was made;

(c) Status/disposition information for each client referred to a member attorney, including the status or disposition of the case and the total fees charged by the member attorney.

2.10 LawLinq shall maintain one or more subject matter panels as are necessary to effectively and efficiently serve client needs. The nature of the subject matter panels will be determined by the Managing Director.

2.11 All communications, deliberations, and records of LawLinq shall be confidential. However, LawLinq may report to the State Bar of California any violation by a member attorney of these Rules, or any possible violation of the State Bar Act or the Rules of Professional Conduct.

2.12 Any confidentiality agreement entered into between a client referred through LawLinq and an opposing party in connection with the settlement of a case shall make provision for disclosure of the settlement terms to LawLinq, which shall hold the terms of the settlement confidential.

3. GOVERNING COMMITTEE

3.1 LawLinq shall be supervised in its operation by the Governing Committee. The Governing Committee shall consist of a minimum of three (3) members, having the authority to make decisions necessary to operate the Lawyer Referral Service. One of the members of the Governing Committee shall serve as the Managing Director.

3.2 At least fifty percent (50%) of the Governing Committee shall be active members of the State Bar of California and at least fifty percent (50%) of the Governing Committee shall not receive referrals from the Lawyer Referral Service. The Governing Committee shall meet at least quarterly.

3.3 The Managing Director shall review the annual report submitted by the Lawyer Referral Service and shall conduct and annually review the results of a random sampling of at least 10% of the clients referred to member attorneys as to the client's satisfaction with the attorney's handling of the case and whether the client felt the fee charged was reasonable. Based on its review, the Managing Director shall make such alterations to the operation of the Lawyer Referral Service as it deems necessary.

3.4 The Managing Director shall prepare and file an annual report with the State Bar, which report shall include LawLinq's operating records, a detailed accounting of income and expenses, and the number of cases sampled with the results of the random sampling of at least 10% of the clients referred to member attorneys.

3.5 LawLinq shall not be owned or operated, directly or indirectly, or in part by Lawyers that receive more than twenty percent (20%) of the referrals.

4. MEMBERSHIP REQUIREMENTS

4.1 Membership shall be open to any attorney in good standing of the State Bar of California who is actively engaged in the practice of law and who satisfies the LawLinq application requirements.

4.2 There shall be a minimum of twenty (20) attorney members to whom referrals may be made, at least ten (10) of which shall be from separate and independent law firms.

4.3 Each applicant accepted for membership agrees to carry at the time of application and throughout the entire membership period(s), a policy of errors and omissions insurance in an

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amount not less than \$100,000 for each single occurrence and \$300,000 aggregate per year. The member attorney agrees to provide LawLinq with a copy of the policy each time it is renewed. The member attorney further agrees to inform LawLinq immediately upon termination or cancellation of such policy, and in any event no later than fourteen (14) days from the date of such termination or cancellation of the policy.

4.4 Member attorneys shall be provided with a copy of these Rules and Title 3, and shall abide them;

4.5 Each applicant shall, together with his or her application, remit the annual fee for membership in LawLinq, which annual fee will be determined by the subject matter panel(s) for which the applicant requests referrals. LawLinq will not refund all or part of any membership fee.

4.6 Applications shall be reviewed by the Staff for qualification, and recommendations for admission/rejection and assignment to panels shall be made to the Managing Director.

4.7 Each applicant for membership in the Lawyer Referral Service shall complete an electronic application/agreement. Each applicant accepted for membership agrees to the following:

(a) Abide by these Rules as amended from time to time, the Rules of Professional Conduct, Title 3, and any rules relative to Lawyer Referral Services adopted by the State Bar of California, the California Supreme Court and/or the State Legislature;

(b) Certify that he/she (i) is a Member of the State Bar of California in good standing; (ii) has not been convicted of any crime involving moral turpitude, (iii) has not been disciplined by the State Bar of California or any other governmental licensing agency, and (iv) has not been involuntarily removed from this or any other Lawyer Referral Service within the immediately preceding two (2) years and to immediately inform LawLinq of any change in (i), (ii), (iii), or (iv).;

(c) Comply with the minimum standards of experience and knowledge as established by LawLinq for each subject matter panel in which he or she wishes to receive referrals;

(d) Provide LawLinq or to any client all information necessary to confirm the member attorney meets the criteria in the Subject Panel Statement of Qualifications for all panels that the member attorney requests or accepts referrals;

(e) Provide LawLinq, in a timely manner, all information requested by LawLinq regarding the status of any referred case, client or matter;

(f) Allow LawLinq, without notice, to contact and communicate with any client or prospective client referred to the member attorney at any time, on all matters, and to use any obtained information for promotional or other purposes;

(g) Disclose to LawLinq, pursuant to California Civil Code Section 43.95, the nature of any pending or completed disciplinary proceeding or any disciplinary action taken by the State Bar of California or the lawyer-licensing agency of any other state against the member attorney. Each member attorney shall have an affirmative duty to disclose, in writing, any such pending or completed disciplinary proceeding or action to LawLinq within ten (10) days' notice thereof;

(h) Have an office and work in a clean and professional environment;

(i) Personally grant one half-hour consultation to clients referred by LawLinq at no charge to the client;

(j) Remit in a timely manner all fees due LawLinq including but not limited to twenty-five percent (25%) of all attorney's fees collected for regular LRS panels and ten percent (10%) of all attorney's fees collected for Modest Means panels for all services rendered beyond the initial consultation with the applicable form within thirty (30) days of the date received, annual membership dues, forwarding fees, and/or other administrative fees.

(k) To charge for services in an amount or upon a basis agreed upon in writing with the client in advance of providing such services. The attorney's fees shall be reasonable and not increase beyond that which he or she would normally pay, or result in a decrease of the quantity or quality of services, which he or she would otherwise receive absent the involvement of LawLinq;

(l) Pay interest at the rate of 10% per annum on all amounts past due and owing to LawLinq;

(m) Pay the costs and expenses, including reasonable attorney's fees, incurred by LawLinq in any action or proceeding brought to enforce these Rules against the member attorney or to collect amounts due to LawLinq from the member attorney;

(n) Complete and submit reports as may, from time to time, be required by LawLinq within the applicable time frame;

(o) Upon non-compliance with any LawLinq or State Bar rules, the LawLinq Governing Committee may report any such non-compliance to the State Bar of California;

(p) Not send out any client(s) referred by LawLinq to any agency, attorney or organization other than LawLinq without LawLinq's prior written consent;

(q) Waive any and all claims against and indemnify and hold LawLinq, its agents, employees, representatives, officers, investors, volunteers or members harmless from any liability or loss whatsoever arising from or in connection with any client referred by LawLinq, the operation of LawLinq, or the use of information contained in the attorney application.

(r) To assume the risk of unknown claims and waive the provisions stipulated per Civil Code Section 1542;

(s) Notify LawLinq if at any point while the application is pending or after its approval of (i) any untrue or inaccurate statement(s); (ii) any allegation of professional misconduct; or (iii) any circumstance that will make the attorney or applicant ineligible to accept referrals;

(t) Waive confidentiality for the State Bar of California to notify LawLinq of the status of any disciplinary proceeding pending against the attorney.

5. SUBJECT MATTER PANELS

5.1 Any attorney in good standing with the State Bar of California who is actively engaged in the practice of law may apply for one or more subject matter panels in his or her geographic area.

5.2 In order to qualify as a panel member attorney, one of the following criteria must apply:

- (a) The attorney must be a Certified Specialist in the subject matter panel; or
- (b) The attorney must have practiced in the subject matter panel area for at least two (2) years and must also have completed at least six (6) hours of continuing legal education in that practice area within the past two (2) years.

5.3 If the attorney does not meet the criteria outlined in 5.2, the attorney must have completed at least six (6) hours of continuing legal education in the subject matter panel for each year of practice or the attorney must associate with or professionally consult with another attorney who meets the criteria in Section 5.2 and who is a current LawLinq panel attorney on the subject matter panel. Any such association or professional consulting agreement must be memorialized in writing and approved by LawLinq.

5.4 The eligibility and approval of panel attorneys shall be determined by the Managing Director. The Managing Director shall determine standards and procedures for determining the qualifications for membership.

5.5 The Managing Director shall establish the annual dues for each subject matter panel. The fee(s) shall be non-refundable upon application approval or membership renewal.

5.6 LawLinq shall have at least one (1) or more subject matter panel(s) with each panel having a minimum of four (4) members.

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6. REFERRAL & REPORTING PROCEDURES

6.1 LawLinq shall assign cases on a rotation basis among the member attorneys in each respective subject matter panel. The criteria that will be used to match clients with member attorneys will consist of the: (i) legal issue presented; (ii) language needs; and (iii) geographical convenience.

6.2 LawLinq's method of assignment shall maintain a fair, impartial and adequate rotation of the participating member attorneys and may be departed from only where special circumstances appear to so warrant. Such special circumstances may include, but are not limited to the following: financial circumstance of the client, geographical convenience, degree of difficulty of the legal issue presented, and language needs of the client.

6.3 LawLinq shall not operate so that all referral from a specific geographical area are made to only one lawyer or law firm.

6.4 When a potential client calls LawLinq or submits an online inquiry, LawLinq's staff ("Staff") will conduct an intake and identify the type of case the potential client needs assistance with, any language preference he or she may have, and his or her location. Staff will match this information with member attorneys in the LawLinq database. Staff will refer the potential client to the member attorney at the top of the list. If the client agrees with the location of the registered panel attorney, a referral will be made. The attorney chosen will then be rotated to the bottom of the list. If the client is not satisfied with the geographical location of the chosen attorney, Staff will refer the potential client to the next attorney on the list. This process will be repeated until the referral meets the needs of the client.

6.5 If the panel attorney to whom a client is referred elects not to accept a referral, the attorney shall not refer the client to another attorney. Rather, the attorney shall refer the client back to LawLinq for referral to another member attorney.

6.6 No referral shall be made or refused on the basis of race, color, sex, age, religion, national origin, ancestry, sexual orientation, disability, medical condition, marital status, political affiliation or veteran status.

6.7 All clients shall be referred to a member attorney rather than to the member attorney's office. However, a member attorney may transfer a referral to an attorney within the member attorney's office as long as such attorney is or becomes a member of LawLinq prior to rendering services to the client.

6.8 If after undertaking representation of a Client referred by LawLinq, a member attorney determines in good faith that the client's best interested would be better served by

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associating in another attorney, the member attorney shall consult with and obtain approval from LawLinq before associating or retaining such counsel. If LawLinq approves such counsel, the member attorney shall be responsible for all fees and costs owed to LawLinq, all reports due, and all information required as described in these Rules. Any such association must be memorialized in writing and approved by LawLinq.

6.9 If a referral is made, the member attorney shall grant a one-half (1/2) hour consultation to the referral. The member attorney is not obligated to render services without compensation from a client beyond this initial consultation. If there is no further work to be performed beyond the initial consultation or if the member attorney is unable or unwilling to provide services beyond the initial consultation, the member attorney shall confirm such facts in writing to the client and provide a copy of any such writing to LawLinq.

6.10 If a panel attorney is unavailable for an extended or undetermined duration, he or she shall notify LawLinq immediately. LawLinq may, at its discretion, place that member attorney's account on hold until further notice from the member attorney. If a panel attorney is consistently unavailable or should a panel attorney refuse to make or keep appointments with LawLinq referrals, his or her name may be removed from the panel after notification is provided.

6.11 It is the responsibility of each member attorney to determine if a conflict exists that would preclude his or her representation of a referral. If such a conflict does exist, the member attorney shall notify LawLinq immediately. LawLinq shall then refer the client to the next panel attorney in rotation.

6.12 Within two (2) days of the initial interview with the referral, the member attorney shall notify LawLinq of the status of the referral.

6.13 The member attorney shall provide monthly status reports on forms provided by LawLinq. Such forms shall include information regarding the status of all matters referred to the attorney, the attorney fees earned, and the disposition of the case. The member attorney shall complete the report and submit the referral fees due and all documents in support thereof within thirty (30) days of receipt of the report. Failure of the member attorney to provide such information and fees shall be grounds for suspension or termination from LawLinq.

6.14 LawLinq may, at its discretion, audit the records of its member attorney that concern matters referred by LawLinq. Upon request of LawLinq, the member attorney shall make available for audit all files, records, accounts, ledgers and any other records related to LawLinq or any matter referred by LawLinq. Failure of a member attorney to comply with the request of LawLinq to inspect such records shall be grounds for removal from LawLinq.

7. ADMINISTRATIVE RECORDS

7.1 LawLinq shall maintain records of its operation including, but not limited to the following:

- (a) The name, address and pertinent qualifications of each member attorney;
- (b) The number and types of matters referred to each member attorney;
- (c) The name, address and type of matter presented by each referral;
- (d) The name of the member attorney to whom the referral was made and the date the referral was made;
- (e) The total fee charged as reported by the member attorney, the total fees that LawLinq requires of its member attorneys, including but not limited to membership fees, referral or consultation fees, forwarding fees or other miscellaneous fees paid by the member attorney to LawLinq.

7.2 The aforementioned records shall be available for inspection by the Governing Committee, the Executive Board, and qualified representatives of the State Bar of California, at all reasonable times, but shall otherwise be treated as confidential.

8. FEES AND COLLECTION

8.1 The member attorney shall provide a free one-half hour initial consultation to the referral.

8.2 For professional services rendered beyond the initial consultation, attorney fees shall be set forth in writing between the client and attorney.

8.3 If the member attorney provides services beyond the initial consultation, he or she shall pay to LawLinq a referral fee of twenty-five percent (25%) for regular LRS panels and ten percent (10%) for Modest Means panels of all attorneys fees, less costs, received by the member attorney in connection with any of the following:

- (a) The matter considered at the initial consultation;
- (b) Any matter arising out of the same facts, transactions or circumstances of the matter considered at the initial consultation; or

(c) Any matter, apart from the matter considered at the initial consultation, which originates from meeting the referral at the initial consultation.

8.4 The member attorney shall disclose to the client that the member attorney is obligated to pay a referral fee to LawLinq.

8.5 Each member attorney agrees to the following:

(a) Report monthly to LawLinq the status, disposition and attorney fees earned for all referred cases;

(b) Remit payment to LawLinq in the amount of 25% of the total attorneys fees that arise out of a referral, in accordance with Section 7.2 hereinabove, within thirty (30) days of receipt of any attorneys fees;

(c) Pay interest at the maximum legal rate on any percentage fees not received by LawLinq within sixty (60) days of receipt by the attorney of payment of attorneys fees;

(d) Not increase, either directly or indirectly, the attorneys fees charged to any client referred by LawLinq in order to cover any fees or costs the member attorney owes to LawLinq. Such practice is specifically prohibited by law, including by *Business & Professions Code* §6155(a)(2);

(e) Be personally responsible for all fees and costs due to LawLinq related to any client or matter referred by LawLinq in accordance with Section 7.3 hereinabove.

9. INDEMNIFICATION & ENFORCEMENT OF RULES

9.1 Each member attorney agrees to the following:

(a) Submit any dispute concerning fees owed LawLinq, regardless of when the dispute arises, to binding arbitration by JAMS or such other independent arbitration service. Each party shall waive the statute of limitations as a defense in the arbitration proceeding if the commencement date of the arbitration is prior the expiration of the statute of limitations;

(b) Waive any and all claims against LawLinq its officers, directors, agents, and employees for any and all liability or loss arising out the of operation of LawLinq or the referral of clients through the service;

(c) Indemnify and hold harmless LawLinq, its officers, directors, agents and employees from any and all claims, demands, actions, liabilities, expenses, or losses arising out of or related to the representation of clients referred pursuant to the service.

10. RESIGNATION, REFUSAL TO ADMIT, SUSPENSION, AND REMOVAL

10.1 Any member attorney may resign at any time upon completion of any outstanding reports required to be submitted and remission of any and all fees due to LawLinq at the time of the resignation. Nothing in this paragraph shall limit the obligation of a member attorney to submit reports and remit fees and costs due to LawLinq, which accrue after the time of resignation.

10.2 At the sole discretion of LawLinq, a member attorney may be suspended or removed for any of the following reasons:

- (a) Failure to comply with the LawLinq rules;
- (b) Failure to pay the annual membership fee;
- (c) Failure to comply with the State Bar rules, regulations or code of professional conduct;
- (d) Failure to submit all required reports in a timely manner;
- (e) Charging clients' fees in excess of the fees prescribed by the rules, agreement or law;
- (f) Failure to handle cases with professional diligence and competence;
- (g) Failure to permit LawLinq to inspect records relating to its referrals;
- (h) Providing false or misleading information to LawLinq;
- (i) Repeated abusive and unprofessional conduct with LawLinq clients or staff members;
- (j) Continuous negative feedback about member attorney from referred client(s);
- (k) Indictment on or conviction of a criminal charge involving moral turpitude.

10.3 A member attorney shall be suspended or automatically removed from LawLinq for any of the following reasons:

- (a) The attorney has been suspended, disbarred or has resigned from the State Bar of California;
- (b) Annual membership fees, or referral fees become more than forty-five (45) days past due;
- (c) Reports and/or forms due to LawLinq are not accurately reported or become overdue for more than forty-five (45) days;

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(d) Proof of insurance is not supplied.

10.4 At the sole discretion of LawLinq, an applicant attorney may be refused admission for any of the following reasons:

- (a) Applicant has a record of discipline with the State Bar of California;
- (b) Applicant is not eligible or able to practice law in California;
- (c) Applicant does not practice in an office outside his home at least 90% of the time;
- (d) Applicant does not meet minimum standards set by LawLinq and/or the State Bar of California.

10.5 If a member attorney is suspended or removed from the service, LawLinq shall notify him or her electronically and/or in writing within ten (10) days of the action. The member attorney will be provided with the reason for the suspension or removal and the member attorney will be offered an opportunity to be heard as set forth in Section 11 herein below.

10.6 If the member attorney does not serve a written request for appeal of the suspension or removal within fifteen (15) days of the notice of suspension or removal, the suspension or removal will become final without further action or notice by LawLinq.

11. APPEALS PROCESS

11.1 A member attorney may appeal his or her suspension or removal by providing a written request for appeal of the suspension or removal within fifteen (15) days of service of the notice of suspension or removal. The written request for appeal shall set forth each basis for the appeal, rules, authority and evidence in support of the appeal.

11.2 The member attorney may request in his or her written request for appeal, a hearing before the Managing Director, which may, at the discretion of LawLinq, be held by telephone or in person. If the member attorney timely and adequately responds to the suspension or removal notice and requests a hearing, said hearing shall take place within twenty-one (21) days of receipt of said request.

11.3 The Managing Director shall make a decision within ten (10) days of either the written request for appeal or hearing. The decision of the Managing Director shall be deemed conclusive and final.

11.4 If the member attorney does not timely notify LawLinq in writing of his or her intent to contest the suspension or removal, then his/her rights of appeal shall be waived.

12. ADDITIONAL RULES & AMENDMENTS

12.1 LawLinq has the authority to implement additional rules and procedures necessary to carry out the intent of these Rules.

12.2 These Rules may be amended from time to time by the Managing Director. Any amendment(s) adopted shall be distributed to all member attorneys who shall be bound thereby.



SUBJECT PANEL STATEMENT OF QUALIFICATIONS -- BANKRUPTCY

If you are certified by the State Bar of California as a specialist in this subject panel, you need only provide the date of your most recent certification.

I have been certified by the State Bar of California as a specialist in this area of law: yes no

If Yes, please provide the date of certification: _____

OR

In order to qualify for placement on this panel, the following criteria must be met:

Education Requirements:

If applicant has been in practice for less than two (2) years in this subject panel, applicant must certify that he or she has completed at least six (6) hours of State Bar approved MCLE in this area of law for each year of practice.

If applicant has been in practice for two (2) or more years, applicant must certify that he or she has completed not less than six (6) hours of State Bar approved MCLE in this subject panel during the two (2) years preceding this application.

Library Requirements:

Applicant must have access to annotated codes, case reports for all relevant authorities, treatises and practitioner manuals (e.g. Witkin, CEB, or Rutter Group) in this subject panel.

Experience Requirements:

Applicant must have been counsel of record and personally performed or supervised all legal work and prepared, or supervised the preparation of all legal documents in connection with at least four (4) client matters to completion in this subject panel.

Request for Exemption:

If you do not qualify for this panel, but you believe you have enough experience and knowledge to receive referrals for this panel, please specify the standards not met and detail the reasons why you believe you should receive referrals in this panel:

I have read the above requirements and hereby certify, under penalty of perjury, pursuant to the laws of the State of California, that I meet all requirements for this panel.

Executed on _____ at _____, California.

Attorney Name

Attorney Signature

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SUBJECT PANEL STATEMENT OF QUALIFICATIONS – BUSINESS LITIGATION

If you are certified by the State Bar of California as a specialist in this subject panel, you need only provide the date of your most recent certification.

I have been certified by the State Bar of California as a specialist in this area of law: yes no

If Yes, please provide the date of certification: _____

OR

In order to qualify for placement on this panel, the following criteria must be met:

Education Requirements:

If applicant has been in practice for less than two (2) years in this subject panel, applicant must certify that he or she has completed at least six (6) hours of State Bar approved MCLE in this area of law for each year of practice.

If applicant has been in practice for two (2) or more years, applicant must certify that he or she has completed not less than six (6) hours of State Bar approved MCLE in this subject panel during the two (2) years preceding this application.

Library Requirements:

Applicant must have access to annotated codes, case reports for all relevant authorities, treatises and practitioner manuals (e.g. Witkin, CEB, or Rutter Group) in this subject panel.

Experience Requirements:

Applicant must have been counsel of record and personally performed or supervised all legal work and prepared, or supervised the preparation of all legal documents in connection with at least four (4) client matters to completion in this subject panel.

Request for Exemption:

If you do not qualify for this panel, but you believe you have enough experience and knowledge to receive referrals for this panel, please specify the standards not met and detail the reasons why you believe you should receive referrals in this panel:

I have read the above requirements and hereby certify, under penalty of perjury, pursuant to the laws of the State of California, that I meet all requirements for this panel.

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Attorney Name

Attorney Signature

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SUBJECT PANEL STATEMENT OF QUALIFICATIONS – CONSUMER LAW

If you are certified by the State Bar of California as a specialist in this subject panel, you need only provide the date of your most recent certification.

I have been certified by the State Bar of California as a specialist in this area of law: yes no

If Yes, please provide the date of certification: _____

OR

In order to qualify for placement on this panel, the following criteria must be met:

Education Requirements:

If applicant has been in practice for less than two (2) years in this subject panel, applicant must certify that he or she has completed at least six (6) hours of State Bar approved MCLE in this area of law for each year of practice.

If applicant has been in practice for two (2) or more years, applicant must certify that he or she has completed not less than six (6) hours of State Bar approved MCLE in this subject panel during the two (2) years preceding this application.

Library Requirements:

Applicant must have access to annotated codes, case reports for all relevant authorities, treatises and practitioner manuals (e.g. Witkin, CEB, or Rutter Group) in this subject panel.

Experience Requirements:

Applicant must have been counsel of record and personally performed or supervised all legal work and prepared, or supervised the preparation of all legal documents in connection with at least four (4) client matters to completion in this subject panel.

Request for Exemption:

If you do not qualify for this panel, but you believe you have enough experience and knowledge to receive referrals for this panel, please specify the standards not met and detail the reasons why you believe you should receive referrals in this panel:

I have read the above requirements and hereby certify, under penalty of perjury, pursuant to the laws of the State of California, that I meet all requirements for this panel.

Executed on _____ at _____, California.

Attorney Name

Attorney Signature

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SUBJECT PANEL STATEMENT OF QUALIFICATIONS – CRIMINAL LAW

If you are certified by the State Bar of California as a specialist in this subject panel, you need only provide the date of your most recent certification.

I have been certified by the State Bar of California as a specialist in this area of law: yes no

If Yes, please provide the date of certification: _____

OR

In order to qualify for placement on this panel, the following criteria must be met:

Education Requirements:

If applicant has been in practice for less than two (2) years in this subject panel, applicant must certify that he or she has completed at least six (6) hours of State Bar approved MCLE in this area of law for each year of practice.

If applicant has been in practice for two (2) or more years, applicant must certify that he or she has completed not less than six (6) hours of State Bar approved MCLE in this subject panel during the two (2) years preceding this application.

Library Requirements:

Applicant must have access to annotated codes, case reports for all relevant authorities, treatises and practitioner manuals (e.g. Witkin, CEB, or Rutter Group) in this subject panel.

Experience Requirements:

Applicant must have been counsel of record and personally performed or supervised all legal work and prepared, or supervised the preparation of all legal documents in connection with at least four (4) client matters to completion in this subject panel.

Request for Exemption:

If you do not qualify for this panel, but you believe you have enough experience and knowledge to receive referrals for this panel, please specify the standards not met and detail the reasons why you believe you should receive referrals in this panel:

I have read the above requirements and hereby certify, under penalty of perjury, pursuant to the laws of the State of California, that I meet all requirements for this panel.

Executed on _____ at _____, California.

Attorney Name

Attorney Signature

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SUBJECT PANEL STATEMENT OF QUALIFICATIONS

ESTATE PLANNING, PROBATE & ELDER LAW

If you are certified by the State Bar of California as a specialist in this subject panel, you need only provide the date of your most recent certification.

I have been certified by the State Bar of California as a specialist in this area of law: yes no

If Yes, please provide the date of certification: _____

OR

In order to qualify for placement on this panel, the following criteria must be met:

Education Requirements:

If applicant has been in practice for less than two (2) years in this subject panel, applicant must certify that he or she has completed at least six (6) hours of State Bar approved MCLE in this area of law for each year of practice.

If applicant has been in practice for two (2) or more years, applicant must certify that he or she has completed not less than six (6) hours of State Bar approved MCLE in this subject panel during the two (2) years preceding this application.

Library Requirements:

Applicant must have access to annotated codes, case reports for all relevant authorities, treatises and practitioner manuals (e.g. Witkin, CEB, or Rutter Group) in this subject panel.

Experience Requirements:

Applicant must have been counsel of record and personally performed or supervised all legal work and prepared, or supervised the preparation of all legal documents in connection with at least four (4) client matters to completion in this subject panel.

Request for Exemption:

If you do not qualify for this panel, but you believe you have enough experience and knowledge to receive referrals for this panel, please specify the standards not met and detail the reasons why you believe you should receive referrals in this panel:

I have read the above requirements and hereby certify, under penalty of perjury, pursuant to the laws of the State of California, that I meet all requirements for this panel.

Executed on _____ at _____, California.

Attorney Name

Attorney Signature



SUBJECT PANEL STATEMENT OF QUALIFICATIONS

GENERAL CIVIL LITIGATION

If you are certified by the State Bar of California as a specialist in this subject panel, you need only provide the date of your most recent certification.

I have been certified by the State Bar of California as a specialist in this area of law: yes no

If Yes, please provide the date of certification: _____

OR

In order to qualify for placement on this panel, the following criteria must be met:

Education Requirements:

If applicant has been in practice for less than two (2) years in this subject panel, applicant must certify that he or she has completed at least six (6) hours of State Bar approved MCLE in this area of law for each year of practice.

If applicant has been in practice for two (2) or more years, applicant must certify that he or she has completed not less than six (6) hours of State Bar approved MCLE in this subject panel during the two (2) years preceding this application.

Library Requirements:

Applicant must have access to annotated codes, case reports for all relevant authorities, treatises and practitioner manuals (e.g. Witkin, CEB, or Rutter Group) in this subject panel.

Experience Requirements:

Applicant must have been counsel of record and personally performed or supervised all legal work and prepared, or supervised the preparation of all legal documents in connection with at least four (4) client matters to completion in this subject panel.

Request for Exemption:

If you do not qualify for this panel, but you believe you have enough experience and knowledge to receive referrals for this panel, please specify the standards not met and detail the reasons why you believe you should receive referrals in this panel:

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I have read the above requirements and hereby certify, under penalty of perjury, pursuant to the laws of the State of California, that I meet all requirements for this panel.

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Attorney Name

Attorney Signature

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SUBJECT PANEL STATEMENT OF QUALIFICATIONS -- IMMIGRATION

If you are certified by the State Bar of California as a specialist in this subject panel, you need only provide the date of your most recent certification.

I have been certified by the State Bar of California as a specialist in this area of law: yes no

If Yes, please provide the date of certification: _____

OR

In order to qualify for placement on this panel, the following criteria must be met:

Education Requirements:

If applicant has been in practice for less than two (2) years in this subject panel, applicant must certify that he or she has completed at least six (6) hours of State Bar approved MCLE in this area of law for each year of practice.

If applicant has been in practice for two (2) or more years, applicant must certify that he or she has completed not less than six (6) hours of State Bar approved MCLE in this subject panel during the two (2) years preceding this application.

Library Requirements:

Applicant must have access to annotated codes, case reports for all relevant authorities, treatises and practitioner manuals (e.g. Witkin, CEB, or Rutter Group) in this subject panel.

Experience Requirements:

Applicant must have been counsel of record and personally performed or supervised all legal work and prepared, or supervised the preparation of all legal documents in connection with at least four (4) client matters to completion in this subject panel.

Request for Exemption:

If you do not qualify for this panel, but you believe you have enough experience and knowledge to receive referrals for this panel, please specify the standards not met and detail the reasons why you believe you should receive referrals in this panel:

I have read the above requirements and hereby certify, under penalty of perjury, pursuant to the laws of the State of California, that I meet all requirements for this panel.

Executed on _____ at _____, California.

Attorney Name

Attorney Signature

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SUBJECT PANEL STATEMENT OF QUALIFICATIONS – LABOR & EMPLOYMENT

If you are certified by the State Bar of California as a specialist in this subject panel, you need only provide the date of your most recent certification.

I have been certified by the State Bar of California as a specialist in this area of law: yes no

If Yes, please provide the date of certification: _____

OR

In order to qualify for placement on this panel, the following criteria must be met:

Education Requirements:

If applicant has been in practice for less than two (2) years in this subject panel, applicant must certify that he or she has completed at least six (6) hours of State Bar approved MCLE in this area of law for each year of practice.

If applicant has been in practice for two (2) or more years, applicant must certify that he or she has completed not less than six (6) hours of State Bar approved MCLE in this subject panel during the two (2) years preceding this application.

Library Requirements:

Applicant must have access to annotated codes, case reports for all relevant authorities, treatises and practitioner manuals (e.g. Witkin, CEB, or Rutter Group) in this subject panel.

Experience Requirements:

Applicant must have been counsel of record and personally performed or supervised all legal work and prepared, or supervised the preparation of all legal documents in connection with at least four (4) client matters to completion in this subject panel.

Request for Exemption:

If you do not qualify for this panel, but you believe you have enough experience and knowledge to receive referrals for this panel, please specify the standards not met and detail the reasons why you believe you should receive referrals in this panel:

I have read the above requirements and hereby certify, under penalty of perjury, pursuant to the laws of the State of California, that I meet all requirements for this panel.

Executed on _____ at _____, California.

Attorney Name

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SUBJECT PANEL STATEMENT OF QUALIFICATIONS – LANDLORD TENANT

If you are certified by the State Bar of California as a specialist in this subject panel, you need only provide the date of your most recent certification.

I have been certified by the State Bar of California as a specialist in this area of law: yes no

If Yes, please provide the date of certification: _____

OR

In order to qualify for placement on this panel, the following criteria must be met:

Education Requirements:

If applicant has been in practice for less than two (2) years in this subject panel, applicant must certify that he or she has completed at least six (6) hours of State Bar approved MCLE in this area of law for each year of practice.

If applicant has been in practice for two (2) or more years, applicant must certify that he or she has completed not less than six (6) hours of State Bar approved MCLE in this subject panel during the two (2) years preceding this application.

Library Requirements:

Applicant must have access to annotated codes, case reports for all relevant authorities, treatises and practitioner manuals (e.g. Witkin, CEB, or Rutter Group) in this subject panel.

Experience Requirements:

Applicant must have been counsel of record and personally performed or supervised all legal work and prepared, or supervised the preparation of all legal documents in connection with at least four (4) client matters to completion in this subject panel.

Request for Exemption:

If you do not qualify for this panel, but you believe you have enough experience and knowledge to receive referrals for this panel, please specify the standards not met and detail the reasons why you believe you should receive referrals in this panel:

I have read the above requirements and hereby certify, under penalty of perjury, pursuant to the laws of the State of California, that I meet all requirements for this panel.

Executed on _____ at _____, California.

Attorney Name

Attorney Signature

5757 CENTURY BLVD, 7TH FLOOR, LOS ANGELES, CALIFORNIA 90045
TELEPHONE (800) 385-6416 • FACSIMILE (800) 385-6417
CONTACT@LAWLINQ.COM • LAWLINQ.COM



SUBJECT PANEL STATEMENT OF QUALIFICATIONS - MEDIATION

In order to qualify for placement on this panel, the following criteria must be met:

Training Requirements:

Three (3) hours of mediation training, which meet the requirements of the Dispute Resolution Act (DPRA) by trainers who qualify as D.P.R.A providers or an equivalent training.

List Program or Training: _____

Education / Experience Requirements:

Applicant must have acted as trainers or instructors for at least two (2) or more years at colleges, universities or in private programs that meet D.P.R.A. requirements; or

List Program or Training: _____

Applicant must have mediated for an aggregate of at least two (2) years and have completed at least eight (8) mediations and completed at least six (6) hours of mediation training which meet the requirements of the D.P.R.A. providers or an equivalent training.

List Program or Training: _____

Library Requirements:

Applicant must have access to annotated codes, case reports for all relevant authorities, treatises and practitioner manuals (e.g. Witkin, CEB, or Rutter Group) in this subject panel.

Request for Exemption:

If you do not qualify for this panel, but you believe you have enough experience and knowledge to receive referrals for this panel, please specify the standards not met and detail the reasons why you believe you should receive referrals in this panel:

I have read the above requirements and hereby certify, under penalty of perjury, pursuant to the laws of the State of California, that I meet all requirements for this panel.

Executed on _____ at _____, California.

Attorney Name

Attorney Signature

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SUBJECT PANEL STATEMENT OF QUALIFICATIONS – PERSONAL INJURY

If you are certified by the State Bar of California as a specialist in this subject panel, you need only provide the date of your most recent certification.

I have been certified by the State Bar of California as a specialist in this area of law: yes no

If Yes, please provide the date of certification: _____

OR

In order to qualify for placement on this panel, the following criteria must be met:

Education Requirements:

If applicant has been in practice for less than two (2) years in this subject panel, applicant must certify that he or she has completed at least six (6) hours of State Bar approved MCLE in this area of law for each year of practice.

If applicant has been in practice for two (2) or more years, applicant must certify that he or she has completed not less than six (6) hours of State Bar approved MCLE in this subject panel during the two (2) years preceding this application.

Library Requirements:

Applicant must have access to annotated codes, case reports for all relevant authorities, treatises and practitioner manuals (e.g. Witkin, CEB, or Rutter Group) in this subject panel.

Experience Requirements:

Applicant must have been counsel of record and personally performed or supervised all legal work and prepared, or supervised the preparation of all legal documents in connection with at least four (4) client matters to completion in this subject panel.

Request for Exemption:

If you do not qualify for this panel, but you believe you have enough experience and knowledge to receive referrals for this panel, please specify the standards not met and detail the reasons why you believe you should receive referrals in this panel:

I have read the above requirements and hereby certify, under penalty of perjury, pursuant to the laws of the State of California, that I meet all requirements for this panel.

Executed on _____ at _____, California.

Attorney Name

Attorney Signature

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SUBJECT PANEL STATEMENT OF QUALIFICATIONS – REAL ESTATE

If you are certified by the State Bar of California as a specialist in this subject panel, you need only provide the date of your most recent certification.

I have been certified by the State Bar of California as a specialist in this area of law: yes no

If Yes, please provide the date of certification: _____

OR

In order to qualify for placement on this panel, the following criteria must be met:

Education Requirements:

If applicant has been in practice for less than two (2) years in this subject panel, applicant must certify that he or she has completed at least six (6) hours of State Bar approved MCLE in this area of law for each year of practice.

If applicant has been in practice for two (2) or more years, applicant must certify that he or she has completed not less than six (6) hours of State Bar approved MCLE in this subject panel during the two (2) years preceding this application.

Library Requirements:

Applicant must have access to annotated codes, case reports for all relevant authorities, treatises and practitioner manuals (e.g. Witkin, CEB, or Rutter Group) in this subject panel.

Experience Requirements:

Applicant must have been counsel of record and personally performed or supervised all legal work and prepared, or supervised the preparation of all legal documents in connection with at least four (4) client matters to completion in this subject panel.

Request for Exemption:

If you do not qualify for this panel, but you believe you have enough experience and knowledge to receive referrals for this panel, please specify the standards not met and detail the reasons why you believe you should receive referrals in this panel:

I have read the above requirements and hereby certify, under penalty of perjury, pursuant to the laws of the State of California, that I meet all requirements for this panel.

Executed on _____ at _____, California.

Attorney Name

Attorney Signature

5757 CENTURY BLVD, 7TH FLOOR, LOS ANGELES, CALIFORNIA 90045
TELEPHONE (800) 385-6416 • FACSIMILE (800) 385-6417
CONTACT@LAWLINQ.COM • LAWLINQ.COM



SUBJECT PANEL STATEMENT OF QUALIFICATIONS – WORKERS’ COMPENSATION

If you are certified by the State Bar of California as a specialist in this subject panel, you need only provide the date of your most recent certification.

I have been certified by the State Bar of California as a specialist in this area of law: yes no

If Yes, please provide the date of certification: _____

OR

In order to qualify for placement on this panel, the following criteria must be met:

Education Requirements:

If applicant has been in practice for less than two (2) years in this subject panel, applicant must certify that he or she has completed at least six (6) hours of State Bar approved MCLE in this area of law for each year of practice.

If applicant has been in practice for two (2) or more years, applicant must certify that he or she has completed not less than six (6) hours of State Bar approved MCLE in this subject panel during the two (2) years preceding this application.

Library Requirements:

Applicant must have access to annotated codes, case reports for all relevant authorities, treatises and practitioner manuals (e.g. Witkin, CEB, or Rutter Group) in this subject panel.

Experience Requirements:

Applicant must have been counsel of record and personally performed or supervised all legal work and prepared, or supervised the preparation of all legal documents in connection with at least four (4) client matters to completion in this subject panel.

Request for Exemption:

If you do not qualify for this panel, but you believe you have enough experience and knowledge to receive referrals for this panel, please specify the standards not met and detail the reasons why you believe you should receive referrals in this panel:

I have read the above requirements and hereby certify, under penalty of perjury, pursuant to the laws of the State of California, that I meet all requirements for this panel.

Executed on _____ at _____, California.

Attorney Name

Attorney Signature

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TITLE 3. PROGRAMS AND SERVICES

Division 5. Providers of Programs and Services

Chapter 3. Lawyer Referral Services

Article 1. Certification

Rule 3.800 Certification required

An individual or organization that refers prospective clients to attorneys must comply with minimum standards and be certified by the State Bar of California as a lawyer referral service unless exempt by law.¹ These rules set forth the minimum standards and certification requirements.

Rule 3.800 adopted as Rule 3.700 January 7, 2011; renumbered as Rule 3.800 November 4, 2011; approved by the Supreme Court effective January 21, 2014.

Rule 3.801 Application for certification

- (A) To initiate or continue certification, a lawyer referral service must submit an Application for Certification as a Lawyer Referral Service and a separate application fee for each county in which it operates. The State Bar may waive the separate application requirement for a lawyer referral service operating in more than one county on written request supported by evidence and for good cause.
- (B) Notwithstanding provision (A), a lawyer referral service operating in two or more counties defined by the State Bar as underserved is required to submit only one application and one application fee to initiate or continue certification.
- (C) Every application must include panel membership criteria, including criteria for suspension and removal that provide for written notice and review with an opportunity to respond.
- (D) An application for initial certification may be submitted at any time. An application for continuance of certification must be submitted with the annual report required by Rule 3.828. Within a reasonable time, the State Bar will notify an applicant that certification has been granted or denied or that an application is incomplete or noncompliant.
- (E) An application must be completed in accordance with application instructions and filed with any required fee.

Rule 3.801 adopted as Rule 3.701 January 7, 2011; renumbered as Rule 3.801 November 4, 2011; approved by the Supreme Court effective January 21, 2014.

¹ Business & Professions Code § 6155. See also California Rules of Professional Conduct, Rule 1-600, Legal Service Programs.

Rule 3.802 Application fees

- (A) Application fees for initial and continued certification, which are set forth in the Schedule of Charges and Deadlines, depend on the number of counties in which a service operates and whether a service is non-profit or for-profit. Application fees may not exceed \$10,000 or one percent of gross annual revenues, whichever is less.²
- (B) An application fee not received by the deadline is subject to the late penalty set forth in the Schedule of Charges and Deadlines. If the fee and penalty are not received within thirty days of the deadline, certification may be suspended and the lawyer referral service must cease any activity subject to these rules.
- (C) Fifty percent of an initial application fee is refundable if an applicant submits a written request to withdraw the application within twenty days of submitting it. An application fee is otherwise not refundable.
- (D) An application or late fee for continued certification may be waived or reduced because of demonstrated financial necessity as evidenced by gross annual revenues, panel size, geographic area served, length of time in operation, or the like.

Rule 3.802 adopted as Rule 3.702 January 7, 2011; renumbered as Rule 3.802 November 4, 2011; approved by the Supreme Court effective January 21, 2014.

Rule 3.803 Denial of application

- (A) An application for initial certification that fails to comply with these rules is denied in a written notice explaining the denial.
 - (1) Upon receipt of a notice of denial, an initial applicant may submit a written request for reconsideration within thirty days of the date of the notice. The request must explain why the application was compliant and be supported by any relevant evidence.
 - (2) Within sixty days of receiving a request for reconsideration of denial, the State Bar may grant certification or confirm denial of the initial application. If the denial is confirmed, the applicant may submit a petition for review to the State Bar Court in accordance with its rules.
 - (3) Denial of an application for initial certification does not preclude an applicant from submitting a new application. A new application must be submitted in accordance with application instructions and with the fee set forth in the Schedule of Charges and Deadlines.

² Business & Professions Code § 6155(f)(4).

- (B) An application for continued certification that fails to comply with these rules subjects a lawyer referral service to suspension or revocation pursuant to rule 3.806.

Rule 3.803 adopted as Rule 3.703 January 7, 2011; renumbered as Rule 3.803 November 4, 2011; approved by the Supreme Court effective January 21, 2014.

Rule 3.804 Issuance of certification

The State Bar may grant certification with or without conditions for two years or a shorter time specified by the State Bar. Certification terminates at the end of the certification period unless renewed in accordance with these rules.

Rule 3.804 adopted as Rule 3.704 January 7, 2011; renumbered as Rule 3.804 November 4, 2011; approved by the Supreme Court effective January 21, 2014.

Rule 3.805 Audits

Before granting or continuing certification, waiving an application fee, or at any other time, the State Bar may conduct an audit to determine whether a lawyer referral service has complied with these rules. Any audit must be at the expense of the lawyer referral service.

Rule 3.805 adopted as Rule 3.705 January 7, 2011; renumbered as Rule 3.805 November 4, 2011; approved by the Supreme Court effective January 21, 2014.

Rule 3.806 Suspension or revocation of certification³

- (A) The State Bar may suspend or revoke certification of a lawyer referral service for failure to comply with these rules or for other good cause.
- (B) A lawyer referral service is entitled to notice of intention to suspend or revoke certification that states the reasons for the State Bar's action.
- (C) A lawyer referral service may file a written request for review of suspension or revocation of certification within thirty days of receipt of the notice. The request must explain why the action was inappropriate and be supported by any relevant evidence. Failure to request review results in final suspension or revocation of certification.
- (D) The State Bar must respond to a request for review that meets the requirements of these rules within sixty days of filing and give the lawyer referral service an opportunity to support the request. The State Bar may then continue, suspend, or revoke certification with or without conditions as it deems appropriate. The State

³ See Business & Professions Code § 6155(g).

Bar must provide the lawyer referral service a written statement of the reasons for its determination.

- (E) Within thirty days of receipt of the notice of suspension or revocation, the lawyer referral service may submit a petition for review to the State Bar Court in accordance with its rules. Certification is suspended or revoked for failure to submit a timely petition for review of suspension or revocation.
- (F) Pending review of a denial to continue certification, certification remains in effect unless the State Bar suspends or revokes it.
- (G) When suspension or revocation of certification is final, a lawyer referral service must immediately cease any activity subject to these rules, and the State Bar must notify every panel member of the lawyer referral service that certification has been suspended or revoked.

Rule 3.806 adopted as Rule 3.706 January 7, 2011; renumbered as Rule 3.806 November 4, 2011; approved by the Supreme Court effective January 21, 2014.

Rule 3.807 Complaints about a lawyer referral service

- (A) The State Bar must review a complaint about a lawyer referral service submitted pursuant to these rules⁴ within a reasonable time and
 - (1) if the complaint demonstrates an apparent violation of these rules or other authority provide the service written notice of the complaint and an opportunity to respond; and
 - (2) provide written notice to the complainant regarding what action, if any, it deems appropriate.
- (B) A complaint and investigations related to it are the property of the State Bar and remain confidential until final suspension or revocation of certification or a proceeding is initiated in State Bar Court, whichever is earlier.

Rule 3.807 adopted as Rule 3.707 January 7, 2011; renumbered as Rule 3.807 November 4, 2011; approved by the Supreme Court effective January 21, 2014.

Rule 3.808 Notice

In these rules, a notice or other document is deemed received the fifth day after being sent by first-class mail or upon actual receipt when delivered otherwise.

Rule 3.808 adopted as Rule 3.708 January 7, 2011; renumbered as Rule 3.808 November 4, 2011; approved by the Supreme Court effective January 21, 2014.

⁴ Rule 3.820(E).

Article 2. Minimum standards for lawyer referral services

Rule 3.820 General duties of a lawyer referral service

A lawyer referral service must

- (A) have a governing committee; one or more panels of attorneys to provide legal services; and a staff to evaluate and process requests for legal assistance;
- (B) encourage widespread attorney membership;⁵
- (C) serve its community and improve the quality and affordability of legal services by
 - (1) assisting those in need of legal services to find a qualified, insured attorney or other appropriate legal services, including dispute resolution;
 - (2) providing the public with general information about appropriate legal services; and
 - (3) establishing services for persons of limited means unless it demonstrates that doing so is unreasonable or impractical given the community needs; its financial resources, staff size, or panel membership; the fees charged by its panel members; or the availability of pro bono or other legal services for persons of limited means;
- (D) charge no fee or combination of fees that increase a client's cost beyond that normally charged for legal services or that decrease the quantity or quality of services otherwise available to the client;⁶
- (E) tell each client how to submit a complaint about the service or one of its panel members and inform the client that an unresolved complaint may be submitted to the State Bar, provided it is in writing and supported by factual information that demonstrates a violation of these rules or other applicable authority;
- (F) if non-profit use its income only to pay reasonable operating expenses and to fund its pro bono, legal services, and other public service programs;
- (G) fully cooperate with any State Bar audit;⁷
- (H) provide each panel member a copy of these rules; and
- (I) at all times comply with these rules and applicable law.

⁵ Business & Professions Code § 6155(f)(1).

⁶ Business & Professions Code § 6155(a)(2).

⁷ See Rule 3.805.

Rule 3.820 adopted as Rule 3.720 January 7, 2011; renumbered as Rule 3.820 November 4, 2011; approved by the Supreme Court effective January 21, 2014.

Rule 3.821 Ownership⁸

A lawyer referral service owned or operated by a bar association is deemed to be owned or operated by its governing committee. An attorney may not directly or indirectly own or operate a lawyer referral service if the attorney individually or jointly receives more than twenty percent of the referrals of the lawyer referral service.

Rule 3.821 adopted as Rule 3.721 January 7, 2011; renumbered as Rule 3.821 November 4, 2011; approved by the Supreme Court effective January 21, 2014.

Rule 3.822 Governing committee

- (A) A lawyer referral service must be supervised by a governing committee of three or more members. A majority of the governing committee must be active members of the State Bar. No more than half the members of the governing committee may receive referrals from the lawyer referral service.
- (B) The governing committee must
 - (1) establish criteria for subject matter and general panel membership and use the criteria to evaluate panel members at least once every two years;
 - (2) establish and assess compliance with the referral procedures required by these rules;⁹
 - (3) review and submit the annual report required by these rules;¹⁰
 - (4) annually survey a random sample of at least ten percent of the clients of the service to determine client satisfaction with services and fees;
 - (5) on the basis of the annual survey, make any operational changes it deems necessary; and
 - (6) meet at least quarterly.

Rule 3.822 adopted as Rule 3.722 January 7, 2011; renumbered as Rule 3.822 November 4, 2011; approved by the Supreme Court effective January 21, 2014.

⁸ Business & Professions Code § 6155(b).

⁹ Rule 3.826.

¹⁰ Rule 3.828.

Rule 3.823 Panels

- (A) A lawyer referral service must establish panels of attorney members qualified to provide legal services to the public. The panels must be organized by subject matter but may include a general panel. A lawyer referral service is encouraged to establish moderate and no-fee panels and other special panels that respond to the needs of the public.
- (B) At least twenty attorney members, ten of whom are from separate and independent law firms, are required for all lawyer referral services, and each panel must have at least four members. The State Bar may waive these minimum requirements if a lawyer referral service operates in an underserved county or provides written evidence that the size of the community or the number of its attorneys warrants a lesser number.
- (C) A lawyer referral service must require that each panel member
 - (1) have errors and omissions insurance in the amounts set forth in the Schedule of Charges and Deadlines and provide proof of insurance to the State Bar upon request;¹¹
 - (2) not receive referrals evaluated and processed by a lawyer referral service staff member employed or otherwise compensated by the panel attorney;
 - (3) agree in writing to submit any fee dispute to mandatory arbitration compliant with statute or State Bar requirements upon election of a client referred by the lawyer referral service.¹²
- (D) A lawyer referral service may disclose a panel member's past performance when the information is accurate, complete, and not misleading.

Rule 3.823 adopted as Rule 3.723 January 7, 2011; renumbered as Rule 3.823 November 4, 2011; approved by the Supreme Court effective January 21, 2014.

Rule 3.824 Eligibility for membership

- (A) Only an active member of the State Bar practicing in the community served by the lawyer referral service may be a member of the service. To serve on a subject matter panel, such a member must meet the experience and other substantial and objective criteria of the lawyer referral service. Certification as a legal specialist qualifies an attorney to serve on a panel that deals with the area of certification, provided the attorney meets other criteria for panel membership.

¹¹ Business & Professions Code 6155(f)(6).

¹² See Business & Professions Code § 6200 et seq.

- (B) Panel membership may not be contingent upon membership in a sponsoring entity.

Rule 3.824 adopted as Rule 3.724 January 7, 2011; renumbered as Rule 3.824 November 4, 2011; approved by the Supreme Court effective January 21, 2014.

Rule 3.825 Panel membership fees

- (A) Panel membership fees must be reasonable, encourage widespread panel membership, and otherwise comply with these rules and applicable law.¹³
- (B) Panel membership fees may not in any way be based on or guarantee contacts, calls, cases, referrals, or clients.
- (C) Panel members who are not members of a sponsoring entity may be required to pay a nominal charge for administrative services.

Rule 3.825 adopted as Rule 3.725 January 7, 2011; renumbered as Rule 3.825 November 4, 2011; approved by the Supreme Court effective January 21, 2014.

Rule 3.826 Referrals

- (A) The governing committee of a lawyer referral service must establish fair and impartial procedures to assure that referrals are allocated equitably to panel members and respond insofar as possible to clients' legal needs and other circumstances, such as geographic convenience and language issues.
- (B) All referrals in a geographical area may not be made to a single attorney or law firm. The State Bar may deny certification or recertification for failure to make referrals fairly and impartially to panel members or to maintain current and complete records of referrals.
- (C) A referral may not
 - (1) discriminate on the basis of race, color, sex, age, religious creed, national origin, ancestry, sexual orientation, disability, medical condition, marital status, political affiliation, or veteran status;
 - (2) violate restrictions against unlawful solicitation and false and misleading advertising or otherwise violate the Rules of Professional Conduct or law applicable to a member of the State Bar;
 - (3) be made directly or indirectly by a person employed or otherwise compensated by an attorney or firm to whom the referral is made; or

¹³ Business & Professions Code § 6155(f)(1). See Rule 3.820(B).

- (4) be made exclusively by technological means without staff evaluation of client needs and panel members' qualifications.¹⁴

Rule 3.826 adopted as Rule 3.726 January 7, 2011; renumbered as Rule 3.826 November 4, 2011; approved by the Supreme Court effective January 21, 2014.

Rule 3.827 Records

- (A) A lawyer referral service must maintain and provide to the State Bar upon request current records for
 - (1) each panel member that include
 - (a) name, contact information, and qualifications;
 - (b) number and type of referrals; and
 - (c) fees remitted for membership, referrals or consultations, advertising; or any other reason; and
 - (2) each referral that include
 - (a) the client's name and contact information;
 - (b) type of matter and date of referral; and
 - (c) panel member to whom the referral was made.
- (B) Any record in the possession of the State Bar pertaining to a lawyer referral service is the property of the State Bar and confidential unless authorized for disclosure by these rules, order of the Board of Trustees, or consent of the lawyer referral service.

Rule 3.827 adopted as Rule 3.727 January 7, 2011; renumbered as Rule 3.827 November 4, 2011; approved by the Supreme Court effective January 21, 2014.

Rule 3.828 Annual report

- (A) The governing committee of a lawyer referral service must submit an annual report of its activities and those of the lawyer referral service. The report must at a minimum
 - (1) provide a detailed accounting of

¹⁴ Business & Professions Code § 6155(h)(2).

- (a) all sources and amounts of income, expenses, and reserves during the reporting period;
 - (b) the disposition of any reserves or surpluses derived from activities of the service during the reporting period and the immediately preceding reporting period;
- (2) include statistics derived from the records the service is required to maintain; and
 - (3) summarize the annual client survey and any operational changes it prompted.¹⁵
- (B) Failure to submit an annual report on time suspends certification unless the State Bar extends the report deadline for good cause.

Rule 3.828 adopted as Rule 3.728 January 7, 2011; renumbered as Rule 3.828 November 4, 2011; approved by the Supreme Court effective January 21, 2014.

Rule 3.829 Publicity

- (A) Publicity, which includes advertising or any other kind of promotional material, must
- (1) indicate that the purpose of the lawyer referral service is to serve its community and improve the quality and affordability of legal services as required by these rules;¹⁶ and
 - (2) acknowledge any sponsorship by the lawyer referral service; identify the counties in which the service operates; and provide the State Bar certification number or certification mark.
- (B) Any publicity by a lawyer referral service must comply with the California Rules of Professional Conduct and any other legal requirements.

¹⁵ Rule 3.822(B)(4) and (5).

¹⁶ See Rule 3.820(C).

(C) A copy of any publicity

(1) must be submitted with an application for certification or recertification;
and

(2) may be required with the annual report.¹⁷

Rule 3.829 adopted as Rule 3.729 January 7, 2011; renumbered as Rule 3.829 November 4, 2011; approved by the Supreme Court effective January 21, 2014. Amended March 7, 2014; amendment approved by the Supreme Court effective December 1, 2014.

¹⁷ Rule 3.828.

BUSINESS & PROFESSIONS CODE

Section 6155 (a) An individual, partnership, corporation, association, or any other entity shall not operate for the direct or indirect purpose, in whole or in part, of referring potential clients to attorneys, and no attorney shall accept a referral of such potential clients, unless all of the following requirements are met:

(1) The service is registered with the State Bar of California and

(a) on July 1, 1988, is operated in conformity with minimum standards for a lawyer referral service established by the State Bar, or (b) upon approval by the Supreme Court of minimum standards for a lawyer referral service, is operated in conformity with those standards.

(2) The combined charges to the potential client by the referral service and the attorney to whom the potential client is referred do not exceed the total cost that the client would normally pay if no referral service were involved.

(b) A referral service shall not be owned or operated, in whole or in part, directly or indirectly, by those lawyers to whom, individually or collectively, more than 20 percent of referrals are made. For purposes of this subdivision, a referral service that is owned or operated by a bar association, as defined in the minimum standards, shall be deemed to be owned or operated by its governing committee so long as the governing committee is constituted and functions in the manner prescribed by the minimum standards.

(c) None of the following is a lawyer referral service:

(1) A plan of legal insurance as defined in Section 119.6 of the Insurance Code.

(2) A group or prepaid legal plan, whether operated by a union, trust, mutual benefit or aid association, public or private corporation, or other entity or person, which meets both of the following conditions: (A) It recommends, furnishes, or pays for legal services to its members or beneficiaries. (B) It provides telephone advice or personal consultation.

(3) A program having as its purpose the referral of clients to attorneys for representation on a pro bono basis.

(d) The following are in the public interest and do not constitute an unlawful restraint of trade or commerce:

(1) An agreement between a referral service and a participating attorney to eliminate or restrict the attorney's fee for an initial office consultation for each potential client or to provide free or reduced fee services.

(2) Requirements by a referral service that attorneys meet reasonable participation requirements, including experience, education, and training requirements.

(3) Provisions of the minimum standards as approved by the Supreme Court.

(4) Requirements that the application and renewal fees for certification as a lawyer referral service be determined, in whole or in part, by a consideration of any combination of the following factors: a referral service's gross annual revenues, number of panels, number of panel members, amount of fees charged to panel members, or for-profit or nonprofit status; provided that the application and renewal fees do not exceed ten thousand dollars (\$10,000) or 1 percent of the gross annual revenues, whichever is less.

(5) Requirements that, to increase access to the justice system for all Californians, lawyer referral services establish separate ongoing activities or arrangements that serve persons of limited means.

(e) A violation or threatened violation of this section may be enjoined by any person.

(f) With the approval of the Supreme Court, the State Bar shall formulate and enforce rules and regulations for carrying out this section, including rules and regulations which do the following:

(1) Establish minimum standards for lawyer referral services. The minimum standards shall include provisions ensuring that panel membership shall be open to all attorneys practicing in the geographical area served who are qualified by virtue of suitable experience, and limiting attorney registration and membership fees to reasonable sums which do not discourage widespread attorney membership.

(2) Require that an entity seeking to qualify as a lawyer referral service register with

the State Bar and obtain from the State Bar a certificate of compliance with the minimum standards for lawyer referral services.

(3) Require that the certificate may be obtained, maintained, suspended, or revoked pursuant to procedures set forth in the rules and regulations.

(4) Require the lawyer referral service to pay an application and renewal fee for the certificate in such reasonable amounts as may be determined by the State Bar. The State Bar shall adopt rules authorizing the waiver or reduction of the fees upon a demonstration of financial necessity. The State Bar may require that the application and renewal fees for certification as a lawyer referral service be determined, in whole or in part, by a consideration of any combination of the following factors: a referral service's gross annual revenues, number of panels, number of panel members, amount of fees charged to panel members, or for-profit or nonprofit status; provided that the application and renewal fees do not exceed ten thousand dollars (\$10,000) or 1 percent of the gross annual revenues, whichever is less.

(5) Require that, to increase access to the justice system for all Californians, lawyer referral services establish separate ongoing activities or arrangements that serve persons of limited means.

(6) Require each lawyer who is a member of a certified lawyer referral service to comply with all applicable professional standards, rules, and regulations, and to possess a policy of errors and omissions insurance in an amount not less than one hundred thousand dollars (\$100,000) for each occurrence and three hundred thousand dollars (\$300,000) aggregate, per year. By rule, the State Bar may provide for alternative proof of financial responsibility to meet this requirement.

(g) Provide that cause for denial of certification or recertification or revocation of certification of a lawyer referral service shall include, but not be limited to:

(1) Noncompliance with the statutes or minimum standards governing lawyer referral services as adopted and from time to time amended.

(2) Sharing common or cross ownership, interests, or operations with any entity which engages in referrals to licensed or unlicensed health care providers.

(3) Direct or indirect consideration regarding referrals between an owner, operator,

or member of a lawyer referral service and any licensed or unlicensed health care provider.

(4) Advertising on behalf of attorneys in violation of the Rules of Professional Conduct or the Business and Professions Code.

(h) This section shall not be construed to prohibit attorneys from jointly advertising their services.

(1) Permissible joint advertising, among other things, identifies by name the advertising attorneys or law firms whom the consumer of legal services may select and initiate contact with.

(2) Certifiable referral activity involves, among other things, some person or entity other than the consumer and advertising attorney or law firms which, in person, electronically, or otherwise, refers the consumer to an attorney or law firm not identified in the advertising.

(i) A lawyer referral service certified under this section and operating in full compliance with this section, and in full compliance with the minimum standards and the rules and regulations of the State Bar governing lawyer referral services, shall not be deemed to be in violation of Section 3215 of the Labor Code or Section 750 of the Insurance Code.

(j) The payment by an attorney or law firm member of a certified referral service of the normal fees of that service shall not be deemed to be in violation of Section 3215 of the Labor Code or Section 750 of the Insurance Code, provided that the attorney or law firm member is in full compliance with the minimum standards and the rules and regulations of the State Bar governing lawyer referral services.

(k) Certifications of lawyer referral services issued by the State Bar shall not be transferable.