

West Pasco Bar Association Lawyer Referral Service 2016-2017 Application / Renewal



Renewal New Member

Name _____ Phone _____
 Fax _____
 Street Address _____ City _____ Zip _____
 Mailing Address _____ City _____ Zip _____
 Email Address _____
 Law School Date of Graduation _____

I am a **Regular Member** in good standing of West Pasco Bar Association.

I am admitted to practice in state/federal: _____ Date / /
 _____ Date / /
 I am board certified by The Florida Bar in: _____ Date / /
 _____ Date / /

Yes No There are/was, or have been in this state or elsewhere, a felony conviction, disbarment, suspension or disciplinary action against you? (If "Yes," give details on a separate sheet.)

I will: --Take evening or weekend appointments: Yes No
 --Handle cases outside Pinellas county: Yes No Which counties: _____
 --Make calls to jail: Yes No
 --Make calls to hospitals: Yes No
 --Make house calls in special circumstances (e.g., elderly, handicapped): Yes No

I speak/read these foreign languages: _____

I know sign language for the hearing impaired: Yes No

My office is accessible to handicapped persons: Yes No

Name(s) of Law Office Staff Contact(s) _____

OATH

I **HEREBY** apply for membership in the West Pasco Bar Association Lawyer Referral Service for the current fiscal year beginning July 1, 2016 and ending June 30, 2017, and I **AGREE** as follows:

- I will abide by the Rules of the Lawyer Referral Service of the West Pasco Bar Association (LRS), a copy of which is provided with this application, keeping in mind the purpose of LRS is to serve the public and assure all persons competent legal counsel for a reasonable fee.
 - I will accept **ALL** referrals for a free initial half-hour consultation within my areas of practice, as indicated on the Areas of Practice Selection Form attached to this Application for Membership, which I will **personally conduct**. I understand that membership in LRS is personal and is not made on behalf of my firm or any of my associates. **In the event I am not able to accept representation of a client for any reason, I will refer the client to LRS ONLY.**
 - I am competent to handle matters in the areas of law in which I have indicated I will accept referrals.
 - Any charge for services following the initial free 30-minute consultation, including contingent fee matters, will be agreed upon between the client and myself. **I will remit to LRS 12% of all fees** earned on matters referred by LRS. (Except those matters referred under the Low Fee Panel.)
 - I am and will remain covered by professional liability insurance in the amount of not less than \$100,000 for as long as I am a member of LRS. I will notify LRS immediately upon any lapse of such insurance. I understand that should my insurance lapse, I will no longer receive referrals.
 - I will comply with the periodic reporting requirements concerning the status of referred clients. I understand that I will be removed from the panel rotations for continuing failure to comply.
 - I will participate in fee arbitration before the local Florida Bar Fee Arbitration Committee concerning any disputed fee with an LRS referred client if the client so desires.
 - I understand that LRS will be relying upon the representation made by me in this application in making referrals, and I certify that the information given is true and accurate. I will promptly report any changes of circumstances which may materially affect the accuracy of the information provided in the application.
 - I will meet with clients in Pinellas County.
- I have enclosed my check for \$125 for membership in LRS for July 1, 2016 through June 30, 2017. (Dues are waived when requesting referrals for Low Fee cases only. See rules, Article VI)
- I have enclosed a copy of the Declarations Page for my current professional liability insurance policy.

Signature _____ Florida Bar No. _____ Date _____

WEST PASCO BAR ASSOCIATION - 2016-2017 LAWYER REFERRAL SERVICE PANEL SELECTION FORM

Select a maximum of five major areas with an unlimited number of sub-categories. Only select areas for which you wish to receive referrals under the terms of the LRS Rules and in which you concentrate your practice. Attorney's signature is required.

<p>ADMINISTRATIVE & GOVERNMENT</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Dept of Insurance <input type="checkbox"/> ADA <input type="checkbox"/> DPR and FREC <input type="checkbox"/> Employment Benefits <input type="checkbox"/> Florida Sales Tax <input type="checkbox"/> School Law <input type="checkbox"/> Unemployment <p>ADMIRALTY LAW</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Contracts <input type="checkbox"/> Tort Claims <p>APPELLATE</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Civil <input type="checkbox"/> Criminal <p>ARTS AND HUMANITIES</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <p>AVIATION LAW</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <p>BANKRUPTCY</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Representing Creditors <input type="checkbox"/> Representing Debtors <input type="checkbox"/> Debtors - Ch 13 <input type="checkbox"/> Debtors - Ch 7 <p>CIVIL LITIGATION</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Claims <input type="checkbox"/> Collections- Defense <input type="checkbox"/> Collections-County/Circuit <input type="checkbox"/> Collections - All Areas <input type="checkbox"/> Collections - Small Claims <input type="checkbox"/> Construction <input type="checkbox"/> Contracts <input type="checkbox"/> Defense <input type="checkbox"/> Ecclesiastical Law <input type="checkbox"/> Foreclosure <input type="checkbox"/> Libel / Slander <input type="checkbox"/> Small Claims <input type="checkbox"/> Tax Controversies <input type="checkbox"/> Lemon Law <input type="checkbox"/> Baker Act <input type="checkbox"/> Myer Act <input type="checkbox"/> Marchman Act <p>CIVIL RIGHTS LAW</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Criminal Related <input type="checkbox"/> Discrimination <p>CONSUMER RIGHTS LAW</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Collections Defense <input type="checkbox"/> Credit <input type="checkbox"/> Internet <input type="checkbox"/> Warranties <p>CORPORATE & BUSINESS</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Construction Litigation <input type="checkbox"/> Contracts <input type="checkbox"/> Incorporation/Partnership <input type="checkbox"/> Mechanics Lien <input type="checkbox"/> Nonprofit Organizations <input type="checkbox"/> Pension and Profit Sharing 	<p>CRIMINAL LAW</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Prisoners Rights <input type="checkbox"/> DUI <input type="checkbox"/> Federal <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Traffic <input type="checkbox"/> Juvenile <p>ELDER LAW</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Medicare <input type="checkbox"/> Long Term Care <input type="checkbox"/> Elder Abuse <input type="checkbox"/> Special Needs Trust <p>ENTERTAINMENT & SPORTS</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Sports <input type="checkbox"/> Music <p>ENVIRONMENTAL LAW</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <p>ESTATE PLANNING, PROBATE & GUARDIANSHIP</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Complex Estate Planning <input type="checkbox"/> Elder Law <input type="checkbox"/> Guardianship <input type="checkbox"/> Litigation <input type="checkbox"/> Living Trust <input type="checkbox"/> Probate <input type="checkbox"/> Simple Wills <input type="checkbox"/> Testamentary Trusts <input type="checkbox"/> Wills & Trusts <input type="checkbox"/> Durable Power of Attorney <input type="checkbox"/> Living Wills <input type="checkbox"/> Baker Act <input type="checkbox"/> Myer Act <input type="checkbox"/> Marchman Act <p>IMMIGRATION LAW</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Naturalization <p>INSURANCE LAW</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Auto <input type="checkbox"/> Disability <input type="checkbox"/> Disability Long Term <input type="checkbox"/> Health <input type="checkbox"/> Health or Disability <input type="checkbox"/> PIP <input type="checkbox"/> Property <input type="checkbox"/> Subrogation <input type="checkbox"/> Veterans Administration <p>INTELLECTUAL PROPERTY</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Litigation <input type="checkbox"/> Patent <input type="checkbox"/> Trademark or Copyright <p>INTERNATIONAL LAW</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas 	<p>LABOR & EMPLOYMENT</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Representing Employers <input type="checkbox"/> Discrimination <input type="checkbox"/> ERISA <input type="checkbox"/> Representing Employees <input type="checkbox"/> Unemployment Employee <input type="checkbox"/> Unemployment Employer <input type="checkbox"/> Employment Benefits <p>LANDLORD TENANT</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Landlord <input type="checkbox"/> Tenant <p>MALPRACTICE</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Dental <input type="checkbox"/> Legal <input type="checkbox"/> Legal ONLY in other counties <input type="checkbox"/> Medical <p>MARITAL & FAMILY</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Adoption <input type="checkbox"/> Child Custody <input type="checkbox"/> DCF <input type="checkbox"/> Child Support <input type="checkbox"/> Dependency <input type="checkbox"/> Dissolution Contested <input type="checkbox"/> Dissolution Uncontested <input type="checkbox"/> Dept Children & Families <input type="checkbox"/> Name Change <input type="checkbox"/> Paternity <input type="checkbox"/> Pre/Post Nuptial Agmnts. <input type="checkbox"/> Support Enforcement <input type="checkbox"/> Delinquency <input type="checkbox"/> Military Divorce <p>MILITARY LAW</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <p>PERSONAL INJURY & NEGLIGENCE</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Nursing Home Neg. <input type="checkbox"/> Products Liability <input type="checkbox"/> Defense <input type="checkbox"/> Plaintiff <p>REAL PROPERTY</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Condemnation/E.D. <input type="checkbox"/> Condo & Time Share <input type="checkbox"/> Condo Associations <input type="checkbox"/> Condo Litigation <input type="checkbox"/> Time Shares <input type="checkbox"/> Foreclosure <input type="checkbox"/> Land Trust <input type="checkbox"/> Liens <input type="checkbox"/> Litigation <input type="checkbox"/> Mobile Homes <input type="checkbox"/> Property Transfer <input type="checkbox"/> Sales and Leases <input type="checkbox"/> Zoning-Land Use-Permits <p>SECURITIES</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Arbitration <input type="checkbox"/> Litigation 	<p>SOCIAL SECURITY</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Disability <input type="checkbox"/> SSI <input type="checkbox"/> Retirement Benefits <p>TAX LAW</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Corporate <input type="checkbox"/> Employment <input type="checkbox"/> Individual <input type="checkbox"/> Litigation <input type="checkbox"/> QDRO <p>WORKERS' COMPENSATION</p> <ul style="list-style-type: none"> <input type="checkbox"/> All Areas <input type="checkbox"/> Federal <input type="checkbox"/> Representing Client <input type="checkbox"/> Representing Employer <input type="checkbox"/> State - Local <input type="checkbox"/> Representing Client <p>*****</p> <p>LOW FEE PANEL</p> <p>I agree to accept LOW FEE cases in the following areas stated in the LRS Rules, Article VI:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Consumer <input type="checkbox"/> Durable P.O.A. <input type="checkbox"/> Family Law <input type="checkbox"/> Insurance Coverage <input type="checkbox"/> Landlord Tenant <input type="checkbox"/> Living Will <input type="checkbox"/> Other <input type="checkbox"/> Probate <input type="checkbox"/> Real Estate <input type="checkbox"/> Wills <input type="checkbox"/> Bankruptcy <input type="checkbox"/> Criminal <p>*****</p> <p>ATTORNEY'S SIGNATURE attesting to the completeness and accuracy of this selection form.</p> <p>_____</p> <p>Attorney's Signature</p> <p>_____</p> <p>Date</p> <p>*****</p>
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RULES OF THE LAWYER REFERRAL SERVICE OF THE WEST PASCO BAR ASSOCIATION

Preface

The primary purpose of the Lawyer Referral Service of the West Pasco Bar Association is to provide a method whereby any person who can afford to pay a reasonable fee for legal advice or representation, and who does not have a lawyer, may be referred to a member of the Service who is available to give a brief consultation for an established fee and, where necessary, to furnish additional legal services on a reasonable fee basis.

Article I—The Lawyer Referral Service Committee

The Lawyer Referral Service Committee of the West Pasco Bar Association is charged with the organization and operation of the Service and shall make such rules for the conduct and operation of the same as from time to time it may deem proper, subject to the approval of the Board of Directors of the West Pasco Bar Association. The Chairman of the Committee shall be appointed by the Association's President.

Article II — Organization of the Service

1. All members in good standing of The Florida Bar who are regular members of the West Pasco Bar Association and who actively practice law in North Pinellas County are eligible for membership in the Service. Panel members must have a physical office and address in Pinellas County. A local fax number is also required.

2. In submitting an application for membership on the panel, any applicant shall be denied membership if, at the time of the initial application:

(a) the applicant has a grievance matter with a finding of probable cause pending with The Florida Bar or the Supreme Court of Florida, or the applicant has received within the last five (5) years:

(i) any disciplinary action by The Florida Bar or the Supreme Court of Florida; or

(ii) any judgment, conviction (whether or not adjudicated) or determination in a court or administrative proceeding, of the commission of any act of false statement, fraud, dishonesty, and/or misrepresentation; or

(b) the applicant has received within the past ten (10) years:

(i) any determination by The Florida Bar or the Supreme Court of Florida resulting in suspension;

(ii) revocation or disbarment of the applicant's license to practice law; or

(c) The applicant is currently serving probation through The Florida Bar or the Supreme Court of Florida. Such application shall not be accepted for consideration until the probationary period has been completed.

3. A lawyer may apply for membership by filing an application on the form provided. Upon admission to membership, the member agrees:

(a) To pay an annual registration fee of \$125 for receiving referrals in up to a maximum of five major categories.

(b) To pay an additional 12% of the total fees received from a referred client on the referred matter (except in Low Fee matters). However, if a referral fee is for general representation (such as general corporate work) rather than a specific matter, the obligation for additional contributions shall apply only to fees earned for the services performed within the first year after the referral.

(c) To personally grant an initial half hour consultation in person or via telephone to a referred client at no cost.

(d) To arbitrate fee disputes before the Fee Arbitration Committee of The Florida Bar.

(e) To report promptly to the Service, on forms (the case status report) to be furnished by the Service, the disposition or status of referred matters and fees received for services in connection therewith and to promptly pay all additional contributions to the Service when due upon receipt of said fees from the client.

(f) To maintain malpractice (E&O) insurance in the minimum amount of \$100,000, to furnish a face copy of the insurance policy, to provide a certificate of insurance to the Service upon request and to hold the West Pasco Bar Association harmless from any claim made against it by a referred client due to the member's alleged negligence or mistake.

(g) To accept referrals in at least one major area of practice listed on the Lawyer Referral Service Registration form.

(h) To waive confidentiality of any disciplinary investigations or information for the sole purpose of enabling The Florida Bar to inform the West Pasco Bar Lawyer Referral Service of any grievance history, including any and all complaints against a member and the status of each. It is expressly agreed and understood that this waiver of confidentiality shall remain in effect until such time as the member notifies, in writing, The Florida Bar and the West Pasco Bar Lawyer Referral Service of withdrawal from same.

Article III — Operation of the Service

1. The service shall be staffed by one or more Coordinators who shall function under the supervision of the Committee and the Executive Director.

2. The staff shall maintain a separate list of members for each area of practice specified in Article VII. Prospective clients shall be interviewed by a Coordinator. If legal services are requested, the Coordinator shall refer the client to a member on the appropriate list.

3. The client will be required to pay a \$50 referral fee (or \$25 for low fee cases) directly to the Service in advance of receiving a referral, except for referrals for medical malpractice, bankruptcy, personal injury, social security, foreclosure, and workers compensation.

4. The referral procedures shall assure that each referral is made in a fair and impartial manner to a member of an appropriate panel. Such procedures shall respond to all circumstances of the client/applicant, including the subject, the legal problem presented, geographical convenience, language needs and ability to pay for desired services.

5. Referrals will be given to non-local and local clients requiring telephone consultations. A telephone consultation shall be treated as an office referral in that the client shall be requested by LRS to remit to the Service the regular \$50 referral fee.

6. Assignment of referral clients shall be by chronological rotation from the appropriate list, unless the client shall decline to be referred to a particular member, in which case the client shall be referred to the next member on such list. Any member passed over in this manner shall remain in the same position on such list.

7. If the Coordinator ascertains that a person being interviewed is presently represented by a lawyer in the same matter, the member to whom the referral is made shall be informed of the circumstances and shall be governed by the Code of Professional Responsibility.

RULES OF THE LAWYER REFERRAL SERVICE

8. The Coordinator shall provide an attorney's name, address and phone number and instruct the client to contact the attorney for an appointment. The caller is further instructed to inform the attorney's office that (s) he was referred by the CSA LRS. Upon making such an appointment, the member receiving the referral shall go to the foot of the list. A confirmation of the referral will be faxed to the member.

9. No referrals shall be made to a member who fails to comply with any of the provisions of Paragraph 2 of Article IV. The Committee shall notify a member, in writing, of any non-compliance, specifically describing the nature of such member's non-compliance and, upon compliance, such member shall become entitled to receive referrals.

10. A member shall not refer a matter referred by the Service to another lawyer. However, a member may permit a law firm associate, partner, or professional association member to conduct the necessary legal services under such member's guidance if the assisting lawyer is also a member of the Service and on the same area of practice list. The original attorney continues to be responsible for all reporting and fees associated with the client.

11. In the event a member leaves a firm and leaves the Service cases with the firm after his/her departure, he/she will be responsible for ensuring that the status of all cases is reported to the Service and any fees due to the Service are remitted in a timely manner. Former Panel members will continue to receive the outstanding Case Status Reports and it will be their responsibility to contact their former firm and ask them to report the status of the cases to the Service and remit any fees due to the Service.

12. The Referral Service shall make regular and consistent attempts to follow-up with clients in a reasonable number of cases in order to obtain information which will enable the Service to ascertain whether appointments have been kept, whether the referred client was satisfied with the lawyer's handling of the case, whether the fee was within the client's means and similar information. Information obtained by such follow-up procedures will be used to make such alterations in the operation of the Service as may appear desirable to the Committee.

13. The Service shall provide, on a quarterly basis to the Ethics and Discipline Department of The Florida Bar, an alphabetical list of members of the Service pursuant to Integration Rule Bylaws, Article XV, Section 1(a)(4).

Article IV — Removal from the Service

1. No member of the Service shall be removed from membership in the Service without having been afforded notice and an opportunity to be heard by the Committee and an opportunity to show cause why such member shall not be removed from membership, except as provided for in Paragraph 4 below.

2. A majority of the Committee may remove a member from the service for cause upon the following grounds:

- (a) failure to pay registration fees and/or dues;
- (b) failure to pay rebates when due;
- (c) consistent unavailability for any reason other than illness;
- (d) consistent refusal to make or keep appointments with referred clients;
- (e) failure to comply with the Rules of the Service;
- (f) failure to meet the qualifications for membership in the Service;
- (g) incompetence;
- (h) suspension or disbarment from The Florida Bar; and/or
- (i) continued pattern of negative feedback from clients.

3. A member may at any time withdraw from the membership upon written notice to the Committee, but any resigning member shall not thereby be relieved of obligations to pay rebate fees to the Service or to report the status of any cases in connection with any referred matter.

4. A member shall be automatically and immediately suspended from membership in the Service upon notification to the Service from the Department of Lawyer Regulation of The Florida Bar that a finding of probable cause has been made against said member and that suspension shall remain in effect until the

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grievance matter is resolved. If the member is in good standing with The Florida Bar after the resolution of the matter, then they shall be returned to the Service provided that the member was not disciplined by The Florida Bar with a suspension or disbarment. If the member is disciplined by The Florida Bar with a suspension or disbarment, the member shall not be eligible for reinstatement to the Service.

Article V —Publicizing the Service

The Committee shall publicize the existence and purpose of the Service through proper channels, preserving the anonymity of its members, to the end that the availability of competent and conscientious legal assistance shall be known to those who can afford to pay a reasonable fee for legal services, but do not know a lawyer.

Article VI — Low Fee Panel

1. A Low Fee Panel, also known as Modest Means Panel, shall be maintained by the Service, the purpose of which is to make available legal representation at a reduced fee of no more than \$75/hour provided the following criteria is met:

a. The client qualifies according to the Service rules based on income and assets not to exceed 200% of the federal poverty guidelines;

b. Service coordinators have determined the client's eligibility per the client's written application on forms provided by the Service.

2. Low Fee Panel participants:

a. May not "switch" a referred client to low fee unless the client completes the application with the Service.

b. Legal fees may not exceed \$75/hour;

c. No rebates (12%) are due the Service for approved Low Fee cases.

Article VII - Pro Bono

A panel member may elect to represent a client on a pro bono basis if the following criteria are met:

1. The client completes an application for pro bono legal services on forms provided by Gulfcoast Legal Services, West Pasco Office;

2. The client qualifies for pro bono service per The Florida Bar and Gulfcoast Legal Services rules with income and assets not exceeding 150% of the federal poverty guidelines;

3. The panel member reports pro bono hours to the Gulfcoast Legal Services, West Pasco Office, on forms provided by Gulfcoast Legal Services.

Article VIII —Major Categories of Law

Administrative & Government Law

Admiralty

Appellate

Arts & Humanities

Aviation

Bankruptcy

Civil Litigation

Civil Rights

Consumer Law

Corporate & Business Law

Criminal Law

Elder Law

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Entertainment & Sports
Environmental Law
Estate Planning, Probate & Guardianship
Immigration Law
Insurance Law
Intellectual Property Law
International Law
Labor & Employment Law
Landlord/Tenant
Malpractice
Marital & Family Law
Military Law
Personal Injury & Negligence
Real Property
Securities
Social Security
Tax Law
Workers' Compensation