

The Bucks County Bar Association Lawyer Referral and Information Service Mission Statement

The Bucks County Bar Association has established its Lawyer Referral and Information Service to assist persons willing and able to pay usual and customary attorney fees in securing appropriate legal representation by referral to participants in the BCBA LRIS program. LRIS will endeavor to help an inquirer determine if the problem is legal by screening and, when possible, refer non-legal matters to county, government or consumer agencies as appropriate. Persons identified as needing legal representation and who do not claim inability to pay an attorney will be referred by LRIS to a participating attorney. LRIS participation is open to all attorneys licensed and eligible to practice in the state of Pennsylvania.

Inquiries from those who appear to be unable to pay reasonable fees for legal representation will be referred to the Bucks County Legal Aid Society, Public Defender's Office or other providers of legal services on a pro bono basis. Individuals who cannot afford usual and customary fees and yet do not qualify for representation through Legal Aid, the Public Defender's Office or other providers of pro bono service, may qualify for and receive representation through the Lawyer Referral and Information Service marginal referral program.

Policies of the BCBA Lawyer Referral and Information Service

1. The LRIS subscription year runs from January 1 to December 31.
2. To be a member of LRIS, you must have an office located in Bucks County. Referrals will only be made to offices located in Bucks County.
3. Each panel member is required to carry professional liability insurance in the amount of \$100,000/\$300,000 or \$250,000 aggregate and provide proof of such insurance to the LRIS.
4. In the case of local "Regular" referrals, the LRIS Administrator will collect the referral fee and make an appointment for the client or call/transfer client directly to attorney's office. We cannot allow an attorney to screen the client by phone to determine if he/she wants to take the case.
5. In the case of the "Out Of State" referrals, the LRIS Administrator will collect the referral fee and set up a phone consultation for the client to call the referral individual.
6. **Membership in a LRIS panel is on an individual basis. Referrals can ONLY be made to an attorney who has signed up for a particular panel. If a referral member cannot or does not want to be retained by the LRIS client, he/she is to refer the client back to the LRIS service for a referral to the next LRIS member on the list. A member of the LRIS service is not permitted to refer a Lawyer Referral and Information Service client to another member of his firm or to refer the LRIS client to any other attorney.**
7. All referrals are made on a rotation basis determined by the client's problem, geographic location and availability.
8. The clients are informed that in the event they are not going to keep the appointment, they are responsible for calling the attorney's office to cancel or reschedule the appointment.
9. In order to receive their \$25. consultation fee from the LRIS, the attorney is required to sign and mail, fax or email the Confirmation Report submitted to him/her by the LRIS back to the LRIS.
10. In cases involving Personal Injury, Medical Malpractice, Worker's Compensation, Product Liability, Car Accident/Plaintiff and Social Security Disability the initial consultation fee of \$40.00 is waived.
11. In the case of out of county attorneys requesting a referral, the referral fee is waived as a professional courtesy. The attorney will be given the names of two panel members. If a referral attorney is retained for the matter, it is the responsibility of the attorney to inform the LRIS.
12. The clients are informed that the referral fee only entitles them to a half-hour initial consultation. Any further fee arrangements are made directly between the attorney and the client. It is recommended that if there is to be an additional fee should the appointment run longer than the allotted half hour, the attorney should inform the client at the beginning of the initial consultation.
13. If a panel member receives a fee in excess of \$500.00 from any single referral by the LRIS, the attorney shall remit to the LRIS ten percent (10%) of the paid legal fees exceeding \$500.00. Quarterly notices of all open cases are sent to all LRIS panel members. Attorneys are required to

return these reports with updates to the LRIS each quarter. Do not increase your fees to compensate for the remittance fee. **Please note:** The 10% Remittal Fee only pertains to “Regular” referral cases, NOT “Marginal Civil or Marginal Criminal” referral cases.

14. The 10% Remittal Fee is required for all cases related to, or stemming from, the original subject matter that the attorney was referred by LRIS. For example, the Remittance Fee would also be required for custody and support if the attorney was hired for a divorce matter.

15. Remittance Fees can be sent to the LRIS as the referred case progresses or, if preferred, the referred attorney can send the Remittal Fee upon completion of the case. The Remittance Fee is due within three months of the completion date. Failure to pay the Remittance Fee according to the above policies shall result in suspension of referrals.

16. Marginal **Civil** Referrals: Attorneys participating in the Marginal Civil Program agree to charge the LRIS referral client a maximum hourly rate of \$100.00 after the initial consultation. Also, the maximum allowable retainer fee in these cases is \$1,000.00. These referrals shall be **exempt** from the 10% remittal requirement for fees collected over \$500.00

17. Marginal **Criminal** Referrals: Attorneys who are referred Marginal Criminal clients waive the initial consultation fee of \$25.00. Attorneys accepting Marginal Criminal referrals agree to negotiate a reduced fee based on the client’s ability to pay. These referrals shall be **exempt** from the 10% remittal requirement for fees collected over \$500.00.

18. If an attorney, after meeting with a **marginal** client, determines that this individual is not a marginal client and decides to charge his/her normal fee, then it is the attorney’s **responsibility** to contact the LRIS so that the referral can then be tracked as a regular referral and is then subject to the 10% rebate due the LRIS.

19. Attorneys who agree to handle **marginal** civil cases on a **contingent fee** basis and opt to charge their regular, unreduced, contingent fee **must notify** the LRIS Administrator of the change in status from “marginal” to “regular.” These referrals ARE then subject to the 10% remittal requirement for fees collected over \$500.00.

20. Subject Matter/Experience panels will be in the following areas of law: Mediation, Criminal and Family Law. Those attorneys interested in signing up for these panels must contact the bar association for the appropriate applications. Once your application has been approved, you can then sign up for the Subject Matter Panels.

21. At the completion of each referral, the client is sent information confirming the name and address of the referral attorney. Included with this mailing is a client satisfaction survey for the client to fill out and return in the enclosed prepaid stamped addressed envelope to the Bar Association. Surveys will also be sent out randomly and, in particular, when a referral attorney informs the LRIS the case is closed and fee paid in full.

22. Membership on the panel requires the member to submit to the Fee Dispute Committee whenever an LRIS client referred to the member requests it.

23. Failure to adhere to the LRIS Policies will result in *suspension or removal*. **Please review Policies #24 and #25 below.**

New LRIS Policies for 2007

24. Regulation of Panel Membership – Suspension/Removal – The LRIS Administrator will have the authority to review a panel member’s continuing eligibility and to adjust panel membership when necessary. The LRIS Administrator may remove or suspend a panel member at any time for good cause. Reasons for removal or suspension include but are not limited to the following:

- a. Suspension, disbarment or resignation from the practice of law;**
- b. Failure to obtain, maintain and report to LRIS legal malpractice insurance;**
- c. Failure to pay the annual dues;**
- d. Failure to forward remittance fees due the LRIS;**
- e. Failure to file timely reports and summaries required by the service;**
- f. Failure to adhere to the Rules and Policies of the LRIS;**
- g. The referring of prospective clients referred by LRIS to another lawyer, including firm members. (If the panelist is unable to assist the client, they must be referred back to the LRIS.)**
- h. Consistent or excessive complaints from referred clients;**
- i. Falsification of any material statement made in application to the Service or in any required report.**

If the LRIS Administrator removes or suspends an attorney, the LRIS Director shall convey the reasons to the attorney.

An attorney who has been removed or suspended from the panel will be offered the opportunity to make a written or oral response at the next regularly scheduled LRIS meeting. If the committee fails to reinstate the panel member, the Committee will provide the attorney with a written statement of its reasons within 30 days of the meeting. The attorney may then appeal this decision to the BCBA Board of Directors.

25. Responsibility for Remittal/Remittance Fees – Policy #6 prohibits under all circumstances the referral of an LRIS client to another attorney. Violation of that prohibition is grounds for removal or suspension of a panel member pursuant to Policy #24. Nevertheless, if a panel member refers an LRIS client to another attorney, the panel member shall be responsible to pay all Remittal/Remittance Fees as set forth in Policy #13 above based upon all fees paid by the LRIS client to the other attorney, regardless of affiliation of that attorney, even if the panel member did not receive any referral fee from the other attorney.

Certification of application for Lawyer Referral and Information Service membership:

I hereby certify:

I am licensed to practice law in the State of Pennsylvania and I actively practice law at the Bucks County law address given on the application form.

The statements and other information in this Application are true and complete. I agree to notify the LRIS promptly and in writing if anything occurs while I am a member of the LRIS that makes any such statement or information untrue or inaccurate. Without limiting the foregoing, I agree to notify the LRIS in writing if my Professional Liability Insurance is terminated or if I am subjected to public censure, reprimand or other form of public discipline by the Disciplinary Board of the Pennsylvania Supreme Court.

I have received and read the LRIS Policies for panel membership. By participation in the LRIS and as a panel member, I accept and agree that I shall be legally bound to abide by the terms, conditions and policies set forth above, and as they may be amended from time to time. Without limiting the foregoing, I agree that, in the event of any fee dispute between myself and any client referred to me by the LRIS, and at the client's request, such dispute shall be submitted to the BCBA Fee Dispute Committee.

I acknowledge that the Lawyer Referral and Information Service reserves the right to terminate or suspend my participation in the referral service upon violation of any of the above described policies.

Print Name: _____

Signature: _____

Date:

APPLICANT ATTORNEY INFORMATION Date: ___/___/___

Applicant Attorney Name: Mr./Ms. _____

(Firm Name)

(Business Phone Number) (Fax Number) (Cell Phone Number-Optional)

(Street Address) (Suite Number) (City/State/Zip)

EEmailAddress: _____

Usual Office Hours: _____ Evenings _____ Saturday _____

Year admitted to Pennsylvania Bar: _____

Admission to Bar in other state(s)/year: _____

Engaged in private practice since: _____

Within the past ten years, have you been subject to public censure, reprimand or other form of public discipline by the Disciplinary Board of the Pennsylvania Supreme Court? Yes___ No___

If so, please explain: _____

In accordance with Policy #3, please provide:

Name of your Professional Liability Insurer: _____

Policy limits: _____ Expiration Date of Policy: ___/___/___

(Please include a copy of your current policy face sheet with this application.)

Are you proficient in any language(s)? Yes/No _____ if yes, please indicate what language(s): _____

Can you Speak/Read and/or Translate this language? Yes___ No___

Enclosed is my application for membership in the Lawyer Referral and Information Service, a copy of my professional liability insurance declaration sheet, a signed and dated copy of the Policies of the BCBA Lawyer Referral and Information Service, and my LRIS membership fee in the amount of:

\$ _____ Check Number _____ . Please send this information to:

BCBA – LRIS
PO Box 300
Doylestown, PA 18901

Applications must be received by 1/15/2007

If you have any questions please call Trina Becker at: 215-348-9413 (ext. 102)

LRIS "BASIC" LAW PANELS AND SUB CATEGORIES

1. Business/Tax Law

- A. Bankruptcy/Creditor
- B. Bankruptcy/Debtor
- C. Contracts
- D. Corporations
- E. Fictitious Names
- F. Liquor License
- G. Partnership
- H. Patent
- I. Sale/Purchase
- J. Trademark/Copyright
- K. Corporate Tax
- L. Individual Tax
- M. Securities
- N. Internet Law
- O. Pension/Profit Sharing/401K

2. Civil Litigation

- A. Car Accidents/Plaintiffs (Fee Waived)
- B. Car Accidents/Defendants
- C. Medical Malpractice (Fee Waived)
- D. Legal Malpractice
- E. Personal Injury (Fee Waived)
- F. Product Liability (Fee Waived)
- G. Collection/Plaintiffs
- H. Collection/Defendants
- I. Dental Malpractice
- J. Insurance
- K. S.S. Disability (Fee Waived)
- L. Lemon Laws
- M. Unemployment Comp.
- N. Workers' Compensation (Fee Waived)
- O. Appellate
- P. Construction
- Q. Defamation/Slander

3. Criminal Law

- A. DUI Cases
- B. Expungement
- C. Federal Cases
- D. Felony
- E. Juvenile
- F. Misdemeanors
- G. Summary
- H. License Suspension

Criminal Subject Matter Panel

Must qualify before selecting (see below)

- CSM1. Serious Felonies
- CSM2. Homicides

Subscribers Fees

1st Panel: \$95.00
2nd Panel: \$45.00
3rd Panel: \$45.00
Total Amt. \$ _____

4. Real Estate Law

- A. Financing
- B. Foreclosure
- C. Landlord/Tenant
- D. Leases
- E. Litigation
- F. Mechanics' Liens
- G. Transfer of Property
- H. Zoning/Municipal
- I. Home Owner/Condo Assocs.
- J. Purchase/Sale of Property

5. Estate/Orphans' Court

- A. Adoption
- B. Elder Law
- C. Estate Administration
- D. Estate Planning
- E. Guardianship
- F. Living Trusts
- G. Mental Health
- H. Orphans' Court Litigation
- I. Power of Attorney
- J. Wills

6. Family Law

- A. Child Abuse
- B. Custody/Visitation
- C. Divorce
- D. Name Change
- E. Separation Agreement
- F. Spouse Abuse
- G. Support/Alimony
- H. Prenuptial Agreement
- I. Grandparent's Rights
- J. Co-Habital Property Division
- K. Equitable Distribution

7. Individual Rights

- A. Civil Rights/Emancipation
- B. Commitments
- C. Consumer Protection
- D. Education
- E. Employment Discrimination
- F. Environmental
- G. Federal Administration Agencies
- H. Health
- I. Immigration/Naturalization
- J. Labor
- K. Military
- L. Welfare
- M. Harassment
- N. Wrongful Termination
- O. Americans With Disabilities
- P. Employment Law
- Q. Identity Theft

Optional Participation

- Please refer **Marginal Civil** cases in those LRIS panels in which I am registered. See Policies #16, #18 & #19)
- Please refer **Marginal Criminal** cases in those sub categories in which I am registered. See Policy #17 & #18.

I am interested in registering for the Subject Matter Panel(s).

Please send me the appropriate application(s).

- Major Criminal Mediation Family Law

Once you have been approved to be on either the Criminal Subject Matter Panel, the Family Law Subject Matter Panel or the Mediation Subject Matter Panel, it is not necessary to reapply each year. If your application has been approved for the Subject Matter Mediation, Family Law or Major Criminal Panel, you may sign up for the same "Basic" panels on the above form as well as the Subject Matter Panel form and it will only count as one panel (provided they are the same panels).

Subscriber Fees

As a subscriber of the BCBA Lawyer Referral and Information Service, you may choose up to three (3) Basic Law Panels and as many as you wish of the sub-categories under those Basic Law Panels.

The fee for BCBA Members for the first Basic Law Panel is \$95.00 and the fee for the 2nd and 3rd Major Panel is \$45.00 each. The fee for Non-Members of the BCBA Bar Association for the first Basic Law Panel is \$510.00 and the fee for the 2nd and 3rd Major Panel is \$45.00 each. The maximum fee will be \$185.00 for BCBA Members and \$600.00 for Non-Members.

Member BCBA

First Panel: \$95.00
2nd Panel: \$ _____
3rd Panel: \$ _____

Total Fee: \$ _____

Check #: _____

Non-Member

First Panel: \$510.00
2nd Panel: \$ _____
3rd Panel: \$ _____

Total Fee: \$ _____

Check # _____

Please make your checks payable to the BCBA and mail to:

BCBA - LRIS
PO Box 300
Doylestown, PA 18901

What are Subject Matter Panels?

“Subject Matter” or “Experience” Panels are terms used to describe those areas of practice specifically designated by the lawyer referral service for which attorneys desiring to register must demonstrate they have achieved a certain predetermined level of competence. Experience Panels differ from other panels offered by lawyer referral services in that it is necessary to meet more stringent requirements beyond the basics for lawyer referral participation.

Usually, lawyer referral services have a certain number of areas of practice from which an applicant may choose, and the applicant qualifies by meeting the overall requirements for participation. If the attorney wishes to sign up for the special panels, however, it becomes necessary to fulfill additional requirements which may include providing information regarding a certain number of cases handled in that field, continuing legal education courses taken or taught, and the names of professional references. Often, there is an additional fee as well.

Each service designs its own criteria, usually in consultation with the governing committee, staff and recognized “experts” in each particular field. Once these are established, a process of approval is decided upon which can range from submission of the application and self certification, to a series of interviews with a panel which may include attorneys experienced in the field, committee members, board members and staff. It is important to remember that with experience panels, it is not enough to simply demonstrate a certain number of years of experience in the particular field. In other words, “experience” does not mean solely “years in practice.”

Why have Subject Matter Panels?

Lawyer Referral and Information Services set requirements for participation beyond admission to practice because consumers contact bar association-sponsored lawyer referral and information services with the expectation of a referral to a competent attorney. There is an implied “good housekeeping seal of approval” associated with a bar association referral. As a public service, the association takes steps to ensure a certain measure of quality along with that referral. Experience panels raise the bar a little higher, and actually make it easier for the service to present that assurance of quality.

The ABA Model Rules, approved by the ABA House of Delegates in August of 1993, say that “a quality lawyer referral service should have such panels.” In order to qualify as a service that meets ABA standards, a lawyer referral service must have at least one subject matter panel.

MEDIATION SUBJECT MATTER PANEL*

You have met the criteria for the Mediation Subject Matter Panel. You may select three (3) major panels and as many sub-categories as you like under those major panels. If you have already signed up for the LRIS “basic” law panels, you may select no more than three (3) panels **combined** between the Mediation Panels and the regular LRS Panels, e.g., if you signed up for the Family Law Panel on the regular LRS sign up sheet **and** on the Mediation Panel, it is considered just one panel.

Business Law

- A Contract
- B Corporate
- C Partnership
- D Sale/Purchase

Civil Litigation

- A Insurance
- B Personal Injury

Real Estate

- A Neighbor Dispute
- B Landlord/Tenant
- C Transfer of Property
- D Leases

Estate/Orphans' Court

- A Adoption
- B Wills/Estates
- C Guardianship
- D Elder Law

Family Law

- A Custody/Visitation
- B Divorce
- C Equitable
- D Separation Agreement
- E Support/Alimony

Individual Rights

- A Americans With Disabilities
- B Education
- C Employment
- D Employment Discrimination
- E Health
- F Labor
- G Wrongful Termination

All referrals are made on a rotation basis determined by the client's problem, geographic location and availability.

*** You may fill in and send in the Mediation Subject Matter Panel only if you have already been approved. Applications are available upon request.**

