NEW YORK CITY BAR | LEGAL REFERRAL SERVICE

Lawyers needed! Apply for one or more areas of high need and we will waive your LRS membership fees for the first 12 months.

Our areas of high need are:

- Attorney Discipline
- Business Licenses
- City Agencies
- Civil Service Workers Representation
- Consumer Fraud
- Credit
- Education
- ERISA
- Federal Agencies
- Gun Permits
- Immigration
- Insurance (especially Health Insurance)
- Lemon Law
- Liquor Licenses
- Mental Hospital Release Hearings
- Moving Violations
- Name Change
- Private Pension Matters
- Professional Discipline
- Social Security Disability & SSI
- State Agencies
- State/Municipal Disability Pensions
- Tax
- Taxi & Limousine Commission
- Traffic
- Unemployment Insurance
- Workers Compensation

NEW YORK CITY BAR | LEGAL REFERRAL SERVICE

APPLICATION FOR PANEL MEMBERSHIP

The New York City Bar Legal Referral Service (the "Service" or "LRS") was created by The New York City Bar Association and the New York County Lawyers' Association (the "Associations") under the auspices of the Associations' Joint Committee on Legal Referral Service (the "Joint Committee"). The Service is now operated solely by the New York City Bar Association. The LRS is a public service and exists primarily for the benefit of the public.

Application Process Overview

The LRS approval process is a serious one. LRS does not automatically accept every applicant even if they have been practicing law for many years. This allows the LRS to recommend lawyers to the public with confidence. It also makes it more likely that the participating lawyers or "Panel Members" we recommend will be retained.

Your application will be used to evaluate your suitability for panel membership and, if you are interviewed, will inform the scope of your **interview**. Interviews help further evaluate your experience and allow you to meet with some of the LRS staff and Panel Members who practice in the same or similar areas of law as you.

Application Procedures

In applying to the LRS, you must select one of the two application paths: 1) you meet the applicable Panel Qualification Standards for each area of law for which you are applying, or; 2) you do not meet all of the applicable Panel Qualification Standards for each area of law for which you are applying, but believe that you have sufficient equivalent experience to support LRS membership and participation in each area of law for which you are applying.

You may select **up to three** major areas, or "**panels**," of law for which you would like to be considered. These panels are listed below as part of this application. Please do not apply for more than three panels. You will notice that each panel also includes sub-specialties or "subpanels." For example, the panel "Family Law" includes subpanels such as "custody," "divorce," and "guardianship." There is no limit on how many subpanels for which you may apply under each panel. Please do not apply for any panel for which you do not meet the stated Panel Qualification Standards and do not have sufficient requisite experience to support an application based on equivalencies. The minimum standards for each panel and subpanel are found in the Panel Qualification Standards on this webpage: https://www.nycbar.org/get-legal-help/become-an-lrs-lawyer/.

Do not include payment of the Annual Listing Fee. If approved for LRS panel membership, you will be billed after you are approved.

Created by
The New York City Bar Association & The New York County Lawyers' Association
42 West 44th Street - New York, NY 10036-6690
T: 212-382-6775 F: 212-382-4719 Referral line: 212-626-7373
www.nycbar.org/LRS

INSTRUCTIONS

Please Provide the Following:

- Your completed written application;
- A scan of your business card;
- Your resume, if available;
- A list of all of your CLE credits for the past two years;
- A copy of all retainer agreement forms you use and all standard retainer letters you use for each area of law for which you are applying;
- Your Question 20 summaries and Substantial Equivalency Form (if applicable);
- A writing sample for each panel for which you are applying;
- A short statement of your experience for each subpanel for which you are applying. If your practice includes an area of law that is not included in the LRS Panels and Subpanels Selection List below, then please include applicable descriptions and summaries.

Please pay close attention to **Question Number 20**. Your answer(s) to this question should demonstrate that you meet the minimum standards and/or have substantial equivalent experience for each of the areas of law for which you are applying. Each of your answers must include a summary of at least three specific matters for each panel for which you are applying. Each summary should include:

- The title and index number if it is a matter of public record
- The major issues involved
- The amount at issue (including the amount of the verdict or settlement)
- A summary of the investigation, discovery, or due diligence that you conducted
- Whether you had co-counsel and, if so, how the work was apportioned
- How your client benefitted from your advice or representation.

Submit this Application and all supporting materials to LRSapplications@nycbar.org as a single PDF.

Thank you for taking the time to apply for this service. Following our receipt and review of your Application, we will contact you to schedule an interview or to notify you of and/or discuss any deficiencies.

We look forward to meeting you and learning about your skills. If at any time you have questions about this application, please call the Deputy Director at 212-382-6691 or Executive Director 212-382-6775 for assistance.

APPLICATION FOR PANEL MEMBERSHIP

1. Name _____

Firm Name _____ No. of lawyers in Firm _____

Office Address _____

If your Office Address (above) is a "virtual office" or the Office Address (above) is the same as your Home Address (below), please call the Deputy Director at 212-382-6691 or Executive Director at 212-382-6775 at the LRS before completing this application.

Telephone _____ Fax _____

Office Email Address _____

Home Address _____

Home Phone _____ Date of Birth _____

☐ **Yes, I am a resident of New York State.**

☐ **No, I am not a resident of New York State, but I comply with Judiciary Law Section 470 and have completed the LRS Nonresident Certification Long Form.**

☐ **No, I am not a resident of New York State and do not currently comply with Judiciary Law Section 470, but will complete the LRS Nonresident Certification Long Form prior to receiving referrals.**

If you have any questions please call the Deputy Director at 212-382-6691 or Executive Director at 212-382-6775.

2. Education - List each college, law school and post graduate school attended, years attended, degree received and year degree was received.

Undergraduate _____

Post Graduate _____

Law School _____

Post Graduate Law _____

Please attach a list of all Continuing Legal Education courses you have taken over the past two years.

3. Date/Department admitted in New York _____

4. Engaged in active practice since _____

5. Admissions to practice before other tribunals and jurisdictions (federal courts, administrative agencies, etc.) and dates of admissions:

_____

_____

6. Other jurisdictions on whose laws you are qualified to advise:

_____

_____

_____

7. Detail your employment history and/or professional affiliations since date of admission (attach resume and separate sheet(s) if necessary).

_____

_____

8. List the areas of law in which you concentrated your practice during the past five (5) years

_____

_____

_____

9. State the approximate percentages of your practice during the past five years devoted to:

Trial work _____ Transactional work _____ Mediation _____ Arbitration _____

Other (describe) _____

10. State the average number of mediations, arbitrations and/or trials per year you handled during the past five years as a neutral or representing a party.

Mediations _____ Arbitrations _____ Trials _____ Other _____

11. Have you ever been admonished or disciplined or are you now under investigation concerning any allegation of professional misconduct or wrongdoing? (Check "yes" or "no").

Yes _____ No _____

If your answer to this question is "yes," please explain on a separate sheet and attach to this application.

12. Have you ever been disciplined, suspended and/or removed from a lawyer referral panel?

(Check "yes" or "no") Yes _____ No _____

If your answer to this question is "yes," please set forth the circumstances surrounding the event(s) on a separate sheet and attach to this application.

13. Within the last seven (7) years, have you been sued by a client or has a malpractice claim been asserted against you? (Check "yes" or "no").

Yes _____ No _____

If your answer to this question is "yes," please explain on a separate sheet and attach to this application.

14. List foreign language(s) you are proficient in (indicate whether you understand, read, speak fluently, and/or write).

_____

_____

_____

15. State the number of hours per year you are willing to donate to pro bono cases if requested by the Service.

_____

16. List any law review articles or other pertinent publications that you have written, and any pertinent lectures you have given.

_____

_____

_____

17. List (or attach) any other information pertinent to this application.

_____

_____

_____

18. State whether you currently have a policy of professional liability insurance covering your practice. (Check "yes" or "no").

- ☐ Yes, and I have submitted the Declarations page of my insurance policy with this application.
- ☐ No, but I understand and agree that I must have insurance and submit my Declarations page to the Service before receiving referrals.

19. Check below if you are a member in good standing of any of the following associations: (It is <u>not necessary</u> to be a member of any of the organizations listed below for your application to be considered).

- ☐ The New York City Bar Association
- ☐ The New York County Lawyers' Association
- ☐ National Employment Lawyers' Association
- ☐ American Immigration Lawyers' Association

20. A. Complete the LRS Panels and Subpanels Selection List. Please review the **Panel Qualification Standards** for each panel and subpanel for which you are applying. On the LRS Panels and Subpanels Selection List below, please check the subpanels for which you are applying.

B. Choose An Application Path. After you have reviewed the **Panel Qualification Standards**, please check one of the two boxes immediately below to indicate under which application path you are submitting this application:

☐ **Application Path No. 1: I meet the applicable Panel Qualification Standards** for all areas of law for which I am applying and will attach sufficient information with my Application to demonstrate that I meet the minimum qualifications stated.

☐ **Application Path No. 2: I do not meet the applicable** for one or more areas of law for which I am applying, but believe that I have sufficient equivalent experience to support LRS membership and participation in each area of law for which I am applying. I am submitting with this Application the Substantial Equivalency Form in support of my Application for LRS Panel Membership.

C. [Required for both Application Paths:] Write and Submit Three Summaries for Each Subpanel Selected on the LRS Panels and Subpanels Selection List. You must submit descriptions of three matters that you handled for each subpanel for which you are applying. Your descriptions must include a summary of specific matters in which you participated for each subpanel. Please describe the nature of your participation, the facts, issues and amounts involved, the final results and how your client benefitted from your counsel/representation. It is important that you consider your responses carefully. The information you provide will help us evaluate your practice experience.

It is imperative that you respond to question #20 completely.

Your application cannot be considered without this information.

Affirmation for Panel Membership with the New York City Bar Legal Referral Service ("Service")
Authorization to Disclose Information

I hereby affirm that:

I am a member in good standing of the Bar of the State of New York. I actively practice law at the office address set forth in the Legal Referral Service Application for Panel Membership or Application for Renewal of Panel Membership (collectively, "Application") accompanying this Affirmation for Panel Membership with the Legal Referral Service and Authorization to Disclose Information ("Affirmation").

The statements and other information in the Application are true and complete. I agree to notify the Service immediately, in writing, if anything occurs while I am a member of the Service or while in the process of applying for Panel Membership or renewal of Panel Membership with the Service which makes any such statement or information untrue, inaccurate, or misleading. Without limiting the foregoing, I also agree to notify the Service promptly and within thirty (30) days, in writing, if my professional liability insurance is or will be terminated or decreased; if I have been cautioned, admonished, reprimanded, or disciplined by any disciplinary or grievance committee, agency, licensing authority, judicial body or court; or if I am currently under investigation or involved in any proceeding of any kind (including, without limitation, any criminal, civil, or administrative proceeding, or any lawsuit, arbitration, or mediation) which includes any allegation about me concerning or related to professional misconduct or wrongdoing or any conduct, activity, or possible outcome listed in Rule 21(2.) of the Legal Referral Service Rules for Panel Membership ("Rules"), amended May 21, 2020.

I consent that information about me in this Application or otherwise known to the Service may be furnished to potential clients and clients seeking referral by the Service.

I have received and read the Rules and I agree to abide by the Rules as in effect from time to time. Without limiting the foregoing, I agree that, in the event of any fee dispute between me and any client referred to me by the Service, at the client's request and the discretion of the Joint Committee on Legal Referral Service ("Joint Committee"), such dispute shall be submitted to binding arbitration in accordance with the Rules then in effect and that, if such dispute is submitted to binding arbitration, judgment may be entered on the basis of the decision in such arbitration.

I agree that my Panel Membership and appointment to and continuance as a Panel Member on any Panel(s) are subject to the Rules and the discretion of the Joint Committee in accordance with the Rules as in effect from time to time.

I authorize the Service, acting through its staff or Chair of the Joint Committee, to request and obtain any information relevant to my Application, Panel Membership, renewal of Panel Membership, or notifications provided pursuant to this Affirmation or the Rules, including without limitation any information in the possession of: my current or former professional liability insurance carrier; any judicial or other governmental agency; any bar association; any committee; any investigatory, licensing or disciplinary authority; or any other entity however constituted or designated which may be concerned with allegations of professional competency and abilities, illegal activity, misconduct or wrongdoing, or fee disputes. I hereby authorize any such professional liability insurance carrier, agency, association, committee, authority or entity to release any such information to the Service or Chair of the Joint Committee upon receipt of a machine or digital copy of this paragraph and my signature below.

Signature: _____ Date: _____

Print Name: _____

The following is a list of the areas of law for which we have panels. Please review the list below and then go to the following page and check the boxes for the panel and subpanels for which you are applying.

Administrative law
Bankruptcy
Business & Corporations
Civil appeals
Consumer law
Contracts
Criminal law
Education law
Employment/Labor
Entertainment law
Family law
Immigration law
Insurance law
International law
Intellectual Property
Landlord/Tenant
Moderate Means
Other
Real Estate
Securities
Tax
Tort/Negligence
Wills & Trusts
Workers Compensation

LRS PANELS AND SUBPANELS SELECTION LIST

Applications are limited to no more than three panels.

Check the panel (e.g., Administrative Law) and subpanel(s) (e.g., SSD) below for which you are applying:

ADMINISTRATIVE LAW [1200]

- ☐ 1206 Social Security Disability (SSD)
- ☐ 1207 Federal Agencies
- ☐ 1208 State Agencies
- ☐ 1210 Tax & Limo Commission
- ☐ 1211 Professional Discipline
- ☐ 1212 Liquor License
- ☐ 1213 Business License
- ☐ 1214 Gun Permits
- ☐ 1221 Attorney Discipline
- ☐ 1222 Mental Hospital Release hearing
- ☐ 1224 Unemployment Insurance
- ☐ 1225 SSI

BANKRUPTCY [1500]

- ☐ 1501 Business, Reorganization
- ☐ 1502 Large Personal, Professional
- ☐ 1503 Wage Earner
- ☐ 1504 Small Personal
- ☐ 1505 Creditor Rights
- ☐ 1506 Bankruptcy Court Appeals

BUSINESS & CORPS. [200]

- ☐ 201 Business Formation/Advice
- ☐ 202 Nonprofit Corp.
- ☐ 203 Dissolve Business
- ☐ 204 Buy & Sell Business
- ☐ 205 Commercial Litigation, Business
- ☐ 206 Franchise
- ☐ 207 Antitrust
- ☐ 208 Unfair Competition
- ☐ 209 Employment Contract
- ☐ 210 Complex Litigation
- ☐ 211 Civil RICO
- ☐ 215 Sale of Professional Practice

CIVIL APPEALS [2200]

- ☐ 2201 Federal Civil Appeals
- ☐ 2202 NY State Appeals -App Div.
- ☐ 2203 NY State Appeals Appellate Term
- ☐ 2204 NY State Appeals Court

CONSUMER LAW [1300]

- ☐ 1301 Home Improvement
- ☐ 1303 Consumer Fraud
- ☐ 1304 Lemon Law
- ☐ 1305 Credit
- ☐ 1308 General Consumer
- ☐ 1309 Name Change
- ☐ 1315 Utility Disputes

CONTRACTS [100]

- ☐ 101 Secured & General
- ☐ 102 Construction
- ☐ 103 Collections
- ☐ 104 Government Contracts

CRIMINAL LAW [1100]

- ☐ 1101 Misdemeanors
- ☐ 1102 Felonies
- ☐ 1103 Homicide
- ☐ 1104 White Collar
- ☐ 1105 Traffic
- ☐ 1106 Appeals
- ☐ 1107 Property Forfeiture
- ☐ 1108 Juvenile Delinquency
- ☐ 1110 DWI
- ☐ 1111 Parole violation
- ☐ 1112 Federal Criminal
- ☐ 1113 Moving Violations
- ☐ 1115 Immigrant Criminal Defense

EDUCATION LAW [2400]

- ☐ 2402 Teachers
- ☐ 403 Schools
- ☐ 404 Special Education
- ☐ 2405 Student Rights/Discipline through High School
- ☐ 2406 Student Grades/Discipline Higher Education
- ☐ 2407 School Staff-Civil Service and Non Professional
- ☐ 2408 NYC/NYS Teacher's Pension
- ☐ 2409 School Zoning

EMPLOYMENT/LABOR [1700]

- ☐ 1701 Employer Rep
- ☐ 1702 Employee Firing
- ☐ 1703 Civil Service
- ☐ 1704 Pensions
- ☐ 1705 Employ Other
- ☐ 1706 ERISA
- ☐ 1710 Sex Discrimination/Harassment
- ☐ 1711 Age Discrimination
- ☐ 1712 Race/Religion Discrimination
- ☐ 1713 Disability Discrimination
- ☐ 1714 Cancer Clinic
- ☐ 1715 State/Municipal Disability Pensions
- ☐ 1716 Wage & Hour & Overtime Claims
- ☐ 1717 Family Medical Leave Act

ENTERTAINMENT LAW [1400]

- ☐ 1401 Music, Recording
- ☐ 1402 Film, TV, Modeling
- ☐ 1403 Theatre
- ☐ 1404 Publishing

FAMILY LAW [300]

- ☐ 301 Private Adoption
- ☐ 302 Foster Adoption
- ☐ 303 Small Uncontested Divorce
- ☐ 304 Divorce, Annulment
- ☐ 305 Custody - Supreme Court
- ☐ 306 Paternity
- ☐ 307 Support, Modification/Enforcement
- ☐ 308 Fee from Spouse
- ☐ 310 Interstate/International
- ☐ 312 Separation/Pre-Marital Agreement
- ☐ 313 Family Court Support Petitions
- ☐ 314 Guardianship
- ☐ 315 Supreme Court Family Law Appeals
- ☐ 316 Family Court Order of Protection
- ☐ 317 Family Court Custody/Visitation
- ☐ 318 PINS/Neglect/Abuse/Parental Rights
- ☐ 319 Family Court Appeals

IMMIGRATION LAW [600]

- ☐ 602 Visas
- ☐ 603 Naturalization
- ☐ 604 Labor Certification
- ☐ 605 Fraud Investigation
- ☐ 606 Deport, Exclusion
- ☐ 608 Political Asylum
- ☐ 609 Immigration Appeals

INSURANCE LAW [500]

- ☐ 501 Life, Health, Disability
- ☐ 504 Home, Fire, Property
- ☐ 507 Obligation of Defense/Indemn.
- ☐ 515 Reps. Ins. Company
- ☐ 520 Claim Denial - Fraud
- ☐ 521 Long Term Disability

INTERNATIONAL LAW [1800]

- ☐ 1801 Trade
- ☐ 1802 Customs, Tariffs
- ☐ 1803 Claims, Reps

INTELLECTUAL PROPERTY [900]

- ☐ 901 Trademarks
- ☐ 902 Copyrights
- ☐ 903 Patents
- ☐ 904 Unfair Competition
- ☐ 905 Computer Law
- ☐ 906 Intellectual Property Litigation

OTHER [2300]

- ☐ 2301 RICO
- ☐ 2303 Admiralty
- ☐ 2304 Military Law
- ☐ 2306 Disabled Persons
- ☐ 2310 Qui Tam/Other Whistle Blower Bounty Cases/ Sunshine Laws

LANDLORD/TENANT [3200]

- ☐ 3201 Tenants Rep
- ☐ 3202 Landlords Rep
- ☐ 3203 Commercial L & T
- ☐ 3204 Tenant Groups
- ☐ 3205 Loft Law
- ☐ 3206 Mitchell-Lama
- ☐ 3207 Housing Court Appeals

MEDIATION [6500]

- ☐ 6501 Family Mediation
- ☐ 6502 Commercial Mediation

MODERATE MEANS [6300]

- ☐ 6301 Divorce
- ☐ 6302 Bankruptcy Chapter 7
- ☐ 6303 Bankruptcy Chapter 13

REAL ESTATE [1000]

- ☐ 1003 Coop & Condo Sales
- ☐ 1004 Coop Boards
- ☐ 1007 Easements, Zoning
- ☐ 1008 Complex Transactions
- ☐ 1009 Foreclosures
- ☐ 1010 Litigation
- ☐ 1011 Eminent Domain
- ☐ 1012 Tax Certiorari
- ☐ 1015 One & Two Family Homes
- ☐ 1016 Housing Discrimination

SECURITIES [2000]

- ☐ 2001 Customer Arbitration & Litigation
- ☐ 2002 Employee Arbitration & Litigation

TAX LAW [1600]

- ☐ 1601 Personal, Federal & State
- ☐ 1602 Business, Large Personal
- ☐ 1603 International, State
- ☐ 1604 Audits, Tax Litigation
- ☐ 1605 Tax Appeals
- ☐ 1610 Tax Clinic

TORT/NEGLIGENCE [800]

- ☐ 801 Falls, Car Accidents
- ☐ 802 Assault, False Arrest
- ☐ 803 Libel/Slander
- ☐ 804 Property Damage
- ☐ 805 No Fault
- ☐ 806 Tavern/Dram Shop
- ☐ 807 Constitutional, Civil Rights
- ☐ 808 Un/Underinsured
- ☐ 809 Medical Malpractice
- ☐ 810 Legal Malpractice
- ☐ 811 Aviation/Mass Disaster
- ☐ 812 Product Liability
- ☐ 813 Dental Malpractice
- ☐ 814 Paralysis, Death
- ☐ 820 Tort Defense
- ☐ 821 World Trade Victim
- ☐ 822 Tort/Negligence Appeals
- ☐ 823 Psychiatric Malpractice
- ☐ 824 Toxic Torts

WILLS & TRUSTS [400]

- ☐ 401 Simple Will
- ☐ 402 Probate
- ☐ 403 Estate Planning
- ☐ 404 Complex Admin. & Litigation
- ☐ 405 Conservatorship
- ☐ 406 Reduced Fee Will
- ☐ 407 Elder law
- ☐ 410 Kinship

WORKERS COMPENSATION [700]

- ☐ 701 State
- ☐ 702 Federal
- ☐ 703 Appeals

I affirm that I am qualified to handle matters in the categories checked above, and that if I am referred a matter for which I do not have sufficient expertise, <u>I will refer that matter back to the Service</u>.

Signature: _____ **Date:** _____

Print Name: _____

SUBSTANTIAL EQUIVALENCY FORM IN SUPPORT OF APPLICATION FOR LRS PANEL MEMBERSHIP

INSTRUCTIONS – please complete all of the following:

I meet the applicable Panel Qualification Standards for the following subpanel(s) for which I am applying and will attach sufficient information with my Application to demonstrate that I meet the minimum qualifications stated. If this section is applicable, please list each subpanel number and subpanel name on the lines below (attach additional sheets if necessary):

Subpanel Number	Subpanel Name

I do not meet one or more of the applicable Panel Qualification Standards for the subpanel(s) indicated in the chart below and for which I am applying; however, I believe that I have sufficient equivalent experience to support LRS membership and participation in the subpanel(s) indicated in the chart below:

Subpanel Number	Subpanel Name	Unmet Panel Qualification Requirement (Please quote the relevant language from the Panel Qualifications Standards)

For each subpanel listed in the chart above, please detail all experience that you feel constitutes a substantial equivalency to the unmet panel qualification requirement you quoted above for that subpanel. Please provide a separate page for each subpanel listed in the chart above.

If you have any questions regarding this form, please call the Deputy Director at 212-382-6691 or Executive Director at 212-382-6775 at the Legal Referral Service before completing it.

New York City Bar Legal Referral Service
Billing Department
42 West 44th Street
New York, NY 10036
P 212.382.6659
F 212.382.4719
lrsbilling@nycbar.org

ATTENTION: If your home address is not in New York, you must complete this Certification and submit it and all supporting documents to the New York City Bar Legal Referral Service.

In light of case law interpreting New York Judiciary Law Section 470[1] ("Section 470") and in accordance with the Legal Referral Service Rules for Panel Membership[2] ("LRS Rules"), I certify to the following by initialing next to the most appropriate statement – A, B, or C – below:

_____ A. I am not a resident of the State of New York, but I own or rent a physical office in the New York City metropolitan area suitable to receive LRS-referred clients during normal business hours, which I believe complies with Section 470 and the LRS Rules.

_____ B. I am not a resident of the State of New York, but I am associated with a New York law firm which maintains a physical office in the New York City metropolitan area suitable for me to receive LRS-referred clients during normal business hours, and which I believe complies with Section 470 and the LRS Rules.

_____ C. I am not a resident of the State of New York, but I subscribe to or participate in an office, executive suite or workplace sharing arrangement, program or similar service at a specific location in the New York City metropolitan area suitable for me to receive LRS-referred clients during normal business hours, which I believe complies with Section 470 and the LRS Rules. **I have included a written description of my subscription, participation or workplace sharing arrangement, program or similar service with this Certification.**

I engage in the following activities at the location I have indicated above (please check all that applies):

_____ Transact law business.

_____ Meet with legal clients, co-counsel, and/or adversaries.

_____ Receive private, confidential law-related calls at a telephone number associated with that location.

_____ Receive service of process.

_____ Receive mail related to my transaction of law business on behalf of clients.

_____ Conduct legal research and/or draft legal papers and documents.

---

1. "Attorneys having offices in this state may reside in adjoining state. A person, regularly admitted to practice as an attorney and counsellor, in the courts of record of this state, whose office for the transaction of law business is within the state, may practice as such attorney or counsellor, although he resides in an adjoining state."
2. Including, but not limited to, Rule 6. Local Office Requirement: "Each Panel Member shall comply with Judiciary Law Section 470, engage in the practice of law in the New York City metropolitan area and maintain a New York office in that area suitable to receive clients during normal business hours."

In support of this Certification, I have attached:

- ✓ All relevant documents, including but not limited to copies of any leases, sub-leases or work space sharing agreements, etc., that I have signed, relating to my use of the office space and which identify each location and provide the terms, legal right and authority by which I utilize each location associated with each statement I initialed in this document. Please Note: We do not need to know the names of the parties or the amounts paid under these leases, subleases or work sharing arrangements; these may be redacted.

- ✓ A written description of my "transaction of law business" activities at each location, including, e.g., the frequency and duration of such activities including the number of days spent working and meeting with clients at each location.

- ✓ If I initialed statement "C" above, a written description of my subscription, participation or workplace sharing arrangement, program or similar service.

Please indicate the number of attached pages here: _____

As an applicant or a participating LRS panel member, and as a lawyer currently in good standing and registered with the administrative office of the courts, I understand that in order to participate in the LRS and be in rotation to receive LRS referrals I must meet the requirements of the LRS Rules and Section 470. I certify that I shall protect, defend, indemnify and hold the LRS, the New York City Bar Association and its affiliates, employees, volunteers, officers and directors harmless from and against all losses, costs, liabilities, claims, damages and expenses of every kind and character, as incurred, resulting from or relating to or arising out of any and all disputes, including any and all counterclaims, whether settled by the litigants or having proceeded to judgment by a court of competent jurisdiction, where such dispute is related to the referral of any client by the LRS to me and in which it is alleged I did not comply with Section 470. I also certify that I will update this Certification should my circumstances change.

Signature:_____

Please Print Name:_____

Date:_____

NEW YORK CITY BAR | LEGAL REFERRAL SERVICE

New Applicants: Apply for one or more areas of high need* and we will waive your LRS membership fees for the first year.

***Our areas of high need are:**

- Business Licenses
- City, State & Federal Agencies
- Consumer
- Education
- Gun Permits
- Insurance (especially health insurance)
- Liquor Licenses
- Moving Violations
- Private Pension Matters
- Representation of Civil Service Workers
- Social Security Disability & SSI
- State/Municipal Disability Pensions
- Traffic
- Unemployment Insurance
- Workers Compensation

NEW YORK CITY BAR | LEGAL REFERRAL SERVICE

Legal Referral Service

Panel Qualification Standards

Joint Committee on Legal Referral Service

New York City Bar Association
and
The New York County Lawyers' Association

February 2010

100 Contract Law

101 General and Secured Contracts
102 Construction
103 Collection
104 Government Contracts

STANDARDS

101 General and Secured Contracts :

Applicant must have drafted at least five contracts, two of which had enforceable security interests. Applicant shall be prepared to discuss issues involved, terms negotiated and protections for the client in the event of breach or default.

102 Construction :

Applicant must have taken part in the negotiation and drafting of 5 construction/remodeling or similar contracts. Applicant should have represented clients in matters involving the enforcement or removal of mechanic's liens.

103 Collection :

Applicant must have handled at least 5 collection and/or breach of contract matters in Civil or Supreme Court through trial or settlement, at least one of which was in Supreme Court. Applicant must have experience in bringing and/or defending summary judgment motions and be prepared to discuss evaluation, strategy, issues and results, including discovery and post-judgment proceedings.

104 Government Contracts :

Applicant must have handled the negotiation of at least 3 contracts for private clients with city, state or federal government within the past 5 years and demonstrate familiarity with RFPs, bidding practices and rules and regulations related to government contracts.

0200 Business Law

201 Formation of Business Entity/Advice
202 Not-for-Profit Organizations
203 Dissolution of Business
204 Buying and Selling Businesses
205 Business/Commercial Litigation
206 Franchise
207 Anti-trust
208 Trade Secrets/ Unfair Competition
209 Employment Contracts
210 Complex Litigation
215 Sale of Professional practice
216 Civil RICO

STANDARDS

201 Formation of Business Entity/Advice :

Applicant has handled the formation of, at least five business entities within the last 3 years, including the formation of corporations and general partnerships. Applicant must be prepared to discuss the mechanics and issues involved in the formation of businesses, including LLC's and awareness of issues relating to micro-entrepreneurs.

202 Not-for-Profit Organizations :

Applicant obtained not-for-profit status for at least 2 entities in the past 5 years and demonstrates familiarity with Not-For-Profit Law and the rules and regulations of the Attorney General's Bureau of Charities.

203 Dissolution of Business :

Applicant has completed dissolution of at least 4 businesses within the past 10 years.

204 Buying and Selling Businesses :

Applicant completed the buying or selling of five businesses within the past five years, including the transferring/obtaining of appropriate licences. Applicant must be able to analyze different hypothetical situations representing buyers and sellers and be familiar with ways to protect good will and to protect buyers from sellers' liabilities.

205 Business/Commercial Litigation:

Applicant has handled thru trial or settlement 5 business disputes in the past 5 years, such as breach of contract, employment contracts, UCC disputes. Applicant must have trial experience. Applicant must be prepared to discuss evaluation, strategy, issues and results, including discovery and post judgment proceedings. Applicant should be familiar with Alternate Dispute Resolution mechanisms available.

206 Franchise:

Level 1 : Applicant has represented at least 3 Franchisees in the past 5 years;
Level 2 :Applicant has represented at least 2 Franchisors in establishing franchises

207 Anti-trust:

Applicant must qualify for category 210 Complex Litigation and demonstrate familiarity with and ability to analyze anti-trust issues. Applicant must have represented clients in at least two litigated anti-trust matters and have the staff capacity to handle such matters.

208 Trade Secrets/Unfair Competition:
Applicant has represented or advised at least 3 clients regarding the enforcement of restrictive covenants and meets the requirements of subcategory 205

209 Employment Contracts:
Applicant has represented 4 professionals or business executives in negotiating the terms of an employment contract.

210 Complex Litigation :
Applicant has handled through trial or settlement, after substantial discovery has been completed, at least 5 matters in Supreme Court or Federal District Court. Applicant has brought or defended against, at least two summary judgment motions. Applicant demonstrates familiarity with provisional remedies, including injunctions, restraining orders, etc. and with declaratory judgment actions. Applicant must also qualify for 205 Business/Commercial Litigation and be experienced in discovery and post-judgment enforcement proceedings.

215 Sale of a Professional Practice:
Applicant has completed the sale of at least 3 professional practices.

216 Civil RICO :
Applicant has represented 2 plaintiffs or defendants through discovery in RICO actions and meets the requirements of subcategory 210.

0300 Family and Matrimonial Law

301 Adoptions (Family or Agency)
302 Kinship/Foster Care Adoption
303 Small Uncontested
304 Divorce/Annulment
305 Custody Supreme Court
306 Paternity
307 Post Judgment Mod/Enforcement
308 Fee From Spouse
310 Interstate/International
312 Separation/Premarital Agreements
313 Contested Family Court Support Proceedings
314 Guardianship
315 Supreme Court Family Law Appeals
316 Family Court Orders of Protection
317 Family Court Custody and Visitation Proceedings
318 PINS/Neglect and Abuse Proceedings/ Termination of Parental Rights
319 Family Court Appeals

STANDARDS

301 Adoptions (Family or Agency) :
Applicant has handled at least two of the type of adoption requested within the past 5 years and demonstrates familiarity with the procedures for adoptions in Surrogate's Court and Family Court. Applicant should also demonstrate familiarity with practical and ethical issues regarding the termination of parental rights.

Level 1: Stepparent adoption
Level 2: Agency or other domestic Adoption
Level 3: International Adoption

302 Kinship Foster Care Adoption:
Applicant has handled at least two kinship/foster care adoptions in the past 5 years

303 Small Uncontested :
Applicant has handled at least 5 uncontested divorces and 2 contested support proceedings

304 Divorce/Annulment :

Level 1 : Cases with income under $130,000 and assets under $50,000
Applicant has handled at least 5 contested matrimonial matters, at least 2 involving contested custody/visitation matters and at least 2 involving contested support matters

Level 2 : Cases with income between $130,000- $250,000; assets between $50,000- 250,000
Applicant meets the requirements of Level 1, has handled at least 10 matrimonial matters, of which 4 involved contested hearings regarding equitable distribution or support and of which 2 involved contested custody matters with expert testimony. In addition, applicant must have prepared at least 5 separation agreements and has given or attended CLE in the field recently.

Level 3 : Cases with income in excess of $250,000 and/or substantial assets, evaluation or distribution problems such as matters involving business interests, professional, practical and licenses. Applicant complies with the requirements of Level 2.

305 Custody :
Applicant has handled at least 4 contested custody matters involving the examination and cross examination of expert witnesses.

306 Paternity :
Applicant has handled at least 2 Paternity matters and 2 contested support proceedings.

Level 1 : Respondent's income under $130,000
Level 2 : Respondent's income between $130,000 and $250,000 or assets between $50,000 and $250,000
Level 3: Respondent's income over $250,000 or assets over $250,000

307 Post Judgment Enforcement/ Modification
Applicant has experience and is knowledgeable in techniques to discover hidden assets and with the collection of judgments.

308 Fee from Spouse
Applicant meets the requirements for 304 and is willing to represent clients depending upon court ordered attorney's fees.

310 Interstate/International :
Applicant demonstrates experience and knowledge of the UCCJ Act, USD Law and the Hague Convention as well as cases involving custodial interference. Applicant meets the requirements of 304 Level 2

312 Separation/Premarital Agreements :
Applicant has drafted at least 5 separation agreements on the level requested.
Level 1 : Income under $130,000 and assets less than $50,000
Level 2 : Income between $130,000-$250,000 or assets between $50,000-250,000
Level 3 : Income over $250,000 or assets over $250,000

313 Contested Family Court Support Proceedings
Applicant has handled at least 3 contested hearings before a Hearing Examiner; has handled at least 3 enforcement or modification petitions and demonstrates familiarity with the procedures of the CSCU.

314 Guardianship
Applicant has handled at least 3 guardianship proceedings in the Family Court.

315 Supreme Court Matrimonial Appeals
Applicant has handled 5 appeals in this area in the past 5 years.

316 Family Court Orders of Protection
Applicant must demonstrate experience enforcing and/or defending petitions for Orders of Protection and be knowledgeable concerning Domestic Violence issues and resources.

317 Family Court Custody and Visitation Proceedings
Applicant must have handled at least 3 contested custody petitions or enforcement/modification proceedings and must demonstrate knowledge of supervised visitation programs and alternatives.

318 PINS/Neglect and Abuse Proceedings/Termination of Parental Rights
Applicant must demonstrate experience and knowledge of the Child Welfare Reform Act and section 384 of the Social Services Law and Orders of Removal.

319 Family Court Appeals
Applicant has handled 5 appeals from Family Court determinations within the past 5 years.

0400 Wills, Trusts & Estates

401 Simple Will Drafting
402 Probate & Estate Administration
403 Estate & Trust Planning
404 Complex Estate Litigation
(Contested Probate, Accounting & Discovery Proceedings)
405 Article 81 Guardianship
406 Reduced Fee Wills
407 Elderlaw
410 Kinship

STANDARDS

401 Simple Will Drafting :

Level 1: Estates of $1,000,000 or less; Substantially all assets are in New York; Substantially all assets are liquid, except residential real property. Applicant must have drafted and supervised execution of, at least five wills and probated, at least 2 estates.

Level 2: Estates over $1,000,000 and under $2,000,000; Applicant must demonstrate familiarity with Estate tax issues under New York State Estate Tax law and familiarity with valuation issues, capital gains tax issues and transfers of assets, such as commercial property and/or small business interests. Applicant must meet requirements of Level 1

Level 3: Estates over $2 million; Applicant must demonstrate familiarity with Federal Estate tax laws and regulations. Applicants must meet the requirements of Level 1 and 2

402 Probate and Estate Administration :

Level 1: Applicant must meet the requirements of 401; applicant must have completed the probate/administration of three additional estates.

Level 2: Estates over $1,000,000 and/or estates involving buy/sell agreements, family business, rental property, multiple jurisdictions. Applicant must have completed probate or administration of five estates with assets of more than $1,000,000, at least two of which involved level two issues;

Level 3: Estates over $2 million and/or unusual asset transferability/valuation problems. Applicant must have practiced law for at least five years, completed five estates at Level 3 ($2,000,000+ in assets), attend CLE and/or lectures in field, and/or subscribes to various publications and attends seminars in this field. Also, must devote at least 20% of practice to 0400 matters and have $1,000,000 in liability insurance.

403 Estate and Trust Planning

Level 1: Estates up to $1,000,000. Applicants must qualify for 401 plus have completed at least three plans

Level 2: Estates up to $2 million. Applicant must qualify for Level 1 plus have completed at least two plans involving assets in excess of $1 million and have liability insurance of $500,000.

Level 3: Estates over $2 million and/or substantial multinational assets and/or international income and estate planning. Applicant must have practiced law for at least five years, completed five estate plans, two of which were at Level 3; attends CLE and/or lectures in field and/or subscribes to various publications and attends seminars in this field. Devotes 20% of practice to 0400 matters and has $1 million or more liability insurance.

404 Complex Estate Litigation :
Applicant has litigated three contested proceedings in Surrogate's Court within the last five years. Applicant must be prepared to discuss evaluation, strategy, issues and results.

405 Article 81 Guardianship :
Applicant has handled three Article 81 proceedings within the last five years. Applicant must provide a written narrative of their practice experience and additional training (if any) in the specialty area

406 Reduced Fee Wills :
Applicant meets the requirements of 401

407 Elderlaw
Applicant has handled three estate plans involving planning for Medicaid qualification, as well as, handled, at least three Medicaid applications within the last 5 years. Applicant must be familiar with a wide variety of elder law issues.

Level 1: Estates under $1,000,000; Applicant has handled three estate plans (either Wills with testamentary trusts with Medicaid provisions or Medicaid asset transfer plans) involving planning for Medicaid qualification, as well as, handled, at least three Medicaidapplications within the last 5 years. Applicant must be familiar with a wide variety of elderlaw issues, including home health care applications, supplemental needs trusts, health care proxies, living wills and powers of attorney and spousal refusal letters. Applicant must have experience with Fair Hearings and medicaid application process. Meets requirements for Level 1, 401, and 403.

Level 2: Estates over $1,000,000; Applicant meets criteria for 407 Level 1 and 401, 403 Level 2; Has done at least 10 plans within the past 2 years with experience in community (home care) and institutional (nursing homes) applications and spousal refusals.

Level 3: Certified Elder Law attorney; Applicant has over 10 years experience; has handled over 100 cases and has been certified by National Elder Law Foundation.

410 Kinship :
Applicants must provide a written narrative of their experience in this area and have represented parties in three matters where kinship was in issue.

0500 Insurance Law

501 Life/Health/Disability
504 Homeowner's/Fire/Property/Casualty
507 Obligation of Defense & Indemnity
515 Represents Insurance Company
520 Claim Denial - Fraud
521 Long Term Disability

STANDARDS

501 Life/Health/Disability
Applicant shall have served as counsel in 5 or more litigated matters within the past 5 years on behalf of policyholders claiming coverage, contribution or indemnity. Applicants shall provide copies of decisions noting their appearance or pleadings subscribed by them. Litigation experience should include actions on the policy, actions for declaratory judgment and/or common law interpleader.

504 Homeowner's/Fire/Property/Casualty
Applicant shall have served as counsel in 5 or more litigated matters within the past 5 years on behalf of policyholders claiming coverage, contribution or indemnity. Applicants shall provide copies of decisions noting their appearance or pleadings subscribed by them. Litigation experience should include actions on the policy, actions for declaratory judgment and/or common law interpleader.

507 Obligation of Defense & Indemnity
Applicant shall have served as counsel in 5 or more litigated matters within the past 5 years on behalf of policyholders claiming coverage, contribution or indemnity. Applicants shall provide copies of decisions noting their appearance or pleadings subscribed by them. Litigation experience should include actions on the policy, actions for declaratory judgment and/or common law interpleader.

515 Represents Insurance Company :
Applicant shall have at least 2 years experience representing insurance carriers within the past 5 years.

520 Claim Denial-Fraud :
Applicant shall have served as counsel in 5 or more litigated matters within the past 5 years on behalf of policyholders claiming coverage, contribution or indemnity. At least 2 of the litigated matters shall involve claims of fraud by the insurance carrier against the policyholder. Applicants shall provide copies of decisions noting their appearance or pleadings subscribed by them. Litigation experience should include actions on the policy, actions for declaratory judgment and/or common law interpleader.

521 Long Term Disability
Applicant has handled at least 5 Long term Disability matters through motions for summary judgement in the past 5 years and has obtained "judgment on the papers" in at least 2 matters in the past 5 years. Applicant demonstrates familiarity with ERISA law and procedures and demonstrates a means of staying current with ERISA case law and issues. Applicant shall also meet the requirements of category 501

0600 Immigration & Naturalization

602 Visa Petition/ Application
603 Naturalization
604 Labor Certification
605 Fraud Investigation
606 Deportation and Exclusion
608 Political Asylum
609 Appeals

STANDARDS

602 Visa Petition/Application :
Applicant must have completed at least 15 Visa applications within the past 3 years and demonstrate thorough familiarity with immigration law and procedures.

603 Naturalization :
Applicant must have completed at least 6 applications for naturalization within the past 3 years and demonstrate a thorough familiarity with immigration laws and procedures.

604 Labor Certification :
Applicant must have completed at least 20 applications for labor certification within the past 3 years and demonstrate a thorough familiarity with immigration laws and procedures.

605 Fraud Investigation
Applicant meets the requirements for 602 and has handled at least 2 fraud investigations in the past 3 years.

606 Deportation :
Applicant has handled at least 10 deportation matters within the past 5 years and demonstrates a thorough familiarity with immigration laws and procedures.

608 Political Asylum :
Applicant has completed at least 5 asylum applications in the past 2 years and demonstrates a thorough familiarity with immigration laws and procedures.

609 Immigration Appeals :
Applicant has completed at least 10 appeals in immigration matters within the past 3 years and demonstrates a thorough familiarity with immigration laws and procedures.

0700 Workers' Compensation

701 State Workers' Compensation
702 Federal Workers' Compensation
703 Appeals

STANDARDS

701 State Workers' Compensation

Applicant has handled at least 30 State Workers' Compensation cases within the past 4 years. Applicant demonstrates a thorough familiarity with Workers' Compensation law, procedures and appeals.

702 Federal Workers' Compensation :

Applicant has handled at least 3 Federal Workers' Compensation cases within the past 3 years. Applicant demonstrates a thorough familiarity with Workers' Compensation law, procedures and appeals.

0800 Torts/Negligence

801 Car Accidents/Slip & Fall/ Premises Liability
802 Assault & Battery, False Arrest,
False Imprisonment, Police Brutality,
Malicious Prosecution
803 Defamation, Libel and Slander
804 Property Damage
805 No-fault Insurance
806 Tavern Owners Liability, Dram Shop
807 Constitutional/Civil Rights
808 Un/under insured
809 Medical Malpractice
810 Legal Malpractice
811 Aviation Accidents/Mass Disasters
812 Products Liability
813 Dental Malpractice
814 Paralysis /Death
820 Tort Defense
821 Appeals

STANDARDS

801 Car Accidents/Slip & Fall/Premises Liability :

Level 1 : Probable Damage Evaluation Less than $50,000

Applicant must have trial experience in Civil Court of the City of New York, or court of similar or greater jurisdiction; have presented plaintiff's case in at least 2 matters involving physical/ emotional injuries; and has settled a minimum of eight matters in excess of $25,000, at least 4 of which were in suit.

Level 2 : Probable Damage Evaluation of Up to $500,000

Applicant must meet the requirements of Level 1 and have trial experience in State Supreme Court or court of similar jurisdiction; have completed plaintiff's case and cross examination of defense experts in a minimum of 4 cases; in addition to the requirements of level 1 applicant must have resolved a minimum of 5 cases in excess of $100,000.

Applicant must have obtained a jury verdict or settlement after presentation of plaintiff's case in at least 3 cases, one of which was favorably decided in excess of $250,000. and applicant has settled at least 3 cases in excess of $250,000 within the past 4 years.

Level 3 : Probable Damage in Excess of $500,000

Applicant must have trial experience in State Supreme Court or court of similar jurisdiction, have completed plaintiff's case and cross examination of defense experts in a minimum of 8 cases. Applicant must meet the requirements of Level 2 and have resolved a minimum of 3 cases in excess of $500,000 and resolved a minimum of 5 cases in excess of $250,000 within the past 4 years. Applicant must have obtained jury verdicts or settlement after presentation of plaintiff's case in a minimum of three cases favorably decided in excess of $500,000. Applicant must have devoted a substantial portion of their practice to personal injury litigation for at least 5 years.

802 Assault & Battery/False Arrest/False Imprisonment/Police Brutality/Malicious Prosecution :
Applicant has handled at least 3 cases in this subcategory at the level for which application is being made and

Level 1 : Applicant meets the requirements of 801 Level 1
Level 2 : Applicant meets the requirements of 801 Level 2
Level 3 : Applicant meets the requirements of 801 Level 3

803 Defamation/Libel & Slander :
Applicant has handled at least 3 cases in this subcategory at the level for which application is being made and

Level 1 : Applicant meets the requirements of 801 Level 1
Level 2 : Applicant meets the requirements of 801 Level 2
Level 3 : Applicant meets the requirements of 801 Level 3

804 Property Damage :
Applicant has handled at least 3 cases in this subcategory at the level for which application is being made and

Level 1 : Applicant meets the requirements of 801 Level 1
Level 2 : Applicant meets the requirements of 801 Level 2
Level 3 : Applicant meets the requirements of 801 Level 3

805 No-Fault Insurance :
Applicant has handled at least 3 cases in this subcategory at the level for which application is being made and

Level 1 : Applicant meets the requirements of 801 Level 1
Level 2 : Applicant meets the requirements of 801 Level 2
Level 3 : Applicant meets the requirements of 801 Level 3

806 Tavern Owners Liability, Dram Shop :
Applicant has handled at least 3 cases in this subcategory at the level for which application is being made and

Level 1 : Applicant meets the requirements of 801 Level 1
Level 2 : Applicant meets the requirements of 801 Level 2
Level 3 : Applicant meets the requirements of 801 Level 3

807 Constitutional/ Civil Rights :
Applicant has handled at least 3 cases in this subcategory at the level for which application is being made and

Level 1 : Applicant meets the requirements of 801 Level 1
Level 2 : Applicant meets the requirements of 801 Level 2
Level 3 : Applicant meets the requirements of 801 Level 3

808 Un/Under insured :
Applicant has handled at least 3 cases in this subcategory at the level for which application is being made and

Level 1 : Applicant meets the requirements of 801 Level 1
Level 2 : Applicant meets the requirements of 801 Level 2
Level 3 : Applicant meets the requirements of 801 Level 3

809 Medical Malpractice :
Applicant has handled at least 3 cases in this subcategory at the level for which application is being made, demonstrates the availability of resources and/or staff to evaluate and litigate malpractice actions and

Level 1 : Applicant meets the requirements of 801 Level 1
Level 2 : Applicant meets the requirements of 801 Level 2
Level 3 : Applicant meets the requirements of 801 Level 3

810 Legal Malpractice :
Applicant has handled at least 3 cases in this subcategory at the level for which application is being made, demonstrates the availability of resources to evaluate and litigate legal malpractice actions and

Level 1 : Applicant meets the requirements of 801 Level 1
Level 2 : Applicant meets the requirements of 801 Level 2
Level 3 : Applicant meets the requirements of 801 Level 3

811 Aviation Accidents/Mass Disasters :
Applicant has handled at least 3 cases in this subcategory at the level for which application is being made and

Level 1 : Applicant meets the requirements of 801 Level 1
Level 2 : Applicant meets the requirements of 801 Level 2
Level 3 : Applicant meets the requirements of 801 Level 3

812 Products Liability :
Applicant has handled at least 3 cases in this subcategory at the level for which application is being made and

Level 1 : Applicant meets the requirements of 801 Level 1
Level 2 : Applicant meets the requirements of 801 Level 2
Level 3 : Applicant meets the requirements of 801 Level 3

813 Dental Malpractice :
Applicant has handled at least 3 cases in this subcategory at the level for which application is being made and

Level 1 : Applicant meets the requirements of 801 Level 1
Level 2 : Applicant meets the requirements of 801 Level 2
Level 3 : Applicant meets the requirements of 801 Level 3

814 Paralysis/Death :
Applicant has handled at least 3 cases in this subcategory and Applicant meets the requirements of 801 Level 3

820 Tort Defense
Applicant has represented defendants in personal injury matters in, at least, 5 matters in the past 5 years.

821 Tort/Negligence Appeals :
Applicant meets the requirements of subcategory 2202

0900 Intellectual Property Rights

901 Trademarks
902 Copyrights
903 Patents
904 Unfair Competition
905 Computer Law (Software, Contract Development, Licensing)
906 Intellectual Property Litigation

STANDARDS

901 Trademarks :
Applicant has prepared and filed at least 2 Federal trademark applications within the past 3 years or has handled 3 matters concerning the use, registration, transfer or infringement of Federal trademarks or Service Marks.

902 Copyrights :
Applicant has filed 2 Federal copyright applications or handled 2 matters concerning the transfer, licensing, renewal or infringement of copyrights and demonstrates familiarity with issues related to literary works, musical works, dramatic works, choreographic works, motion picture/audiovisual works, sound recordings or computer software.

903 Patents :
Applicant must be licensed to practice before the U.S. Patent and Trademark Office and successfully completed 3 patent applications.

904 Unfair Competition :
Applicant meets the requirements of subcategory 210 and has handled at least 3 contested unfair competition or trade secret cases. Applicant must demonstrate extensive experience with discovery rules and procedures in Federal and State courts.

905 Computer Related Law :
Applicant must have prepared contracts and represented vendors, purchaser or developers of computer software in at least 5 different matters.

906 Intellectual Property Litigation :
Applicant meets the requirements of subcategory 210 and, at least, 3 of the matters involved intellectual property issues.

1000 Real Property

1003 Co-op & Condo Sales
1004 Coop Boards
1007 Easements, Zoning, Variances
1008 Complex Transactions/Subdivisions
1009 Foreclosures
1010 Real Property Litigation
(Fraud, Rescission, Specific Performance etc)
1011 Eminent Domain/Condemnation
1012 Tax Certiorari
1015 One & Two-Family Homes
1016 Housing Discrimination

STANDARDS

1003 Co-op & Condos :
Applicant has handled at least 5 co-op and/or condo closings within the past 3 years and demonstrates familiarity with requirements of due diligence, contract and financing issues existing at the time.

1004 Coop Boards:
Applicant demonstrates experience with disputes between coop boards and shareholders and has successfully resolved at least 3 matters

1007 Easements, Zoning, Variances:
Applicant demonstrates familiarity with Community Board and NYC procedures to obtain zoning variances and has represented at least 2 matters relating to easement or zoning disputes. Applicant demonstrates relevant litigation and/or administrative hearing experience.

1008 Complex Transactions/Subdivisions:
Applicant has been lead attorney in at least 5 complex transactions in the last 3 years.

1009 Foreclosures :
Applicant has been attorney of record for homeowner in at least 3 home foreclosures in the past 5 years and demonstrates familiarity with predatory lending, fraud, Truth-in-Lending claims and remedies and defenses available as a result of 2008 economic recovery measures.

1010 Real Property Litigation :
Applicant has handled at least 3 matters within the last 5 years through discovery or motion practice involving a dispute as to real estate brokers' commissions, specific performance, partition, enforcement or defense against a liquidated damages clause, action to quiet title, breach of contract, etc. excluding landlord/tenant matters.

1011 Eminent Domain/Condemnation :
Applicant has handled at least 2 cases within the last 5 years involving eminent domain or condemnation issues.

1012 Tax Certiorari :
Applicant has handled at least 3 tax certiorari petitions.

1015 One and Two Family Homes :

Applicant has handled at least 5 residential home closings within the last 3 years and demonstrates familiarity with requirements of contract and financing issues existing at the time, as well as with the handling of environmental violations and problems with building code violations and certificates of occupancy.

1016 Housing Discrimination

Applicant has been attorney of record in at least 3 housing discrimination matters in the last 5 years through the discovery process and is a member of one or more employment discrimination panels OR applicant has resolved at least 6 housing discrimination matters where applicant was the attorney of record through the discovery process.

1100 Criminal

1101 Misdemeanors
1102 Felonies
1103 Homicide
1104 White Collar
1105 Traffic
1106 Criminal Appeals
1107 Property Forfeiture
1108 Juvenile Delinquency
1110 DWI/DUI
1111 Parole Violation
1112 Federal Criminal
1114 Criminal RICO
1115 Immigrant Criminal Defense

STANDARDS

1101 Misdemeanors :
Applicant must have handled at least 3 criminal jury trials and 5 misdemeanor matters OR applicant qualifies for membership under 1102 and qualifies for membership on the 18b misdemeanor panel. Applicant must demonstrate experience as a defense attorney and be familiar with the unique ethical issues of defense counsel.

1102 Felonies :
Applicant must have handled at least 3 felony jury trials and five preliminary hearings or motions to suppress evidence or identification and qualify for the 18b felony panel. Applicant must demonstrate experience as a defense attorney and be familiar with the unique ethical issues of defense counsel.

1103 Homicide :
Applicant must have handled at least one homicide case and qualify for category1102.

1104 White Collar :
Applicant must have handled at least 3 white collar matters in the past 2 years and qualify for category 1102.

1105 Traffic :
Applicant has handled at least 5 moving violations and has completed at least 2 bench trials.

1106 Criminal Appeals
Applicant must have completed three criminal appeals within the last 5 years.

1107 Property Forfeiture :
Applicant must have handled at least 3 property forfeiture cases in state or federal court within the past 5 years and qualify for category 1102

1108 Juvenile Delinquency :
Applicant must have handled at least 3 juvenile criminal matters in Family court or Criminal court and qualify for category 1102

1110 DWI/DUI :
Applicant must have handled at least 3 DWI/DUI matters and qualify for category 1101

1111 Parole Violation :
Applicant meets the requirements for category 1102 and has handled at least 1 parole violation hearing.

1112 Federal Criminal :
Applicant must have handled at least 3 criminal matters in Federal Court within the past 5 years and qualify for category 1102. Applicant must demonstrate familiarity with Federal Sentencing guidelines and motions for downward departure.

1114 Criminal RICO
Applicant qualifies for category 1112 and has represented clients in, at least, 2 RICO matters.

1115 Immigrant Criminal Defense
Applicant meets the requirements of category 1102, has represented immigrants in, at least, 3 matters and demonstrates familiarity with the consequences of criminal convictions and plea agreements on immigration status.

1200 Administrative Law

1206 Social Security Disability
1207 Federal Agencies
1208 State Agencies
1210 Taxi and Limousine Commission
1211 Professional Discipline
1212 Liquor License/Alcohol Beverage Commission Hearings
1213 Business Licenses
1214 Gun Permit
1221 Attorney Discipline
1222 Mental Hospital
1224 Unemployment Insurance
11225 SSI Insurance

STANDARDS

1206 Social Security Disability :
Applicant must have handled at least 10 social security disability applications.

1207 Federal Agencies :
Applicant must have handled at least 5 administrative law proceedings in Federal agencies. Applicant must demonstrate familiarity with the rules and procedures of the particular forum and the standards for review of administrative proceedings. Applicant shall identify the agencies in which matters were handled.

1208 State Agencies :
Applicant must have handled at least 5 administrative law proceedings in State Agencies. Applicant must demonstrate familiarity with the rules and procedures of the particular forum and the standards for review of administrative proceedings. Applicant shall identify the agencies in which matters were handled.

1210 Taxi and Limousine Commission :
Applicant must have handled at least 5 administrative law proceedings before the Taxi and Limousine Commission. Applicant must demonstrate familiarity with the rules and procedures of the particular forum and the standards for review of administrative proceedings.

1211 Professional Discipline :
Applicant must have handled at least 5 disciplinary proceedings before any of the professional licensing agencies. Applicant must demonstrate familiarity with the rules and procedures of the forum and the standards for review of proceedings. Applicant shall identify the agencies in which matters were handled.

1212 Liquor License/ Alcohol Beverage Commission :
Applicant must have handled at least 5 liquor license applications. Applicant must demonstrate familiarity with the rules and procedures of the forum and the standards for review of proceedings.

1213 Business License :
Applicant must have handled at least 5 business license applications. Applicant must demonstrate familiarity with the rules and procedures of the forum and the standards for review of proceedings. Applicant shall specify the licenses involved.

1214 Gun Permit :
Applicant must have handled at least 5 gun permit applications. Applicant must demonstrate familiarity with the rules and procedures of the forum and the standards for review of proceedings.

1221 Attorney Discipline :
Applicant must have handled at least 5 disciplinary proceedings before any of the Appellate Division Disciplinary Committees. Applicant must demonstrate familiarity with the rules and procedures of the forum and the standards for review of proceedings.

1222 Mental Hospital :
Applicant must have handled at least 5 mental hospital release hearings. Applicant must demonstrate familiarity with the rules and procedures of the forum and the standards for review of proceedings.

1224 Unemployment Insurance :
Applicant must have handled at least 5 unemployment insurance hearings. Applicant must demonstrate familiarity with the rules and procedures of the forum and the standards for review of proceedings.

1225 SSI :
Applicant must have handled at least 10 social security disability applications. Applicant must demonstrate familiarity with the rules and procedures of the forum and the standards for review of proceedings.

1300 Consumer Law

1301 Home Improvement/Repair
1303 Consumer Fraud
1304 Lemon Law
1305 Credit
1308 General Consumer Problems
1309 Name Change
1315 Utility Disputes

STANDARDS

1301 Home improvement/Repair :
Applicant has handled through discovery or motion practice 2 matters involving home improvement contracts or consumer issues within the past 3 years or has handled 5 nontrial dispositions of such matters in the last 3 years and has civil litigation experience in other areas of law.

1303 Consumer Fraud :
Applicant has handled through discovery, motion practice or administrative hearings 2 matters involving consumer fraud issues within the past 3 years or has handled 5 non-trial dispositions of such matters in the last 3 years and has civil litigation experience in other areas of law.

1304 Lemon law :
Applicant has resolved 2 matters involving "Lemon Law" issues within the past 3 years or has handled 5 non-trial dispositions of such matters in the last 3 years and has civil litigation experience in other areas of law.

1305 Credit :
Applicant has resolved through discovery, motion practice or administrative hearings 2 matters involving credit issues within the past 3 years or has handled 5 non-trial dispositions of such matters in the last 3 years and has civil litigation experience in other areas of law.

1308 General Consumer Problems :
Applicant has resolved through discovery, motion practice or administrative hearings 2 matters involving consumer issues within the past 3 years or has handled 5 non-trial dispositions of such matters in the last 3 years and has civil litigation experience in other areas of law.

1309 Name Change :
Applicant has handled 2 petitions for name change within the past 3 years and has civil litigation experience in other areas of law.

1315 Utility Disputes :
Applicant has handled 2 utility disputes within the past 3 years and has administrative law hearing or civil litigation experience in other areas of law. Applicant demonstrates familiarity with proceedings before the Public Service Commission.

1400 Entertainment Law

1401 Music and Recording
1402 Film/Television/Modeling
1403 Theater
1404 Publishing

STANDARDS

1401 Music and Recording :
Applicant must have represented entertainers, agents or producers in the negotiation of, at least, 4 contracts in the past 5 years. Applicant must demonstrate familiarity with typical issues in the industry and how they are handled, including related issues of compensation and accounting, preservation of copyrights and royalties, rights and protection of digital media.

1402 Film/Television/Modeling :
Applicant must have represented actors, models, agents or producers in the negotiation of, at least, 4 contracts in the past 5 years. Applicant must demonstrate familiarity with typical issues in the industry and how they are handled, including related issues of compensation and accounting, preservation of copyrights and royalties, rights and protection of digital media.

1403 Theater :
Applicant must have represented entertainers, theater or dance companies, agents or producers in the negotiation of, at least, 4 contracts in the past 5 years. Applicant must demonstrate familiarity with typical issues in the industry and how they are handled. including related issues of compensation and accounting, preservation of copyrights and royalties, rights and protection of digital media and relevant labor and employment issues.

1404 Publishing :
Applicant must have represented writers, agents or publishers in the negotiation of, at least, 4 contracts in the past 5 years. Applicant must demonstrate familiarity with typical issues in the industry and how they are handled,. including related issues of compensation and accounting, preservation of copyrights and royalties, rights and protection of digital media.

1500 Bankruptcy Law

1501 Business/ Reorganization
1502 Large Personal/Professional
1503 Wage Earner
1504 Chapter 7
1505 Creditor's Rights
1506 Bankruptcy Court Appeals

STANDARDS

1501 Business/Reorganization:

Applicant has represented at least 3 business debtors through confirmation in the last 5 years in at least 2 of the following categories:

(a) A proceeding under Chapter 11 where the plan is confirmed;
(b) A bankruptcy proceeding involving a business or professional practice;
(c) One of the following :
1. A state court receivership;
2. A corporate dissolution where the assets were liquidated for the benefit of creditors.

1502 Large Personal/Professional:

Applicant has handled at least 5 bankruptcies for persons with income over $150,000 with assets over $100,000 excluding residence through discharge within the past 5 years. Of the 5 bankruptcies at least 2 must have involved professionals.

1503 Wage Earner:

Applicant has completed through discharge at least 5 Chapter 7 bankruptcies within the past 5 years and has had at least 2 Wage earner Chapter 13 plans approved within the past 5 years.

1504 Chapter 7 :

Applicant has completed at least 5 Chapter 7 bankruptcies within the past 5 years in cases involving the means test and demonstrates knowledge of Chapter 13. Applicant demonstrates familiarity with rules and procedures of the Bankruptcy Court.

1505 Creditor's Rights:

Applicant has represented Creditors in at least 3 insolvency proceedings within the past 3 years. Applicant demonstrates familiarity with rules and procedures of the Bankruptcy Court.

1506 Bankruptcy Court Appeals:

Applicant demonstrates experience and familiarity with the appeals process and has handled at least 2 Bankruptcy Court Appeals in the past 5 years. Applicant demonstrates familiarity with rules and procedures of the Bankruptcy Court.

1600 Tax Law

1601 Federal, State & Local Personal or Estate Income Taxes
1602 Business or Professional
1603 Interstate/International
1604 Audits and Tax Litigation
1610 Tax Clinic
1611 Appeals

STANDARDS

1601 Federal , State & Local Personal or Estate Income Tax :

Level 1 : Matters involving basic knowledge of tax laws, regulations, rulings and case law and involving potential taxes of less than $25,000 for an individual and no tax fraud issues. Applicant must have at least 2 year's experience with the IRS or state tax authority; or at least one year's experience in tax matters in private practice and access to a tax library.

Level 2 : Matters involving detailed working knowledge of the tax laws, regulations, rulings and case law involving potential taxes of less than $100,000 and no allegations of fraud. Applicant must have an LLM in taxation or be licensed as a CPA (MBA in taxation or finance and substantial CLE in area will be considered). In addition, applicant must have either **a)** at least 2 years Tax Court experience or experience with a state tax authority; or, **b)** 3 years experience in tax matters in private practice. Applicant must demonstrate attendance at or presentations at CLE programs, at least every 2 years.

Applicant must have access to a full tax library. Applicant must have prepared at least 5 tax returns at Level 2 each year for the last 3 years. Applicant must have written at least 5 opinion letters or have been involved in at least 5 matters at Level 2. An alternative to the writing of opinions or handling tax matters could be substantial related published writing, lecturing at CLE or teaching at an accredited law school or substantial reputation in the field.

Level 3 : Matters involving potential taxes of $100,000 or more or matters involving allegations of tax fraud. Applicant must have malpractice insurance of at least one million dollars. Applicant must have an LLM in taxation or be licensed as a CPA(MBA in taxation or finance and substantial CLE in area will be considered). In addition, applicant must have either **a)** at least 2 years Tax Court experience or experience with a state tax authority; or, **b)** 5 years experience in tax matters in private practice. Applicant must demonstrate attendance at or presentations at CLE programs, at least every 2 years.

Applicant must have access to a full tax library. Applicant must have prepared at least 10 tax returns at Level 3 each year for the last 3 years. Applicant must have written at least 10 opinion letters or have been involved in, at least 10 matters at Level 3. An alternative to the writing of opinions or handling tax matters could be substantial related published writing, lecturing at CLE or teaching at an accredited law school or substantial reputation in the field.

1602 Business or Professional :

Level 1 : Matters involving potential business tax liability under $50,000 and no allegations of fraud. Applicant must meet the requirements of subcategory 1601 Level 1.

Level 2 : Matters involving potential business tax liability under $100,000 and no allegations of fraud. Applicant must meet the requirements of subcategory 1601 Level 2

Level 3 : Complex matters involving potential business tax liability of over $100,000 or matters involving tax fraud. Applicant must meet the requirements of 1601 Level 3.

1603 Interstate/International :

Applicant must meet the requirements of 1601 Level 3 and demonstrate the availability of resources to manage matters in multiple jurisdictions.

1604 Audits and Tax Litigation :

Level 1 : Applicant must meet the requirements of 1601 Level 1. Applicant must be admitted to the Tax Court and must have handled at least 5 audits or litigated matters in the past 3 years , of Level 1 matters achieving favorable results in at least 3 of those cases.

Level 2 : Applicant must meet the requirements of 1601 Level 2. Applicant must be admitted to the Tax Court and must have handled at least 5 audits or litigated matters in the past 3 years, of Level 2 matters, achieving favorable results in at least 3 of those cases.

Level 3 : Applicant must meet the requirements of 1601 Level 3. Applicant must be admitted to the Tax Court and must have handled at least 5 audits or litigated matters in the past 3 years, of Level 3 matters, achieving favorable results in at least 3 of those cases.

1610 Tax Clinic : Reserved for Law School Clinics and Pro Bono Programs

1611 Appeals :

Applicant has tried at least 2 District Court cases and has handled at least 2 tax appeals in the past 5 years

1700 Labor and Employment Law

1701 Employer Representation
1702 Employee Wrongful Termination
1703 Civil Service
1704 Pensions
1705 Employee Other
1706 ERISA
1710 Sex Discrimination/Harassment
1711 Age Discrimination
1712 Race/Religion Discrimination
1713 Disability Discrimination
1714 Cancer Clinic
1715 State/Municipality Disability Pension
1716 Wage, Hour & Overtime Claims
1717 Family Medical Leave Act

STANDARDS

1701 Employer Representation :

Applicant has represented employers in at least 10 matters in the past 5 years involving:

a) Negotiation of a collective bargaining agreement; and/or
b) Significant experience regarding organizational or election issues; and/or
c) Defense of discriminatory labor practice claims; and/or
d) Employer representation in employment/executive compensation agreements; and/or
e) Experience with improper labor practices; and/or
f) Counseling on layoffs, knowledge of state requirements; and/or
g) Preparation of severance agreements; and/or
h) Handling grievances and contract arbitrations.

1702 Employee Wrongful Termination :

Applicant must have been principally involved in resolving at least 8 matters on behalf of employees in discipline and termination actions within the past 5 years, including at least 3 wrongful/abusive discharge matters and must have handled any 2 matters through trial in the Supreme Court or US District Court within the past 7 years.

1703 Civil Service :

Applicant must have represented at least 5 civil service matters in the past 5 years, at least 2 of which involved contested hearings.

1704 Pensions :

Applicant must demonstrate familiarity with pension and ERISA issues and have represented employees in at least 5 matters involving the payment of a pension.

1705 Employee Other :

Applicant meets the requirements of 1702

1706 ERISA :

Applicant has handled at least 5 ERISA matters through motions for summary judgement in the past 3 years and has obtained “judgment on the papers” in at least 2 matters in the past 3 years. Applicant demonstrates familiarity with ERISA law and procedures and demonstrates a means of staying current with ERISA case law and issues.

1710 Sex Discrimination/Harassment :
Applicant meets the requirements of 1702 and must have represented clients as principal attorney of record in 3 matters involving any discrimination/protected area.. Applicant demonstrates familiarity with substantive law of the area and the rules and procedures of the relevant administrative agencies, state courts and federal courts having jurisdiction over these matters.

1711 Age Discrimination :
Applicant meets the requirements of 1702 and must have represented clients as principal attorney of record in 3 matters involving any discrimination/protected area.. Applicant demonstrates familiarity with substantive law of the area and the rules and procedures of the relevant administrative agencies, state courts and federal courts having jurisdiction over these matters.

1712 Race/Religion Discrimination :
Applicant meets the requirements of 1702 and must have represented clients as principal attorney of record in 3 matters involving any discrimination/protected area.. Applicant demonstrates familiarity with substantive law of the area and the rules and procedures of the relevant administrative agencies, state courts and federal courts having jurisdiction over these matters.

1713 Disability Discrimination :
Applicant meets the requirements of 1702 and must have represented clients as principal attorney of record in 3 matters involving any discrimination/protected area.. Applicant demonstrates familiarity with substantive law of the area and the rules and procedures of the relevant administrative agencies, state courts and federal courts having jurisdiction over these matters.

1714 Cancer Clinic :
This category involves direct referrals from another program in the Bar Association. The consultation fee generally charged for a Legal Referral Service referral is waived. Applicant must qualify for category 1713

1715 State/Municipality Disability Pension

1716 Wage and Hour Matters
Applicant meets the requirements of category 1702 and must have represented clients as principal attorney of record in, at least, 3 matters involving the wage and hour disputes.
Applicant demonstrates familiarity with substantive law of the area and the rules and procedures of the relevant administrative agencies, state courts and federal courts having jurisdiction over these matters.

1717 Family Medical Leave Act
Applicant meets the requirements of category 1702 and must have represented clients as principal attorney of record in, at least, 3 matters involving the Family Medical Leave Act
Applicant demonstrates familiarity with substantive law of the area and the rules and procedures of the relevant administrative agencies, state courts and federal courts having jurisdiction over these matters.

1800 International Law

1801 International Trade Agreements
1802 Customs and Tariffs
1803 Reparations

STANDARDS

1801 International Trade Agreements :

Applicant must demonstrate a minimum of five years experience in commercial transactions, contracts and business law including experience as principal attorney in at least 3 international trade matters, such as penalty matters for failure to declare, currency violations or fraud, criminal smuggling cases, violations of monetary controls, transaction structuring, customs entry procedures, Quotas, export/import licenses, dumping or countervailing duties cases, legislative matters, joint ventures, distributorship and licensing agreements, trademarks/copyrights, letters of credit and shipping cases. It is helpful if applicant is a member of a recognized professional group dealing with international problems, such as International Bar Association or international law sections of the American Bar Association or state or local bar associations. Applicant must also demonstrate a network of co- counsel in foreign jurisdictions and/or procedures for obtaining local counsel.

1802 Customs and Tariffs :

Applicant must demonstrate a minimum of five years experience in commercial transactions, contracts and business law including experience as principal attorney in at least 3 international trade matters, such as penalty matters for failure to declare, currency violations or fraud, criminal smuggling cases, violations of monetary controls, transaction structuring, customs entry procedures, Quotas, export/import licenses, dumping or countervailing duties cases, legislative matters, joint ventures, distributorship and licensing agreements, trademarks/copyrights, letters of credit and shipping cases. It is helpful if applicant is a member of a recognized professional group dealing with international problems, such as International Bar Association or international law sections of the American Bar Association or state or local bar associations. Applicant must also demonstrate a network of co- counsel in foreign jurisdictions and/or procedures for obtaining local counsel.

1803 Reparations :

A detailed qualifications statement should accompany the application.

2000 Securities Law

2001 Arbitration/Litigation Customers
2002 Arbitration/Litigation Employer
2010 Securities Clinic

STANDARDS

2001 Arbitration/Litigation Customers :
Applicant must demonstrate thorough knowledge of customer/broker disputes and must have represented clients in the preparation and presentation of at least 5 matters in the past 3 years before the appropriate arbitration forums or in litigation. Applicant must be familiar with the rules and procedures of the main arbitration forums in New York.

2002 Arbitration/Litigation Employment:
Applicant must demonstrate thorough knowledge of broker/employer disputes and must have represented clients in the preparation and presentation of at least 5 matters involving employment in the securities industry in the past 3 years before the appropriate forums or in litigation. Applicant must be familiar with the rules and procedures of the main arbitration forums in New York.

2010 Securities Clinic :
Category restricted to institutions providing pro bono fee services to customers in securities arbitration and litigation matters.

2200 Civil Appeals Law

2201 Federal Civil Appeals
2202 New York State Appeals - Appellate Division
2203 New York State Appeals - Appellate Term
2204 New York State Appeals - Court of Appeals

STANDARDS

2201 Federal Civil Appeals :

Applicant has handled through briefing and/or argument at least 5 Federal Civil appeals over the past 10 years. Applicant demonstrates familiarity with motion practice in this forum. Applicant shall provide a list of all published decisions.

2202 New York State Appeals - Appellate Division :

Applicant has handled through briefing and/or argument at least 5 New York State appeals in the Appellate Division over the past 10 years. Applicant demonstrates familiarity with motion practice in this forum. Applicant shall provide a list of all published decisions.

2203 New York State Appeals - Appellate Term :

Applicant has handled through briefing and/or argument at least 5 New York State appeals in the Appellate Term over the past 10 years. Applicant demonstrates familiarity with motion practice in this forum. Applicant shall provide a list of all published decisions.

2204 New York State Appeals - Court of Appeals :

Applicant has handled through briefing and/or argument at least 1 New York State appeal in the Court of Appeals over the past 10 years. Applicant demonstrates familiarity with appellate motion practice. Applicant shall provide a list of all published decisions. Applicant qualifies for category 2201 or 2202

2300 Other Law

2303 Admiralty
2304 Military Law
2306 Disabled Persons
2310 Qui Tam/Other Whistle Blower Bounty Programs/Sunshine Laws

STANDARDS

2303 Admiralty :

Applicant demonstrates familiarity with the Jones Act and the Longshoreman's and Harbour Worker's Acts and has handled at least 3 matters involving the above acts or otherwise represented persons injured on the high seas. For commercial admiralty matters and maritime insurance, applicant shall provide a summary of 3 matters handled.

2304 Military Law :

Applicant has served as a former JAG officer or has handled matters under the UCMJ

2306 Disabled Persons :

Applicant demonstrates familiarity with the issues confronting disabled persons and has handled at least 3 matters under the Americans with Disabilities Act.

2310 Qui Tam/Other Whistle Blower Bounty Programs/Sunshine Laws :

Applicant has successfully initiated prosecution under Qui Tam, Other Whistle Blower Bounty Programs or Sunshine Laws.

2400 Education Law

2402 Teachers
2403 Schools
2404 Special Education
2405 Student Rights/Discipline-
Elementary through High School
2406 Student Discipline/Grades - Higher Education
2407 School Staff Issues - Civil Service and
Non-Professional Staff
2408 NYC/NYS Teacher's Retirement Issues
2409 School Zoning

STANDARDS

2402 Teachers :
Applicant has handled at least 6 labor arbitrations of which 3 were disciplinary issues within the past 5 years. Applicant has handled at least one disciplinary hearing involving a teacher or administrator in the past 5 years. Applicant has handled at least 2 Article 78 proceedings involving issues of seniority, denial of tenure, termination before tenure or first amendment issues. Applicant must demonstrate familiarity with faculty advancement process in public and private institutions.

2403 Schools :
Applicant must demonstrate experience within the past 3 years representing, as attorney of record or principal attorney, urban or suburban school districts or representing private and/or vocational schools, private colleges or religious schools.

2404 Special Education :
Applicant must have handled at least 2 impartial hearings involving special education benefits. Applicant's should have litigation experience and must have handled at least 2 Article 78 proceedings. Applicant must demonstrate familiarity with laws relating to student rights and special education laws and procedures. Applicant should be familiar with meetings with the Committee on Special Education and procedures for an appeal to the Commissioner of Education.

2405 Student Rights/Discipline- Elementary through High School :
Applicant has handled 3 cases representing public school students in disciplinary hearings and is familiar with placement, registration and vaccination issues.

2406 Student Discipline/Grades - Higher Education :
Applicant has handled at least 3 disciplinary proceedings in public or private institutions.

2407 School Staff Issues - Civil Service and Non-Professional Staff :
Applicant must have handled at least 3 matters in the past 5 years involving Article 78 proceedings and has experience with arbitration proceedings. Applicant must demonstrate familiarity with proceedings under the Civil Service law including provisions relating to disability re-instatement, disciplinary removal and collective bargaining agreement procedures.

2408 NYC/NYS Teacher's Retirement Issues :
Applicant must have handled at least 3 matters involving disability retirement.

2409 School Zoning :

3200 Landlord/Tenant Law

3201 Tenants
3202 Landlords
3203 Commercial Landlord/Tenant
3204 Tenant Groups
3205 Loft Law
3206 Mitchell Lama
3207 Appeals

STANDARDS

3201 Tenants :
Applicant has practiced in the area of Landlord/tenant law for at least 3 years and has represented tenants in at least 10 contested matters in the past year. Applicant must demonstrate substantial knowledge of the law related to eviction, habitability, repairs and services. Applicant must be familiar with issues of primary residency, rent control and rent stabilization.

3202 Landlords :
Applicant has practiced in the area of Landlord/tenant law for at least 3 years and has represented landlords in at least 10 contested matters in the past year. Applicant must demonstrate substantial knowledge of the law related to eviction, habitability, repairs, leases and services. Applicant must be familiar with issues of primary residency, rent control and rent stabilization.

3203 Commercial Landlord/Tenant :
Applicant must have represented parties in preparing and/or litigating 5 commercial leases in the past 5 years and be familiar with the law relating to renovation, options, liability, subleasing and other issues likely to be involved in such leases.

3204 Tenant Groups :
Applicant must meet the requirements of subcategory 3201 and have organized and/or represented at least 3 tenant groups in the past 10 years.

3205 Loft Law :
Applicant must meet the requirements of subcategory 3201 and must have handled at least 3 Loft Law matters in the past 10 years.

3206 Mitchell Lama :
Applicant must meet the requirements of subcategory 3201 and must have handled at least 3 Mitchell Lama matters in the past 10 years.

3207 Appeals :
Applicant meets the requirements of subcategory 2203 or applicant has handled at least 2 appeals to the Appellate Term, meets the requirements of subcategory 3201 or 3202 and demonstrates substantial knowledge in the area of Landlord/tenant law.

6300 Clinic Client/Moderate Means

6301 Uncontested Divorce
6302 Chapter 7
6303 Chapter 13
6304 Small Business

STANDARDS

6301 Uncontested Divorce :
Applicant must meet the requirements of subcategory 303 or have participated in an uncontested divorce clinic program sponsored by a bar association which provided training and supervision and must demonstrate that they have handled at least 3 uncontested divorces.

6302 Chapter 7 :
Applicant must meet the requirements of subcategory 1504 or have participated in a bankruptcy clinic program sponsored by a bar association which provided training and supervision and applicant must demonstrate that they have handled at least 3 chapter 7 bankruptcies through discharge.

6303 Chapter 13 :
Applicant must meet the requirements of subcategory 1503 or have participated in a bankruptcy clinic program sponsored by a bar association which provided training and supervision and applicant must demonstrate that they have handled at least 3 chapter 13 bankruptcies through confirmation.

6304 Small Business :
Applicant meets the requirements of any subcategory of Category 100, 200, 900 or 3203

6500 Mediation

6501 Family Mediation
6502 Commercial Mediation

STANDARDS

6501 Family Mediation :
See separate mediation application

6502 Commercial Mediation :
See separate mediation application

NEW YORK CITY BAR | LEGAL REFERRAL SERVICE

Legal Referral Service

Rules for Panel Membership

Joint Committee on Legal Referral Service

New York City Bar Association
and
The New York County Lawyers' Association

Amended as of May 21, 2020

NOTE: On May 21, 2020, the Joint Committee eliminated all initial consultation fees until further notice. Strikeout typeface indicates the affected language.

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About the Legal Referral Service

The Legal Referral Service (the "Service") is sponsored by The Association of the Bar of the City of New York and the New York County Lawyers' Association (the "Associations") under the auspices of the Associations' Joint Committee on Legal Referral Service (the "Joint Committee").

The Service is operated as a public service and exists primarily for the benefit of the public. The Service assists individuals in need of legal services or advice, by helping them determine whether they require and may be able to hire the services of a lawyer in private practice and, if so, referring them to attorneys who have been screened and selected by the Service and who agree to abide by its rules. When appropriate, the Service refers individuals to other programs or agencies. The goals of the Service, including its staff and the attorneys who are Panel Members, are to provide information and referrals, to recommend lawyers or other resources to provide competent, ethical legal advice and representation, to educate the public about legal representation, and to increase respect for the legal profession.

In consideration of being listed as a Member of one or more Panels of the Service, each Panel Member shall be bound by the rules of the Service, as in effect from time to time.

Panel Application Process

"Panel" means the group of attorneys listed by the Service as being eligible to receive referrals of legal matters in any of the Panel Categories or Sub-Categories established by the Service.

"Panel Member" or "Member" means any attorney listed by the Service from time to time as eligible to receive referrals of legal matters in any of the Panel Categories or Sub-Categories. "Panel Membership" or "Membership" means the status of an attorney as a Panel Member.

Membership on any Panel is open to attorneys who are in good standing before the Bar of the State of New York, who actively practice law in the New York City metropolitan area, who have been actively practicing law for more than two years, who meet the Service's requirements for Panel Membership, and who agree to be bound by rules of the Service as in effect from time to time.

An attorney who desires to be listed as a Panel Member shall make an application to the Service in such form as shall be established from time to time by the Service.

The Service shall review the suitability for Panel Membership of each Panel Member or applicant for Panel Membership and may, if a lawyer's application for Panel Membership is deemed inadequate or deficient, deny such application without an interview. If the application is denied, the applicant shall be so informed in writing.

Each applicant for Panel Membership, including any Panel Member who desires to be listed as a Member of a new Panel, shall be required to submit to a personal interview. Each Panel Member who desires to have his or her Membership renewed may be required to submit to an interview.

In evaluating applicants for Panel Membership, including applicants for renewed Membership, the Service will consider, among other things, the number of years the applicant has been admitted to the bar; the applicant's experience in and knowledge of the particular area(s) of law applied for; the number of matters that the applicant has handled in those areas of law; the applicant's knowledge of and adherence to applicable ethics codes and rules; the applicant's law office practices, including responsiveness to clients and handling of fee issues with clients; the applicant's willingness and availability to provide half-hour office consultations to individuals referred by the Service even if it is unlikely that fees will be generated; and the applicant's willingness to abide by and comply with the rules of the Service and to deliver legal services to clients in a manner consistent with the goals of the Service.

The Service has the absolute discretion, right and power to grant or deny any applicant's or Panel Member's application for Membership on any Panel, to renew or not renew any Panel Member's application for renewal of Membership on any Panel, to limit the participation of any Panel Member on any Panel, or to remove any Panel Member from any Panel. No finding of professional misconduct or other wrongdoing is necessary for or is to be implied from any action by the Service which results in the suspension of referrals or removal from or non-renewal of Panel Membership.

Each Panel Member acknowledges that there is no assurance fee-generating referrals will result from Membership on any panel.

Former Panel Members shall be required to submit a new application and follow the same procedure as new applicants. In evaluating applications from former Panel Members, the Service may consider the circumstances under which such Panel Membership ended. If the application is denied without an interview, the applicant shall be informed of the denial in writing.

Panel Membership Requirements and Obligations

1. Professional Liability Insurance Requirements

Each Panel Member shall keep in force and effect a professional liability insurance policy in the minimum amount according to the experience level for which he/she is admitted to the panel.

Panel members for areas that do not have experience levels and those admitted as Level 1 shall keep in force and effect a professional liability insurance policy in the minimum amount of one hundred thousand ($100,000) dollars.

Panel members who are admitted to the Panel as Level 2 shall keep in force and effect a professional liability insurance policy in the minimum amount of five hundred thousand ($500,000) dollars.

Panel Members who are admitted to the Panel as Level 3 shall keep in force and effect a professional liability insurance policy in the minimum amount of one million ($1,000,000) dollars.

The maximum deductible under such policy (applicable to all panel members) shall not be greater than ten (10%) percent of the applicable per-claim policy limit except in the discretion of the Executive Director.

Each Panel Member shall submit to the Service a copy of the declarations page of his or her professional liability insurance policy or other evidence satisfactory to the Service that such coverage is in force and effect. Prior to the expiration date of such policy, each Panel Member shall notify the Service of the renewal of his or her professional liability coverage, accompanied by a copy of the declarations page of the renewal policy or other evidence satisfactory to the Service that such coverage has been renewed. Each Panel Member shall promptly notify the Service if his or her professional liability insurance coverage is terminated or decreased.

Any Panel Member who does not keep the minimum professional liability insurance coverage in force and effect or who does not have on file with the Service a copy of the declarations page of his or her professional liability policy (or other evidence satisfactory to the Service) evidencing that such coverage is then in force and effect will be suspended from receiving referrals.

2. Panel Member Advertising

Panel Members shall not participate in, or allow, any advertising or other promotional activity that refers to the Panel Member's Membership in the Legal Referral Service or any particular LRS Panels, unless such material or promotional activity has been developed or approved in writing by the Joint Committee. Panel members, without receiving approval from the Service, may state that they are a member of the Service, the name of

the panel(s) they are on, and that they have been screened and approved. Anything beyond the statement of membership with the Service, and being screened and approved for specific panels, must be approved in writing by the Service.

3. Membership Fees

Each Panel Member shall pay:

- An annual base listing fee of $390, plus
- $75, if listed for only one Panel Category,
  or
- $60 per Panel Category, if listed for more than one Panel Category.

Any Panel Member who is also a member of one of the below listed associations:

THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK
NEW YORK COUNTY LAWYERS' ASSOCIATION
NATIONAL EMPLOYEE'S LAWYERS' ASSOCIATION
AMERICAN IMMIGRATION LAWYERS' ASSOCIATION

will receive a base listing fee discount of $100; an additional $100 discount will be given to those Panel Members who are admitted to practice for less than 8 years.

4. Duration of Panel Membership

Each Panel Member's listing shall be effective for 12 months unless otherwise terminated in accordance with these rules and may be renewed from year to year thereafter.

5. Renewal of Panel Membership

Each Panel Member who wants to renew his or her Panel Membership, shall complete a renewal application to the Service. In deciding whether to renew a Panel Member, the Service may consider the Panel Member's record with the Service, including, willingness to meet with referred clients, compliance with Service rules, client-survey responses and other relevant information.

An application for renewal or reinstatement by a Panel Member who failed, for more than 60 days after they were due, to pay required fees or return client statements, shall be accompanied by a non-refundable, additional application fee of $300 together with all required payments and documents. Payment of such additional application fee does not automatically guaranty renewal or reinstatement.

6. Local Office Requirement

Each Panel Member shall comply with Judiciary Law Section 470, engage in the practice of law in the New York City metropolitan area and maintain a New York office in that area suitable to receive clients during normal business hours.

Panel members who wish to be listed in more than one county, must generally maintain a regular office presence of two days per week in each county, as approved by the Executive Director.

7. Response Time to Referred Clients

Each Panel Member must respond to referrals within two days of the initial call from a new referral made by the Service. Each Panel Member must inform the Service if he or she will be unable to return phone calls from new referral clients for a period of three or more business days. During such period, no new referrals shall be made.

8. ~~Collection of Consult Fee~~

~~Each client referred by the Service and interviewed by a Panel Member shall be charged an initial consultation fee of $35, unless such fee is prohibited by law or waived by the Service. The initial referral fee shall be charged by the Panel Member unless the Service requires the client to pay the initial referral fee directly to the Service and informs the Panel Member that this has been done.~~

9. Waiver of Consult Fee

The consult fee is waived for the following areas:

[1] tort matters typically handled on a straight contingency fee basis;
[2] all social security referrals (SSD and/or SSI cases);
[3] all workers compensation referrals;
[4] other matters where the consult fee waiver is approved by the Executive Director, in his/her discretion, upon request of the client or a panel member.

10. Limitations on Consult Fees Charged

Each Panel Member agrees not to charge any fee to compensate for the first half hour consultation with the referred client ~~other than the $35 consult fee that is forwarded to the Service~~.

11. Compensation for Consultations Beyond the First Half Hour

Compensation for any additional time or services beyond the initial one-half hour consultation must be agreed to between the Panel Member and the client before the client is charged any fee ~~beyond the initial $35~~.

12. Written Retainer Agreement Requirement

It is recommended that written fee agreements be used for all matters in which clients are charged fees ~~in addition to the one-half hour consultation fee~~.

The Panel Member shall enter into a written fee agreement before rendering substantial services in a matter that may involve a fee in excess of $1,000, unless the Panel Member reasonably concludes that under the circumstances it is impractical or inappropriate to do so. To the degree practical, the agreement shall outline the work to be performed and the basis of the fee and be signed by the client.

The failure to have a written fee agreement (a) with respect to the initial consultation, shall be an absolute defense by the client to any action by the Panel Member for additional compensation for any extension of the initial consultation beyond one-half hour, and (b) shall raise a rebuttable presumption that the client did not agree to hire the Panel Member for any services beyond the initial consultation and that the Panel Member is not entitled to additional fees.

12.1 Billing Every 60 Days

For matters handled on an hourly fee basis, to avoid fee disputes and client complaints, it is highly recommended that billing statements be sent to the client at least every 60 days if additional fees have been incurred during that period.

13. Payment of Consult and Case Fees Due to the Service

The Panel Member shall promptly (but in any event within 30 days after receipt) remit the initial referral fee to the Service, unless it is waived by the Service or is to be paid directly to the Service. The initial referral fee shall include an initial consultation between the client and the Panel Member of up to one-half hour.

All fees in excess of $500 owed to the Service that have not been paid after 90 days from the date such fees were due to be paid to the Service shall bear interest from such due date at the rate of 9% per annum.

If a payment is made to the Service that is less than the amount that is owed under the Rules, such amount may be deposited without reducing the amount that is owed; and the words “Payment in Full” or similar words shall not extinguish or reduce the debt, unless memorialized in a separate agreement signed by an authorized representative of the Service.

14. Payment of Case Fees from Referred Clients

In the case of any matter referred by the Service on and after May 1, 2015 and any matters directly related thereto, where the aggregate fee received by the Panel Member is $600 or more, the Panel Member shall pay

to the Service an additional referral fee equal to the following percentages of the aggregate fee received by the Panel Member:

10% of the first $5,000, plus
15% of the next $35,000, plus
20% of the amount over $40,000

In the case of any matter referred by the Service between September 21, 2008 and May 1, 2015, where the aggregate fee received by the Panel Member is $600 or more, the Panel Member shall pay to the Service an additional referral fee equal to the following percentages of the aggregate fee received by the Panel Member:

6% of the first $10,000, plus
12% of the next $40,000, plus
18% of the amount over $50,000

In the case of any matter referred by the Service between February 1, 1991 and September 21, 2008, and for medical malpractice and dental malpractice matters referred by the Service between February 1, 1991 and May 1, 2015, the following case fee percentages apply when the aggregate fee received by the Panel Member is $600 or more:

5% of the first $10,000, plus
10% of the next $40,000, plus
15% of the amount over $50,000

For purposes of these rules, "matter referred by the Service" shall include:

A. The initial matter referred and any related transaction, proceeding or action;
B. Any other matter which involves the same client and is undertaken within three (3) years of the date of the service's referral or the initial retention, whichever is later;
C. Any other matter which involves the same subject matter as the initial referral, arises from the initial referral, and is undertaken within three (3) years of the date of the service's referral or the initial retention, whichever is later.

If a Panel Member is retained as a result of an LRS referral and thereafter is retained or represents person(s) or a class of persons in the same or related action or proceeding as the original matter, then and in that event, the Panel Member agrees and shall be liable to pay the LRS a percentage fee based upon the total legal fee collected by said Panel Member in connection with such action or proceeding. "Person" is broadly defined, including but not limited to individuals and entities.

Each Panel Member shall promptly (but in any event within 30 days after receipt by the Panel Member of any portion of his or her fee) report and pay to the Service any additional referral fee payable to the Service.

For purposes of computing the amount owed to the Service, in the case of a Panel Member who is associated with a firm or other group, the fee received by the Panel Member shall be deemed the gross amount received by the firm or group.

Each Panel Member agrees not to charge any additional fees or to increase his or her fee for the purpose of compensating for the amount due the Service under the percentage formula outlined above.

Each Panel Member shall keep detailed business records with respect to all matters referred to the Panel member by the Service, including referral notices, contact reports, retainer agreements and billing and payment records.

In any matter where the aggregate fee received by the Panel Member is $20,000 or more, the amount owed to the Service shall be held in the Panel Member's trust or escrow account until paid to the Service. In any matter

where the amount owed to the Service is in dispute, the amount not in dispute shall be paid to the Service in accordance with the Rules and the amount in dispute shall be held in the Panel Member's trust or escrow account until the dispute is resolved.

15. Fee Disputes between Client and Panel Member

Part 137 of the Rules of the Chief Administrator of the Courts, as well as implementing rules of the Board of Governors of the New York State Attorney-Client Fee Dispute Resolution Program, and the rules of the Board-approved local programs in the various judicial districts (together, the "FDRP"), shall govern fee disputes between Panel Members and clients referred by the Service, except that, by applying and agreeing to be a Panel Member, each such Panel Member agrees to the following modifications:

1. The Panel Member consents to arbitration of fee disputes and submission in accordance with the FDRP regardless of the amount in controversy, including disputes less than $1000 and more than $50,000, if the client elects. The Panel Member agrees to memorialize this agreement by completing the appropriate forms in relation to the arbitration.

2. The Panel Member consents to arbitration of fee disputes and submission in accordance with the FDRP for criminal matters, if the client elects, unless the FDRP is unwilling to administer such an arbitration, in which event the Panel Member consents to arbitration using substantially the same procedures, to the extent feasible, by any arbitral body or arbitrator selected by the Service.

3. If the FDRP is unwilling to administer an arbitration based on the view that the dispute involves substantial legal questions, including but not limited to professional malpractice or misconduct, the Panel Member consents to arbitration by any arbitral body or arbitrator selected by the Service.

4. With regard to any arbitration using an arbitral body or arbitrator selected by the Service, as referred to in paragraphs 2 and 3 above, the Panel Member agrees that such arbitration, including the result of any such arbitration, even if, upon the election of the client, is final and binding except to the extent consistent with paragraph 7 of this section herein. No finding regarding legal malpractice or damages in excess of fees charged or collected shall be asserted or used as collateral estoppel or res judicata (issue preclusion or claim preclusion) in any subsequent action including any action asserting a claim for malpractice. It will be a condition of any such arbitration that the client likewise agree in writing that the arbitration and the result shall not be asserted or used as collateral estoppel or res judicata (issue preclusion or claim preclusion) in any subsequent action including any action asserting a claim for malpractice.

5. The Panel Member may not commence an action to recover a fee against a client referred by the Service until at least 45 days after sending the Notice of Client's Right to Arbitrate. A copy of this LRS Rule shall be included with the other materials required to be sent to the client with the Notice.

6. A copy of the Notice of Client's Right to Arbitrate as sent to the client, together with copies of the other materials sent to the client with the Notice, shall be sent simultaneously to the Service by certified mail.

7. For matters under $5000, the Panel Member agrees to be bound by the decision of the arbitrator(s) and to waive his or her right to reject the arbitrator(s) award by commencing an action on the merits (trial de novo), unless the client determines to commence such an action on the merits. The Panel Member agrees to memorialize this agreement by completing the appropriate forms in relation to the arbitration.

8. Nothing in this section shall preclude the parties from agreeing to mediation of any fee dispute between a Panel Member and a client

9. These modifications apply with respect to each and every fee dispute with a client that has been referred by the Service, including with respect to matters other than the particular matter referred by the Service.

16. Lawsuits for Collections Against Referred Clients
With respect to any client or matter referred by the Service, no Panel Member shall file a lawsuit for collection or assign such matter to a collection agency unless the Panel Member has given the Service at least 45 days notice prior to taking such action. This notice allows the Service to inform the client of the right to arbitration.

17. Fee Disputes Between Panel Member and the Service
Each Panel Member agrees that any fee dispute between the Panel Member and the Legal Referral Service shall be submitted to a mutually agreeable arbitrator or mediator. If the Panel Member and the Legal Referral Service are unable to agree upon an arbitrator or mediator for said dispute, the dispute shall be submitted to the American Arbitration Association.

Each Panel Member shall promptly (but in any event within 30 days) complete and return, with any payment due, each referral statement, billing statement, case-status report or other form from the Service.

18. Review and Audit
Each Panel member shall make available for review or audit, upon request of the Service made by the Chair of the Joint Committee, the Executive Director or a designee, all retainer agreements, billing and payment records, or copies thereof, as so requested by the Service, related to the Service or any matters or clients referred to the Panel Member by the Service. Any such review or audit shall be conducted by the Executive Director or a designee. At the discretion of the Chair of the Joint Committee, any such review or audit may be conducted or reviewed by a subcommittee appointed by the Chair of the Joint Committee.

19. Responsibility for Matters Referred to Panel Members
Each Panel Member who is retained to handle a matter referred to such Member by the Service shall maintain responsibility for and control of such matter. A Panel Member shall not transfer responsibility or control of any matter referred by the Service without the knowledge and permission of the Service, unless required by law, court order or the written direction of the client. However, the foregoing shall not prevent a Panel Member who is associated with a firm or group from having aspects of the matter handled by another attorney in the firm or group under the Panel Member's supervision, provided that the Panel Member retains responsibility and control.

1. A Panel Member who is not retained on or does not accept a matter referred by the Service shall not refer the matter to another attorney or recommend another attorney to the client, but shall refer the client back to the Service for another referral, except as provided in paragraph 5 below.

2. A Panel Member who is retained on a matter referred by the Service shall maintain responsibility for and control of such matter. A Panel Member shall not transfer responsibility for or control of any matter referred by the Service without the knowledge and permission of the Service (confirmed by letter or email to lrsbilling@nycbar.org from the Panel Member), unless required by law, court order or the written direction of the client (as to which the Panel Member shall promptly advise the Service by letter or email to lrsbilling@nycbar.org), except as provided in paragraph 5 below.

3. Paragraph 2 shall not restrict a Panel Member who is a member of or associated with a firm from (i) accepting a matter referred by the Service, and entering into a retainer for the matter, in the name of the firm, (ii) having the matter or aspects thereof handled by other attorneys in the firm, provided that the Panel Member retains responsibility and control for the matter, or (iii) in the event the Panel Member leaves the firm, from leaving responsibility and control for the matter with the firm, provided that the Panel Member or firm promptly notifies the Service by letter or email to lrsbilling@nycbar.org that the Panel Member has left the firm and left the matter with the firm. Each Panel Member who is a member of or associated with a firm shall cause the Panel Member's firm to acknowledge and agree in a writing satisfactory to the Service executed by the firm's managing or other authorized partner that the firm shall be bound by the rules of the Service as in effect from time to time with respect to matters referred by the Service to the Panel Member for which the firm is retained, whether or not the Panel Member continues to be a Member of the Service or a member of or

associate of the firm, including without limitation the following Rules:

Rule 1 - Professional Liability Insurance,
Rule 14 - Payment of Case Fees from Referred Clients,
Rule 15 - Fee Disputes Between Client and Panel Member,
Rule 16 - Lawsuits for Collections Against referred Clients,
Rule 17 - Fee Disputes Between Panel Member and the Service,
Rule 19 - Responsibility for Matters Referred to Panel Members, and
Rule 20 - Client Complaints about Panel Members.

4. (a) Paragraph 2 shall not restrict a Panel Member from engaging another attorney to handle limited aspects of a matter, provided that such engagement is in the best interest of the client and the Panel Member obtains the client's consent thereto, retains responsibility and control therefore and complies with the applicable rules relating to professional responsibility with respect thereto.

(b) Any fee charged by such other attorney shall be included in the amount of the Panel Member's fee for the purposes of determining the Panel Member's referral fee pursuant to Rule 14, unless the Service determines that such other attorney's fee would typically be incurred as a disbursement in the type of matter involved.

5. (a) Notwithstanding paragraphs 1 and 2, if a Panel Member to whom a matter is referred reasonably determines that the client would be best served by referral of the matter to another attorney, the Panel Member shall notify the Executive Director and request another referral to another appropriate Panel Member or, if the circumstances so require, may directly refer the matter to another attorney (whether such other attorney is a Panel Member or not), provided that the Panel Member to whom the matter was initially referred (i) first discusses the matter with the Executive Director or Deputy Director of the Service, if the circumstances permit, (ii) confirms the referral to another attorney in writing (by letter or email to lrsbilling@nycbar.org) from the Panel Member to the Service identifying the attorney to whom the matter is referred), and (iii) informs the client in writing (with a copy to the Service) that such referral is not being made by the Service and that the client may contact the Service for another referral.

(b) If a Panel Member makes a referral pursuant to paragraph 5(a) to an attorney who is a panel member, such attorney shall be responsible to pay a fee to the Service pursuant to Rule 14 based upon the fee received by such attorney minus any fee paid to the referring Panel Member, and the referring Panel Member shall be responsible to pay a fee to the Service prescribed by Rule 14 based upon the fee that the referring Panel Member received.

(c) If a Panel Member makes a referral pursuant to paragraph 5(a) to an attorney who is not a panel member, and the referring Panel Member receives any referral fee with respect to the matter referred, the referring Panel Member shall be responsible to pay to the Service the fee prescribed pursuant to Rule 14 based upon the total attorneys' fees paid by the client, with respect to the matter, provided that such fee to the Service shall not exceed the referral fee actually received by the referring Panel Member.

6. The LRS is a lawyer referral service and, as such, does not vet panel members regarding non-legal areas. Accordingly, if the panel member is to perform other, non-legal services, the panel member must inform the client that the work is outside the scope of the LRS referral and must prepare a separate written agreement for the non-legal work.

20. Client Complaints About Panel Members

Any complaint or inquiry made by a person to the Service or to the Joint Committee or any member thereof, shall be deemed to be a privileged communication as if contained in a pleading filed in a court of the State of New York. No Panel Member shall commence or threaten to commence any libel, slander, interference with contractual relations or similar action based upon a complaint or inquiry made to the Service.

21. Suspension, Withdrawal, Removal and/or Other Action Affecting Panel Members

1. Panel Membership may be summarily suspended by the Service as a result of a Panel Member's failure to comply with any of the following administrative requirements:

A. Timely and accurate completion and return of required documents, including, without limitation, Client Statements and business records requested for review or audit;
B. Accurate record-keeping as to all matters referred by the Service;
C. Prompt and timely payment of fees due to the Service;
D. Prompt and timely submission of proof of current professional liability insurance; and
E. Prompt and timely submission of completed membership renewal applications and payment of dues and fees.

2. A Panel Member who is suspended from the Bar shall automatically be suspended from receiving referrals. A Panel Member who is disbarred shall automatically be terminated from Membership. Panel Membership may be suspended or terminated by the Service if the Panel Member:

A. Violates the Code of Professional Responsibility, or Rules of the Appellate Division, First and Second Departments;
B. Is convicted of any misdemeanor or felony in any jurisdiction;
C. Fails to comply with any of the Rules including, but not limited to the following:

1. charging consultation fees to Service clients in excess of those allowed by the Rules;
2. failing to comply with the Rules regarding the resolution of fee disputes or to comply with the Rules regarding review and audit of business records;
3. failing to maintain professional liability insurance in accordance with the Rules; and
4. recommending Service-referred clients to other attorneys without the prior permission of the Service.

D. Engages in conduct harmful or injurious to the goals, reputation or interests of the Service, including:

1. giving clients the impression that persons referred by the Service are entitled to less consideration than other clients;
2. excessive refusal to meet with clients referred by the Service;
3. failing to inform the Service when the panel member will be unable to accept or return phone calls from new referral clients;
4. rudeness to clients or to Service staff;
5. repeated fee disputes with clients;
6. impeding the Service's investigation of a client complaint, including but not limited to: threatening to sue a referred client or take other aggressive action against the client to prevent the client from z informing the Service of a complaint; and offering the client an inducement to withdraw a complaint.

3. The Executive Director or his/her designee shall review: [1] each complaint concerning the professional conduct of Panel Members in connection with any referral and [2] any other report or notification relating to a Panel Member's fitness to receive referrals from the Service. The Executive Director, or his or her designee, shall make whatever investigation he or she deems to be reasonable and report to the Chair of the Joint Committee concerning the complaint and its resolution where appropriate. The Executive Director may determine, in his or her sole discretion, that a complaint or other notification warrants immediate suspension of referrals.

4. The Executive Director shall notify the Chair of the Joint Committee where the Executive Director determines, as a result of his or her investigation, that further action by the Joint Committee with respect to suspension or removal of a Panel Member is necessary. If warranted, the Chair of the Joint Committee shall appoint a subcommittee to investigate the complaint. The subcommittee shall conduct whatever interviews it deems appropriate. Panel Members against whom complaints are pending shall be notified of the complaint and given an opportunity to respond. Upon the completion of its review, the subcommittee may recommend to the Joint Committee that the complaint requires no action or recommend that the Panel Member be suspended or terminated or otherwise restricted in receiving referrals from the Service or recommend some other appropriate action.

5. After the investigative subcommittee has presented its final report and recommendations to the Joint Committee, and before the Joint Committee renders its final action, the Panel Member who is the subject of the investigation shall be accorded the opportunity to address the Joint Committee with respect to any matter relevant to the investigation or the appropriate resolution thereof. The Panel Member may be accompanied by counsel at this appearance.

6. At any time after the Joint Committee renders a final action in connection with the resolution of an investigation of a Panel Member, the Chair of the Joint Committee, in the exercise of its discretion, is authorized to place before the Joint Committee a motion to amend the action previously announced. The Joint Committee is empowered to alter in any manner the action previously rendered or to adhere to its original determination.

7. The Joint Committee shall consider the subcommittee's recommendations and, upon its final determination, shall advise the Panel Member in writing of its decision.

8. Upon resignation, withdrawal or removal from the Service, a Panel member is required to notify all referral clients of the Panel Member's disassociation from the Service within sixty (60) days of said separation from the Service. The Service reserves the right to make such notification to referral clients upon failure of a Panel Member to do so in a timely fashion.

9. Any Panel Member who withdraws or is removed from panel membership shall remain bound by the terms of these rules with respect to all clients referred to them by the Legal Referral Service.

10. Any Panel Member who has been removed from the Service, or has withdrawn from the Service during the time a complaint was pending against the Panel Member, may not reapply for membership on any panel of the Service for a period of thirty-six (36) months following the removal or withdrawal of the Panel Member.

Upon receipt of a re-application for panel membership by an individual who has previously been removed from the Service, or has withdrawn from the Service during the time a complaint was pending against that Panel Member, the Executive Director, in his or her discretion, in consultation with the Chair of the Joint Committee on Legal Referral Service, shall determine whether to grant an interview, or whether to deny the re-application without an interview.

In exercising his or her discretion, the Executive Director may consider any factors he or she deems relevant, including but not limited to the following:

A. The reason(s) for removal or withdrawal of the Panel Member;
B. Any remedial action taken by the Panel Member;
C. Whether the Panel Member timely complied with notification requirements of subparagraph (8) or Rule 19 of the LRS Rules for Panel Membership;
D. Whether the Panel Member fully complied with subparagraph (9) of Rule 20 of the LRS Rules of Panel Membership;
E. Whether the Panel Member continued to maintain professional liability insurance in at least the amount set forth in Rule 1 of the LRS Rules for Panel Membership during the period since the Panel Member was removed from or withdrew from the Service; and
F. Whether the Panel Member complied with administrative requirements during the period since the Panel Member was removed from or withdrew from the Service.

11. All panel members shall give notice to LRS within thirty (30) days if they have been cautioned, admonished, reprimanded, or disciplined by any disciplinary or grievance committee, agency or court; whether they are currently under investigation concerning any allegation of professional misconduct or wrongdoing; and whether they are a defendant in any lawsuit filed by a client or former client other than as previously explained in their Application for Panel Membership or a prior Application for Renewal of Panel Membership.

22. Miscellaneous

1. Except as otherwise specified by the rules of the Service as in effect from time to time, any action to be taken by the Service may be taken by the Joint Committee, or by the Chair of the Joint Committee, or by the Executive Director of the Service or his or her designee. Any action by the Chair of the Joint Committee, the Executive Director of the Service or a designee may be modified by the Joint Committee. Except as otherwise specified by the rules of the Service as in effect from time to time, or by the Joint Committee, any action by the Joint Committee shall be by majority vote of the members present and acting at a meeting of the Joint Committee called by notice to the members of the Joint Committee at which there is a quorum of one-half of the members of the Joint Committee.

2. All notices, bills and other communications by the Service to any Panel Member or by any Panel Member to the Service shall be in writing and shall be served in a manner provided for service upon an attorney under CPLR Section 2103(b); and the time period for responding to any such notice or other communication shall be measured as provided in said Section.

3. Panel members shall designate an Administrative Backup Contact ("ABC") on their application and submit an ABC Form signed and dated by both the panel member and the ABC. The LRS strongly prefers that the panel member designate an active, New York-licensed attorney as his/her ABC. If that is not possible, the panel member should designate someone with whom the panel member has a substantial and ongoing relationship. The panel member should also ensure that the ABC has access to the panel member's office, files and billing records in the event of an emergency, such as the panel member's death, incapacity, etc. The ABC is not required to take over responsibility for prosecuting, defending or otherwise handling LRS-referred matters.

The ABC has three responsibilities:

a) Notifying the LRS promptly upon becoming aware of the panel member's incapacitation, death, or temporary or permanent inability to fulfill the responsibilities of LRS Panel Membership, maintain the operations of his/her practice, or engage in the regular practice of law;

b) Following such notification and after the LRS has provided a current list of all LRS-referred clients to the ABC, the ABC shall confirm and update the current contact information for each LRS-referred client, the status of all pending matters being handled by the panel member and/or the panel member's firm for each LRS-referred client, the contact information for each lawyer who will be taking over responsibility for each matter, if any, and/or a contact for further follow-up regarding reporting and payments, and;

c) The ABC shall provide copies of the firm's and ABC's notifications to LRS-referred clients regarding the panel member's incapacitation, death, etc.

4. These Rules for Panel Membership were last revised and adopted by the Joint Committee on May 21, 2020. These rules for Panel Membership may be modified by a vote of a majority of the members of the Joint Committee present and acting at a meeting called by a notice to the members of the Joint Committee which states that a proposed amendment to the rules will be considered and describes the proposed amendment and at which a quorum of one-half of the members of the Joint Committee is present.