Hudson County Bar Association

583 Newark Avenue Jersey City, New Jersey 07306 (201) 798-2727

E-mail: hcba.law@verizon.net

LAWYER REFERRAL SERVICE APPLICATION

Complete and return with your check and Insurance Certificate

Name:			
Firm:			
Address:			
Phone:	Fax:	Email:	
Year admitted to N.J. Bar En	ngaged in active pract	ce since My practice includes	litigation
Other states where you are admitted	Foreign la	nguages spoken	
List Federal courts to which you	ı are admitted:		
Will you make house calls?	Is your offic	ce handicapped accessible?	-
***********	*******	***********	******
Areas in which I currently practice and am compet (PLEASE CHECK OFF THREE PANELS ONLY I YOU WILL ACCEPT REFERRALS). For example, not "tenant".	OR THE FEE OF \$1	50.00. ADDITIONAL PANELS ARE \$25.0	
ADMINISTRATIVE LAW/DMV		MEDICARE/MEDICAID	
APPEALS		MENTAL DISABILITY LAW	
BANKRUPTCY		MILITARY LAW	
CIVIL RIGHTS/DISCRIMINATION		MORTGAGE FORECLOSURES	
CIVIL LITIGATION		MUNICIPAL COURT	
COLLECTION LAW		NEGLIGENCE	
COMMERCIAL-TRANSACTIONS & FORMATI	ON	POLICE MISCONDUCT	
CONSUMER PROTECTION LAW		PRODUCT LIABILITY	
CONTRACT LAW		PERSONAL INJURY	
CORPORATE/BUSINESS/COMMERCIAL		REAL ESTATE/ ZONING	
CRIMINAL		REAL ESTATE TAX APPEALS	
DEBTOR/CREDITOR		SOCIAL SECURITY	
DISABILITY LAW		WORKERS' COMPENSATION:	
DOMESTIC RELATIONS/DIVORCE		STATE, FEDERAL	
CHILD SUPPORT/CUSTODY/ABUSE/ ADOPT		WRONGFUL DEATH LITIGATION	1
EDUCATION LAW	ON		'
EMPLOYMENT/UNEMPLOYMENT APPEALS		OTHER	
ENVIRONMENTAL			
ESTATES/WILLS/ELDER LAW			
GOVERNMENT LAW			
GENERAL PRACTICE			
IDENTITY FRAUD			
IMMIGRATION AND NATURALIZATION			
INSURANCE			
INTERNATIONAL LAW IRS TAX DISPUTES/ TAXATION			
JUVENILE LAW			
LABOR LAW			
LANDLORD/TENANT			
PATENT/ TRADEMARKS/ COPYRIGHT			
PROFESSIONAL MALPRACTICE			
(MEDICAL, LEGAL, OTHER*)			

I agree to maintain professional liability insurance in the minimum required amount of \$100,000 per claim with \$300,000 aggregate for all claims.

Name of malpractice carrier:

PLEASE READ THE FOLLOWING PAGES FOR RULES AND REQUIREMENTS

I acknowledge that I am licensed to practice law in the State to of New Jersey and am willing to represent persons referred to me by the Hudson County Bar Association's Lawyer Referral Service (HCBA-LRS) I certify that:

- a. I have been admitted to practice law for one year and have chosen three areas of concentration.
- b. I agree to charge a maximum fee of \$25.00 for the first half-hour's consultation on non-contingent matters. The charge is to cover conference and advice only and does not include the preparation of letters and /or legal documents. I shall remit this fee to the HCBA to defer the administrative costs of operating the LRS. On contingent matters, I agree to give the person referred by the LRS a half-hour initial consultation for no fee.
- c. I agree to give the HCBA-LRS 15% of any fee collected in excess of \$500.00 (exclusive of costs and disbursements) on non-contingent matters. I agree to give the HCBA 25% of any fee collected in excess of \$500.00 (exclusive of costs and disbursements). All case referral fees shall be made to the HCBA at the time payment is accepted from the client. I further agree to keep the HCBA-LRS apprised of the status of the case and of any fees owing. Failure to keep the HCBA-LRS advised of the status of any matters referred by the HCBA-LRS will result in my name being removed from the HCBA-LRS list. The client shall not be billed an additional amount to cover the referral fee and the combined fees and expenses billed to the client shall not exceed the total charges which would have been billed to the client if the HCBA-LRS had not been involved. The HCBA-LRS shall have access to my records of referral matters in the event of a dispute concerning the referral fee.
- d. I agree to be responsible for entering into the attorney/client relationship and for accounting to the HCBA-LRS for all fees collected as a result of referrals referred through the HCBA-LRS. I acknowledge that the HCBA-LRS has no responsibility whatsoever for collection of fees from neither clients; nor does the HCBA-LRS warrants my competence with respect to any matters referred. I certify that I will not accept representation or continue representation in a matter for which I am not qualified or competent.
- e. As a participation fee for the privilege to be listed on three panels, I agree to pay the HCBA \$150.00, if I am a member of the HCBA. If I am not a member of the HCBA, I agree to pay \$300.00 for the privilege to be listed on three panels. For listing on additional panels, the fee will be \$25.00 for members and \$50.00 for non-members. In the event of a referral fee payable to the HCBA, any panel-listing fee paid by me shall be a credit toward the amount due the HCBA.
- f. In the vent I receive a referral I am unable or unwilling to accept, I agree to tell the prospective client to call the HCBA-LRS for another attorney's name. I will not refer prospective clients to another attorney.
- g. I agree to advise the HCBA-LRS, in writing, in the event I desire to be removed for the LRS list of participating attorneys; am convicted of a crime; am disciplined by a District Ethic Committee; am no longer a member in good standing of the Bar of the State of New Jersey or of the Hudson County Bar Association; or am no longer covered by the malpractice insurance described on page 1 of this application.
- h. I agree to indemnify and hold harmless the HCBA from any and all claims, demands, actions, liability or loss, including, but not limited to, costs of defense, including a reasonable attorney's fee, which may arise from or be incurred as a result of any loss and all referrals of a client to me through the HCBA-LRS.
- i. I agree to comply with the Rules and Procedures of the HCBA-LRS.

SIGNATURE	DATE	
PLEASE PRINT YOUR NAME:		

Please check here to indicate you have sent the required fee _____(\$150.00/members of the HCBA - \$300.00/ non-members of the HCBA. Make checks payable to HCBA).

DO NOT FORGET TO INCLUDE A COPY OF YOUR CERTIFICATE OF INSURANCE NAMING THE HUDSON COUNTY BAR ASSOCIATION LAWYER REFERRAL SERVICE AS A CERTIFICATE HOLDER OR SIGNED COPY OF A LETTER SO ADVISING YOU CARRIER.

RULES AND PROCEDURES OF THE HUDSON COUNTY BAR ASSOCIATION LAWYER REFERRAL SERVICE

I. Requirements for Participating in the Lawyer Referral Service

All attorneys who are licensed to practice in New Jersey may qualify for participation in the LRS, provided they meet the following criteria:

- 1. The attorney is engaged in the active practice of law.
- 2. The attorney is warrants that he/she is a member of the Bar in good standing, qualified to practice, and executes a wavier of confidentially which authorizes the District Ethics Committee to release to the LRS and information on file with the District Ethic Committee about any public or private discipline given to the attorney.
- 3. The attorney has a minimum of one year of legal practice experience.
- 4. If any attorney cannot meet the standards set forth in Paragraph 3 above, he/she will be given an opportunity to demonstrate to the LRS Committee of the Hudson County Bar Association alternative qualifications. Other such qualifications may include special law school, graduate or post graduate studies, teaching experience, continuing legal education, maintenance of a library or relevant source materials, past experience with a relevant government body, or preparation of a publication dealing with the subject area.
- 5. The attorney obtains and maintains legal malpractice insurance in the minimum of \$100,000 per claim with a \$300,000 aggregate for all claims.
- 6. The attorney pays LRS an annual registration fee of \$150.00 for HCBA members (\$300.00 for non-members), which will be payable by January 1st, of each year, and an additional fee of \$25.00 for HCBA members (\$50.00 for non-members) for inclusion on more than three panels.
- 7. The attorney will advise LRS in writing promptly in the event he/she desired to be removed from the LRS listing; is convicted of a crime; is disciplined by a District Ethic Committee; is no longer a member in good standing of the Bar of the State of New Jersey; or is no longer covered by the required malpractice insurance.
- 8. The attorney submits an application for panel membership which supplies the LRS with the above information as well as his/her agreement to abide by the purpose, policies, procedures, and requirements of the LRS as set forth herein or as adopted by the Trustees of the Bar Association or the LRS Committee.

II. Panels

Attorneys participating in the LRS will be assigned to panels in particular fields of law in the following manner:

- 1. LRS will use a system of affirmative designation where the attorney can choose to be listed on various panels, which have been established by combining related types of cases. The attorney's choice should reflect the types of cases he/she presently is handling, in which he/she has experience, and for which he/she can represent a client competently as required by the Rules of Professional conduct. By selecting a panel, the attorney warrants that he/she is competent to represent someone in that field of practice.
- 2. An attorney may select a panel, and receive referrals of the type of cases within the panel(s) when one of the following requirements is met:
 - i.The attorney certifies that he/she has handled five cases of the type listed within the last five years; or
 - ii.Twenty-five percent of his/her practice has been in each of those areas the attorney has indicated he/she is willing to handle.
- 3. If an attorney cannot meet the standards set forth in Paragraph 2 above, he/she will be given the opportunity to demonstrate to the LRS Committee alternative qualifications. Other such qualifications include special law school, graduate or post graduate studies, teaching experience, continuing legal educations, maintenance, of a library of relevant source materials, past experience
 - with a relevant source materials, or preparation of publication dealing with the subject area. A panel member may be required to re-certify annually his/her compliance with the above standards.
- 4. An attorney who is denied a panel classification of his/her choice or removed or suspended from a panel will have available the procedure or reconsideration and appeal as set forth in Section II, 3.

III. Rendition of Services

The attorney agrees to give the person referred by the LRS a half-hour consultation for a maximum fee of \$25 on non-contingent matters, which will cover a conference and advice, and not the preparation of any documents. The attorney shall remit this fee to the HCBA to defer the administrative costs of operating the LRS. On contingent matters, the attorney agrees to give the person referred by LRS a half-hour initial consultation for no fee.

- 1. If the attorney agrees to undertake the representation of the person referred by the LRS, he/she will be individually responsible for the matter and services rendered. The LRS and the Bar Association will have no responsibility for the attorney's services.
- 2. The attorney will remit to the HCBA 15% of the excess of fees received over \$500.00 (exclusive of costs and disbursements) as a result of any matter referred by the HCBA-LRS in non-contingent matters, and 25% of fees received over \$500.00 (exclusive of costs and disbursements) on fees in contingent matters. The attorney agrees that the client shall not be billed to the client shall not exceed the total referral fee and that the combined fees and expenses billed to the client shall not exceed the total charges which would have been billed to the client if the Lawyer Referral Service had not been involved. The attorney shall receive a credit on any referral fee due the HCBA-LRS for the amount of the registration fee.
- 3. The LRS will make no representation to the public concerning the competance of the attorneys participating in the LRS. It will advise those members of the public who inquire that the attorneys have designated certain areas of the law in which they will accept referrals from the LRS.
- 4. The attorney agrees that if, after the initial consultation, he/she will not be able to deliver the necessary services, the case will be returned to LRS for referral; not to an attorney of his/her choosing.

III. LRS Review and Discipline

The LRS Committee will have the authority to examine a prospective panel member's application to determine the attorney's continuing eligibility and to adjust panel membership when necessary.

The LRS Committee may deny panel membership or remove or suspend a panel member at any time for good cause, as determined by a majority of the committee, which includes, but is not limited to:

- 1. institution of criminal charges involving theft, embezzlement, or fraudulent appropriation of property;
- 2. violation of Rules of Professional Conduct;
- 3. suspension, disbarment, or resignation from the practice of law;
- 4. failure to obtain or maintain the required legal malpractice insurance;
- 5. falsification of data required by LRS;
- 6. failure to pay the annual registration fee or otherwise comply with the LRS Rules and Procedures

If the LRS Committee will have the authority to examine a prospective panel member after consideration of his/her application and disciplinary record or moves to remove or suspend a panel member, the attorney concerned will be notified in writing of the intention and reasons therefore, and will be offered the opportunity to make a written or oral response to the Committee or its designate.

An attorney may withdraw from a panel or the LRS at any time upon written notice to the LRS, but he/she shall not thereby be relieved of the duty to dispose of, in accordance with the Rules and Procedures, any pending cases or any obligation incurred during membership.