



November 20, 2009

Dear Colleague:

SCBA Lawyer Referral Service – 2010 Enrollment

It is time to sign up for membership in the 2010 Somerset County Bar Association Lawyer Referral Service! The LRS has been operating effectively for more than 35 years, serving hundreds of litigants every year by matching potential clients with LRS members according to their area(s) of expertise.

The LRS has received 1,165 calls during the period of Jan. 1st – Nov. 15th and was able to provide referrals for 947 of these calls. The total number of calls received during 2009 is projected to exceed 1,300. Analysis of the calls received by the LRS for the Jan.-mid-Nov. period reveals, on average, each participating attorney's name was provided to potential clients 42 times, or 4 times per month. More detailed breakdowns of the data are available on request.

The deadline for enrolling in the program is January 31, 2010. The Rules and Procedures are attached for your review. As in the past, LRS participants must be members of the SCBA for the current year (2009-2010). The fee structure remains unchanged. I draw your attention to the need for attorneys in certain areas as marked by an asterisk on the Application Form. Also note that there will be no pro-rating of the application fee should an SCBA member join after the enrollment deadline, so please get your application in during January so you can be included promptly on the list and website.

Enclosed herewith are copies of the Rules and Procedures and the Application Form (both double-sided documents). If interested in enrolling in the program for 2010, please complete the forms and return them to me with the appropriate payment.

Please call if you have any questions.

Very truly yours,

Carol Ann Winder

Carol Ann Winder
Executive Director, SCBA

CAW:set
Encl.

**Somerset County Bar Association Lawyer Referral Service
January 1, 2010 – December 31, 2010**

APPLICATION DEADLINE: JANUARY 31, 2010

(DOUBLE-SIDED DOCUMENTS)

NAME: _____ PHONE: _____

FIRM NAME: _____ FAX: _____

ADDRESS: _____ EMAIL: _____

DATE OF NJ BAR ADMISSION: _____ LAW SCHOOL & YR. OF GRADUATION: _____

OTHER JURISDICTION ADMISSION(S) WITH DATE(S): _____

FOREIGN LANGUAGE(S) SPOKEN IN YOUR OFFICE: _____

IF NECESSARY, WOULD YOU BE WILLING TO DO HOME / HOSPITAL VISITS? YES NO

MALPRACTICE CARRIER: _____

Practice Areas Covered: _____

Amount per Claim/Aggregate: (\$500,000/1,000,000 Minimum) _____

Expiration Date: _____ Policy Number: _____

CERTIFIED (CHECK ALL APPLICABLE):

- | | |
|---|---|
| <input type="checkbox"/> Certified Civil Trial Attorney | <input type="checkbox"/> Certified Criminal Trial Attorney |
| <input type="checkbox"/> Certified Matrimonial Attorney | <input type="checkbox"/> Certified Worker's Compensation Attorney |

BRIEF BIOGRAPHY FOR LRS WEBSITE

Please provide below in 35 words or less, biographical material (i.e. law school, years of practice, special honors, board certification, etc.)

Lawyer Referrals Request Form

PLEASE CHECK OFF those areas of practice for which you wish to receive referrals. **You may choose up to four (4) major panels** of concentration (shown in **bold** text). If you wish to receive referrals *only* in a particular area(s) of a panel of concentration, check off the specific sub-panel(s). Otherwise it will be assumed you wish to receive referrals in all of the sub-panels of a panel. Sub-panels will not count in your total number of choices. **You may only choose areas of practice in which you have handled a minimum of seven (7) cases in the past three years or which comprise at least twenty-five percent (25%) of your practice.**

- Administrative Law***
 - Division of Motor Vehicles
 - Military / Veteran Benefits
 - Professional Licensure
 - Social Security / Disability
 - Education
 - Unemployment Compensation
 - Worker's Compensation
- Appeals**
 - Civil
 - Criminal
- Bankruptcy***
 - Consumer
 - Corporate
- Business Law**
 - Collections
 - Commercial Litigation
 - Contracts
 - Franchises
 - Non-Profit Organization
- Consumer Law**
 - Collections - Creditor
 - Collections - Debtor
 - Consumer Contracts
 - Credit/Repos'n/Garnishment
 - Identity Theft
 - Insurance
 - Lemon Law
 - Small Claims
 - Warranties
- Criminal Law**
 - Criminal - Adult
 - Criminal - Juvenile
 - Expungements
 - Parole Violation
- Discrimination***
 - American Disability Act
 - Civil Rights
 - Employment
 - False Arrest/Police Brutality
 - Sexual Harassment
- Estate & Elder Law**
 - Asset Protection Planning
 - Estate Taxes
 - Guardianship - Adult
 - Guardianship - Juvenile
 - Inheritance
 - Medicare / Medicaid
 - Nursing Home
 - Power of Attorney
 - Probate
 - Trusts, Estates Planning
 - Wills
- Environmental Law**
- Entertainment/Arts**
- Family Practice Law**
 - Adoption
 - Annulments
 - Child Custody & Visitation
 - Child Support
 - Civil Unions/Dom. Partnerships
 - Divorce
 - Domestic Violence
 - Name Change
 - Paternity
- Immigration Law***
- Arbitration / Mediation**
 - Civil
 - Family
- Intellectual Property***
 - Copyright
 - Patent
 - Trademark
- Labor Law**
 - Labor
 - Management
 - Pension/Retirement
 - Whistle Blower
- Municipal Court***
 - Disorderly Person
 - Drug Possession
 - DUI
 - Traffic Violation
- Real Property Law***
 - Commer. Real Estate
 - Condominium
 - Emin. Dom/Condem'n
 - Homeowner's Assn.
 - Landlord
 - Litigation
 - Mortg. Foreclosure
 - Resident RE Closings
 - Tenant
 - Zoning/Land Use
- Tax Law***
 - Income Tax
 - Property Tax
- Torts***
 - Libel / Slander
 - Malpractice-Account'g
 - Malpractice-Legal
 - Malpractice-Med./Dent.
 - Malpractice-Other Prof.
 - Pers. Injury-Defendant
 - Pers. Injury-Plaintiff
 - Property Damage
 - Product Liability

* Attorneys needed in these areas

**Somerset County Bar Association Lawyer Referral Service
January 1, 2010 – December 31, 2010**

FEE SCHEDULE
(TOTAL \$ DUE)

	<u>NJ Bar Admission</u>	
	<u>2005 and earlier</u>	<u>2006-2008</u>
1 Major Panel (also incl. Registration Fee)	\$250.00	\$150.00
2 Major Panels	\$300.00	\$175.00
3 Major Panels	\$350.00	\$200.00
4 Major Panels	\$400.00	\$250.00

Name	\$	Amount	
			Payment Method (Check one)
Address			<input type="checkbox"/> Check Enclosed <i>(Payable to SCBA)</i>
Telephone	Email Address		
			<input type="checkbox"/> Visa
			<input type="checkbox"/> MasterCard
Credit Card Number	Expiration Date	Security Code	
Signature <i>(Credit Card Payment Only)</i>			

Checks payable / return form to ■ Somerset County Bar Association
P.O. Box 1095 ■ Somerville, NJ, 08876-1095 ■ Fax: 908-685-9839

For more information, contact Carol Ann Winder, Executive Director ■ Tel: 908-685-2323
Email: cawinder@somersetbar.com

CERTIFICATION

I HEREBY CERTIFY that I am licensed to practice law in the state of New Jersey, that I am a member in good standing of the Somerset County Bar Association (“SCBA”) and that I am willing to serve persons referred to me by the SCBA’s Lawyer Referral Service (“LRS”). I further certify that:

1. I have been admitted to practice law in the state of New Jersey for at least one year.
2. Each area of concentration for which I have requested referrals comprises at least 25% of my practice; or I have handled at least seven (7) cases in each area of law in the past three (3) years.
3. I acknowledge that the LRS has no responsibility whatsoever for collection of fees from referred clients, nor does the LRS warrant my competence with respect to any matter referred.
4. I certify that I will not accept representation in a matter for which I am not qualified or competent, and that I will not continue representation in a matter for which I am no longer qualified or competent.
5. If I receive a referral that I am unable or unwilling to accept, I agree to refer the prospective client back to the LRS for another referral; I will not refer the prospective client to another attorney. No other attorney in my firm will become the attorney primarily responsible for a LRS case unless s/he is a LRS participant.
6. I agree not to contact the prospective client until s/he has initiated contact with me.
7. I agree to advise the LRS, in writing, under any of the following circumstances:
 - a. I desire to be removed from the LRS list of participating attorneys;
 - b. I am convicted of a crime;
 - c. I am suspended from the practice of law in the State of New Jersey;
 - d. I am no longer admitted to practice law in the State of New Jersey;
 - e. I am no longer a member of the Somerset County Bar Association;
 - f. I am no longer covered by malpractice insurance for the selected areas of practice; or
 - g. I change firms or move my practice.
8. I agree to comply with the Rules and Procedures of the LRS, a copy of which I hereby acknowledge receiving.

DATE: _____ SIGNATURE: _____

Return this signed application form (*both pages*), together with a copy of your current professional liability insurance declaration page and your registration fee check to:

Somerset County Bar Association
Lawyer Referral Service
P.O. Box 1095
Somerville, NJ 08876-1095
Tel: (908) 685-2323 / Fax: (908) 685-9839
Email: cawinder@somersetbar.com

**RULES AND PROCEDURES OF THE SOMERSET COUNTY BAR ASSOCIATION
LAWYER REFERRAL SERVICE
(2010)**

I. REQUIREMENTS FOR PARTICIPATION:

Any attorney licensed to practice in New Jersey may qualify to participate in the Somerset County Lawyer Referral Service (“LRS”), provided the attorney meets the following criteria:

1. The attorney is a member in good standing of the Somerset County Bar Association and engaged in the active practice of law;
2. The attorney has a minimum of one year of legal practice experience;
3. The attorney obtains legal malpractice insurance in the minimum amount of \$500,000 per claim, \$1,000,000 aggregate for all claims, which insurance must cover the areas of practice selected;
4. The attorney will advise LRS in writing promptly in the event s/he desires to be removed from the LRS listing; is convicted of a crime; is disciplined by a District Attorney Ethics Committee; is no longer a member in good standing of the Bar of the State of New Jersey or the Somerset County Bar Association; or is no longer covered by the required malpractice insurance;
5. The attorney submits an application for panel membership that 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 Somerset County Bar Association or the LRS Committee; and
6. The Attorney agrees to advise the LRS, in writing, of any change of address, law firm, or employment.

II. DESIGNATION OF FIELDS OF LAW FOR REFERRAL:

1. LRS will use a system of affirmative designation by which the attorney can choose to be listed on various panels which have been established by combining related types of cases. The attorney’s choices should reflect the types of cases s/he is presently handling, in which s/he has experience, and for which s/he can represent a client competently as required by the Rules of Professional Conduct. By selecting a panel, the attorney warrants that s/he is competent to represent someone in that field of practice.
2. An attorney may select a panel and receive referrals for the type of law selected. To select a panel, the attorney must certify that: a) S/he has handled seven cases of the type listed within the last three (3) years; or b) at least twenty-five percent (25%) of his/her practice has been in each type of law selected.

3. If an attorney cannot meet the standards set forth in Paragraph 2 above, s/he will be given an 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 education, maintenance of a library of relevant source materials, past experience with a relevant government body, or preparation of a 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 for reconsideration and appeal as set forth in Section II, 3.

III. LAWYER REFERRAL PROGRAMS:

A. TELEPHONE REFERRALS

1. LRS will keep information about attorneys and the program current with other referral services such as the Courts, LSNWJ and SCBA.
2. LRS will provide appropriate staffing to ensure prompt referrals, monitoring and reporting to members.
3. LRS member attorney names will be placed on each panel list to which s/he subscribed. Clients seeking referrals will be given three names and phone numbers of attorneys from the appropriate panel list in rotation subject to the client rejection of any name for any reason.
4. LRS will provide panel members a report indicating distribution of referrals.

B. WEBSITE REFERRALS

1. The SCBA's website will have a link to the LRS in a separate Website Referral Service, so that any prospective client who accesses the SCBA website will be able to access the list of LRS participating attorneys according to the field of law practiced.
2. Attorneys are responsible for preparing and submitting a short paragraph (35 words or less) with biographical information which will be posted in each panel to which they subscribe on the website.
3. Communications, consultations and representation between participating attorneys and Website Referrals shall be subject to all of the Rules and Procedures of the LRS.

IV. RENDITION OF SERVICES:

1. If a participating attorney agrees to undertake the representation of a person referred by the LRS, s/he will be individually responsible for the matter and the services rendered. The LRS and the SCBA will have no responsibility for the attorney's services.

2. The LRS will make no representation to the public concerning the competence 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.
3. In the event of a change in law firm, the attorney will advise the Lawyer Referral Service of who will continue to have responsibility for the file, and such person shall be a member of the Lawyer Referral Service.

V. FEES:

Attorneys who apply to the LRS other than at the beginning of the year shall pay the full registrations fees. The *only* exception to this rule is that new SCBA members, who have never been part of the SCBA, and who join the Association between July 1 and December 31 shall be permitted to pay 50% of the full fee requirements. Any member who fails to pay the LRS registration fee or who becomes delinquent in the payment of his/her SCBA annual dues will be suspended from the LRS, but may be reinstated upon payment of the outstanding fee and/or dues.

FEE SCHEDULE
(TOTAL \$ DUE)

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VI. LRS Review and Discipline.

The LRS Committee or SCBA Board of Trustees 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, and 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. “Good cause” includes but is not limited to the following:

1. Institution of criminal charges involving theft, embezzlement, or fraudulent appropriation of property;
2. Violation of the 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; and
6. Failure to pay the annual registration fee or otherwise comply with the LRS Rules and Procedures. If the LRS refuses to approve a prospective panel member after consideration of his/her application and disciplinary records, 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 LRS or its designee. An attorney may withdraw from an LRS panel at any time on written notice to the LRS, but s/he 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. Fees will not be refunded upon termination or withdrawal from the LRS.