



Northern California Lawyer Referral Service
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LRS Procedure for Panel Attorney Review (New and Renewing Attorneys)

This policy is adopted in compliance with Rules 11 and 12 of the State Bar Rules and Regulations Pertaining to Lawyer Referral Services. This Procedure shall be reviewed annually by the Board.

NEW ATTORNEY REVIEW:

1. Staff:
 - (a) Determines if application (including experience questionnaire for each panel requested) is complete and accompanied by e&o certificate.
 - (b) Emails (or faxes) application materials to members of the ARR Committee, retaining original in the office.
 - (c) Creates an office file on attorney; puts application materials in “pending” file.
2. ARR Committee:
 - (a) Committee Chair assigns application to a member of the committee (next in rotation) to do a due diligence check on the applicant.
 - (b) The member of the ARR Committee tasked with due diligence will confirm the applicant is in good standing with the State Bar, conduct peer review, and internet search to confirm that no negative information appears that the ARR Committee should consider. Peer review may include contact of references and/or review of court documents.
 - (c) The member of the ARR Committee tasked with due diligence will e-mail the ARR Committee suggesting that the applicant be admitted to the panel(s) pursuant to e-mail vote or, if appropriate, the application will be agendaized for discussion at next ARR Committee meeting. The ARR Committee will vote by e-mail or, if any member requests, discuss the application at the next ARR Committee meeting.
 - (d) Upon ARR Committee recommendation, the applicant name will be submitted, via e-mail, to the full Board. If no negative comments are returned to staff or the ARR Committee Chair, staff will notify the applicant of admission to the panel(s) requested. If negative comments are received, the application, in the discretion of the ARR Committee Chair, shall either be returned to ARR Committee for further evaluation, or submitted to the full Board for discussion at a regular Board meeting for action.

3. Approval or Denial:
 - (a) Upon completion of the process in 2 above, the applicant shall be notified of the approval or denial of the application. If approved, staff shall send out an Agreement of Participating Attorney, request for annual \$100 registration fee, and standard form welcome letter. When the Agreement and registration fee is returned the attorney shall be added to the approved panels.
 - (b) Denial of an application shall require Board action upon recommendation of the ARR Committee. A denial letter, specifying the basis for the denial, shall be sent by either the Board Chair or the ARR Committee Chair. The letter shall include the right of the applicant to appeal to the Board.
 - (c) If approved, the ARR Committee Chair shall provide information to the editor of the LRS newsletter, with general information about the attorney, “welcoming” the attorney to the LRS group.
4. Staff will email the full Board with an updated roster of active panel attorneys on a quarterly basis.

ANNUAL REVIEW OF RENEWING ATTORNEYS:

The ARR Committee will annually review all active Panel Attorney members as part of the renewal process which shall include the Service obtaining evidence of malpractice insurance coverage. The review shall occur on a quarterly basis depending on the quarter in which the panel member’s malpractice insurance renews.

At the end of each quarter, staff shall provide to the ARR Committee Chair a list of all panel members who have renewed and provided evidence of current malpractice coverage during the last quarter. Staff shall include information about any client evaluations and/or complaints regarding the renewing panel members for the prior year to assist the ARR Committee members to begin reviews. The ARR Committee shall complete the review within thirty (30) days.

Following review by ARR Committee Members, staff shall be notified of each Panel Attorney approved for RENEWAL by the ARR Committee and staff shall retain those attorneys as “Active” in the database. Any ARR Committee recommendations for RENEWAL WITH CONDITIONS or NON-RENEWAL shall be presented to the Governing Committee and/or full Board for approval. Final Decision will be communicated by letter from ARR Chair to Panel Attorney, with notice of opportunity to appeal decision to Board.

PROCEDURE FOR FOLLOW-UP ON NON-RENEWING ATTORNEYS

On or about **March 1st of each year**, staff will mail Final Notices to non-paying Panel Attorneys, with notice that status will change to inactive if Annual Dues not received by March 31st [Form letter 1 attached]. On or about **April 1st**, staff will move all non-renewing Panel Attorneys to **Inactive status** in database and so advise them by letter.

Beginning on or about **March 1st**, upon receipt of a list of non-renewing panel members from staff, ARR Committee Members will divide up list on non-renewing attorneys. Before making

calls staff shall identify number of referrals each non-renewing attorney received. ARR Committee members shall make calls to each non-renewing attorney for information as to why they did not review. Feedback received shall be provided to Board at next regular Board meeting.

Attachments:

- Form letter for staff to send out to non-renewing attorneys that they are moved to inactive status due to non-pay of annual dues
- Renewing Panel Attorney Review Checklist

[Letterhead]

[Date]

[Name]

[Firm name]

[Address]

[City, state, zip]

Re: Notice of Change to Inactive Status
(Failure to Pay Annual Registration Fee for Membership in LRS)

Dear [name]:

As you know, your agreement with LRS as a member of its attorney panel requires an annual registration fee of \$100.

We regret that we have not received your renewal fee in response to the Invoices sent to you recently. The final Notice mailed to you _____ indicated that we would be required to move your status to "Inactive" if we did not receive your prompt payment, which we have not received to date.

Accordingly, we must suspend further referrals to your office until we receive your annual fee of \$100.

You may appeal this decision, if you wish, by submitting a written request for review to our LRS Administrator at the address shown above. The Board will consider your appeal at its next meeting and you will have an opportunity to address the Board at this time.

Thank you for your attention to this matter and for your service to LRS. We look forward to returning your membership on the panel to "Active" status as soon as we receive your annual membership fee of \$100, and any further information needed to process your renewal.

Name
Administrator

RENEWING PANEL ATTORNEY REVIEW CHECKLIST

Panel Attorney Name: _____

Date of Review: _____

ARR Committee Reviewer: _____

1. Reviewed of Client and Staff Evaluations of Panel Attorney:

- a. Reviewed all client evaluations received ()
- b. Reviewed with staff any other feedback from clients, ()
volunteers, and staff including response time to calls,
and any comments/incidents in attorney file, etc.

2. Web data review:

- a. Checked state bar website for any disciplinary actions reported ()
- b. Conducted Internet search Panel Attorney's name for any hits of ()
Negative information of concern

3. Recommended action to ARR Committee:

- a. Approve (retain) renewing Panel Attorney ()
- b. Conditionally approve as follows: ()

- c. Recommend Panel Attorney NOT be renewed for following reasons:

This recommendation shall be made to full Board for final decision.