

Maricopa County Bar Association  
Lawyer Referral Service  
RULES

**PREFACE**

The primary purposes of the Lawyer Referral Service of the Maricopa County Bar Association (the Service) are (1) to assist the general public primarily of Maricopa County by providing persons with an opportunity to obtain legal services at a reasonable fee; and (2) to provide members of the Association with client referrals.

The Service shall be operated in the spirit of public cooperation. Its offices shall be readily accessible to the public. Its personnel shall be impressed with the need to operate the Service in a spirit of friendliness and public service, bearing always in mind that the Service exists primarily for the benefit of the public rather than for the benefit of the Association or its lawyer members.

**ARTICLE I**

**ORGANIZATION OF THE SERVICE**

The Service shall be sponsored by the Maricopa County Bar Association (the Association). The cost of establishing and maintaining the Service shall be provided by the Association. The Service shall be operated under the supervision of a special committee (the Committee) designated for that purpose.

**ARTICLE II**

**LAWYER REFERRAL SERVICE COMMITTEE**

1. Members of the Committee shall be appointed by the President of the Association and shall have not less than five (5) or more than fifteen (15) members. Whenever possible, the members of the Committee should serve for rotating terms. The period of appointment of each member shall be long enough to gain reasonable familiarity with the work of the Service.
2. The Committee shall hold a regular meeting at least semiannually on such date and at such time and place as it may designate. In addition, the Committee may hold such special meetings, as it may from time to time deem necessary.
3. The Committee shall be given full authority to make decision necessary to the organization and operation of the Service and shall be given full authority to make decisions necessary to conduct the Service within the rules set forth herein and any future rules adopted by the Board of Directors of the Association. The Committee may suggest rules for the conduct and operation of the Service to the Association. The Association shall consider all such rules suggested, but the adoption of any such rules shall be by the Board of Directors of the Association. The Committee shall have the further responsibility of regularly reviewing these rules and suggesting changes and additions to the Board of Directors of the Association as may be deemed appropriate to carry out the purposes set forth herein.

**ARTICLE III**

**ELIGIBILITY AND APPROVAL OF PANEL ATTORNEYS**

1. All members in good standing with the State Bar of Arizona are eligible for membership in the Service.
2. A lawyer may apply for membership by filing an application with the Committee. Upon admission to membership, the member agrees:

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- a. To pay an annual registration fee of \$50 for MCBA members; \$220 non members. Additionally, the member agrees to fee-sharing with the Service as follows: an amount equal to 10% of all fees earned by panel members on cases or matters referred by LRS on which the panel member has earned and received fees in excess of \$500 (net of any un-reimbursed expenses) shall be payable to the LRS as received/fully earned for any cases or matters referred by the LRS on or after April 1, 2008. At least 75% of the fees received by MCBA from this fee sharing shall be applied to incremental marketing and advertising of the Service, and other purposes to enhance the Service, as shall be determined by the Committee.
  - b. To grant a free initial consultation in person, via telephone, or by written communication to a referred client. The attorney shall give his/her full attention for the thirty (30) minute consultation and shall treat the client in a professional and courteous manner.
  - c. The information contained in his/her application may be furnished, to the extent the Committee sees fit, to applicants who seek assistance from the Service.
  - d. To report promptly to the Service, in forms to be furnished by the Service, the disposition or status of referred matters and fees received for the service in connection therewith and to promptly remit all fee-sharing to the Service when due.
  - e. To maintain professional liability insurance of the required by and in the minimum amount set by the Board of Directors of the Association, to furnish a copy of the insurance policy or a certificate of insurance to the Service upon request, and to hold the Service and Association harmless from any claim made against it by a referred client on account of the member's alleged negligence or mistake.
  - f. To accept referrals in at least one of the specific areas of practice on the Lawyer Referral Service Panel sheet.
  - g. To specifically abide by the State Bar of Arizona Rules of Professional Conduct and to notify the Service if charges that he/she has engaged in unethical conduct have been made by the State Bar of Arizona.
3. The Committee may in its sole discretion, suspend or terminate his/her privilege or membership in the Service in accordance with the LRS Quality Assurance Procedures, as amended from time to time (which are incorporated herein by reference). The Service shall not return or refund all or any part of any membership fee in the event of suspension or termination, or for any other reason.
  4. No attorney shall be disqualified from registration because of the recency of his or her admission to the Bar, and the Committee shall give sympathetic consideration to registration of younger lawyers.
  5. Any Panel attorney shall be permitted to temporarily or permanently withdraw or submit his or her resignation from the Service or from any of its panels upon five (5) days' written notice to the Service.
  6. Attorneys registering for the panels may be assigned to geographical panels, so that excessive travel by the client is avoided.
  7. Any registered attorney may designate in the application the type of work the lawyer will accept, but will not be permitted to specify an unwillingness to accept referrals

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according to the value of the property of the amount of the claim involved. The designations may be amended at any time upon five (5) days written notice to the Committee.

8. Experienced subject matter panels are those referral categories/panels for which the LRS requires attorneys to demonstrate achievement of certain objective levels of experience. Experience criteria apply to some or all sub-categories within the following referral categories: Product Liability, Medical Malpractice, and Felony Criminal Law.
9. Where there are no experience-based criteria for membership on a panel, the attorney must self-validate that he/she is qualified to provide legal representation in the areas of law chosen as panels.
10. Panel membership coincides with the calendar year, and attorneys must reapply each year. Membership in LRS for one year does not guarantee membership will be accepted in subsequent years.
11. The application serves as an agreement between the Service and the panel members. In applying for membership, attorneys agree to abide by the Rules of the Service, as they may be amended from time to time.
12. Responsibilities for payment of percentage fees under the agreement continue until all cases or matters referred by LRS are closed, irrespective of whether the attorney maintains an active LRS membership.

**ARTICLE IV**  
**OPERATION OF THE SERVICE**

1. The Service shall be staffed by one or more Interviewers who shall function under the supervision of the LRS Director.
2. Each client shall be interviewed by an Interviewer. The Service shall be organized so that the interview may take place at the office of the Service, by telephone, or via the internet.
3. Each applicant shall first communicate with the Service office. Whenever an application or inquiry for the appointment of an attorney is received by the Service, the Interviewer shall attempt to ascertain whether the person being interviewed is presently represented by an attorney in the same matter: if so, the Interviewer shall suggest that the applicant talk to that attorney. If, however, the client states that he/she does not wish to consult that attorney, he/she will be referred to an attorney according to the Service's usual procedures, unless this would violate the provision of the section on Refusal of Service. If the client is referred in the usual manner, the member to whom the referral is made shall be informed of the circumstances and shall be governed by the State Bar of Arizona Rules of Professional Conduct.
4. The Interviewer, if so qualified, shall find out whether the applicant has a problem appropriate for referral. If so, and if the applicant meets the other requirements of the Service, he/she shall be referred to an attorney in accordance with the rules established by the Service.
5. Assignment of referral clients shall be by rotation from the appropriate list unless the client shall decline to be referred to a particular member, in which case the client shall be referred to the next member on the rotation list. Any member passed over in this manner shall remain in the same position on such list.

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6. Before or during the interview, the client shall be informed, either orally or in writing, of the Service's rules applicable to his/her case. This includes information about the purpose of the first referral consultation, the length of time deemed appropriate for the consultation, the fee to be paid by the applicant for the initial consultation, and any other information deemed necessary by the Committee.
7. No prospective client shall be referred to more than three member attorneys of the panel regarding the same situation.
8. A member shall not refer a matter referred by the Service to another attorney. The individual panel attorney who accepts a referral from the Service must conduct the initial consultation with the referred client. This individual panel attorney may not delegate this initial consulting responsibility to any other attorney. This rule prohibits referral of the initial consultation to other members of the panel attorney's own firm or to any other attorney, whether a member of the panel or not.
9. To defray the expenses of operating the Service, at the outset of each referred matter, the Service shall charge to, and collect directly from, each referred client a \$35 administrative fee (except in cases of personal injury or worker's compensation). The maximum fee to be charged for the first half-hour consultation, as set forth herein, shall be fixed by the Board of Directors of the Association.
10. If the attorney expects to seek compensation for a longer consultation or for further services (such as preparing legal documents or representation in any case or venture), or if a longer consultation or further services are requested by the client, the attorney and the client shall agree in advance on a fee arrangement preferably confirmed in writing.
11. Compensation for further services shall be fixed by agreement between the attorney and the client in keeping with the spirit of the Service and The Rules of Professional Conduct.
12. Except as provided above, a panel attorney shall not be permitted to restrict the nature of the matters he/she will accept, and he/she must accept any case referred unless the attorney is unable to do so for ethical or personal reasons. If any panel attorney concludes that special services are required, and he/she does not feel qualified to render these services, he/she shall refer the client back to the Service.
13. Failure to accept five (5) consecutive referral clients may result in removal of the attorney from the panel until the next annual registration fee becomes due.
14. The Service may reserve the right to decline for cause to make the facilities of the Service available to any person to the extent it may do so under law.

**ARTICLE V**  
**PUBLICIZING THE SERVICE**

The Committee shall publicize the existence and purpose of the Service through proper channels, preserving the anonymity of its members, to the end that the availability of competent and conscientious legal assistance shall be known to those who can afford to pay a reasonable fee for legal services but do not know an attorney.