



**California Lawyers for the Arts**

Lawyer Referral Service  
Wells Fargo Building  
2140 Shattuck Avenue, Suite 310  
Berkeley, CA 94704  
Phone: 888.775.8995  
[www.calawyersforthearts.org](http://www.calawyersforthearts.org)

Dear Attorney, Law Firm, or In-House Corporate Counsel:

Thank you for your interest in joining the California Lawyers for the Arts Lawyer Referral Service (LRIS). Enclosed please find an LRIS application package that includes information about LRIS, a Membership Application, Panel Attorney Agreement and the Rules of Operation for the Lawyer Referral Service. Upon receipt of your completed application, membership fee, and copy of your insurance declaration, we can begin referring LRIS matters to you.

Additionally, there are many opportunities to work with CLA through our many other programs. For example, CLA always welcomes panel attorneys to speak at workshops and seminars that are held throughout the year. If you are interested in speaking at a workshop or seminar, please contact CLA directly. Of note—MCLE credit is available when panel attorneys present MCLE credit-level programs on behalf of CLA.

Please send the completed application materials and insurance documents to:

ROBERT G. PIMM, ESQ.  
DIRECTOR OF LEGAL SERVICES  
CALIFORNIA LAWYERS FOR THE ARTS  
WELLS FARGO BUILDING  
2140 SHATTUCK AVENUE, SUITE 310  
BERKELEY, CA 94704

On behalf of CLA's staff, board of directors, and clients, we extend our thanks for your interest in joining the California Lawyers for the Arts LRIS program. Should you have questions about CLA or the LRIS program, please do not hesitate to call me at 510-990-6029.

Sincerely,

/s/ROBERT G. PIMM

Robert G. Pimm  
Director of Legal Services

## THE LAWYER REFERRAL SERVICE PROGRAM

### **The LRIS ‘Standard’ Referral Process**

When making a standard referral to a panel attorney or law firm, a member of CLA’s Legal Referral Service (LRIS) team will contact the attorney or firm (generally via email) and will provide a statement of facts for the matter to be referred. The panel attorney or firm will then decide whether to accept the referral.

If the attorney or firm accepts the referral, LRIS will send the client’s name, contact information and case details to the accepting attorney or firm. LRIS then contacts the client to inform them that the referral has been accepted and provides the client with the accepting attorney or firm name and contact information. It is the client’s responsibility to contact the attorney or firm to make arrangements for the consultation. CLA’s involvement with the case does not extend beyond making the referral—although CLA will provide assistance to each party should any problems arise regarding the referral.

Once LRIS refers a client to a panel attorney or firm, LRIS will follow-up with a case evaluation forms for each matter so that LRIS can track and evaluate the performance of the LRIS program.

### **The Free Half-Hour Initial Consultation**

Upon acceptance of a referral, the attorney or firm is obligated to speak with the client for an initial free half-hour consultation. Consultations may be done in person or over the phone. This free consultation time should be used solely to provide substantive legal advice to the client—not to discuss the terms and conditions of full representation after the initial consultation. Nonetheless, if the referral is a ‘regular’ referral (not a ‘pro bono’ referral) and the client requires additional services beyond the initial free half-hour consultation, it is the responsibility of the client and attorney or law firm to negotiate independently of LRIS the terms and conditions of any additional services.

### **The ‘Pro Bono’ Referral Process**

In addition to ‘regular’ referrals, LRIS also operates a ‘pro bono’ referral service. Pro bono matters are regularly offered to panel attorneys and law firms that indicated interest in receiving offers of pro bono matters from LRIS. When accepting a pro bono referral, the accepting attorney or law firm agrees to work on the matter beyond the initial half-hour consultation—without charging legal fees to the client.

Additionally, under the “America Invents Act,” the United States Patent and Trademark Office (USPTO) established a pro bono program designed to assist financially under-resourced independent inventors and small businesses. CLA was selected as the Administrator of the program throughout California processing pro bono intakes in conjunction with the USPTO. This program is called the *California Inventors Assistance Program* (CIAP). To participate in the CIAP, attorneys and law firms should check the appropriate box in the application form below.

## **Pro Bono Eligibility Requirements**

Pro bono clients are pre-screened financially by LRIS and are required to meet certain financial eligibility requirements. At this time, for ‘standard’ pro bono intakes, LRIS uses 300% of the current federal poverty guidelines. These figures are adjusted upward for married couples and also for those applicants with dependents. For pro bono intakes under the CIAP, LRIS uses 300% of the federal poverty guidelines.

Additionally, non-profit organizations and small businesses may qualify for pro bono assistance. Nonprofits must submit an IRS tax letter confirming their 501(c)(3) status as well as supporting documentation indicating the organization’s current budget. Members of small businesses or partnerships must provide proof of individual eligibility as outlined above.

## **The Modest Means Program**

The Modest Means Program (MMP) is targeted to moderate-income clients seeking affordable legal assistance. The MMP fills the gap between ‘pro bono’ and ‘regular’ referrals. The MMP is applicable where a matter requires additional work beyond the first half-hour free consultation—but the client is financially unable to pay for legal fees at standard rates.

The MMP is *not* a pro bono program. Clients must be able to pay legal fees within the MMP structure for additional work beyond the free half-hour consultation. If a client is unable to pay legal fees under the MMP structure (or under the ‘regular’ referral process) they will need to re-submit to LRIS for screening as a pro bono applicant.

Panel attorneys and firms that participate in the MMP agree to charge reduced rates for legal services. Panel attorneys and firms may request a fee deposit from clients if they choose. The fee deposit should be based on the panel attorney or firm’s estimate of the likely fees related to the specific matter accepted under the MMP. Also, MMP clients are responsible for all court fees and other direct costs and expenses related to the matter.

Not every client applying for assistance under the MMP will qualify under the financial screening criteria. Also, it may turn out that not all clients who financially qualify for the MMP will be placed if a panel attorney or firm is not available to provide services under the MMP.

Upon receipt of the client’s completed MMP application form, LRIS staff will screen the application to determine whether the client qualifies for the MMP—and under which eligibility tier of the program. If the panel attorney discovers additional information about the client’s financial eligibility, the panel attorney may indicate the client belongs in a different tier—or is actually not eligible for the MMP. Tiers are based on a set percentage scale of the Federal Poverty Guidelines.

There are also restrictions on access to the MMP based on the applicant’s assets as stated in the MMP application form.

MMP attorney or firm fees are ‘pre-set’ under the program to correspond with MMP ‘eligibility tiers.’ The eligibility tier of the client is indicated when the MMP referral is sent to the panel attorney or firm. The current MMP hourly fee schedule is:

TIER 1 = \$60/hr.

TIER 2 = \$80/hr.

TIER 3 = \$100/hr.

### **Forwarding Fees**

In accordance with the Lawyer Referral Service Panel Agreement signed by each member of the LRIS panel, when a client pays an attorney or law firm more than \$100 for legal services (beyond the initial half-hour consultation)—for services connected to the specific matter referred by LRIS—the attorney or law firm agrees to send LRIS 15% of the fees paid by the client. Since no legal fees are generated by pro bono matters, there are no forwarding fees. However, if a pro bono matter ‘converts’ to a fee-paying matter, forwarding fees would apply for the legal fees charged to the client for those services related to the specific matter referred by LRIS.

Please note—payment of forwarding fees is not unique to CLA’s LRIS program. Forwarding fees are the industry standard practice for state bar certified LRIS programs throughout the U.S. Forwarding fees are authorized and encouraged by the State Bar of California because they support the day-to-day operations of legal referral service programs on behalf of clients, attorneys and law firms.

### **Insurance Requirements**

Pursuant to California Business Code § 6155(f)(6) (CAL. BPC. CODE § 6155(f)(6)), each member of a certified lawyer referral service in California must “possess a policy of errors and omissions insurance in an amount not less than one hundred thousand dollars (\$100,000) for each occurrence and three hundred thousand dollars (\$300,000) aggregate, per year.” Therefore, LRIS applicants must submit a copy of their insurance policy cover sheet to LRIS (to be retained in their panel member file) indicating coverage levels and the date coverage expires. The State Bar of California audits LRIS certification compliance, and upon a request from the state bar, LRIS must provide proof of insurance for each LRIS member. If the LRIS applicant is a large law firm, and its internal rules require confidentiality over the original insurance policy cover sheet, the firm may instead submit a declaration under the law firm’s letterhead, signed by the party responsible in the firm for maintaining insurance policies, with the following information: (1) name of the insurance provider; (2) a statement that the policy coverage meets or exceeds the minimum required coverage described above; and (3) the date the coverage will expire.

### **Acquiring the Requisite Insurance**

For your information, Lawyer’s Mutual Insurance Company provides low-cost insurance for individual attorneys who participate in lawyer referral service programs. This insurance program provides coverage for claims arising from matters referred by LMIC-approved Lawyer Referral Services. The coverage complies with the California State Bar’s minimum standards for evidence of insurance. CLA’s LRIS is an LMIC-approved Lawyer Referral Service. More information regarding the Lawyer’s Mutual Insurance LRIS program can be found at: [http://www.lawyersmutual.com/policies\\_offered/association\\_referral\\_program](http://www.lawyersmutual.com/policies_offered/association_referral_program)



**LAWYER REFERRAL SERVICE  
PANEL ATTORNEY/LAW FIRM APPLICATION FORM**

**NAME:** \_\_\_\_\_

**FIRM:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**CITY:** \_\_\_\_\_ **STATE:** \_\_\_\_\_ **ZIP:** \_\_\_\_\_

**PHONE:** \_\_\_\_\_ **FAX:** \_\_\_\_\_

I prefer receiving referral notifications by telephone

**EMAIL:** \_\_\_\_\_

I prefer receiving referral notifications by email

**FIRM WEBSITE:** \_\_\_\_\_

**LANGUAGES SPOKEN** (please include level of proficiency):  
\_\_\_\_\_

**I AM A(N):**

- Individual Attorney
- Law Firm or Corporation
- Pro Bono Coordinator for a Law Firm or Corporation

*If applying as a law firm, in-house counsel, or a law firm pro bono coordinator, LRIS requires information for one licensed member of the State Bar of California for each applicant. Thus, one licensed attorney's name must be submitted as the primary contact person for each member:*

**J.D. RECEIVED AT:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**DATE ADMITTED TO THE CA BAR:** \_\_\_\_\_

**CALIFORNIA BAR #:** \_\_\_\_\_

**ADDITIONAL JURISDICTIONS:**

**JURISDICTION:** \_\_\_\_\_ **DATE OF ADMISSION:** \_\_\_\_\_

**JURISDICTION:** \_\_\_\_\_ **DATE OF ADMISSION:** \_\_\_\_\_

**STATE BAR CERTIFICATION OF LEGAL SPECIALITIES:**

- Admiralty and Maritime Law
- Appellate Law
- Bankruptcy
- Criminal Law
- Estate Planning; Trust & Probate
- Family Law
- Franchise and Distribution
- Immigration and Naturalization
- Legal Malpractice
- Taxation
- Workers' Compensation

**TYPES OF MATTERS SOUGHT**

**BY PRACTICE AREA:** *by checking the boxes below you are indicating that you have the requisite experience level to handle cases of that type*

- Bankruptcy
- Community Property
- Contracts:
  - Agents
  - Artist/Gallery
  - Book Publishing
  - Business Transactions
  - Film Distribution
  - General
  - Multimedia
  - Music Publishing
  - Performing Arts
  - Photography
  - Recording
- Copyright Law
- Corporate Formation
- Corporate Law
- Criminal Law
- Defamation
- Discrimination
- Employment/Labor
- Entertainment Law
- Family Law
- First Amendment
- Housing
- Immigration
- Insurance
- Litigation
- Non-Profit Formation
- Non-Profit Law
- Patent Law
- Personal Injury Law
- Privacy Law
- Real Estate Law
- Rights of Publicity
- Securities Law
- Software/Technology
- Sports Law
- Tax Law
- Trade Secrets
- Trademark Law
- Wills and Trusts Law

**BY ARTISTIC DISCIPLINE:**

- |   |  |
|---|--|
| <input type="checkbox"/> Architecture   | <input type="checkbox"/> Music Composition |
| <input type="checkbox"/> Crafts         | <input type="checkbox"/> Music Performance |
| <input type="checkbox"/> Dance          | <input type="checkbox"/> Painting          |
| <input type="checkbox"/> Drama          | <input type="checkbox"/> Photography       |
| <input type="checkbox"/> Film           | <input type="checkbox"/> Radio             |
| <input type="checkbox"/> Graphic Design | <input type="checkbox"/> Sculpture         |
| <input type="checkbox"/> Internet       | <input type="checkbox"/> Technology        |
| <input type="checkbox"/> Journalism     | <input type="checkbox"/> Television        |
| <input type="checkbox"/> Literary       | <input type="checkbox"/> Theater           |
| <input type="checkbox"/> Multimedia     | <input type="checkbox"/> Murals            |
| <input type="checkbox"/> Other          |  |

**ADDITIONAL CLA VOLUNTEER OPPORTUNITY INTEREST AREAS:**

- Arts Arbitration & Mediation Services (AAMS)
- Serve on Nonprofit Boards of Directors
- Fundraising
- Legal Research
- Legal Writing
- Mentoring Students
- Seminars
- Workshops
- In-Person & Remote Call-In Clinics

**REFERRALS ACCEPTED: *Please check all types of matters that you are interested in receiving:***

- Pro Bono matters (of all kinds)
- Pro bono USPTO *California Inventors Assistance Program* matters
- Modest Means Program matters
- Regular referral matters

**CONSULTATION FEES** (if applicable):

Current Hourly Rate: \_\_\_\_\_

**ALTERNATE FEES:** *by checking a box below you indicate a willingness to accept these various alternative fee arrangements (for “regular” referrals).*

- Barter / Exchanges
- Contingency
- Offer discounted fees

**PAYMENT INFORMATION**

**ANNUAL LAWYER REFERRAL SERVICE MEMBERSHIP TYPE:**

- Individual/Government Attorney (includes those accepting pro bono and/or all other matters): **\$75.00**
- Small Law Firm [5 lawyers or less] (includes those accepting pro bono and/or all other matters): **\$150.00**
- Large Law Firm/In-House Corporate (includes those accepting pro bono and/or all other matters): **\$250.00**

*Many law firms and corporations participating in CLA's LRIS support the day-to-day operations of the LRIS by making a contribution that is larger than the basic membership fee. Similarly, many firms and corporations often choose to make an annual sponsorship donation in lieu of the basic panel membership fee. Support for the LRIS ranges from \$1,000 to \$20,000+ per annum. Please consider supporting CLA's LRIS operations with a tax-deductible sponsorship donation:*

Law Firm/Corporate Sponsorship Donation: \$ \_\_\_\_\_

**TO PAY WITH ANY MAJOR CREDIT CARD**, please include the following information:

**Card Type:**

- Visa
- MasterCard
- American Express
- Discover
- Other: \_\_\_\_\_

**Card Number:** \_\_\_\_\_

**Expiration Date:** \_\_\_\_\_

**Security Code:** \_\_\_\_\_ (3 digits for Visa and MasterCard or 4 digits for American Express)

*Your credit card will be charged the annual membership fee and/or corporate sponsorship amount indicated above.*

**Signature:** \_\_\_\_\_

**MAKE CHECKS PAYABLE TO:** California Lawyers for the Arts

Mail Checks to: California Lawyers for the Arts  
ATTN: Lawyer Referral Service  
Wells Fargo Building  
2140 Shattuck Avenue, Suite 310  
Berkeley, CA 94704

----- CLASTAFF USE ONLY -----

Date Received: \_\_\_\_\_  
Entered Into Membership Database

Fee Paid: \$ \_\_\_\_\_  
Entered into Panel Database

Date Paid: \_\_\_\_\_



## LAWYER REFERRAL SERVICE PANEL AGREEMENT

### I Warrant That The Following Is True:

1. I am a member in good standing of the State Bar of California;
2. I operate and maintain an office in the State of California, and it is actively engaged in the practice of law;
3. I have disclosed with this Application Form all disciplinary actions; suspension from practice, or disbarment from the State Bar of California;
4. I agree to conduct personally an initial consultation with each client referred to me for at least one half-hour without charge and to establish a fee arrangement in advance for any additional services. If I choose to discontinue working with the client, I will not refer the client to another attorney, but will instead send the client back to CLA for re-referral.
5. I understand that California Lawyers for the Arts (CLA) customarily collects a \$35 (\$20 for CLA members) referral administrative fee from clients in advance of making the referral. If the referral is for the USPTO *California Inventors Assistance Program*, the referral administrative fee is \$125. However, if specifically requested by the CLA staff, I will collect the fee from the client at the time of consultation, and I agree to promptly remit that sum to CLA with the completed duplicate part of the referral form. I also agree to remit a Forwarding Fee to CLA of fifteen percent (15%) of all legal fees (in excess of \$100) received from each client for services related to the specific matter referred by LRIS;
6. I agree to accept a fair share of no-fee cases if I am a member of the regular + pro bono panel, and I agree to accept ONLY no-fee cases if I am a member of the pro bono ONLY panel;
7. I have read, and am familiar with, the Rules of Operation of CLA's Lawyer Referral Service and agree to comply with the Rules and such further Rules as may be adopted from time to time by CLA's Lawyers' Referral Committee or Board of Directors;
8. I agree promptly to notify CLA if I become ineligible, disqualified, or otherwise unable to accept cases from CLA;

9. I am covered by a bond or a policy of Errors & Omissions insurance in the amount of \$100,000 as required by the State Bar of California. I AGREE TO FORWARD TO CLA THE "TOP SHEET" OF THE INSURANCE POLICY OR A SIGNED DECLARATION STATING COVERAGE LEVELS AS REQUIRED BY THE STATE BAR OF CALIFORNIA AND AS DESCRIBED IN THE PANEL ATTORNEY APPLICATION.
  
10. I do hereby waive any and all claims of liability against CLA and its officers, directors, members, and employees and its Lawyer Referral Service Committee from any and all claims, demands, actions, liability, or loss which may arise from or be incurred as a result of the professional services rendered, or that should have been rendered, by me to clients referred to me through the Service, and/or the use of information contained in the Application Form, and agree that the information contained in this Application Form may be furnished to applicants in the operation of the Service;
  
11. I shall submit to binding arbitration of any fee disputes with clients referred by the Service by CLA's Arbitration Committee.

EXECUTED AT \_\_\_\_\_, CALIFORNIA, this \_\_\_\_\_ day of \_\_\_\_20\_\_.

SIGNATURE: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

# **RULES OF OPERATION OF THE LAWYER REFERRAL SERVICE FOR CALIFORNIA LAWYERS FOR THE ARTS**

## **ARTICLE I. Purpose**

- A. The purpose of the Lawyer Referral Service is to make legal services readily available to persons and organizations with arts-related legal problems by providing a way in which any such person or organization may be referred to a member of the service,
- B. To establish procedures whereby every person or organization with arts-related legal problems may obtain legal advice and representation within his, her, or its means to pay or finance a fee,
- C. To make available to such person or organization the services of an attorney who has shown special interest, desires, or educational background in the area of arts-related legal problems.

## **ARTICLE II. Organization**

- A. These articles shall be called “Articles Governing Administration of the Lawyers’ Referral Service of the California Lawyers for the Arts.”
- B. As used herein, the term “Lawyers’ Referral Committee,” means the committee designated to administer the Lawyers’ Referral Service of the California Lawyers for the Arts.
- C. This service shall be administered in accordance with these articles. The California Lawyers for the Arts, through its directors, shall appoint the Lawyers Referral Committee, which shall consist of not less than three members at least fifty per cent of whom shall be active of the State Bar of California. The terms of the committee members shall be for two years. The president of the California Lawyers for the Arts and the Executive Director of the service shall be ex-officio members of the Lawyers’ Referral Committee, but not entitled to vote. Any business may be transacted by the committee with no less than three on the committee excluding the ex-officio member.
- D. The service shall be operated by an Executive Director and other personnel who shall be selected and supervised by the Board of Directors of the California Lawyers for the Arts. The Executive Director shall make a report for any given month to the Lawyers’ Referral Committee at any time as same is requested by chairman of the committee, in any event at least annually, which report shall show the number of applicants for service, the type of cases involved, and the lawyers to whom each is referred. The Executive Director shall maintain a list of lawyers eligible to receive such cases, and referrals shall be in rotation in accordance with Article III.
- E. The director shall make available to the committee upon request, at least annually, a sampling of referred clients’ opinions about their satisfaction with attorneys work. Further, the Executive Director is restrained from making any referrals to any associate of employee of the Executive Director.

## **ARTICLE III. Panels**

- A. The Lawyers’ Referral Committee shall, subject to the approval of the Board of Directors of California Lawyers for the Arts, maintain a panel or such panels, including “Special Qualifications” panels, as shall be necessary to serve the needs of the California Lawyers for the Arts clientele. The panel or panels shall be composed of qualified members who regularly maintain an office and practice in California and who have demonstrated an interest and expertise in the area of arts-related law. Membership in any “Special Qualifications” panels shall be limited to attorneys found to be experienced or to have special education or training in the respective special qualification areas, provided that the number of years an attorney has been admitted to practice shall not be the sole criterion or qualification for “Special Qualifications” panels. At

such time as any such “Special Qualifications” panels shall be established the committee will file with the State Bar standards and procedures for determining the qualifications for membership on the panel; reviewing the qualifications of a member to remain or to be removed from the panel; and appealing decisions to suspend or remove a member from the panel pursuant to Article IV G of these Rules.

- B. Referrals shall be made to members of the panel by rotation. However, exceptions may be made to the rotation in order to respond to all circumstances of the client, including geographical convenience, and language needs. No referral shall be made on the basis of race, sexual or affectional preferences, age, religion, or national origin.
- C. Each panel member shall be encouraged to contact the Referral Service for referral to another panel member, if he or she wishes to consult with a panel member with expertise in any of various arts-related law, and who will answer legal questions, make procedural suggestions, or offer any other aid to the panel member seeking consultation.

#### **ARTICLE IV. Administration**

- A. The committee shall meet quarterly; the committee shall review the operating records kept by the service pursuant to the following sections, as set down by the standards governing Lawyers’ Referral Services, State Bar of California. Based on its review, the committee shall make such alterations in the operation of the service as it deems necessary.
- B. The Executive Director shall maintain records of the operation, including the following information:
  - 1. The name and address and pertinent qualifications of each panel member, and the number and types of matters referred to each panel member;
  - 2. The name and address of and the type of matter presented by each client-applicant, whether or not the applicant was referred to a panel member, and if not, why, and the name of the panel member referred to, and the case disposition and total fee charged reported by the panel member.
- C. The lawyers who serve on the committee for this service shall annually file with the State Bar, on a form to be supplied by the State Bar, a report on the activities of the service and the committee.
- D. Any member in good standing in the State Bar of California and who regularly practices and maintains an office in California, may apply for registration within the service by signing and filing with Executive Director the registration form to be provided by the service. The registration fee shall be \$75.00 for an individual/government attorney; \$150 for a small law firm (5 lawyers or less); \$250 for large firms and in-house corporate legal teams—annually for continued referral service membership. Registration in the service is a privilege and not a right. Any applicant may be denied registration if the committee, in its sole discretion, determines that the applicant’s registration would not be in the best interest of the service and/or California Lawyers for the Arts.
- E. Upon recommendation of the Ethics Committee of California Lawyers for the Arts, or other proof satisfactory to the majority of the permanent committee of violation of the Code of Professional Responsibility of the State Bar of California, or failure to handle referral cases with reasonable professional competence, diligence and courtesy, or substantial overcharge on referred clients, or falsification of any material statement made to qualify for any panel or made in any required report, or failure to do any of the following:
  - 1. Pay annual fee,
  - 2. Forward all referral fees when due,
  - 3. Submit all required reports,
  - 4. Comply with all rules of the service, the right for referrals may be denied, suspended or removed from any panel member.

- F. Upon a directive of the committee, the Executive Director shall refuse to register, suspend or remove any person pursuant to the provisions of Section D and E of Article IV above.
- G. Any person who is refused registration or renewal of registration, or who is suspended, or removed from the panel shall be notified in writing within five days of such action by the Executive Director. Such notice will be effective when mailed and shall contain the terms and conditions of refusal, suspension, or removal from the panel. Notice shall be mailed certified, return receipt requested, to the last known address of the registrant.
- H. Upon receipt of such notice by any member, he or she may within thirty days of receipt thereof request a hearing before the majority of the committee. Such request for hearing shall be made in writing, mailed to the Executive Director or any active member of the committee.
- I. Upon receipt of such request for hearing, an informal hearing shall be set within five days but not more than twenty days at a time and location at the discretion of the committee. If the committee decides to confirm the refusal to register or renew registration, or to continue the suspension, or confirm removal, it shall prepare findings in writing notifying the applicant of its decision, with findings of the committee's decision and the terms and/or conditions of the refusal, suspension, or removal.
- J. Any person refused registration or renewal of registration, suspended, or removed after notice of the decision given by the Lawyers' Referral Committee may further appeal the decision to the board of directors of California Lawyers for the Arts. Such appeal must be in writing, mailed within thirty days of the decision of the committee. Upon receipt of such notice, the board shall set a hearing date to be heard by a majority of the board itself, or the board may direct active members of the bar to review the recording and/or transcript of the hearing and findings and decision of the committee. Said hearing on appeal shall be set within thirty days from the date of notice of appeal by the president of the board of directors or in his or her absence, the vice-president. Notice of the hearing shall be given in writing to the Executive Director of the service and to the appellant.
- K. Attorneys and law firms registered with the LRIS agree to render professional services to each referred client in the form of a free one-half hour initial consultation. The initial consultation is for the purpose of sharing substantive legal advice with the client. Each referred client has paid LRIS a referral administrative fee of \$35.00 (\$20 for CLA members) to help defray the cost of operating the service, however the administrative fee is waivable at the discretion of CLA's Executive Director. For referrals under the USPTO *California Inventors Assistance Program*, the administrative fee is \$125.
- L. Each panel attorney shall keep a record of the names of each client referred by the Referral Service, the general nature of the matter referred, and the total fee received, and shall report such information to the service upon written request therefor. Since each panel attorney shall be guided, governed, and bound by the rules of professional conduct applied to members of the State Bar of California, the initial contact with the panel attorney shall always be made by, or on behalf of, the person referred to said panel attorney.
- M. No attorney shall be registered in the service unless or until he or she shall warrant:
1. That he or she is a member in good standing of the State Bar of California;
  2. That he or she operates and maintains an office in California and is actively engaged in the practice of law;
  3. That he or she has disclosed with his or her application any suspension from practice or disbarment from the State Bar of California;

4. That he or she will accept a fair share of non-fee cases, unless he or she is registered to accept only standard, fee-based regular referrals.
  5. That he or she is covered by such bond, policy of errors and omissions insurance, or self-insurance as may be required from time to time by the Board of Governors of the State Bar, and, if so required, shall forward it the Lawyers' Referral Service proof of such coverage upon request;
  6. That he or she does waive any and all claims of liability against California Lawyers for the Arts or its Referral Service and agrees to indemnify and hold harmless California Lawyers for the Arts and its members and the committee and its agents from any and all claims, demands, actions, liability or loss which may arise from or be incurred as a result of the operating of the service, referrals of clients to him or her through the service, the use of information contained in the registration form, and agrees that the information contained in the registration form may be furnished to applicants in the operation of the service.
  7. That he or she will submit to binding arbitration of any fee disputes with clients referred by the service by an Arbitration Committee of the California Lawyers for the Arts.
- N. Each panel member agrees to pay the service, upon receipt thereof, in addition to the registration fee and the annual membership fee, a forwarding fee of fifteen percent (15%) of all fees received by the panel member over \$100.00, other than the initial consultation, from any referral made by the service.
- O. The income accruing to LRIS by virtue of the referrals shall be deposited in the LRIS commercial bank account and shall be used for the following purposes only:
1. Payment of actual expenses of operating, conducting, promoting, and developing the service including expenditures for capital purposes of the service determined on a reasonable accounting basis, with provisions for reasonable reserves,
  2. Support of activities or programs for the furnishing of legal services to persons and organizations financially unable to pay for all or part of such services, provided the operation of such programs and participation of lawyers therein is in conformity with the rules of professional conduct, or designed to educate members of the public with respect to the law, the judicial system, the legal profession, or the need and manner of obtaining and availability of legal services, or designed to advance the science of jurisprudence and improve the administration of justice or aid in relations between the bar and the public, or the support of other activities in the public interest.

#### **ARTICLE V. Publicity**

- A. The service shall develop and maintain an active publicity program through communications media designed to inform the general public in the area served of the existence, purpose, and advantages of the service. The service shall also make specific arrangements for receiving referrals from legal aid programs and other appropriate private agencies and institutions in the area served.
- B. The form and content of all publicity shall be dignified and shall not be misleading. In particular, it may publicize that it will make referrals to attorneys experienced in particular substantive legal areas, but shall not use such terms as "specialists" or "special qualifications" that may be confused with specialty certification conferred by the California Board of Legal Specialization. All advertising shall identify the sponsor of the service.
- C. No publicity about the service shall identify the attorneys participating in it, except that this shall not prohibit a participating attorney from acting as a spokesperson for the service if authorized by the Lawyers Referral Committee.

## **ARTICLE VI. Adoption and Amendment**

- A. These articles are adopted by a majority vote of the Board of Directors of California Lawyers for the Arts.
- B. These articles may be further amended or repealed by a majority vote of the Board of Directors of the California Lawyers for the Arts, provided written ten days' notice is given to each board member unless notice is otherwise waived in writing.