

**LAWYER REFERRAL &
INFORMATION SERVICE**

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**LAWYER REFERRAL INFORMATION SERVICE
ATTORNEY MEMBERSHIP RULES, AGREEMENT AND APPLICATION**

The Lawyer Referral Information Service ("LRIS") is a program created by the El Paso County Bar Association ("EPCBA") and is designed to connect members of the public, who are seeking legal representation for a particular matter, with an LRIS member attorney who has experience in the appropriate area of law.

The LRIS program (i) operates in El Paso and Teller counties, with limited services extending throughout the Front Range; (ii) connects members of the public with LRIS member attorneys with experience in a particular areas of law; (iii) conducts preliminary general screening of described legal matters in order to refer the legal matter to a member attorney practicing in the appropriate area of law; and (iv) attempts to redirect inquiries which are not eligible for LRIS referral to more appropriate agencies, if possible.

This Attorney Membership Rules, Agreement, and Application is referred to herein as the "Agreement."

I. LRIS Committee and LRIS Director

The LRIS program shall be administered by the Lawyer Referral Information Service Committee ("Committee") and managed by the LRIS Director. The LRIS Director shall initially be appointed/approved by a majority vote of the EPCBA Board of Trustees ("Board") and shall serve in that capacity until removed or replaced by the Board. The LRIS Director shall be an ex-officio member of the LRIS Committee.

II. Member Attorney Requirements

In order to be approved for, and maintain, membership in, the LRIS program, attorneys must meet the following requirements:

1. Attorneys must be licensed and in good standing with the Supreme Court of the State of Colorado and must be familiar with and agree to comply with the Colorado Rules of Professional Conduct.
2. Attorneys must disclose to the Committee if they are the subject of disciplinary proceedings, have pending criminal charges against them, or have been convicted of a criminal offense.
3. Attorneys must not have been involuntarily removed from a lawyer referral program in any locality. This does not include removal for failure to pay an annual membership fee, or any other administrative matter.
4. Attorneys must be covered by an insurance policy for errors and omissions with a minimum of \$100,000.00 per occurrence and \$300,000.00 aggregate and must annually provide the LRIS Director with proof of continued coverage.
5. Attorneys must maintain a trust account in compliance with the Colorado Rules of Professional Conduct.

Attorney applicants must execute and submit this membership Agreement to the LRIS Director. Upon approval of the applicant by the Committee, the membership Agreement will become effective and will remain in force until it is terminated by the member attorney or the Committee. LRIS member attorneys are required to certify annually that they continue to meet the requirements set forth in this Agreement.

If this Agreement is amended by the Committee and approved by the Board, all current member attorneys will be provided a copy of the amended Agreement and shall be required to execute the amended Agreement at the time of their next annual certification.

If during the pendency of a case referred by LRIS, it is determined that the member attorney no longer meets the requirements for membership in LRIS, the Committee will address those circumstances on a case-by-case basis and determine an appropriate resolution by majority vote. After receiving notice of the Committee's decision, the member attorney involved may send a letter of appeal to the EPCBA President who will present the appeal to the Board. The Board will consider the appeal and reach an appropriate resolution by majority vote.

If the Committee determines that an attorney applicant does not meet, or that a member attorney not involved in a pending LRIS matter no longer meets, all of the requirements set forth above for membership in LRIS, the attorney will be advised in writing of the basis for the decision to exclude them from LRIS membership. Unsuccessful applicants, or attorneys involuntarily removed from LRIS membership, may send a letter of appeal to the EPCBA President who will present the appeal to the Board. The Board will consider the appeal and reach an appropriate resolution by majority vote.

III. Subject Matter Panels

As part of the application for membership, attorneys must designate at least one (1) subject matter panel for which they are qualified. Attorneys may apply to be included on as many subject matter panels for which they qualify.

At the time of application and as part of the yearly certification, attorneys must complete the Subject Matter Certification ("Certification") attached as Exhibit 1 or the version of the Certification in effect at that time.

IV. Obligations After Case Referral

LRIS referrals are currently managed through a digital platform, <https://www.epcbalawyers.org/>.

All reporting requirements for LRIS member attorney

will occur through the digital platform, which will be made available to the member attorney upon acceptance into LRIS membership.

The LRIS Director will make referrals to an LRIS member attorney whose name is included on the appropriate subject matter panel on a strictly rotating basis. The LRIS member attorney will be notified of the referral and will have seven (7) days from the date of the referral to either accept the referral, decline the referral, or reach out to the potential client to set up an initial consultation.

Member attorneys may charge no more than one hundred dollars (\$100) for an initial one-half (.5) hour consultation. After the initial consultation, the LRIS member attorney must report whether the member attorney is or is not accepting the referred matter. This report must be made within seven (7) days of the date of the initial consultation.

If the LRIS member attorney declines the representation, they must promptly communicate the reasons for that decision to the LRIS Director. Depending on the information provided by the declining member attorney, the LRIS Director will either make the referral to the next member attorney eligible for that type of referral or will contact that member of the public to inform them that LRIS does not have a member attorney appropriate to handle their matter at this time. The LRIS Director will attempt to redirect those matters to more appropriate agencies, by providing readily-available information to that member of the public, if possible.

If the LRIS member attorney who is initially contacted recognizes, either before or after the initial consultation, that the referral should be made through a different subject matter panel, the member attorney will inform the LRIS Director, who will proceed with a referral to the appropriate subject matter panel. LRIS member attorneys are not free to redirect unless such redirection is to a LRIS member of the same firm and main panel subject matter remains the same. Such redirection must be communicated to the LRIS Director.

If the potential client does not engage the member attorney for the referred legal matter, then the member attorney shall retain the entire initial consultation fee.

Initials _____

If the potential client does engage the member attorney, then the member attorney shall remit to LRIS fifteen percent (15%) of any initial consultation fee collected.

V. Duties After Client Engagement

The member attorney shall update the LRIS Director on the billing and payment status of each accepted case through the conclusion of the matter, which will also be communicated to the LRIS Director. The LRIS Director may request back-up documentation, and the member attorney agrees to provide such documentation in a manner which does not violate the attorney-client privilege.

All member attorneys who are engaged by a referred client shall obtain an executed engagement letter from the client. The client engagement letter shall, in addition to all other required matters, clearly outline the benchmarks for the earning of any advanced, contingent, or flat fees.

Member attorneys shall provide clients with monthly statements, regardless of whether a balance is owed, unless the member attorney is representing the client on a contingency or flat-fee basis.

Member attorneys agree to participate in the EPCBA Fee Dispute Arbitration Program in connection with any fee dispute which may arise with a client referred

by LRIS.

Member attorneys shall not charge a client referred through LRIS a fee any higher than those charged to clients who are not referred by LRIS. However, member attorneys are not required to discount their normal hourly rates, or other fee structures, other than in connection with the initial consultation. Member attorneys will be required to disclose their hourly rates or other fee schedules in their LRIS applications and annual Certifications.

Each member attorney shall pay a fee to LRIS for cases referred and accepted as follows:

1. Fifteen percent (15%) of the attorney fees earned and collected*, including the initial consultation fee, which percentage is hereinafter referred to as the "LRIS Fee."

**See Contingency Fee Addendum*

2. Member attorneys shall pay interest at the rate of ten percent (10%) per annum on any LRIS Fee which the member fails to pay to LRIS within thirty (30) days of (i) receiving payment from the referred client for amounts earned; (ii) receiving amounts from which a contingency fee is to be paid; or (iii) sending a statement to the client indicating that some or all of an advanced fee has been earned.

I ACKNOWLEDGE MY RECEIPT AND REVIEW OF THE FOLLOWING: (1) THIS AGREEMENT AND APPLICATION AND (2) EX 1 – SUBJECT MATTER CERTIFICATION. PLEASE RETURN EXECUTED AND COMPLETED COPIES OF ALL THE ABOVE.

SIGNATURE:

DATED:

NAME:

ADDRESS:

PHONE:

E-MAIL (Email in which you would like referrals sent to. This will also act as your login information for the LRIS portal):

STATE BAR #: