



## “FIND A LAWYER” PROGRAM RULES AND PROCEDURES

1. Participating attorneys must be licensed to practice law in Pennsylvania, a current regular member of the Fayette County Bar Association, and in good standing with the Disciplinary Board of the Supreme Court of Pennsylvania and the Fayette County Bar Association. Dues must be paid prior to acceptance into the program. Applications are not accepted for associate members or ex officio members of the Fayette County Bar Association. Membership is limited to individual attorneys. Law firm listings are not permitted; however, an individual attorney may include the name of their firm as part of the office address.
2. The participating attorney must certify that he/she is engaged in active legal practice in all areas indicated on the application form. Participants should limit their designated practice areas to those subjects in which they have proficiency.
3. The participating attorney cannot be the subject of current formal disciplinary or criminal action.
4. Participating attorneys agree to not accept representation in any matters for which he/she is not qualified and competent and will not continue representation in any matter for which he/she becomes no longer qualified or competent.
5. The Fayette County Bar Association does not warrant the competence of any attorney for which a matter may be referred and makes no representation to the public concerning competence of the attorneys participating in the Find a Lawyer Program.
6. If a participating attorney agrees to undertake the representation of a prospective client referred by the Find a Lawyer Program, he/she will be individually responsible for the matter and the services rendered. The Find a Lawyer Program and the Fayette County Bar Association will have no responsibility for the attorney’s services.
7. The participating attorney must maintain and provide suitable evidence to the Fayette County Bar Association that he/she has in effect coverage under a lawyer’s professional errors and omissions liability insurance company in an amount not less than \$100,000 for loss arising out of one incident, and \$300,000 in the aggregate.
8. The participating attorney may select up to ten (10) categories for his/her listing.
9. An applicant attorney may be denied participation in the Find a Lawyer Program and may be suspended or removed at the discretion of the Board of Directors of the Fayette County Bar Association under any of the following circumstances:
  - a. Repeated rejections of referrals by the attorney without good cause;
  - b. Repeated client complaints;
  - c. The filing of criminal charges against the attorney;
  - d. Submission of an application or furnishing of information by the attorney to the Fayette County Bar Association which is false in any material respect;

- e. Failure to cooperate with the Fayette County Bar Association or subcommittee in the investigation and resolution of a client complaint;
  - f. Initiation of disciplinary action by the Disciplinary Board of the Supreme Court of Pennsylvania, or by any State or Federal Court for the violations of rules governing professional conduct;
  - g. Engaging in conduct harmful or injurious to the objectives, reputation or interests of the Find a Lawyer Program or of the legal profession, as determined by the Board of Directors of the Fayette County Bar Association;
  - h. Suspension, disbarment, or resignation from the practice of law;
  - i. Failure to obtain or maintain the required legal malpractice insurance;
  - j. Failure to comply with the Rules and Procedures of the Find a Lawyer Program
  - k. Repeated failure to promptly communicate with clients referred by the Find a Lawyer Program;
  - l. Failure to participate in the fee dispute process with the Fayette County Bar Association Fee Dispute Committee at the request of a client, regardless of whether the client was referred to the attorney through the Find a Lawyer Program; or
  - m. Other good cause as determined by the Board of Directors of the Fayette County Bar Association.
10. Participating attorneys must advise the Fayette County Bar Association, in writing, under any of the following circumstances:
- a. if he/she desires to be removed from the Find a Lawyer Program list of participating attorneys;
  - b. if he/she is convicted of a crime;
  - c. if he/she is suspended from the practice of law in the Commonwealth of Pennsylvania;
  - d. if he/she is no longer admitted to practice law in the Commonwealth of Pennsylvania;
  - e. if he/she is no longer a member of the Fayette County Bar Association;
  - f. if he/she is no longer covered by malpractice insurance for the selected areas of practice; or
  - g. if he/she changes any contact information.
11. The Board of Directors of the Fayette County Bar Association may refuse to approve a prospective member's application to the Find a Lawyer Program or may remove or suspend a member for good cause. Prior to a prospective member's application being denied, or to a participating attorney being removed or suspended, 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 Board of Directors of the Fayette County Bar Association or its designee prior to the denial, removal, or suspension.
12. An attorney may withdraw from the Find a Lawyer Program at any time on written notice to the FCBA, but he/she 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.

13. If, at the conclusion of the initial consultation, the participating attorney and prospective client agree that the client will retain the attorney's services, the attorney shall prepare a fee letter for the client clearly setting forth the basis, rate or method by which the fee will be calculated, and whether the client is responsible for expenses.

14. All prospective clients will be assigned on a rotation basis amongst those attorneys who indicated they practice within a designated area of law. In the case of a conflict of interest, the attorney shall instruct the prospective client to contact Fayette County Bar Association for assignment to another attorney. If a participating attorney is unable or unwilling to accept a referral, the attorney must refer the prospective client back to the Fayette County Bar Association for another referral. The participating attorney may not refer the prospective client to another attorney and must notify the Fayette County Bar Association of the reason for the prospective client's return.

15. Prospective clients will be directed to contact participating attorneys directly and identify themselves as such. Additionally, participating attorneys will receive a verification email of the contact from the Fayette County Bar Association. After the contact has been made, it becomes the duty of the prospective client to arrange an appointment with the attorney.

16. The participating attorney agrees to accept all initial consultation requests except in areas of practice not handled by the attorney, or where a conflict of interest is apparent. Nothing herein shall obligate the attorney to provide any services beyond the initial one-half hour consultation.

17. The participating attorney may charge up to \$25.00 for the first consultation (not to exceed one-half hour). This conference covers advice only and does not include the preparation of any letters or documents. The participating attorney is free to enter into any appropriate written fee agreement with the prospective client for further services. No portion of the fee charged is paid to the Program. If any dispute over fees should arise at any time during the representation, the parties agree that the dispute shall be submitted to the Fayette County Bar Association Fee Dispute Committee, and the parties shall be bound by any determination of said committee.

18. The participating attorney will immediately notify the Fayette County Bar Association of any changes regarding the attorney's ability to participate in the Program.

19. Participating attorneys may request, in writing, a short-term leave from the Program.

20. Changes in categories are allowed throughout the Program year upon written request.

21. The Fayette County Bar Association reserves the right to amend or alter the Rules and Procedures of the Find a Lawyer Program at any time.