

STATE BAR OF WISCONSIN LAWYER REFERRAL SERVICE RULES OF PANEL MEMBERSHIP

Article I – PURPOSE

The purpose of the Lawyer Referral Service (LRS) is to assist the public in selecting the most appropriate resource for assistance with legal problems. This assistance may include referrals to private attorneys, to government agencies or other appropriate programs or preliminary consultations with an attorney.

Article II – GOVERNANCE

- A. LRS operates under the general supervision and control of the Lawyer Referral Committee of the State Bar. The Committee shall consist of at least nine members appointed by the President of the State Bar and shall be geographically representative.
- B. The Committee shall have the authority to adopt and implement policies and regulations consistent with these Rules.

Article III – CONDITIONS OF REFERRAL PANEL MEMBERSHIP

- A. State Bar members in good standing are eligible to register for the Lawyer Referral panel.
- B. Panel members must be engaged in the active private practice of law as their primary occupation and must have access to an office suitable for private and confidential meetings and all resources necessary to competently perform legal services for clients.
- C. All panel members must carry professional liability insurance at least to the extent of the minimum liability limit offered by Wisconsin Lawyers Mutual Insurance Company and must agree to maintain such coverage during the period of panel membership.
- D. A panel member shall only accept referrals in a field of law in which the member considers himself or herself competent, consistent with Wisconsin Supreme Court Rule 20:1.1.
- E. Fee disputes with referral clients shall be submitted to an appropriate bar association fee arbitration program for resolution, if requested by the client.
- F. A panel member will conduct an initial consultation with a referral client as soon as practical after a request is made. However, if any referral gives rise to a conflict of interest, or the panel member is unable or unwilling to provide the required services, the panel member shall refer the client back to LRS.
- G. If, in the Committee's opinion, there is reasonable cause to believe a panel member has violated LRS Rules, policies or regulations, the committee may temporarily suspend a panel member from participation in LRS. The Committee shall provide written notice to the panel member of the temporary suspension and the associated violation(s) within 72 hours of such suspension by the Committee. If the panel member feels the suspension is not warranted, the panel member may respond to the Committee, in writing, within 15 days after the date of notice. The temporary suspension shall remain in effect until the Committee considers the matter at its next regular meeting. Within 30 days after such meeting, the Committee shall decide whether to remove the member from the panel or take such lesser action as it deems appropriate. In no event shall a temporary suspension exceed 120 days without a final decision being rendered by the Committee.
- H. Upon receiving confirmation that a complaint has been filed against any panel member in a court of record or that a grievance has been lodged against any member of the panel before a referee appointed by the Wisconsin Supreme Court, the Committee may elect to suspend the panel member during the pendency of such complaint. If the suspended panel member's right to practice law is in no way impaired upon termination of a proceeding involving the complaint, such member shall be reinstated provided his or her registered term has not expired.
- I. Panel members may charge up to \$20 for the first one-half hour of an initial consultation with a referral client. If it appears further assistance will be required, the panel member shall advise the referral client of how charges for additional professional services will be determined prior to providing such further assistance. A panel member shall not charge a referral client a fee for legal services in excess of the fee charged for similar work done for the panel member's other clients. The panel member shall not increase the fee to cover any part of the LRS membership or referral fees.
- J. Members shall pay such fees as the LRS Committee may from time to time establish for panel participation.



- K. Panel members shall comply with all reporting requirements imposed by LRS, including but not limited to submission of quarterly case status reports, within the time specified and upon the forms provided by LRS. On any matter referred by LRS where the panel member collects attorney's fees of \$200 or more, the member shall remit 10% of the fees (the "referral fee") to the LRS office within 15 working days of receiving the request for quarterly report from LRIS. For the purposes of these rules, "matter referred by LRS" includes:
1. The initial matter referred and any matter arising out of, concerning, relating to, or derivative of the same facts, transactions and/or circumstances as the initial matter referred;
 2. Any other matter that involves the same client and is undertaken within three (3) years of the date of LRS's referral; and
 3. Any other matter that involves the same subject matter as the initial referral, arises from the initial referral, and is undertaken within three (3) years of the date of LRS's referral.
- Any dispute regarding the amount of fees owed to LRS will be resolved by binding arbitration. The Committee or its designee may elect to suspend any panel member upon 10 days written notice if the panel member fails to comply with the reporting or payment requirements. If the panel member feels the suspension is not warranted, the panel member may respond to the Committee, in writing, within 15 days from the date of notice. Determination of panel member suspensions and reinstatement shall be at the sole discretion of the Committee.
- L. No panel member may transfer a referral to another attorney unless the other attorney is also a panel member and the original attorney notifies LRS of the transfer within 10 business days of the transfer. Any panel member who violates this rule shall be liable to LRS for 10% of any fees recovered by the attorney to whom the transfer was made or his or her successor. The foregoing prohibition shall not prevent a panel member from utilizing another attorney as co-counsel if required by the panel member's professional responsibility to the client; however, a panel member who utilizes co-counsel will be liable to LRS for 10% of all attorneys' fees recovered by both the panel member and co-counsel, and such panel member shall give written notice of this requirement to co-counsel at the time the co-counsel relationship is established.

ARTICLE IV – LRS OPERATIONS

- A. Day to day LRS operations shall be under the general supervision and direction of the State Bar Member Services Manager at the direction of the Committee.
- B. Referrals to panel members shall be made on an impartial, rotating, county-by-county basis.

ARTICLE V – RULE AMENDMENTS

Amendment of these Rules requires a two-thirds affirmative vote of the Committee members and approval of the Executive Director of the State Bar of Wisconsin.

Amendments Approved as of October 12, 2021

