



ORANGE COUNTY BAR ASSOCIATION

LAWYER REFERRAL SERVICE

BYLAWS

PREFACE

The primary purpose of the Lawyer Referral Service of the Orange County Bar Association (“the Service”) is to provide a method whereby any person who can afford to pay a reasonable fee for legal advice or representation and who does not have a lawyer may be referred to a member of the Service who is available to give a free initial consultation, of up to 30 minutes and, where necessary, to furnish additional legal services on a reasonable-fee basis.

ARTICLE I

LAWYER REFERRAL SERVICE COMMITTEE

1. The Lawyer Referral Service Committee of the Orange County Bar Association (“the Committee”) is charged with advising and providing assistance as needed to the Service.

2. The Committee shall consist of no more than seven (7) voting members. The Chair will be appointed by the President of the OCBA. The other 6 Committee members will be appointed by the Committee Chair. All Committee members shall be Regular Members of the Association. The Chair shall serve in that office for a term of one (1) year (without any limit on successive or additional terms). The Committee will recommend one (1) current voting member to be appointed as Chair by the President of the OCBA. The Executive Director of the Orange County Bar Association, the Director of the Service, and any other employee of the Service appointed or approved by the Executive Director shall also serve as non-voting members of the Committee during their tenure as employees of the Orange County Bar Association and/or the Service. “Robert’s Rules of Order” (latest edition) shall govern the Committee’s parliamentary procedure in all respects except as otherwise provided in the governing documents of the Orange County Bar Association and/or the Service.

3. The term of office for the six (6) non-Chair voting member appointments shall be two (2) years (without any limit on successive or additional terms), from June 1 to May 31 of the second year, with three (3) members being appointed each year. The year in which this bylaw is adopted, the Committee Chair shall appoint three (3) members to serve a two (2) year term and three (3) members to serve a one (1) year term.

4. Vacancies of Committee Members may be caused by the following:

- a) Resignation, incapacity or death;
- b) Termination as a Regular Member of the Association;
- c) Nonattendance, unless excused by a majority of the Committee, at more than three (3) regular meetings of the Committee from June 1 to the last day of May.

In the event of a vacancy in the Committee, the Committee Chair shall appoint a Regular Member of the Association.

ARTICLE II
ORGANIZATION OF THE SERVICE

1. All members in good standing with The Florida Bar who maintain an office in Orange County for the conduct of law practice are eligible for membership in the Service.

2. The LRIS membership application is made only for the referred panel member and not on behalf on his/her Firm or any of his/her associates.

3. Members must submit Experience Applications to participate in some panels. In addition, some applications require proof of experience in particular practice areas.

4. Any charge for legal services beyond the initial consultation will reflect a reasonable attorney's fee in keeping with the goal of increased access and service to the public. Panel members are not obligated to accept employment beyond the initial consultation.

5. The Service may survey all or a portion of the LRIS-referred clients to determine their satisfaction with the LRIS and with the services provided by panel members. Survey results may be shared with panel members, and reports may be compiled from survey results for use by the OCBA.

6. A lawyer may apply for membership by filing an application. Upon admission to LRIS membership, the member agrees to abide by the rules set forth in the LRIS Panel Member Agreement.

7. Members must maintain professional liability insurance in the minimum amount of \$100,000.00, must furnish a copy of the insurance policy or a certificate of insurance to the Service upon request, and must hold the Orange County Bar Association harmless from any claim made against it by a referred client on account of the member's alleged negligence or mistake.

ARTICLE III
OPERATION OF THE SERVICE

1. The Service shall be staffed by one or more Referrers who shall function under the supervision of the Executive Director.

2. The Service staff shall maintain a separate list of members for each area of practice. Prospective clients shall be interviewed by a Referrer. If legal services are requested, the Referrer shall refer the clients to a member on the appropriate list.

3. 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 such list. Any member passed over in this manner shall remain in the same position on such list.

4. If the Referrer ascertains that a person being interviewed is currently represented by a lawyer in the same matter, the member to whom the referral is made shall be informed of the

circumstances and shall be governed by The Florida Bar Rules of Professional Conduct.

5. No referral shall be made to a member who fails to comply with the Panel Member Agreement. The Service shall notify a member in writing of any non-compliance, specifically describing the nature of such member's non-compliance, and suspend the member from receiving referrals; upon compliance, such member shall become entitled to receive referrals.

6. 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 \$50 administrative fee. The administrative fee will be waived for clients requesting consultations regarding medical malpractice, personal injury, wrongful death, social security, workers' compensation, veterans' affairs, and bankruptcy matters.

7. The Service shall provide on a quarterly basis to The Florida Bar an alphabetical list of members of the Service pursuant to Rule 4-7.22(a)(5) of the Rules Regulating The Florida Bar.

ARTICLE IV
SUSPENSION AND REMOVAL FROM THE SERVICE

1. No Panel Member shall be removed from membership in the Service without having been afforded 30 (thirty) days written notice and an opportunity to show cause why such member shall not be removed from membership except as provided for in paragraph 5 below. Thirty-day written notice shall be provided to the member prior to the Committee meeting at which removal will be considered.

2. A majority of the Committee may remove a member from the Service for cause upon the following grounds:

- a) Persistent unavailability for any reason other than illness, parental leave, or disability leave;
- b) Persistent refusal to make or keep appointments with referred clients;
- c) Failure to comply with the Panel Member Agreement;
- d) Failure to meet the qualifications for membership in the Service;
- e) Persistent negative feedback from client survey reports;
- f) Suspension or disbarment from The Florida Bar;
- g) Failure to pay annual dues and/or surcharge for failure to renew OCBA membership.

3. A member may be suspended from receiving referrals in the Service for one or more of the following violations:

- a) Failure to pay annual dues and/or surcharge for failure to renew OCBA membership;

- b) Failure to remit fee-sharing when due;
- c) Failure to update status reports within the prescribed time limit;
- d) Failure to meet the qualifications for membership in the Service.

The Service will send written notice, via postal or electronic mail, of the suspension to the member at his/her last known address on or before the date the suspension commences. The attorney's status shall not be jeopardized by such action except that the referrals will not be made during this suspension. If the attorney has not cured the violation within sixty (60) days to the satisfaction of the Service, he/she will be subject to removal from the Service. If an attorney is removed for refusal to pay fees due to the Service, his/her firm will be considered liable to the Service for the fees.

4. A member may at any time withdraw from membership upon written notice to the Service, but any resigning member shall not thereby be relieved of obligations in connection with any referred matter.

5. A member shall be automatically suspended from membership in the Service upon notification to the Service from The Florida Bar that a finding of probable cause has been made against said member and that suspension shall remain in effect until the grievance matter is resolved. If the member is in good standing with The Florida Bar after the resolution of the matter, then he/she shall be returned to active status with the Service.

5. Removal or suspension from the Service does not relieve a panel member of his/her obligations to report on and remit funds for pending LRIS cases, nor will any portion of his/her registration fees be refunded.