

# **RULES OF THE WYOMING STATE BAR LAWYER REFERRAL SERVICE**

## **Rule**

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**Editor's notes.** — The Rules of Practice of the Wyoming Lawyer Referral Service of the Wyoming State Bar, adopted by the Supreme Court by order dated August 21, 2001, effective

September 1, 2001, were repealed and replaced by these Rules of Operation of the Wyoming State Bar Lawyer Referral Service.

## **Rule 1. Purpose.**

The purpose of the Wyoming State Bar Lawyer Referral Service is to assist the public by providing referrals for legal services.

### **History:**

Amended July 18, 2017, effective October 1, 2017.

## **Rule 2. Definitions.**

- (a) "State Bar" means the Wyoming State Bar.
- (b) "Committee" means the Wyoming State Bar Lawyer Referral Service Committee.
- (c) "Client" means a person seeking a referral for legal services.
- (d) "Service" means the Wyoming State Bar Lawyer Referral Service.
- (e) "Member" means an attorney registered with the Wyoming State Bar Lawyer Referral Service, unless otherwise designated.
- (f) "President" means the President of the Wyoming State Bar.
- (g) "Coordinator" means the Lawyer Referral Service Coordinator, an employee of the Wyoming State Bar.

### **History:**

Amended July 18, 2017, effective October 1, 2017.

## **Rule 3. Committee.**

- (a) There is hereby established a Lawyer Referral Service Committee whose members shall be the Executive Committee of the Wyoming State Bar.
- (b) The President shall serve as Chair of the Committee. The Coordinator will serve as the Executive Secretary to the Committee.
- (c) The Committee has general supervisory authority over the administration of these rules.

(d) The Committee will meet at such times as designated by the Chair or the Coordinator.

(e) A majority of the Committee shall constitute a quorum to carry out business.

**History:**

Amended July 18, 2017, effective October 1, 2017.

**Rule 4. Method of Referrals.**

Referrals will generally be made on a rotating basis, within fields of law and geographical areas. Matters requiring fluency in a foreign language will, to the extent possible, be referred to an attorney having fluency in that language.

**Rule 5. Membership in the Service.**

To be admitted to membership in the Service, an attorney must:

(a) be an active member in good standing of the State Bar, including a member whose disciplinary suspension has been stayed pending a probationary term;

(b) have and maintain professional liability insurance with coverage of at least \$100,000/\$300,000 and provide proof thereof to the Service;

(c) agree to indemnify and hold harmless, the State Bar, its officers, members, agents, or employees from any and all claims, expenses, attorney fees and costs, liability or loss arising from or incurred through any negligence or intentional conduct of the attorney which causes damage, real or alleged, to anyone referred to an attorney by the Service. In addition, the attorney agrees to waive any and all claims against the State Bar, its officers, members, agents, or employees for any and all claims, expenses, attorney fees and costs, liability or loss arising from the operation and policies of the Service including, but not limited to, referral or non-referral of a person or client, denial or termination of membership in the Service, and provision of information about the attorney to any person or client;

(d) abide by all rules of the Service; and

(e) certify that the member is competent by virtue of experience and/or education in the fields of law designated by the registrant on the registration form.

**History:**

Amended July 18, 2017, effective October 1, 2017.

**Rule 6. Application and Renewal.**

(a) Any eligible member of the State Bar engaged in the active practice of law may apply for membership in the Service by:

(1) submitting an Application for Membership, on a form prescribed by the Committee, to the State Bar;

(2) providing and maintaining proof of professional liability coverage; and

(3) paying the annual registration fee set by the Committee.

(b) Membership in the Service is renewable annually. Renewal applications will be mailed or emailed by the Coordinator to all Members of the Service within a reasonable time before the Member's anniversary date. Any Member may renew membership in the Service by remitting the following to the Coordinator prior to the Member's anniversary date:

- (1) Application for Renewal of Membership, on a form prescribed by the Committee;
- (2) proof of professional liability coverage; and
- (3) annual renewal fee set by the Committee.

Failure to follow the above renewal procedures will result in termination of the Member's membership in the Service.

**History:**

Amended July 18, 2017, effective October 1, 2017.

**Rule 7. Written Engagement Agreement Required.**

If a referral results in an attorney/client relationship, the Member will ensure that a written engagement agreement is signed by the client which includes a clear description of the scope of the representation, the basis or rate of the fee and expenses for which the client will be responsible, and a statement of the availability of fee arbitration pursuant to the Wyoming Rules of Fee Arbitration.

**History:**

Amended July 18, 2017, effective October 1, 2017.

**Rule 8. Fields of Law.**

The Coordinator will establish a listing of fields of law and its related sub-areas. The Coordinator may add or delete fields of law at the Coordinator's discretion. On the application and renewal forms, Members will select fields of law for which they wish to receive referrals.

**History:**

Amended July 18, 2017, effective October 1, 2017.

**Rule 9. Immunity.**

The State Bar, its Officers and Commissioners, employees, and agents shall be immune from suit for all conduct in the course of their official duties in furtherance of these Rules.

**History:**

Amended July 18, 2017, effective October 1, 2017.

**Rule 10. Termination of Membership.**

(a) The Committee may terminate membership in the Service for good cause. Good cause for termination of a member includes but is not limited to:

- (1) violating or failing to meet the requirements of these rules, the terms of the application for membership or the application for renewal of membership forms;
- (2) failure to handle referred cases with reasonable professional competence and diligence; or
- (3) misrepresentation of any material statement in the application for membership or the application for renewal of membership forms, or in any other required form.

(b) A notice of pending termination will be served, certified mail, return receipt requested, to the Member at the Member's address of record with the

State Bar. The notice will inform the Member of the grounds for termination and that the Member has 10 business days from receipt of the notice within which to cure the violation. If the violation is not cured within 10 business days of receipt of the notice, membership will be terminated.

(c) A terminated Member may reapply for membership upon providing proof that the violation from which termination resulted has been cured and fulfilling all other requirements listed in Rule 6 of these rules.

**History:**

Amended July 18, 2017, effective October 1, 2017.

**Rule 11. Withdrawal.**

Any Member may withdraw from the Service at any time by providing the Coordinator with written notice. The withdrawing Member shall not thereby be relieved of the duty to represent any person previously referred by the Service with whom the Member established an attorney-client relationship. In the event of a Member's withdrawal from the Service, there will be no refund of the annual fee.

**History:**

Amended July 18, 2017, effective October 1, 2017.

**Rule 12. Records and Reports.**

(a) A record of all Members of the Service will be maintained by the Coordinator. The Coordinator will keep all records required by the Committee.

(b) The Coordinator will make reports to the Committee at the request of the Chair of the Committee.

**History:**

Amended July 18, 2017, effective October 1, 2017.

**Rule 13. Citation of These Rules.**

These Rules shall be cited as the Rules of the Wyoming State Bar Lawyer Referral Service.

**History:**

Added July 18, 2017, effective October 1, 2017.