

**RULES OF OPERATION OF THE
WYOMING STATE BAR LAWYER REFERRAL
SERVICE [EFFECTIVE UNTIL OCTOBER 1,
2017.]**

IN THE SUPREME COURT, STATE OF WYOMING

OCTOBER TERM, A.D. 2004

In the Matter of the Adoption of)
Rules of Operation of the)
Wyoming State Bar)
Lawyer Referral Service)

**ORDER ADOPTING RULES OF OPERATION OF THE WYOMING STATE
BAR LAWYER REFERRAL SERVICE**

This matter came before the Court upon a recommendation from the Wyoming State Bar that this Court adopt the Rules of Operation of the Wyoming State Bar Lawyer Referral Service (the proposed rules), attached hereto. This Court, having examined the proposed rules, finds that the adoption of those rules is advisable. In addition, because the proposed rules are intended to replace the previous “Rules of Operation of the Wyoming Lawyer Referral Service of the Wyoming State Bar,” this Court also finds it necessary to repeal that set of rules. It is, therefore,

ORDERED that the Rules of Operation of the Wyoming State Bar Lawyer Referral Service, attached hereto, be, and hereby are, adopted by the Court to become effective March 1, 2005; and it is further

ORDERED that the “Rules of Operation of the Wyoming Lawyer Referral Service of the Wyoming State Bar,” be, and hereby are, repealed, effective March 1, 2005; and it is further

ORDERED that the Rules of Operation of the Wyoming State Bar Lawyer Referral Service, attached hereto, shall be published in the advance sheets of the Pacific Reporter, the Wyoming Reporter, and in the Wyoming Court Rules; and that the Rules of Operation of the Wyoming State Bar Lawyer Referral Service shall thereupon be spread at length upon the journal of the Court.

Dated this 23rd day of February, 2005.

BY THE COURT:

William U. Hill
Chief Justice

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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September 1, 2001, were repealed and replaced by these Rules of Operation of the Wyoming State Bar Lawyer Referral Service.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 [Effective until October 1, 2017.]

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

Rule 2. Definitions [Effective until October 1, 2017.]

- (a) "State Bar" means the Wyoming State Bar.
- (b) "Committee" means the Wyoming State Bar Lawyer Referral 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 Coordinator of the Wyoming State Bar.

Rule 3. Committee [Effective until October 1, 2017.]

(a) There is hereby established a Lawyer Referral Service Committee to be appointed by the President of the State Bar. The Committee will consist of no fewer than seven members, who are active members of the State Bar. Members will be appointed for three year terms.

(b) Each year, the President will designate one of the members to serve as chairperson. 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 least once annually and at such other times as designated by the chairperson.

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

Rule 4. Method of Referrals [Effective until October 1, 2017.]

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. Eligibility [Effective until October 1, 2017.]

To be eligible to register with the Service, attorneys must:

- (a) be an active member in good standing of the State Bar;
- (b) have and maintain the minimum amount of professional liability insurance as set by the Committee and provide proof thereof to the Service;
- (c) waive liability and agree to indemnify and hold harmless the State Bar, its members, the Committee and its agents, from any claims, demands, actions,

liability or loss which may arise from, or be incurred as a result of, the operation of the Service or referrals of clients to him or her through the Service, or the use of information contained in the registration form;

(d) agree that the information contained in the registration form may be furnished to clients in the operation of the Service; and

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

Rule 6. Registration and Renewal [Effective until October 1, 2017.]

(a) Any eligible member of the State Bar engaged in the active practice of law may register with the Service by:

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

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

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

(b) Membership in the Service is renewable each calendar year. As soon as practicable after November 1, renewal applications will be mailed to all Members of the Service. Any eligible member of the State Bar who is registered with the Service may renew membership in the Service by remitting the following to the State Bar no later than December 31:

(1) Application for Renewal of Membership, on a form prescribed by the Committee;

(2) proof of professional liability coverage; and

(3) yearly renewal fee set by the Committee.

Failure to follow the above procedures will result in suspension of membership in the Service per Rule 10 of these rules.

Rule 7. Attorneys' Fees and Fee Disputes [Effective until October 1, 2017.]

If a referral results in an attorney/client relationship, the Member will ensure that:

(a) all attorney/client relationships entered into as a result of a referral by the Service include a written fee agreement between the parties;

(b) all compensation for services is reasonable and subject to the current *Rules Governing Contingent Fees for Members of the Wyoming State Bar*; and

(c) disputes regarding fees will be governed by the *Rules for Resolution of Fee Disputes* and provision for such dispute resolution is included in the fee agreement.

Rule 8. Fields of Law [Effective until October 1, 2017.]

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

Rule 9. Disclaimer [Effective until October 1, 2017.]

The Coordinator will provide a disclaimer similar to the one below to each client seeking a referral.

“The Wyoming State Bar does not certify any lawyer as a specialist or expert. Anyone considering a lawyer should independently investigate the lawyer’s credentials and ability, and not rely upon advertisements or self-proclaimed expertise.”

Rule 10. Suspension [Effective until October 1, 2017.]

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

- (1) violating any of these rules;
- (2) failure to handle referred cases with reasonable professional competence and diligence;
- (3) falsification of any material statement in the application for membership or the application for renewal of membership forms, or in any other required form;
- (4) failure to demonstrate proof of professional liability insurance;
- (5) failure to pay the Wyoming Lawyer Referral Service annual renewal fee;
- (6) failure to submit required reports;
- (7) failure to comply with all rules of the Service and/or maintain continuous eligibility due to:

(A) disbarment, suspension, interim suspension or termination imposed by the Wyoming Supreme Court or other appropriate disciplinary or licensing authority of any state or jurisdiction for any reason; or

(B) voluntary withdrawal, retirement or change to inactive status;

- (8) failure to accurately report in writing to the Committee within 10 business days of the occurrence of any of the circumstances listed in (7) above.

(b) A notice of suspension will be served, certified mail, return receipt requested, to the Member at his or her address of record with the State Bar. The notice will inform the Member of the grounds for suspension and that he or she 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 suspended.

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

Rule 11. Withdrawal [Effective until October 1, 2017.]

Any Member may withdraw from the Service at any time by providing the Committee with written notice.

Rule 12. Records and Reports [Effective until October 1, 2017.]

(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. The Committee will file an annual report with the Board of Commissioners of the Wyoming State Bar.

(c) Each Member will keep a record of the number of Clients referred to him or her through the Service in which an attorney/client relationship has been established and the fields of law involved. Each Member will report these as the Committee directs.

**RULES OF THE WYOMING STATE
BAR LAWYER REFERRAL SERVICE
[EFFECTIVE OCTOBER 1, 2017.]**

IN THE SUPREME COURT, STATE OF WYOMING

April Term, A.D. 2017

In the Matter of the Amendments to the
Rules of Operation of the)
Wyoming State Bar)
Lawyer Referral Service)

**ORDER AMENDING THE RULES OF OPERATION OF THE WYOMING
STATE BAR LAWYER REFERRAL SERVICE**

The Officers and Commissioners of the Wyoming State Bar have recommended that this Court amend the Rules of Operation of the Wyoming State Bar Lawyer Referral Service. The Court, having carefully reviewed the proposed amendments, finds that those amendments should be adopted. It is, therefore,

ORDERED that the attached amendments to the Rules of Operation of the Wyoming State Bar Lawyer Referral Service are hereby adopted by the Court to be effective October 1, 2017; and it is further

ORDERED that, effective October 1, 2017, the “Rules of Operation of the Wyoming State Bar Lawyer Referral Service” shall be known as the “Rules of the Wyoming State Bar Lawyer Referral Service”; and it is further

ORDERED that this order and the attached amendments be published in the advance sheets of the Pacific Reporter; the attached amendments be published in the Wyoming Court Rules Volume; and this order and the attached amendments be published online at this Court’s website, <http://www.courts.state.wy.us>. The amended rule shall thereafter be recorded in the journal of this Court.

DATED this 18th day of July, 2017.

BY THE COURT:

E. James Burke
Chief Justice

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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 [Effective October 1, 2017.]

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

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

Rule 2. Definitions [Effective October 1, 2017.]

- (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.

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

Rule 3. Committee [Effective October 1, 2017.]

- (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.
- (Amended July 18, 2017, effective October 1, 2017.)

Rule 4. Method of Referrals [Effective October 1, 2017.]

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 [Effective October 1, 2017.]

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.

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

Rule 6. Application and Renewal [Effective October 1, 2017.]

(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.

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

Rule 7. Written Engagement Agreement Required [Effective October 1, 2017.]

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.

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

Rule 8. Fields of Law [Effective October 1, 2017.]

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.

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

Rule 9. Immunity [Effective October 1, 2017.]

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.

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

Rule 10. Termination of Membership [Effective October 1, 2017.]

(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.

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

Rule 11. Withdrawal [Effective October 1, 2017.]

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.

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

Rule 12. Records and Reports [Effective October 1, 2017.]

(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.

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

Rule 13. Citation of These Rules [Effective October 1, 2017.]

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

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