



CONFIDENTIAL

BOARD OF LEGAL SPECIALIZATION
APPLICATION FOR INITIAL CERTIFICATION
IN INJURY AND WRONGFUL DEATH LITIGATION
Revised 12/01/2003

INITIAL

Name: Bar Number:
(Please type your name as you wish it to be printed on your certificate of specialization)

Firm:

Address:

Phone: Fax:

I. Legal Education. List schools attended, dates of attendance, and degree awarded.

Three horizontal lines for listing legal education.

II. Prior Certification Applications. If applicable, list any organization in which you are/were certified as a legal specialist and the dates of certification. Also, indicate the dates and field of law of any former certifications in Arizona.

Two horizontal lines for listing prior certification applications.

III. On a separate sheet of paper, please supply the following information:

- A. Record of Discipline. A discipline check will be conducted on every applicant. Please list any disciplinary actions taken against you in any state, jurisdiction, or organization.
B. Employment History. Beginning with your most recent employment, list a complete statement of your employment since admission to the practice of law.
C. References. List the names and addresses of five attorneys who practice in injury and wrongful death litigation and/or judges before whom you have appeared, familiar with your practice, and not including current partners or associates.

Please be aware that the State Bar Standards for Certification require that an applicant demonstrate a high degree of professionalism and meet high ethical standards in compliance with A Lawyer's Creed of Professionalism of the State Bar of Arizona (copy enclosed) as well as the Rules of Professional Responsibility. These standards are higher than the bare minimum ethical and professionalism standards an attorney must meet to avoid disciplinary action or the threshold conduct that would warrant the filing of a bar complaint.

- D. Substantial Involvement in Injury and Wrongful Death Litigation.** *An applicant shall make a satisfactory showing, as determined by the BLS in accordance with objective and verifiable standards, based upon advice of the Injury and Wrongful Death Litigation Advisory Commission, of substantial involvement in the field of injury and wrongful death litigation.*

For purposes hereof, "litigation" is defined to be legal representation in any dispute where a trial or other evidentiary hearing on the merits might ultimately be necessary whether by a court, with or without a jury, or by other alternative method of dispute resolution such as arbitration.

For purposes hereof, "injury and wrongful death" matters are defined to be legal representation of claimants or defendants with regard to injury and wrongful death claims, or insurance coverage disputes, arising out of vehicular collisions, medical malpractice, premises defects, product failures, aircraft crashes, or any other area of tort law involving physical and/or mental injuries and damages.

For purposes hereof, "substantial involvement" shall mean that, at the time of making application hereunder, an applicant meets all the following standards:

- 1. Within four of the six years immediately preceding the application the applicant has been engaged in active law practice with injury and wrongful death litigation as a substantial focus. "Active law practice" is defined to mean that at least 1,000 hours per year is devoted to injury and wrongful death litigation, and at least 50% of those hours involve Arizona injury and wrongful death matters.*
- 2. The applicant has achieved a score of 180 points or more on the attached Injury and Wrongful Death Questionnaire and Tally Sheet.*

INJURY AND WRONGFUL DEATH EXPERIENCE QUESTIONNAIRE (Initial Certification Only)

(Complete a sheet for each case to be considered by the Commission and attach a copy of the Trial Reporter for each case, if available.)

QUALIFYING PERSONAL INJURY CASES: All cases submitted in order to qualify whether tried to a jury, tried to the Judge, mediated, arbitrated or otherwise disposed of by way of alternative dispute resolution must have had a value in excess of \$10,000 if the case was resolved prior to December 31, 1999. All cases submitted post December 31, 1999, must have a value of \$25,000 or more. The value of the case is to be determined by an objective evaluation of the facts underlying the case. The amount demanded, offered or argued to the jury is not dispositive of this issue. You must submit at least five cases where you served as lead counsel and the case was tried through closing argument. You cannot get credit for both an arbitration and trial on the same case. You must have 180 points or more to qualify for certification. Only 75 points total can come from cases that are appeals from arbitrations. You must have points in each of the categories voir dire, Denin2 statements, direct of a party, cross of Party, direct of an expert, cross of an expert, closing argument at least twice, when all of the cases used for the application are reviewed. A “catastrophic injury” case is defined as a case with a value in excess of \$250,000.

Case Caption: _____
Cause #: _____
Judge: _____
Opposing Atty: _____
No. of Days: _____

Enter one point for each of the following that you personally performed at a Superior Court or Federal Court trial. (Maximum 1 point per category.)

Voir Dire: _____
Opening Statement: _____
Direct of a Party: _____
Cross of a Party: _____
Direct of an Expert: _____ Expert's Name: _____
Cross of an Expert: _____ Expert's Name: _____
Closing Argument: _____
Rebuttal Argument: _____
Case went to verdict: _____

Add 2 points if you bettered opponent's best offer. If an arbitration appeal, it must have been a defense verdict or have bettered it by 10%.

Add 2 points if a wrongful death case.

Add 2 points if a catastrophic injury.

Total: _____
Combined Total: _____

**COMPLETE THIS FORM FOR ADDITIONAL POINTS TOWARD THE 180 POINT REQUIREMENT.
(initial certification only)**

One point for each wrongful death or catastrophic injury case settled after suit was filed and responsive pleadings filed. (Maximum 5 pts.) _____

1 pt. for each arbitration taken to award and 1 pt. for each mediation or settlement conference where case was resolved. (Use attached form for each arbitration, mediation and settlement conference. (Maximum 15 pts. In this category.) _____

1 pt. For each seminar taught on a subject directly material to personal injury. (Maximum 5 pts. Each point must be for a different subject matter.) (Attach copies of the seminar brochure.) _____

1 pt. For each trial taken to verdict that you tried alone. (Maximum 5 pts.) _____

10 pts. If you have attended and completed the State Bar Trial College. (Maximum 10 pts.) _____

1pt. For each article published in a recognized professional periodical. (Maximum 5 pts.) (Attach copy of articles.) _____

1 pt. For writing the brief and arguing a case at the Appellate Court level. (Maximum 10 pts.) _____

Add 1 Pt. For each appeal you prevailed upon. (Maximum of 10 pts.)

Total: _____

Total Points from Submitted Trails: _____

TOTAL QUALIFYING POINTS NEEDED 180 OR MORE.

USE THIS FORM FOR EACH OF THE ARBITRATIONS, MEDIATIONS AND SETTLEMENT CONFERENCES OFFERED TOWARD QUALIFYING POINTS. (Attach a copy of the Arbitration Reporter, if available.) (Initial Certification Only)

Case Caption or Name: _____

Cause #, if applicable: _____

Arbitrator(s) (Give names and addresses: _____

Date(s) of arbitration: _____

Date(s) of mediation: _____

Date(s) of settlement conference: _____

Plaintiffs lowest demand: _____

Defendant's highest offer: _____

Names of experts who testified live: _____

Was it appealed? _____

What was the outcome? _____

Describe the nature of the case: _____

(These arbitrations, mediations or settlement conferences cannot be the same as cases as jury trials offered for qualification.)

APPLICATION AGREEMENT

Read and initial each of the following statements and sign below:

a. _____ I agree to abide by all Rules and Regulations of the Arizona Board of Legal Specialization as amended from time to time, to pay all fees required by the Board of Legal Specialization as due, and to furnish to the Board such information as may be required from time to time to ascertain my entitlement to certification.

b. _____ I certify that I am an active member in good standing of the State Bar of Arizona and that I continue to engage in legal service (as defined in the Rules and Regulations of the Arizona Board of Legal Specialization) on an annual basis equivalent to at least 50% of a full-time practice.

c. _____ I annually devote not less than 50% of a full-time practice to personal injury law, as defined in the Standards for Certification for Lawyers Specializing in Personal Injury Law.

d. _____ Pursuant to Rule 70, Ariz.R.Sup.Ct., I hereby waive confidentiality of any disciplinary proceeding initiated against me by the State Bar of Arizona after January 1, 1992, or which may be initiated against me during the pendency of my application. I understand and agree, to the extent permitted under Rule 70, Ariz.R.Sup.Ct., that my disciplinary records may be requested from the Lawyer Regulations Records Manager (or representative) or Disciplinary Clerk.

e. _____ I agree to advise the Board of Legal Specialization, from the date of filing this current application throughout the next approved five-year period of certification, of any disciplinary action taken against me in any state, jurisdiction, or organization. I will advise of all instances of discipline in which the sanction imposed was censure or greater, or an informal reprimand in which the disciplinary record was public.

f. _____ I authorize all persons, firms, officers, corporations, organizations, associations (including Bar Associations of other jurisdictions), State or Federal agencies and institutions to furnish to the Board of Legal Specialization or any of its authorized representatives, all relevant documents, records or other information that may be requested in the investigation of this application or in any investigation of my continuing satisfaction of the Standards for Certification.

g. _____ I authorize the Board of Legal Specialization to consult with any persons who may have information relating to my professional qualifications, credentials or character, ethics, behavior, or any other matter reasonably bearing on the criteria for initial and continued certification. I further agree that all information received by the Board shall be treated confidentially and that I have no right of access to information received by the Board from third parties. I specifically waive any right to review any reference or other evaluations made to the Board, whether solicited by me or the Board. In addition, I agree not to seek discovery of such references and evaluations, formally or informally, in any legal proceeding or otherwise.

h. _____ I release, discharge and exonerate the State Bar of Arizona, its officers, directors, staff, agents, employees and representatives, and any person furnishing information and evaluations to the Board of Legal Specialization, from any and all liability of every nature and kind arising from the investigation and evaluation of my application or my continued satisfaction of the Standards for Certification.

I certify my application is true or true to the best of my knowledge and belief. I understand that failure to make a truthful disclosure of any material fact or item of information required may result in the denial of my application, revocation of my certificate of specialization if granted, or disciplinary action by the State Bar of Arizona.

Signature of Applicant

Date