



**THE STATE BAR  
OF CALIFORNIA**

JUDY JOHNSON  
EXECUTIVE DIRECTOR/SECRETARY

July 29, 2008

Mr. Marc Sallus  
President  
Beverly Hills Bar Association  
300 S. Beverly Drive, Suite 201  
Beverly Hills, CA 90212

Dear Marc:

I write to correct the assertions in your July 24, 2008 letter and to set your mind at ease. The State Bar is not planning to launch or operate a statewide lawyer referral services. That is not the State Bar's intent or plan. The State Bar will continue to support and regulate the existing non-profit and for-profit certified LRS's in California.

The Find-a-Lawyer concept is designed as a "one-stop service" to provide an online search function for members of the public seeking the services of a lawyer, as well as links to helpful consumer legal information and resources. The proposed program is similar to those already in place through other state bar associations including Arizona, Illinois, Oklahoma and Texas. It will feature the certified lawyer referral services as the primary option, but will also provide access to information about lawyers to those members of the public who do not avail themselves of LRS's or for whom LRS's do not exist as a viable option. The Find-a-Lawyer program will also provide business opportunities for those lawyers throughout the state who do not participate in the certified LRS's. Our data shows that, of the 61 certified LRS's in California, less than 5,500 lawyers participate statewide, annually representing approximately 167,000 clients. These numbers do not approach the 160,000 active attorneys and over 36 million California residents who may have potential legal problems.

Let me explain what we are planning and why we believe this new enhanced public information system will provide benefits to California's consumers and lawyers, particularly solo and small-firm practitioners, as well as the State Bar-certified lawyer referral service programs.

As a practicing California attorney, you know that since 1996 the State Bar of California has provided an on-line and searchable California roll of attorneys to the public and its members. Enter any attorney's name or bar number and our website now displays basic information about every attorney, including:

- Whether the lawyer is entitled to practice law
- Record, if any, of discipline or administrative suspensions
- Official member address and contact information required by B & P Code 6002.1
- Year admitted

*"To Improve the Justice System and Assure a Free and Just Society Under the Law"*

July 29, 2008

Marc Sallus

President, Beverly Hills Bar Association

2 | Page

- Law schools attended
- Certified legal specialists
- Sections members

For lawyers that are not disbarred or on active suspension, we are planning an enhanced online member directory, similar to Arizona, Illinois, Oklahoma and Texas, that will allow members, if they elect, the opportunity to supplement their current State Bar membership profile by adding a photo, bio, areas of practice, and website link. The State Bar's database would be searchable based on identified criteria: size of firm, practice area emphasis, certified specialty, section membership, languages spoken, credit cards accepted, and practice location. Want to find out the names of Spanish-speaking certified criminal law specialists that accept credit card payment in Modesto? Enter these search criteria and a list of lawyers matching these profiles will be randomly displayed.

This enhanced member profile will be offered free to California lawyers, at least initially, but nominal fees to offset the administrative costs of the program – including advertisements -- may ultimately be charged. Arizona, for example, charges \$39 per year, which compares very favorably with the \$763 per month that lawyers pay to display a quarter page ad in the San Francisco and Los Angeles yellow pages. The plan is to offer this enhanced service as a member benefit to California attorneys in the fall of this year.

The proposed enhanced online directory differs from an LRS. Certified LRS's refer the consumer to a specific attorney after a short discussion with a telephone consultant, who asks the caller a series of questions to determine if there is a legal issue, its urgency, what type of subject matter is involved, and the relevant jurisdiction or geography. The LRS also screens attorneys that serve on their panels to assure that they are willing and qualified to take consumer matters referred to them. LRS attorneys are required to offer specific consumer protections -- including Errors and Omissions coverage and participation in mandatory fee arbitration. Because of these procedures and consumer protections, consumer use of certified LRS programs and referrals should be encouraged.

However, it must also be recognized that the 5,500 attorneys currently participating in LRS panels cannot fully service the legal needs of all California's consumers. With California's burgeoning population, and the need to increase middle class access to reasonably priced legal services, more should be done to increase the information and choices available to California's consumers and to allow California's 160,000 practicing attorneys options to economically "advertise" their services and availability. Consumers are best served if they have access to searchable websites that include all publicly available information about lawyers-- and the State Bar is the only institution in California capable of providing information on *all* attorneys and assuring its accuracy.

In addition to a greater opportunity to direct the public to LRS services, the bar's website will also be making available an enhanced resource "tool kit" of legal information developed from our library of pamphlets, articles, and other consumer information. We want Californians to view the State Bar as the "go to" website for the most trusted consumer information about California law and lawyers.

In closing, let us also say that the Internet is the new "yellow pages" and consumers are now using it as their primary research tool. Local bar LRS's are attracting fewer lawyers willing to serve on panels. The number of for-profit online attorney directories is proliferating. Increasingly, consumers are left to the vagaries of the Internet and telephone "yellow pages" advertisements when they search for attorneys. The official website of the State Bar of California, which receives over 18 millions hits annually on its current attorney search function alone, can become the trusted site for consumer research.

We anticipate the State Bar operated Find-a-Lawyer program will fill a void and provide members of the public with a reliable and trusted resource for researching lawyers, and allow us to enhance the position of the certified LRS's through the outreach and visibility that would be provided through the new program. The State Bar will continue to work together with local bars to adopt a Find-a-Lawyer model that helps California's lawyers, consumers, and LRS programs.

At their June 2008 meeting, the State Bar Board of Governors created a task force to address the concerns of ECLA and to develop a plan that would benefit all parties. ECLA President and Executive Director of the Los Angeles County Bar Association, Stuart Forsyth, is a member of the task force, which will be holding its first meeting on Friday, August 1. I am sure that Stuart will provide ECLA with a report of meeting, which I assume will be provided to any interested local bar associations.

Sincerely,



Judy Johnson  
Executive Director

c: Beverly Hills Bar Executive Committee  
ECLA (via email)  
Stuart Forsyth, E.D., LA County Bar Association  
State Bar of California Board of Governors  
Ms. Carol Madeja