

Experience Panels Applications 2009-2010

ADR/Mediation

Civil Appeals

Civil Rights Law

Family Law

Employment Litigation

Medical Malpractice

Social Security Law



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Name _____

Alternative Dispute Resolution and Mediation

Scope: The Lawyer Referral and Information Service offers membership on its ADR panel only to those attorneys who have satisfied all the requirements set by the CADRES (Court Alternate Dispute Resolution Services) for acceptance onto the Maine State Judicial Branch ADR rosters.

Please attach proof of active listing on the State of Maine ADR rosters for any of the following areas.

- XADR Domestic Relations Mediation Roster
- XAGC General Civil Litigation Mediation Roster
- XALU Land Use/Environmental/Natural Gas Pipeline Mediation Roster
- XANE Superior Court Early Neutral Evaluation Roster
- XASA Superior Court Arbitration Roster
- XASC Small Claims Mediation Roster
- XASM Superior Court Mediation Roster

Certification of Information

I certify that I meet all requirements for participation on the Lawyer Referral and Information Service ADR/Mediation Experience Panel, as set forth above.

Print Name: _____ Date: _____

Signature: _____

Civil Appeals Experience Panel

Scope of the panel: members of this panel have had sufficient experience with civil appeals to be familiar with the appellate process. This code (CVA) will be used in conjunction with the originating area of law to direct referrals.

1. **Specific Appellate Experience:** (1 of 3 criteria must be met)

(a) Clerked for Appellate Court for at least one year

OR

(b) Prepared and filed an appellate brief in at least 3 cases

OR

(c) Presented oral argument before the Law Court.

Criteria Documentation

(a) Appellate clerk experience:

Court _____ From _____ to _____

(b) Prepared and filed appellate briefs:

Docket Number

Date of Filing

1) _____

2) _____

3) _____

(c) Law Court argument _____

Certification of Information

I certify that I meet all requirements for participation on the Lawyer Referral and Information Service *Civil Appeals Experience Panel* as set forth above.

Signature: _____

Name _____

Civil Rights Experience Panel

Scope of the panel: members of this panel are accomplished attorneys who have sufficient training and experience to competently represent clients in civil rights litigation, including constitutional and statutory claims involving government entities and employees. This panel does not include private claims against private parties under state or federal law.

1. Litigation experience (must satisfy 3 of the 6 alternatives)

- (a) Actively participated at trial of at least 2 civil rights cases;
- (b) Actively participated in dispositive motions in at least 3 civil rights cases;
- (c) Argued at least one appeal in a civil rights case;
- (d) Negotiated a final resolution of at least 3 civil rights cases in the past 5 years;
- (e) Personally tried at least 2 civil cases to conclusion in either Superior Court or U.S. District Court;
- (f) Successfully handled 2 or more motions to suppress involving constitutional issues.

2. Legal Education (must satisfy 1 of 3 alternatives)

- (a) Attended at least 20 hours of CLE on civil rights topics in the past 10 years;
- (b) Served on the faculty of a CLE seminar on civil rights topics;
- (c) Authored 1 or more published articles on civil rights topics.

Criteria Documentation

1. Litigation experience (must satisfy 3 of the 6 alternatives)

a) Actively participated at trial of at least 2 civil rights cases;

	Case Name	Docket Number
1		
2		

(b) Actively participated in dispositive motions in at least 3 civil rights cases;

	Case Name	Docket Number
1		
2		
3		

(c) Argued at least one appeal in a civil rights case

Name _____ Docket Number _____

Name _____

	Case Name	Docket Number
1		
2		
3		

	Case Name	Docket Number
1		
2		

	Case Name	Docket Number
1		
2		

2. Legal Education (must satisfy 1 of 3 alternatives)

(a) Attended at least 20 hours of CLE on civil rights topics in the past 10 years;

	CLE TITLE	DATE	CREDITS
1			
2			
3			
4			
5			
6			

Name _____

(b) Served on the faculty of a CLE seminar on civil rights topics;

Seminar Title _____ Date _____

(c) Authored 1 or more published articles on civil rights topics. (Attach copies)

Certification of Information

I certify that I meet all requirements for participation on the Lawyer Referral and Information Service *Civil Rights Experience Panel*, as set forth above.

Print Name: _____ Date: _____

Signature: _____

SELECT sub-categories:

Civil Rights Law

- XCAD ADA Matters
- XCCE Contesting Election
- XFFA First Amendment Issues
- XCDH Discrimination in Housing or Services
- XCPG Against Police/Governmental Agency
- XCPR Prisoner's Rights
- XCPT Patient Rights



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Name _____

Family Law Experience Panel

Scope: Members of this panel are accomplished attorneys who have sufficient training and experience to competently represent clients in Family law matters involving actions for divorce and to establish paternity and parental rights and responsibilities, including post-judgment actions in these areas, as evidenced by:

Family Law Experience Panel Criteria

I. General Practice & Litigation Experience

✓ Satisfy 2 requirements

- Active practice for at least 5 years — Since _____.
- Served as lead counsel in 8 cases of any sort in Maine and/or Fed. Court within last 5 years.
- Participated in Fed. Court summary judgment or argued one appeal within last 5 years.
- Completed CASA training within the last 10 years – Year _____.
- Prepared documents and assisted in family law filings, not necessarily to resolution, for 10 cases in last 5 years.

II. Family Law Specific Experience

✓ satisfy *either a or b*

- a) Actively participated in 1 Family Law case brought to trial which involved parental rights and responsibilities and/or property or equitable distribution issues within last 5 years.

Fill In:

Case Name: _____ Docket: _____ Court: _____ Year _____

- b) Negotiated a final resolution of 5 Family Law cases in last 5 years, three of which involved parental rights and responsibilities and/or property or equitable distribution issues.

(Over for Certification and Panel Selection)

Name _____

Certification of Information

I certify that I meet all requirements for participation on the Lawyer Referral and Information Service *Family Law Experience Panel* as set forth above.

Print Name: _____ Date: _____

Signature: _____

SELECT sub-categories below:

Family Law Experience Panel

- | | | | | | |
|------|--------------------------|--|------|--------------------------|------------------------------------|
| XFCS | <input type="checkbox"/> | Custody & Support | XFGF | <input type="checkbox"/> | Guardian Ad Litem - Family Issues |
| XFDH | <input type="checkbox"/> | DHS Issues | XFGP | <input type="checkbox"/> | Grandparents Rights and Visitation |
| XFDS | <input type="checkbox"/> | Divorce & Separation | XFPA | <input type="checkbox"/> | Paternity Determination |
| XFFA | <input type="checkbox"/> | Family Abuse - Sexual or Physical | XFPP | <input type="checkbox"/> | Protection Orders in Family |
| XFFP | <input type="checkbox"/> | Foster Parents Rights and Responsibilities | XFPP | <input type="checkbox"/> | Rights of Unmarried Persons |
| XFGD | <input type="checkbox"/> | Guardian Ad Litem - Divorce | XFSS | <input type="checkbox"/> | Spousal Support |
| XFTR | <input type="checkbox"/> | Termination of Parental R&R | XFJM | <input type="checkbox"/> | Post-judgment Motions |
| XFDA | <input type="checkbox"/> | Annulment | XFSP | <input type="checkbox"/> | Rights of Surrogate Parents |
| | | | XFDP | <input type="checkbox"/> | DeFacto PR&R Issues |

Employment Law Experience Panel

Scope of panel: members of this panel are accomplished attorneys who have sufficient training and experience to competently represent employers or employees in litigation involving employee benefits, termination issues, workplace discrimination claims, and government employment. The panelists do not necessarily have expertise on collective bargaining issues, union representation, E.R.I.S.A. or other highly specific employment matters.

Experience (must satisfy 2 requirements in each category)

General Practice and Litigation

- a) Must have been in active practice for five years
- b) Actively litigated in 8 cases of any sort in Maine and/or Federal Courts
- c) Participated in Federal Court summary judgment *or* argued one appeal

Employment Law Specific Experience

- d) Actively participated in 1 Employment Law case brought to trial
- e) Negotiated a final resolution of 2 Employment Law cases in last 5 years
- f) Pursued or defended a charge of employment discrimination before Maine Human Rights Commission in at least 3 cases, with at least 1 personal appearance

Education (must satisfy 1 of the 3 requirements)

- a) Attended at least 10 hours of CLE on Employment Law in past 10 years
- b) Served on faculty of 2 CLE seminars on Employment Law topic
- c) Authored 3 or more published articles on Employment Law topic

Criteria Documentation

Experience: Must satisfy 2 requirements in BOTH of the Experience sub-categories

Sub-category I: General Practice and Litigation

- a) Actively practiced law for 5 or more years, since _____
- b) Actively litigated in 8 cases of any sort in Maine and/or Federal Courts - list cases:

	Case	Docket Number
1	_____	_____
2	_____	_____
3	_____	_____
4	_____	_____
5	_____	_____
6	_____	_____
7	_____	_____
8	_____	_____

- c) Participated in Federal Court summary judgment *or* argued one appeal:

1 _____

Name _____

Sub-category II: Experience Specific to Employment Law (must satisfy 2 of 3)

d) Actively Participated in 1 Employment Law case brought to trial

Case _____ Docket # _____

e) Negotiated to final resolution 2 Employment Law cases in last 5 years

Case _____ Docket # _____

Case _____ Docket # _____

f) Pursued or defended a charge of employment discrimination before Maine Human Rights Commission in at least 3 cases, with at least 1 personal appearance

Case _____ Docket # _____ Appearance

Case _____ Docket # _____ Appearance

Case _____ Docket # _____ Appearance

Education (must satisfy 1 of the 3 below)

a) Attended at least 10 hours of CLE on Employment Law in past 10 years

	Seminar Title	Date	Credits
1	_____	_____	_____
2	_____	_____	_____
3	_____	_____	_____
4	_____	_____	_____
5	_____	_____	_____
6	_____	_____	_____
7	_____	_____	_____

b) Served on faculty of 2 CLE seminars on Employment Law topic

	Seminar Title	Location	Date
1	_____	_____	_____
2	_____	_____	_____

c) Authored 3 or more published articles on Employment Law topic

Attach copies, with journal name and publication date.

Name _____

Certification of Information

I certify that I meet all requirements for participation on the Lawyer Referral and Information Service *Employment Law Experience Panel*, as set forth above.

Print Name: _____ Date: _____

Signature: _____

SELECT sub-categories below:

Employment Law

Representing EMPLOYEES

- XEDS Discrimination
- XENC Non-Compete Agreements - Disputes
- XERR ERISA, Retirement Benefits, Pensions
- XESH Sexual Harassment
- XETN Termination - Non-Union
- XETU Termination - Union
- XEUE Unemployment Issues
- XEUR Union Representation Problems
- XEWB Whistle Blowers Act for Employee

Representing EMPLOYER

- XERD Discrimination
- XERP ERISA, Retirement Benefits, Pensions
- XERS Sexual Harassment
- XERT Termination - Non-Union
- XERU Termination - Union
- XERI Unemployment Issues
- XERX Union Representation Problems
- XEWE Whistle Blowers Act for Employer



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Name _____

Medical Malpractice Experience Panel

Scope of the panel: members of this panel are highly accomplished trial attorneys who have sufficient training, experience, and resources to **competently** represent clients in medical malpractice litigation.

1. **Litigation experience:** (3 of 4 criteria must be met)
 - (a) Handled 2 or more cases through the medical malpractice screening panels in the past 5 years;
 - (b) Tried to jury verdict at least 1 medical malpractice case **or** other personal injury cases in the past 5 years;
 - (c) Litigated through discovery at least 10 medical malpractice **or** other personal injury cases in the last 5 years; **or**
 - (d) Served as a panel member on a pre-litigation screening panel.

2. **Variance:**

An applicant lacking in any element of the criteria in Section 1 may request a variance from the criteria by submitting to the LRIS Committee a written request which explains how other experience demonstrates a satisfactory command of this complex area of litigation. An application for variance must be submitted to the Executive Director of LRIS who shall present it for consideration of the committee to determine the applicant's eligibility.

3. **Representations by the prospective panelists:**

- (a) The panelist must be willing to accept cases on a statewide basis;
- (b) The panelist is willing to advance the expenses of litigation;
- (c) The panelist must carry professional liability coverage of \$1,000,000.00.

Criteria Documentation

(a) 2 or more cases through medical malpractice screening panel in last 5 years;

	Case Name	Docket Number
1		
2		
3		

(b) Tried to jury verdict at least 2 med mal or personal injury cases in past 5 years:

Case Name _____ Docket Number _____

Case Name _____ Docket Number _____

Name _____

(c) Litigated through discovery at least 10 med mal or personal injury cases in last 5 years

Case	Docket Number
1	_____
2	_____
3	_____
4	_____
5	_____
6	_____
7	_____
8	_____
9	_____
10	_____

(d) Served as panel member on pre-litigation screening panel

Case Name	Year
_____	_____

VARIANCE OPTION : Please check here **ONLY** if submitting a request for variance, and attach page(s) of argument on letterhead, signed and dated.

Certification of Information

I certify that I meet all requirements for participation on the Lawyer Referral and Information Service *Medical Malpractice Experience Panel*, as set forth above. I further certify that:

- I will**
- ___ accept cases on a statewide basis;
 - ___ advance the expenses of litigation
- and that I do**
- ___ carry professional liability coverage of \$1,000,000.00.

Print Name: _____ Date: _____

Signature: _____

- SELECT sub-categories:**
- Medical Malpractice Law**
- XMP Against Physician/Staff
 - XMH Against Hospital/Staff
 - XMD Against Dentist/Staff
 - XMT Against Therapist/Staff
 - XMJ For Prisoners

Name _____

Social Security Experience Panel

Scope of the panel: members of this panel are accomplished attorneys who have sufficient training and experience to competently represent clients in Social Security Disability appeals before an Administrative Hearing Officer.

1. **Litigation Experience** - 5 Social Security appeals successfully litigated within the previous 5 years.

2. **Legal Education or Area Experience**

a) 5 hours of CLE on Social Security Disability in the past five years, if available in the State of Maine.

or

b) Active practice for 10 years before the Social Security Administration

Criteria Documentation

1) **Litigation Experience**

5 successful appeals within past five years.

	Case Name	Court	Date Completed
1			
2			
3			
4			
5			

2) **Legal Education or Area Experience**

5 hours of CLE on Social Security Disability within the past five years, if available in the State of Maine.

	Course Name	CLE Credits	Date
1			
2			
3			

OR 10 or more years Active Practice before Social Security Administration.

Certification of Information

I certify that I meet all requirements for participation on the Lawyer Referral and Information Service *Social Security Experience Panel*, as set forth above.

Print Name: _____ Date: _____

Signature: _____

Social Security Law

XSSI SS Denial

XSSO SS Overpayment

XSSD Social Security Disability Denial