

**MEXICAN AMERICAN BAR ASSOCIATION
LAWYER REFERRAL & INFORMATION SERVICE**

**Application and Qualifications Standards for
BUSINESS LAW PANEL**

Business Law Subpanels

(Please check all subpanels for which you are applying)

- 1. Business Formation
- 2. Business Dissolution
- 3. Buying & Selling Businesses
- 4. Collections
- 5. General Contracts
- 6. Not-for-Profit Organizations
- 7. Business Litigation & Mediation

EXPERIENCE REQUIREMENTS

(Numbers correspond to Subpanels listed above)

1. Business Formation

Within the past three (3) years, applicant must have personally performed all legal work and prepared or supervised the preparation of all papers in connection with at least four (4) of the following:

- (a) Incorporation of three (3) domestic corporations including qualification and issuance of corporate shares, preparation of the articles of incorporation, bylaws, and minutes of the first meeting of board of directors OR incorporations of two (2) domestic corporations and one (1) qualification to do business in California of a corporation incorporated under the laws of a foreign jurisdiction;
- (b) Formation of one limited or general partnership;

2. Business Dissolution

Within the past three (3) years, applicant must have personally performed all legal work and prepared or supervised the preparation of all papers in connection with at least four (4) of the following:

- (a) One (1) notice to creditors of a bulk transfer, or the dissolution of one (1) domestic corporation;

3. Buying & Selling Businesses

Within the past three (3) years, applicant must have personally performed all legal work and prepared or supervised the preparation of all papers in connection with at least four (4) of the following:

- (a) Three (3) purchases or sales of all of the assets of a business or the stock of a corporation, including transferring/obtaining appropriate licenses; or
- (b) One (1) stock redemption or cross-purchase buy-sell agreements.

4. Collections

Within the past three (3) years, applicant must have handled at least five (5) collections matters on behalf of businesses.

5. General Contracts

Within the past three (3) years, applicant must have drafted at least five (5) business contracts.

6. Not-for-Profit Organizations

In addition to meeting the experience requirements for the Formation and Dissolution subpanels, within the past three (3) years, applicant must have personally performed all legal work and prepared or supervised the preparation of all papers in connection with at least two (2) incorporations of domestic nonprofit corporations, including the preparation of articles of incorporation, bylaws, and minutes of the first meeting of the board of directors.

7. Business Litigation & Mediation

Within the past three (3) years, applicant must have been counsel of record and personally performed or supervised all legal work and prepared, or supervised the preparation of, all papers in connection with at least three (3) contested business matters, at least one (1) of which proceeded through trial in either Federal Court or Superior Court and involved at least one of the following issues:

- (a) Government Contracts,
- (b) Employment Contracts,
- (c) Fiduciary Duties,
- (d) Shareholder Agreements,
- (e) Unfair Competition/Trade Secrets,
- (f) Antitrust,
- (g) Commercial Law transactions,
- (h) Partnership Agreements,
- (i) Securities
- (j) Breach of Contracts, or
- (k) Entertainment.

Mediation

Within the past two (2) years, applicant must have personally represented clients in connection with at least three (3) mediations involving two (2) or more businesses, for such matters as breach of contract, partnership agreements, or UCC disputes, and at least two (2) of which resulted in final resolution without litigation.

Request for Exemption

If you do not qualify for a specific standard but believe that because of your experience and knowledge you are otherwise qualified to receive referrals through the applicable panel, indicate the title of the subpanel, the specific experience criteria that you do not meet, and detail your experience and knowledge and describe how you are otherwise qualified.

California Rules of Professional Conduct

You certify that you will comply with all Rules of Professional Conduct, including, without limitation, *Rule 3-110 Failing to Act Competently*, which states, in relevant part, that “A member shall not intentionally, recklessly, or repeatedly fail to perform legal services with competence... [and] If a member does not have sufficient learning and skill when the legal service is undertaken, the member may nonetheless perform such services competently by 1) associating with or, where appropriate, professionally consulting another lawyer reasonably believed to be competent, or 2) by acquiring sufficient learning and skill before performance is required.”

(Initial)

I HAVE READ THE ABOVE APPLICATION AND QUALIFICATION STANDARDS FOR THE BUSINESS LAW PANEL, AND I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT I MEET ALL STANDARDS FOR THIS PANEL AND FOR THE SUB PANELS FOR WHICH I HAVE APPLIED. I UNDERSTAND THAT THE INFORMATION CONTAINED HEREIN IS SUBJECT TO REASONABLE VERIFICATION AND I AGREE TO COOPERATE WITH THE LRIS COMMITTEE AND ITS DESIGNEES IN THE PROCESS OF EVALUATING MY QUALIFICATIONS.

Print Name _____

Signature _____

Date _____