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The North Carolina State Bar
Board of Legal Specialization

2003 Application for Certification as a Specialist

- **Workers' Compensation**

208 Fayetteville Street Mall, PO Box 25908, Raleigh,
NC 27611, (919) 828-4620

The North Carolina State Bar Board of Legal Specialization

Special Instructions and Information for Applicants

Please read and follow these instructions before completing this application.

1. READ the North Carolina Plan of Specialization, the standards for certification in your specialty area, and the Regulations for Accreditation of Continuing Legal Education. These materials are found at 27 N.C.A.C.1D, Sect.1700 et seq. and are published in The North Carolina State Bar Lawyer's Handbook.

2. FILING FEE—A filing fee of \$250.00 must accompany this application. All checks should be payable to the North Carolina State Bar Board of Legal Specialization. Rejection or withdrawal of an application will not entitle an applicant to a refund of the fee or any part of the fee. **Applications received by June 16, 2003, will qualify for a \$50 discount on the application fee.**

3. FILING TIMELINESS—The application shall be considered timely filed if the application is delivered to the office of the North Carolina State Bar before 5:00 p.m. on June 30, 2003, or is postmarked no later than June 30, 2003.

4. EXAMINATION FEE-An additional fee of \$100.00 will be due and payable upon notification that an applicant is eligible to take a specialty examination.

5. SPECIAL INSTRUCTIONS FOR COMPLETING APPLICATION FORM-

A. PLEASE ANSWER EACH QUESTION. If additional space is needed to answer a question, attach pages to the application.

B. SUBSTANTIAL INVOLVEMENT-On page 5, the applicant is asked to describe his or her practice during each of preceding five years. To qualify for certification, the applicant's practice in the area of law for which certification is sought must equal or exceed the substantial involvement requirements set forth in the standards for the applicable specialty. A list of the substantial involvement requirements for certification in each specialty is attached.

C. REFERENCES-Each applicant for certification is asked to submit the names and addresses of ten (10) references in support of his or her application. All of these individuals will be contacted by the Board of

Legal Specialization, or its representatives, and asked to complete written peer reference statements. A minimum of five (5) completed peer reference statements must be received for each applicant. The applicant is not responsible for asking the listed references to complete the forms. The Board, or its representatives, may contact in person or by telephone any reference listed by an applicant or any other attorney or judge qualified to evaluate the applicant's competence and qualification in the specialty area.

6. PROCESSING OF APPLICATIONS-A notice showing the date of filing will be sent to each applicant. Only completed applications will be reviewed by the Board of Legal Specialization. Each applicant will be notified by mail of the acceptance or rejection of his or her application.

7. EXAMINATION-Examinations are scheduled for November 5, 2003. Applicants seeking certification in the areas of (a) real property law: business, commercial, and industrial, (b) business bankruptcy law, and (c) criminal appellate practice will be tested on November 6, 2003. A notice as to the time and location of the examination will be sent to you at a later date. Applicants will be notified of their examination results by mail only.

8. CONFIDENTIALITY-All information contained in the application, supporting documents submitted for certification in a specialty area, peer reference information and statements, and examination results shall be confidential and shall be available for use only by the board, the appropriate specialty committee, or any appropriate body in the event of an appeal.

9. SPECIAL TESTING ACCOMMODATIONS FOR DISABLED APPLICANTS-A written request for special testing accommodations and supporting documentation must be submitted by September 3, 2002. Requests for appropriate forms should be addressed to the Board's Executive Director.

10. COMPLETED APPLICATIONS-All completed applications should be mailed to the Executive Director, The North Carolina State Bar Board of Legal Specialization, PO Box 25908, Raleigh, NC 27611.

Signature: _____

**The North Carolina State Bar
Board of Legal Specialization
2003 Application for Certification of Specialist**

Filed: _____
(For Office Use Only)

File number: _____
(For Office Use Only)

Full name: _____ State Bar number: _____
(First) (Middle) (Last)

Name as you would like it to appear on your certificate: _____

Firm or employer: _____

Office address: _____

City: _____ State: _____ Zip: _____

Telephone number (Office): _____ Fax: _____

E-mail: _____ Web Site: _____

Law School: _____ Graduation Date: _____

Date admitted to the North Carolina State Bar: _____

List any other state bars to which you have been admitted and dates of admission:

Have you ever been disciplined for misconduct by the North Carolina State Bar or by the bar of any other state to which you have been admitted? _____

If so, for each instance of discipline, please provide the following:

a) the name of the state bar or entity imposing the discipline: _____

b) the form and date of the discipline imposed: _____

c) a copy of the order of discipline or other written form of discipline.

Have you ever been disciplined, sanctioned, or found in contempt by any state or federal court? _____

If so, for each such instance, please provide the following:

a) the name of the court imposing the discipline, sanction, or contempt finding: _____

b) the form and date of discipline, sanction, or contempt finding imposed: _____

c) a copy of the court order imposing the discipline or sanction.

Signature: _____

Have you ever been a defendant in a legal malpractice action which was resolved by a judgment against you or by a settlement payment to the plaintiff(s)? _____

If so, for each such action, please provide the following:

a) the date of filing and the venue of the action: _____

b) how the action was resolved (judgment or settlement): _____
(If you desire, you may attach an explanatory statement.)

c) a copy of the complaint

d) a copy of the judgment or settlement agreement.

Have you previously been certified as a specialist by the Board of Legal Specialization? _____ If so, in what area? _____

Have you been certified as a specialist by any organizations other than the Board of Legal Specialization? _____ If so, list those certifications and identify the certifying organizations.

Are you seeking certification in another specialty area at this time? _____ If so, in what other area?

ACKNOWLEDGMENT OF APPLICANT

- I have read the rules of the board and the standards of the specialty. I agree to comply with the rules and regulations of the board and the standards of the specialty with respect to which I am seeking certification. I understand that certification is voluntary. I understand that I will be able to continue to practice in fields of law other than the one in which I am applying for certification, as well as in the specialty area, even if I am denied certification. I am currently licensed to practice law in North Carolina and I am in good standing. I understand that I may be certified as a specialist in no more than two fields of law.
- I have had substantial involvement in the area of law for which certification as a specialist is sought for the five years immediately preceding this application as defined in the standards for the specialty under “substantial involvement”.

Signature: _____

The following is a brief description of my practice during each of the preceding five (5) years (years run from August 1 to July 31):

1998-99: _____

1999-00: _____

2000-01: _____

2001-02: _____

2002-03: _____

- I have achieved the number of continuing legal education credits required by the standards of the specialty for which I seek certification in the past three (3) years as set forth in the attached list of courses attended and credits earned.
- Names and addresses of lawyers or judges familiar with my competence and qualifications in the area of law for which certification as a specialist is sought and who are not presently partners or associates in my firm or related to me by blood or marriage or involved with me in continuing commercial relationships are being submitted as references. I consent to a confidential inquiry by the board of these references and others familiar with my competence for the purpose of determining whether I fulfill the requirements for certification. I further agree that all information received by the Board of Legal Specialization in conjunction with my application, including, but not limited to, peer reference information and statements, shall be confidential and shall be available for use only by the Board, the appropriate specialty committee, or any appropriate body in event of an appeal to determine my qualifications for certification. I specifically waive the right to review the peer reference statements made to the board which become part of my official file.
- I agree to surrender any certificate of specialty granted to me by the Board of Legal Specialization if such certificate is revoked by the Board of Legal Specialization. I agree to pay all fees required by the board when due.
- I understand that I must achieve a passing score on a written examination in the area of specialty prior to certification.
- I understand the period of certification is five (5) years. If I become a certified specialist and desire to continue my certification, I must comply with the standards regarding continued certification as a specialist.
- If I apply to the Board for certification in another specialty area, I understand that this application may be taken into consideration by the Board in determining my eligibility for certification in the other specialty area.
- I affirm the contents of this application and its attachments, and I affirm that the material representations of my experience and education set forth herein are true and correct.
- I am enclosing my check for \$250.00 as the application fee. I understand this fee is nonrefundable regardless of the disposition of my application. I agree to pay an additional fee of \$100.00 upon notice that I am eligible to take a specialty examination.

This the _____ day of _____, 20 _____.

Print or type full name

Signature: _____

RETURN TO: The Executive Director, The North Carolina State Bar Board of Legal Specialization, P. O. Box 25908, Raleigh, N. C. 27611

**The North Carolina State Bar
Board of Legal Specialization
2003 Application for Certification of Specialist
Continuing Legal Education Form**

Name: _____ State Bar Number: _____

Date: _____ Area of Specialty: _____

This CLE credit form must be completed and submitted with your application (attach additional sheets if necessary).

You must meet the CLE requirements for the specialty. CLE activities, which must be approved by the Board of Legal Specialization, may include:

1. Attendance at a lecture-type course in the specialty field;
2. Preparation and presentation of written materials at an accredited CLE course;
3. Teaching a course in the specialty field at an academic institution;
4. Publication of a scholarly article in the specialty field;
5. Self-study; and
6. Advanced academic course work (attendance at courses of instruction at a law school which could be credited toward an advanced degree in the specialty field).

1. Please list all CLE activities for the time periods noted below.

Seminars attended January 1-December 31,2000

Title of Course	Name of Sponsor	Date	Location	# Hrs.	App. # (Office Use)

Seminars attended January 1-December 31, 2001

Title of Course	Name of Sponsor	Date	Location	# Hrs.	App. # (Office Use)

Signature: _____

Seminars attended January 1-December 31, 2002

Title of Course	Name of Sponsor	Date	Location	# Hrs.	App. # (Office Use)

Seminars attended January 1-June 30, 2003

Title of Course	Name of Sponsor	Date	Location	# Hrs.	App. # (Office Use)

2. Lectures Prepared and Presented at an Accredited CLE Course:

Course	Sponsor	Date	Location	# Hrs.	App. # (Office Use)

3. Teaching in the Specialty Field at an Academic Institution:

Course	School	Dates	Semester Hrs.	App. # (Office Use)

Signature: _____

4. Publication of a Scholarly Article in the Specialty Field:

(Please submit a copy of the article with your application)

Name of Article	Publication	Date of Publication	# Pages	App. # (Office Use)

5. Self-Study Courses:

Course	Sponsor	Description of Course	Dates of Use	Hours	App. # (Office Use)

6. Advanced Academic Course Work (attendance at courses of instruction at a law school which can be credited toward an advanced degree in the specialty field):

Course	School	Dates	Semester Hrs.	App. # (Office Use)

TOTAL HOURS

Signature: _____

**The North Carolina State Bar
Board of Legal Specialization
2003 Application for Certification of Specialist
Statement of References**

Applicant's Name: _____

Applicant's Area of Specialty: _____

As part of your application for certification, you are asked to identify as references ten (10) lawyers or judges who are familiar with your competence and qualifications in your area of specialty. Insofar as possible, you are asked to select persons who are board certified specialists in your area of specialty or are at least substantially involved in the area as that term is defined in the certification standards. Please note that all references must be licensed and in good standing to practice law in North Carolina. You may not use as a reference persons who are your partners or associates or your relatives by blood or marriage, or who are involved with you in continuing commercial relationships.

1. _____
name (type or print) address
2. _____
name address
3. _____
name address
4. _____
name address
5. _____
name address
6. _____
name address
7. _____
name address
8. _____
name address
9. _____
name address
10. _____
name address

Signature: _____

2003 Workers Compensation Application

Substantial Involvement Information

Note: The following information is used to assess your substantial involvement in the practice of workers' compensation law. However, there are no mandatory minimum requirements for any of the activities listed. All inquiries relate to the five years prior to the date of your application. Your signature on the last page indicates that the information is correct.

I. During the past five years:

A. Cases. List ten cases that you tried, as principal counsel of record, to an opinion and award of the North Carolina Industrial Commission. Dependency and disfigurement cases should not be listed unless a case involved complicated factual and/or legal issues. An occupational disease case may be listed here if it is not also listed in Section B. below.

<u>Case Title/File No.</u>	<u>Date</u>	<u>Description of Factual and Legal Issues</u>
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

B. Occupational Diseases Cases. List up to ten occupational disease cases that you tried to opinion and award.

<u>Case Title/File No.</u>	<u>Date</u>	<u>Description of Factual and Legal Issues</u>
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

C. Mediations. List mediations of workers' compensation cases in which you participated either as a representative of a party or as a mediator.

<u>Case Title/File No.</u>	<u>Date</u>	<u>Description of Factual and Legal Issues</u>
1.		
2.		
3.		
4.		
5.		
6.		
7.		

- 8. _____
- 9. _____
- 10. _____

D. Appeals. List appeals of workers' compensation cases to the North Carolina Court of Appeals or North Carolina Supreme Court. For each appeal, indicate whether you made the oral argument and/or wrote the brief.

<u>Case Title/Docket No.</u>	<u>Date</u>	<u>Oral Argument/Preparation of Brief</u>
------------------------------	-------------	---

- | | | |
|-----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |
| 4. | _____ | _____ |
| 5. | _____ | _____ |
| 6. | _____ | _____ |
| 7. | _____ | _____ |
| 8. | _____ | _____ |
| 9. | _____ | _____ |
| 10. | _____ | _____ |

II. Practice Equivalents. An applicant may substitute practice equivalents for some or all of the substantial involvement requirements. Indicate below if you satisfy one or more of the practice equivalents.

A. **Law Professor.** Service as a law professor concentrating in the teaching of workers' compensation law for one year or more may be substituted for one year of experience to meet the five-year requirement set forth in Rule .2705(b)(1).

State the law school where you taught, the name of the course(s) on workers compensation that you taught, and the dates that you taught the course(s).

B. **Commissioner.** Service as a deputy commissioner or commissioner of the North Carolina Industrial Commission may be substituted for the substantial involvement requirement in Rule .2705(b)(1). State the dates of your service as a deputy commissioner or commissioner. If you did not serve in this capacity for the entire five-year period prior to application, for the years during which you did not serve on the Industrial Commission, state your occupation and the number of hours you devoted annually to the practice of workers' compensation law during this period.

III. Other Experience. On a separate sheet, you may provide any additional information that you believe demonstrates a history of substantial involvement in workers' compensation law.

Signature: _____