



**CONFIDENTIAL BEFORE THE
BOARD OF LEGAL SPECIALIZATION**

**APPLICATION FOR
INITIAL CERTIFICATION IN
WORKERS' COMPENSATION**

Revised January 8, 2020

Name	
Bar Number	
Firm	
Street and/or PO Box Address	
City	
State/Zip	
Telephone	
Email	
Date of Submission	

Please submit your application

PDF version – by email to: specialization@staff.azbar.org

NOTES:

A \$300 application fee, payable to the State Bar of Arizona, is to be submitted with a copy of the first page of your application to:

Board of Legal Specialization
State Bar of Arizona
4201 N. 24th Street, Suite 100
Phoenix, AZ 85016-6266.

For applications submitted AFTER August 1 – an additional \$75 late fee is assessed.

The separate examination fee (see para G) is to be paid when you are notified you may sit for the examination.

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

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.

III. **On a separate sheet of paper, please provide 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. In addition, list all instances of discipline in which the sanction imposed was censure or greater, or an informal reprimand in which the disciplinary record was public, pursuant to Rule 70, Ariz. R. S. Ct. A record of discipline or failure to disclose the same may constitute grounds for denial of an application.
- B. **Employment History.** In chronological order, beginning with your most recent employment, list a complete statement of your employment since admission to the practice of law. Include the dates of employment, employer's name and address, and a brief summary of the nature of the work performed.
- C. **Required Period of Law Practice.** An applicant shall have been admitted to the practice of law for a minimum of five years, of which a minimum of two years immediately preceding the application must have been in the practice of law within the State of Arizona, during the five years immediately preceding the application, shall have engaged in legal service in workers' compensation (as defined in Section I of the Rules and Regulations of the Arizona Board of Legal Specialization) on an annual basis equivalent to at least 40% of a full-time practice (at least 16 hours per week).
- D. **References.** List the names, mailing addresses and e-mail addresses of five attorneys who practice in workers' compensation and/or judges before whom you have appeared, familiar with your practice, and not including current partners or associates. You may not use as references the members of the Board of Legal Specialization or the Workers' Compensation Advisory Commission. wA list of the members serving in these capacities can be found at:

<https://www.azbar.org/for-lawyers/career-advancement/legal-specialization/>.

In addition to the references you provide, the Workers' Compensation Advisory Commission will also contact other individuals with respect to your qualifications, and public comment will be sought through a State Bar publication. All references will be requested to provide written comments regarding your knowledge, skill, thoroughness, preparation, effectiveness and judgment in workers' compensation as well as your ethics and professionalism. Statements of references shall be confidential and privileged from disclosure, except to the applicant upon request.

The Standards for Certification require that an applicant demonstrate a high degree of honesty, integrity and professionalism and meet high ethical standards in compliance with, and as defined by, the Lawyer's Creed of Professionalism of the State Bar of Arizona 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.

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In addition to information about ethics and professionalism, references will be asked to assess your competency as a Workers' Compensation practitioner. The required degree of competence is substantially higher than that possessed by a general practitioner who regularly handles a workers' compensation matter. For purposes hereof, a "high degree of competence" shall meet the following standards:

1. That the applicant demonstrates a substantially complete knowledge of substantive law and rules of practice, procedure, evidence and ethics pertaining to workers' compensation law; and
2. That the applicant demonstrates a high degree of skill, thoroughness, preparation, effectiveness, professionalism, and judgment in the field of workers' compensation law;
3. That the applicant satisfactorily completes a written examination in the topics specified in paragraphs (1) and (2) above. This examination shall be given at least once each calendar year at a date, time and location determined by the Workers' Compensation Advisory Commission. The test and its grading criteria shall be formulated at the direction of the Advisory Commission and approved by the Board of Legal Specialization; and
4. Legal competence to be measured by the extent to which an attorney (1) is specifically knowledgeable about workers' compensation law, (2) performs the techniques of such practice with skill, (3) manages such practice efficiently, (4) identifies issues beyond his or her competence relevant to the matter undertaken, bringing these to the client's attention, and (5) properly prepares and carries through the matter undertaken.

E. Substantial Involvement in Workers' Compensation Law. Pursuant to the Standards for Certification of Lawyers Specializing in Workers' Compensation, applicants must demonstrate substantial involvement in the field of workers' compensation law during four of the preceding five years, including the year immediately preceding this application.

For purposes hereof, "substantial involvement in the field of workers' compensation law" shall mean that at the time of making application hereunder, an applicant meets the following standard:

Employment equivalent of at least 40% of a full-time practice, defined as an average of at least 16 hours per week, to matters where the primary issue involved is a person's entitlement to benefits under the Arizona Workers' Compensation Act. Service as an attorney, whether in a private or governmental capacity shall qualify, as well as service as an Administrative Law Judge for the Industrial Commission of Arizona, if the minimum time standards referenced herein, are met.

An applicant shall fulfill the requirement of "substantial involvement in the field of workers' compensation law" by complying with the preceding standard during four of the preceding five years, including the year immediately preceding his or her application. Evidence of such compliance shall be indicated by attaching fifteen (15) Decisions of cases litigated to a conclusion within the application period. Cases that have been resolved by settlement after at least one hearing, will be considered; however, the preference will be for trials.

An applicant shall demonstrate substantial involvement in the field of workers' compensation law by furnishing the BLS with information regarding the nature of the legal services in which the applicant has been engaged and identifying the types of issues of workers' compensation law with which the applicant has dealt and the frequency of his or her involvement therewith. Such demonstration shall be made initially through completion by the applicant of the specialization application, but written or oral supplementation may be required.

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- F. Continuing Legal Education.** Provide information regarding CLE you acquired with advanced level programming, concentrated in workers' compensation issues, consisting of 12 Hours of substantive CLE activities in workers' compensation law and 3 hours in professional responsibility, and per BLS Rules, VIII. (B).

If you did not, indicate in a separate statement that this question is not applicable.

If your answer is affirmative, provide copies of your MCLE affidavits (last five educational years only), clearly indicating on the affidavit (circle, underline, asterisk, etc.) those events in the area of specialization.

If you have not filed your affidavit for the current educational year, print a copy of the tracking page clearly indicating the advanced level events in the area of specialization.

G. Examination Fee.

The \$100 examination fee, payable to the State Bar of Arizona, is to be paid when you are notified you may sit for the examination.

THIS APPLICATION CONTINUES
ON THE FOLLOWING PAGE

IV. 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 40% of a full-time practice (at least 16 hours per week).

c. _____ I annually devote not less than 40% of a full-time practice (at least 16 hours per week) to workers' compensation law, as defined in the Standards for Certification for Lawyers Specializing in Workers' Compensation 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. Further, if any formal matters are pending against me, or any develop, I will advise the Board.

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. _____ I authorize the Board of Legal Specialization to release my application, if requested, to a professional attorney organization to which I have applied for membership, or to which I am being nominated for membership. I understand the Board will not release the peer review forms, investigation, or work product thereof.

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