



**The North Carolina State Bar
Board of Legal Specialization**

217 E. Edenton Street
PO Box 25908 (27611)
Raleigh, NC 27601
(919) 828-4620

www.nclawspecialists.gov

2021 Application for Certification as a Specialist

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INSTRUCTIONS

North Carolina State Bar Application for Certification as a Specialist

1. **Standards** - Read the North Carolina Plan of Legal Specialization (located at 27 N.C. Admin. Code 1D.1700 et seq.), the minimum standards for certification of specialists (27 N.C. Admin. Code 1D.1720), and the standards for certification in your specialty area (27 N.C. Admin. Code 1D.2100-.3300). These standards can be found in the North Carolina Administrative Code and are republished in the North Carolina State Bar *Lawyer's Handbook* and on our website, www.ncbar.gov.
2. **Fees** - A filing fee of \$250 must accompany this application. All checks should be payable to the North Carolina State Bar Board of Legal Specialization (the Board). Rejection or withdrawal of an application does not entitle an applicant to a refund of the fee or any part of the fee. **Applications postmarked by April 16, 2021, will qualify for a \$50 discount on the application fee.** An additional exam fee of \$200 will be due and payable upon notification that an applicant is eligible to take a specialty examination. Additional fees apply for bankruptcy, elder law, and privacy law.
3. **Filing Timeliness** - The completed application shall be considered timely filed if the application is delivered to the offices of the North Carolina State Bar before 5:00 p.m. on **May 3, 2021** or is postmarked no later than May 3, 2021.
4. **INSTRUCTIONS FOR COMPLETING APPLICATION**
 - A. **PLEASE ANSWER EACH QUESTION.** If additional space is needed to answer a question, please attach sheets to the application.
 - B. **WAIVER OF STRICT COMPLIANCE** – If an applicant cannot meet the standard for substantial involvement, CLE, or peer review for a specialty, the applicant may request a waiver of strict compliance. To do so, you must complete the Request for a Waiver of Strict Compliance Form, available on the website, <http://www.nclawspecialists.gov/for-lawyers/forms/>, and submit the form with your application. Please email Lanice Heidbrink (lheidbrink@ncbar.gov) with any questions.
 - C. **REFERENCES** - Each applicant for certification is asked to submit the names and addresses of 10 references in support of his or her application. *Please check your anticipated specialty's standards for any additional requirements regarding peer reference eligibility.* It is preferred that references have experience in or are substantially involved in the specialty as that term is defined in the certification standards. The extent of a reference's involvement in the applicable specialty and relationship to the applicant will be considered in the evaluation process. All references will be contacted by the North Carolina State Bar Board of Legal Specialization or its representatives and be asked to complete written peer reference statements. A minimum of five peer reference statements must be returned to the Board in order for an application to advance. Reference forms will be sent to the email address you provide; please confirm with each reference that the email address you provide is correct. Reference forms can be mailed to listed references upon request of the applicant and provision of an accurate mailing address. The Board, or its representatives, may contact, in person or by telephone, any reference listed by an applicant, or any lawyer or judge qualified to evaluate the applicant's competence and qualification in the specialty area. You are encouraged to advise your peer references that you have listed them on this application and to confirm that they are willing to respond to a peer reference request.
 - D. **SUPPLEMENTAL APPLICATION FORMS** – Please note that the specialties marked with an asterisk (*) on page four require a supplemental application form to be submitted with the application. The forms are labeled by specialty and are available on the website <http://www.nclawspecialists.gov/for-lawyers/forms/>.
5. **Confidentiality** – All information contained in the application, including all supporting documents, peer reference information, statements, and examination results shall be confidential unless otherwise dictated by the North Carolina Public Records Act. Such information, however, shall be available for use by the Board, the appropriate specialty committee, staff, or any appropriate body or tribunal in the event of an appeal.

6. **Processing of Completed Applications** – Only completed applications will be reviewed by the Board of Legal Specialization. Each applicant will be notified by email of acceptance or rejection of his or her application. An application is incomplete if it does not include complete answers to every question on the application, the required list of peer references, and copies of all documents requested in the application.

7. **Filing Application** – Applications should be delivered to the State Bar or postmarked no later than 5:00 p.m. on May 3, 2021, and addressed to:

**North Carolina State Bar Board of Legal Specialization
Attn: Director
217 E. Edenton Street
PO Box 25908 (27611)
Raleigh, NC 27601**

Or hand delivered to: 217 E. Edenton Street, Raleigh, 27601

8. **Examination** – Upon the Board’s determination that an applicant is qualified to sit for a specialty exam, an email with examination and registration information will be sent to the applicant. The exam schedule is online at: <http://www.nclawspecialists.gov/for-lawyers/the-specialty-exams/>. Examination results are provided by mail. Additional exam fees apply for joint certification with national certifying agencies in bankruptcy and elder law. Additional exam is required for privacy and information security law through the International Association of Privacy Professionals.

9. **Special Testing Accommodations for Disabled Applicants** - A written request for special accommodations, supported by documentation of disability, must be submitted to the program director at least two weeks prior to the exam.



The North Carolina State Bar
Board of Legal Specialization

2021 APPLICATION FOR INITIAL BOARD CERTIFICATION

Please check the specialty for which you are applying:

- | | |
|---|---|
| <input type="checkbox"/> Appellate Practice* | <input type="checkbox"/> Family Law |
| <input type="checkbox"/> Business Bankruptcy Law | <input type="checkbox"/> Immigration Law (applications accepted in 2022) ¹ |
| <input type="checkbox"/> Consumer Bankruptcy Law | <input type="checkbox"/> Privacy and Information Security Law* |
| <input type="checkbox"/> Criminal Law - State* | <input type="checkbox"/> Commercial Real Property Law |
| <input type="checkbox"/> Criminal Law - Federal/State* | <input type="checkbox"/> Residential Real Property Law |
| <input type="checkbox"/> Criminal Law - Juvenile Delinquency* | <input type="checkbox"/> Social Security Disability Law* |
| <input type="checkbox"/> Elder Law* | <input type="checkbox"/> Trademark Law |
| <input type="checkbox"/> Estate Planning and Probate Law* | <input type="checkbox"/> Utilities Law |
| | <input type="checkbox"/> Workers' Compensation Law* |

Please list any specialty in which you are already certified: _____

* Supplemental Application Form Required (available at <http://www.nclawspecialists.gov/for-lawyers/forms/>)

Name as Listed with North Carolina State Bar Membership	Date Admitted to the North Carolina State Bar
Preferred Name for Specialization Directory	North Carolina State Bar Number

I. Information for the Specialization Directory²

A.

Address				
City	State	Zip Code	Telephone	
Email Address				
Current Firm or Employer Name and Address				
City	State	Zip Code	Telephone	Number of Lawyers with Firm or Employer

¹ In 2018, and upon request and recommendation by the Immigration Specialty Committee, the Board agreed to accept applications for certification in Immigration Law every 2 years starting with the 2018 application period. Applications for certification in Immigration Law will be accepted in 2022.

B. If you have been certified as a specialist by any organizations other than the North Carolina State Bar Board of Legal Specialization, list the name and date of each certification and identify the certifying organization:

Name of Certification	Date of Certification	Certifying Organization

C. How did you hear about the North Carolina State Bar certification program?

- Colleague
 Newsletter
 Listserv
 State Bar Website
 State Bar Email Notification
 State Bar Journal/Lawyer's Weekly Ad
 Other (please indicate): _____

II. States of Licensure

List all states in which you are licensed to practice law.

Please do not list or provide a letter of good standing for North Carolina.

Apply for a letter of good standing from each state listed below. Request that the letter be mailed directly to the North Carolina Board of Legal Specialization.

State	Date of Admission	Membership Number	Member in Good Standing? <input type="checkbox"/> Yes <input type="checkbox"/> No*
State	Date of Admission	Membership Number	Member in Good Standing? <input type="checkbox"/> Yes <input type="checkbox"/> No*

* If not a member in good standing, attach an additional sheet providing an explanation.

III. Professional Conduct³

A. Since your admission to the North Carolina State Bar, have you been disbarred, suspended from practice, reprimanded, censured, sanctioned or otherwise disciplined or disqualified (including the revocation of a pro hac vice admission, or a disability or administrative suspension) by a licensing agency, court, or professional organization for conduct as a lawyer or as a member of any profession or organization, or as a holder of any office, public or private? Include court orders and letters of warning and caution in your response.

- Yes No

B. Are there any such actions pending (unresolved) against you?

- Yes No

² **IMPORTANT: If you are certified, the address and contact information you provide in section I.A. of the application is what will be used in the Specialist Directory and on our website unless you notify us otherwise. Please do not list your home address or personal contact information. The State Bar membership department and the State Bar specialization program operate independently. Any updates reported to State Bar membership will not automatically update the specialization database. Any contact information changes must also be reported directly to specialization staff.**

³ **Documentation of disciplinary history does not have to be attached to this application if you send a letter to the relevant disciplinary agency, court or professional organization requesting that the documentation be sent directly to the Board of Legal Specialization. A copy of the letter making such request must be attached to this application.**

C. If you answered "yes" to either question above, for each action (pending or resolved), state the following:

- (1) The disciplinary agency, court, or professional organization: _____
- (2) Date of notice to you if unresolved or date of discipline, sanction, disqualification, or other such action, if resolved: _____
- (3) If discipline, sanction, or disqualification was issued, attach a copy of the order or record of such action along with a written explanation.

D. List all malpractice actions filed against you since initial licensure regardless of whether the action is currently pending or resolved. With regard to each action, state or provide the following (attach additional sheets if necessary):

- (1) Name of action: _____
- (2) Date of filing and venue of action: _____
- (3) Explanation of status or resolution: _____

IV. Substantial Involvement⁴

Instructions: Please review the substantial involvement requirements for your specialty located in the administrative code provisions listed in the instructions. To qualify for certification, the applicant's practice in the area of law for which certification is sought must equal to or exceed the substantial involvement requirements set forth in the standards for the applicable specialty. Please list the hours of substantial involvement in the specialty practice area per year (do not use percentages) and describe your practice in the specialty practice area during the calendar years listed below. As a reminder, if you do not meet the requirements, in order for your application to be processed, you must complete a Request for a Waiver of Strict Compliance Form which can be found on the website, <http://www.nclawspecialists.gov/for-lawyers/forms/>. The waiver request is subject to specialty committee and board approval. Please email Lanice Heidbrink (lheidbrink@ncbar.gov) with any questions.

Number of total years you have practiced in this specialty area _____

2016

Approximate number of hours devoted to the specialty practice area: _____

Brief description of substantive legal work in the specialty or practice equivalent:

2017

Approximate number of hours devoted to the specialty practice area: _____

Brief description of substantive legal work in the specialty or practice equivalent:

⁴ Attach additional pages if necessary.

2018

Approximate number of hours devoted to the specialty practice area: _____

Brief description of substantive legal work in the specialty or practice equivalent:

2019

Approximate number of hours devoted to the specialty practice area: _____

Brief description of substantive legal work in the specialty or practice equivalent:

2020

Approximate number of hours devoted to the specialty practice area: _____

Brief description of substantive legal work in the specialty or practice equivalent:

2021 to date

Approximate number of hours devoted to the specialty practice area: _____

Brief description of substantive legal work in the specialty or practice equivalent:

V. Continuing Legal Education

For all specialties other than Immigration Law, CLE activities must be completed between January 1, 2018, and October 1, 2021. Your CLE record will be obtained by staff from the North Carolina State Bar CLE Department. To view your CLE history online go to www.nccle.org. Please attach a page listing any courses that you plan to take after filing this application as well as any of the following that you would like to be considered for specialization credit (not otherwise included in your North Carolina State Bar CLE record.):

- **Lectures** prepared and presented at an accredited CLE course;
- **Teaching** in the specialty field at an academic institution;
- **Publication** of a scholarly article in the specialty field;
- **Self-study** review of audio or video tapes, or manuscripts of lectures from qualified CLE courses (no more than two hours per year shall qualify).
- **Advanced academic coursework** (attendance at courses of instruction at a law school which can be credited toward an advanced degree in the specialty field).

VI. Peer References

Identify as references 10 lawyers or judges who are familiar with your competence and qualifications in the specialty. Insofar as possible, select persons who are board certified specialists in the specialty or substantially involved in the specialty as that term is defined in the certification standards. Generally, all references must be licensed and in good standing to practice law in North Carolina. However, please review your anticipated specialty's standards for different or additional requirements regarding peer references. 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 a continuing commercial relationship. Applicants for certification in bankruptcy law may not use a bankruptcy judge as a reference. Applicants for certification in immigration law must list at least two peer references who are lawyers or judges with substantial experience in immigration law. Applicants for social security disability law may list references licensed and in good standing to practice law in any jurisdiction in the United States. Members of the Board of Legal Specialization and members of the applicable specialty committee may not serve as references. A complete list of board and committee members is available on our website at <https://www.nclawspecialists.gov/about-us/>. You are encouraged to advise your peer references (lawyers and judges) that you have listed them on this application and to confirm that they are willing to respond to a peer reference request. **Use full names (not nicknames) when listing references.** Peer reference forms will be sent to the email address you provide; please confirm with your reference that the email address you list is correct. Upon request, hard copy peer reference forms may be sent via mail. It is the applicant's responsibility to provide accurate and working contact information for all peer references.

****DO NOT LIST CURRENT BOARD OR SPECIALTY COMMITTEE MEMBERS AS REFERENCES****

Prohibition applies only to specialty for which you are applying.

Specialty Committee rosters are posted on www.nclawspecialists.gov. Please check the website at <https://www.nclawspecialists.gov/about-us/> for updated specialty committee rosters.

1.

Name	Firm/Employer	Mailing Address	
City	State/Zip	Phone	Email

2.

Name	Firm/Employer	Mailing Address	
City	State/Zip	Phone	Email

3.

Name	Firm/Employer	Mailing Address	
City	State/Zip	Phone	Email

4.

Name	Firm/Employer	Mailing Address	
City	State/Zip	Phone	Email

5.

Name	Firm/Employer	Mailing Address	
City	State/Zip	Phone	Email

6.

Name	Firm/Employer	Mailing Address	
City	State/Zip	Phone	Email

7.

Name	Firm/Employer	Mailing Address	
City	State/Zip	Phone	Email

8.

Name	Firm/Employer	Mailing Address	
City	State/Zip	Phone	Email

9.

Name	Firm/Employer	Mailing Address	
City	State/Zip	Phone	Email

10.

Name	Firm/Employer	Mailing Address	
City	State/Zip	Phone	Email

ACKNOWLEDGMENT/RELEASE

I have read the rules of the North Carolina State Bar Board of Legal Specialization (the Board) and the standards for the specialty. I agree to comply with the rules and the standards for the specialty.

- **Applicant's Initials:** _____

I understand that I cannot be certified as a specialist in more than two fields of law.

- **Applicant's Initials:** _____

I agree to pay all fees required by the Board when due.

- **Applicant's Initials:** _____

I understand that the period of certification is five 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.

- **Applicant's Initials:** _____

By this application, I release from any and all liability and extend absolute immunity to The North Carolina State Bar, and all individuals, committees, and institutions in any way involved in this certification process including references and informants.

- **Applicant's Initials:** _____

I specifically authorize the Board or any specialty committee acting on its behalf to consult with any persons who may have information relating to my professional qualifications, credentials or character, mental or emotional stability, ethics, behavior, or any other matter reasonably bearing on the criteria for initial and continued certification. This authorization includes inspecting and obtaining any writing that may be material to my certification. I hereby authorize release of any information and writing requested by staff, the specialty committee, and/or the Board relevant to my application. I understand that all information received and made part of my file shall be treated confidentially, and I expressly waive any right to request any information obtained by staff, the specialty committee, and/or the Board during the processing and evaluation of my application.

- **Applicant's Initials:** _____

I hereby consent to the disclosure of any information relating to any grievance filed against me with the North Carolina State Bar and authorize the release of any information relating thereto to the Board for the purpose of evaluating this application for certification. I will update the Board regarding the status of the grievance until resolved.

- **Applicant's Initials:** _____

By executing this release, I acknowledge that I am specifically authorizing the North Carolina State Bar and the disciplinary authorities of any other jurisdiction in which I am/or was licensed to provide to the Board any and all information concerning disciplinary complaints filed against me, even if confidential.

- **Applicant's Initials:** _____

I understand that board certification is a voluntary program and has no effect on my eligibility to practice law in any area of practice even if I am denied certification.

- **Applicant's Initials:** _____

I understand that the peer review process cannot serve its purpose unless the individuals from whom information is requested are guaranteed complete confidentiality. By applying for certification, I expressly waive any right to request any information obtained through peer review at any stage of the certification process.

- **Applicant's Initials:** _____

I understand that board certification, if obtained, may be suspended or revoked pursuant to the rules regulating the specialization program of the North Carolina State Bar. I agree to report any fact or circumstance that may trigger suspension or revocation of certification, and I agree to surrender and/or discontinue display of any certificate of specialty certification if suspended or revoked.

- **Applicant's Initials:** _____

Submission of this application and its attachments constitutes the applicant's verification of the truth of all statements and representations contained herein. Please note that if you are unable to use the electronic signature feature, typing your name in the signature line below will serve as your acknowledgement and will have the same legal effect as signing your name.

Signature: _____ Date: _____

Printed Name: _____

APPLICATION CHECKLIST

(For applicant use only- do not send in this checklist with your application.)

- I have read and initialed all applicable items on the Acknowledgement/Release section of the application.
- I have signed and dated the Acknowledgement/Release section of the application.
- I have enclosed a check for the \$250 application fee made payable to the North Carolina State Bar Board of Legal Specialization. **Applications postmarked by April 16, 2021, will qualify for a \$50 discount on the application fee.** I understand that this fee is nonrefundable regardless of the disposition of my application. I agree to pay an additional fee of \$200 upon notice I am eligible to take a specialty examination. There are additional exam fees if applying for joint certification with national organizations certifying in bankruptcy law, elder law, or privacy law.
- I have included an application supplement form for my application in:
 - Appellate Practice
 - Criminal Law-Federal, State and Juvenile Delinquency
 - Elder Law
 - Estate Planning and Probate Law
 - Privacy and Information Security Law
 - Social Security Disability Law
 - Workers' Compensation Law
- I have included a Request for a Waiver of Strict Compliance Form (if applicable).
- If applicable, I have requested that a letter of good standing be sent to the North Carolina State Bar Board of Legal Specialization from any state, **other than North Carolina**, in which I am licensed to practice law.
- I have provided a copy of any letter(s) sent to a disciplinary agency, court or professional organization (including the North Carolina State Bar Grievance Department) requesting documentation of grievance history and/or any information requested in Section III.
- I have made a copy of this application and any attachments for my records.