

# JOHN H. FISHER, P.C.

Providing Clear Answers to Complex Medical Malpractice Questions

## Our Rules of Engagement

**PURPOSE:** To make expectations clear to lawyers to whom we refer cases.

1. All clients referred to attorney or firm (hereinafter referred to as our "Referral Partner") shall be contacted within 24 hours of the referral.
2. Our Referral Partner shall notify John H. Fisher, P.C. that they either:
  - a. Contacted client and declined,
  - b. Contacted client and made appointment, or
  - c. Unable to contact. If unable to contact, John H. Fisher, P.C. shall attempt to make sure such referral is not lost.

Such notice to John H. Fisher, P.C. shall be sent to our receptionist, via email at support@fishermalpracticelaw.com or via fax at 845-802-0052.
3. If the client is declined, our Referral Partner shall send written correspondence (i.e., print letter sent via regular mail) stating the attorney or firm as well as John H. Fisher, P.C. decline to pursue the case and a copy of such correspondence shall be sent to John H. Fisher, P.C.
4. If the referral is accepted **and the lawsuit will be filed in New York State**, our Referral Partner shall enter into a retainer agreement with the client which complies with the New York Rules of Professional Conduct. A retainer agreement similar to the attached is acceptable. John H. Fisher, P.C. must approve any retainer agreement used by our Referral Partner for clients referred.
5. If the referral is accepted **and the lawsuit will be filed in a venue that is outside of New York State**, our Referral Partner shall enter into a retainer agreement with the client which complies with the Model Rules of Professional Responsibility and/or the ethical rules applicable to fee sharing in the venue where the lawsuit will be filed.
6. Upon request, our Referral Partner shall provide a copy of their malpractice insurance policy to John H. Fisher, P.C.
7. When referring a client, John H. Fisher, P.C. expects our Referral Partner to keep in communication with the client. The client may, but should not have to, contact John H. Fisher, P.C. for status on their case.
8. If our Referral Partner accepts the referral for litigation, the summons and complaint shall be filed within forty-five (45) days of the acceptance of the case for litigation.

# JOHN H. FISHER, P.C.

Providing Clear Answers to Complex Medical Malpractice Questions

9. A copy of the filed summons and complaint shall be provided to John H. Fisher, P.C. upon filing.

The date-stamped summons and complaint should be sent via email to our receptionst at support@fishermalpracticelaw.com or by fax at 845-802-0052.

10. Our Referral Partner shall contact John H. Fisher, P.C. **at least once every six (6) months** concerning the status of the referred case, i.e., "Depositions have been completed, a note of issue has been filed, and we will request a trial date at the next court conference."

We expect to receive an update from our Referral Partners when the following occur in a referred case:

- Acceptance of the case for litigation,
- Filing of the lawsuit,
- Completion of Discovery,
- Scheduling of the trial date,
- Settlement or Jury Verdict

John H. Fisher, P.C. will always appreciate more frequent updates from our Referral Partners about the status of the referred case.

11. Our Referral Partner shall contact John H. Fisher, P.C. before finalizing the settlement to confirm expenses and liens.
12. Upon settlement, a copy of the Settlement Statement signed by the client approving the distribution of the settlement shall accompany the settlement check. The Settlement Statement shall reflect attorneys' fees, disbursements, liens and the client's net recovery.

## AGREED:

\_\_\_\_\_ Dated: \_\_\_\_\_

Referral Partner  
(Attorney and Name of Firm)