

**BYLAW IV
TRIAL EXPERIENCE**

Section 1. Trial experience equivalency. For the purposes of trial experience equivalency as that term is used in the Constitution and these Bylaws, an applicants trial experience may, at the discretion of the National Board, be measured by the point system described hereinbelow:

The total number of points required for eligibility to admission are:

- (1) for the rank of Associate 200;
- (2) for the rank of Advocate 500; and
- (3) for the rank of Diplomat 1000.

Points shall be assigned on the following basis:

- (1) 10 points for each civil jury trial to a jury verdict in a state or federal court; or a major felony criminal jury trial to a jury verdict;
- (2) 15 points for any trial described in (1) above which consumes more than 10 trial days;
- (3) 20 points for any trial described in (1) above which consumes more than 15 trial days;
- (4) 30 points for any trial described in (1) above which consumes more than 20 trial days;
- (5) 40 points for any trial described in (1) above which consumes more than 30 trial days;
- (6) One-half of the points to which an attorney would be otherwise entitled in cases where the jury returned a verdict will be assigned in the event the trial is concluded by means other than by jury verdict.
- (7) No applicant shall be considered unless he or she shall have tried a minimum of ten (10) civil jury trials as lead counsel to a jury verdict for the rank of Associate; twenty-five (25) civil jury trials as lead counsel to a jury verdict for the rank of Advocate; and fifty (50) civil jury trials as lead counsel to a jury verdict for the rank of Diplomat.

Section 2. Trial Day. For the purpose of computing trial days, a trial shall be deemed to have commenced upon the swearing of the jury panel.

Section 3. Eligibility. In order to be eligible for the assignment of points enumerated herein, the attorney must be lead or full-time associate counsel.

Section 4. Lead Counsel. Lead Counsel is an attorney substantially responsible for the personal representation of the client during the trial. "Substantially responsible" means, at a minimum:

- (1) selecting a jury, or opening, or closing, and;
- (2) presentation of live witnesses through direct or cross examination.

Section 5. Associate Counsel. An attorney trying the case with lead counsel will be assigned fifty (50) percent of the points eligible for lead counsel.

Section 6. Jury verdict. "Jury verdict" as used in the Constitution and Bylaws means a verdict returned by a jury, whether or not eventually accepted by the trial court. It does not include directed verdict, mistrial, or other means of disposition of the case.