

**UNIVERSITY OF CALIFORNIA
EMPLOYMENT PRACTICES LIABILITY (EPL) DEFENSE PANEL
APPLICANT QUESTIONNAIRE**

In the event that an answer requires more space than is provided, please use additional sheets and attach them to the questionnaire. Applications and supporting materials must be uploaded to [Applicant Smartsheet](#) and **received no later than 5:00 p.m. on Friday, October 15, 2021.**

NOTE: The selection committee will hold two rounds of interviews. For those selected, first round interviews will be held during the weeks of December 1 and December 6, 2021. Second round interviews will occur during the weeks of January 5 and January 10, 2022, for candidate firms that are selected to advance through the final interview process. **Please be aware of these timeframes for future planning purposes.**

1. Name, title, phone number and email address of contact person for communication during this recruitment process (please limit to one person to avoid duplication):

2. Name and address of firm (Please include phone, fax and website.):

3. State the name of the partner who you propose as the relationship manager for The Regents' account.

4. State the name(s) of up to ten attorneys and their status (i.e., partner, associate, etc.) who you propose to handle The Regents' employment work. The attorneys identified here will constitute the UC defense team for your firm. A minimum of one year of employment experience is required for associate work on The Regents' files. Please consider the make-up of your team carefully, as your application and overall qualifications for the EPL defense panel will be assessed on the strength of your team's application.

5. Please attach CV's for the attorneys identified in response to Question No. 4, along with your firm's biography.

6. For each attorney listed in response to Question No. 4, indicate the following:

	Name	Years of Experience	No. of Jury Trials (Indicate 1 st , 2 nd Chair or None)	% of Practice Dedicated to Employment Litigation
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

Substantive Experience

7. For each attorney identified in Question No. 4, please describe each attorney’s employment practices liability experience, including dispositive motion practice, arbitration and mediation, and appeals, including any reported appellate decisions.

8. For each attorney identified in Question No. 4, please describe any specialized experience that any attorney may have within the employment practices areas (e.g., whistleblower retaliation, FEHA/Title VII claims, protected leaves, advice and counsel), and whether any of the attorneys have published any articles in these areas of expertise.

General Firm Information

9. When was your firm founded?

10. Please state the composition of your firm as follows:

	2016	Present
Number of partners:		
Number of associates:		
Number of paralegals:		
Other employees:		
Total:		

Prior Work for The Regents

11. Have you previously done work for The Regents? If so, please explain. (Identify dates of service, type of work provided, hourly rate paid, campus or medical center for which work was performed, campus/medical center contacts.)

12. Has your firm (or any member within your firm) ever been terminated from performing legal services for The Regents, or stopped receiving The Regents' work? If so, please explain.

Public Entity Experience

13. List the public entities and specific educational institutions you represent or have represented, and indicate the dates of such representation. Please advise whether you have represented these clients in employment practices liability matters.

Discipline/Malpractice

14. Has any member of your firm been named as a defendant in a legal malpractice case? If so, please explain.

15. Has any member of your firm been disciplined or sanctioned by the State Bar? If so, please explain.

16. Does your firm presently have any potential conflict of interest if selected to represent The Regents? If so, please explain.

Delivery of Legal Services

17. Are you willing to sign a consent form to allow The Regents to speak with client references about the quality of your legal services? If so, please list the names of five client references that we may contact.

18. Have any of the attorneys identified in Question No. 4 received a complaint from a client within the last 18 months concerning poor work product or poor delivery of client services? If so, please explain.

- 19. Have any of the attorneys identified in Question No. 4 been sanctioned by a court for failure to comply with a court order? If so, please explain and identify the nature and the amount of the sanction.

- 20. Have any of the attorneys identified in Question No. 4 been sanctioned by a judge/magistrate/discovery referee concerning a discovery dispute? If so, please explain and identify the nature and the amount of the sanction.

- 21. Has any client been sanctioned by a judge/magistrate/discovery referee because of a stance in a discovery dispute taken by an attorney identified in Question No. 4? If so, please explain and identify the nature and the amount of the sanction.

Employment Practices Liability

- 22. What percentage of your firm’s overall practice is dedicated to employment practices liability defense work?

- 23. In the last five years, please identify how many cases your firm has handled which involved the following employment related issues:

- Age discrimination: _____
- Disability discrimination: _____
- Sex discrimination: _____
- Equal Pay: _____
- Family Care or Medical Leave: _____
- Race/Color discrimination: _____
- Religion: _____
- Retaliation: _____
- Whistleblower retaliation: _____
- Genetic Information: _____
- Defamation: _____
- Wrongful Termination: _____
- Marital Status: _____
- Sex – Harassment: _____
- Sex – Orientation: _____

Sex – Pregnancy: _____
Sex – Gender Identity/Expression: _____
Other: (Explain) _____

Trial Experience

24. For each attorney you propose to serve as lead counsel for The Regents at trial, please identify the following:
- The total number of cases the attorney has tried to verdict, including win/loss record.
 - The number of **employment cases** the attorney has tried to verdict **in the last 5 years**.
 - For each employment trial, please provide the following information: the date of the trial, location of the court, the length of the trial in days or weeks, the party represented, opposing counsel, and a brief summary of the case. The verdict, if any, and outcome of the trial (including damages award, if any).
 - Please attach any available reporting on the trial by Jury Verdicts Weekly, The Daily Journal, etc.
25. Is there anything else in the background of your proposed UC defense team that contributes to your ability to effectively defend and try cases? If so, state details. Examples: motion practice, criminal trials, arbitrations, cases disposed of during trial, etc.
26. Is anyone on your proposed UC defense team a member of societies such as ABOTA, the International Academy of Trial Lawyers, the American College of Trial Lawyers, etc.? If so, give the name of the individual and the date he/she first became a member.
27. If a member of your proposed UC defense team is an ABOTA member, what rank does she or he hold?
28. Have any members of your proposed UC defense team served on the faculty of the Masters of Trial Program? If so, provide details.

Miscellaneous Information

29. Please provide other information about your firm, attorneys, practice or philosophy that may be of assistance in evaluating your proposal to represent The Regents of the University of California.

Commitment to Diversity

30. The University of California serves one of the world's most diverse communities and draws its student body, its faculty, and its employees from a wide array of backgrounds, cultures, and experiences. Providing effective legal representation and advice requires that the University's legal representatives understand and communicate with individuals from many backgrounds. Diversity of ideas, backgrounds, and experiences also promotes creativity in analyzing and solving legal problems. Consistent with our diversity statement, The Office of the General Counsel seeks to retain firms that have a **demonstrated commitment to diversity** and is interested to learn about your efforts to support diversity, equity and inclusion. If applicable, please provide information concerning the following:
- i. Your firm's recruitment practices and how they address historic underutilization of National Association for Law Placement (NALP) designated populations (gender identity, race/ethnicity, disability status, openly LGBTQ, and military veterans);
 - ii. Diversity fellowships or scholarships offered by your firm;
 - iii. Initiatives sponsored or supported by your firm aimed at promoting diversity within your firm, both generally and in leadership positions, or in the profession;
 - iv. Initiatives sponsored or supported specifically by the proposed relationship partner(s) aimed at promoting diversity within your firm, both generally and in leadership positions, or in the profession How credit for working on UC matters is assigned;
 - v. Information on the firm's recent (past three years) pro bono work.

Demographics (Voluntary)

Answers to these questions are voluntary and will not affect evaluation of a firm's application.

31. Number of equity partners/members, non-equity partners/members, associates, counsel, non-traditional track/staff attorneys, and summer associates in total and in each National Association for Law Placement (NALP) designated population (gender identity, race/ethnicity, disability status, openly LGBTQ, and military veterans)
32. Number of new "homegrown partners" (i.e., associates in U.S. offices who were promoted to partner within the past three years) in total and in each NALP-designated population (gender identity, race/ethnicity, disability status, openly LGBTQ, and military veterans)

Fee and Billing Arrangements

33. State the hourly rate you propose for The Regents work:

- (a) Partners: \$
- (b) Associates: \$
- (c) Paralegals: \$

34. Are the above quoted fees the “most favorable” hourly rates or fee arrangements offered to any of your other clients, including public entities?
35. The Regents is interested in exploring alternative fee arrangements with its defense panel firms. Does your firm have alternative fee agreements with other clients? If so, please identify the type(s) of alternative fee agreement you would be open to discussing with The Regents.

Defense Panel Counsel Rate

36. Are you willing to offer a public entity/reduced rate for The Regents work?
Yes _____ No _____

Firm Certification:

Providing false or incomplete information in this questionnaire may disqualify applicants from providing legal services to The Regents.

I reviewed and verified the information contained in this applicant questionnaire on behalf of my firm and I certify the information is true and correct to the best of my knowledge.

Date: _____

Signature: _____

Print: _____
(Full Name and Job Title)