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13 **Exempt from Filing Fees Pursuant to  
14 Government Code Section 6103**

15 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
16 COUNTY OF SAN FRANCISCO

17 THE STATE BAR OF CALIFORNIA,

18 Plaintiff,

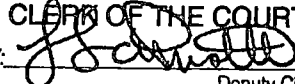
19 v.

20 LEGALMATCH.COM, a corporation; and  
21 DOES 1-10, inclusive,

22 Defendants.

**FILED**  
Superior Court of California  
County of San Francisco

MAY 04 2020

CLERK OF THE COURT  
BY:   
Deputy Clerk

Case **CGC-20-584278**

**COMPLAINT FOR INJUNCTIVE RELIEF  
PURSUANT TO BUSINESS &  
PROFESSIONS CODE § 6155**

**BY FAX**

1 Plaintiff the State Bar of California (“State Bar” or “Plaintiff”), brings this suit and  
2 hereby alleges the following on information and belief:

3 **PARTIES AND VENUE**

4 1. The authority of the State Bar to bring this action is derived from the statutory law of  
5 California, specifically Business & Professions Code section 6155.

6 2. Defendant LEGALMATCH.COM (“LegalMatch” or “Defendant”) is a California  
7 corporation with its headquarters and principal place of business located in California at 395  
8 Oyster Point Blvd, Suite 309, South San Francisco, CA 94080.

9 3. The true names and capacities, whether individual, corporate, associate, or otherwise,  
10 of the defendants sued herein under the fictitious names of DOES 1 through 10, inclusive, are  
11 unknown to Plaintiff, who therefore sues said defendants by such fictitious names. Each  
12 fictitiously named defendant is responsible in some manner for the violations of law herein  
13 alleged. Plaintiff will amend its complaint to show the true names and capacities of such  
14 defendants, as well as the manner in which each fictitious defendant is responsible for the  
15 violations of law of LegalMatch herein alleged, when these facts are ascertained.

16 4. Whenever in this complaint reference is made to any act of any corporate defendant,  
17 such allegation shall be deemed to mean that such corporate defendant did the acts alleged in  
18 the complaint through its officers, directors, agent, employees, and/or representatives while they  
19 were acting within the actual ostensible scope of their authority.

20 5. The defendants at all times mentioned herein have transacted business within the City  
21 and County of San Francisco and throughout the State of California. The violations of law  
22 herein described have been committed within and from the City and County of San Francisco,  
23 and elsewhere within the State of California.

24 6. The actions of Defendant, as hereinafter set forth, are in violation of the laws and  
25 public policies of the State of California and are inimical to the rights and interests of the general  
26 public as consumers and citizens. Unless the State Bar is granted the remedies sought herein,  
27 including injunctive relief by order of this Court, the Defendant will continue to engage in the  
28

1 unlawful acts and practices set forth below and will continue to cause injury and harm to the  
2 general public.

3 **INTRODUCTION**

4 7. The State Bar is charged with protecting consumers by ensuring that only lawyer  
5 referral services that are registered with and certified by the State Bar as meeting minimum  
6 standards set forth by the State Bar are permitted to operate. (Cal. Bus. & Prof. Code § 6155,  
7 subd. (a)(1), (f).)The Legislature has clearly made unlawful solicitation for or on behalf of an  
8 attorney except when done in a manner that is regulated and compliant with state standards. (Cal.  
9 Bus. & Prof. Code §§ 6152, subd. (a)(1), 6155, subd. (a)(1).) Moreover, attorneys are not  
10 permitted to accept referrals of potential clients unless the lawyer referral service has met those  
11 standards. (Cal. Bus. & Prof. Code § 6155, subd. (a)(1).)

12 8. A certified lawyer referral service must, for example, only recommend attorneys who  
13 meet the State Bar's standards of practice and experience related to the client's legal needs.  
14 Lawyers who participate in a certified lawyer referral service must also carry malpractice  
15 insurance, which means that they have the ability to pay if they are successfully sued for  
16 malpractice. These requirements are designed to protect the public from unqualified and  
17 unscrupulous lawyers. Members of the public are often unable to assess the qualifications and  
18 integrity of a lawyer on their own.

19 9. LegalMatch provides an online lawyer referral service that connects individuals  
20 seeking legal assistance to lawyers who purchase a subscription from LegalMatch. It operates  
21 across the United States, including in California.

22 10. LegalMatch has never been certified to operate as such by the State Bar. Its  
23 operations therefore violate Business & Professions Code Section 6155. Attorneys who accept  
24 or have accepted referrals from LegalMatch also violate Business and Professions Code 6155.

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1 **FACTUAL BACKGROUND**

2 **Lawyer Referral Services Are Governed By Bus. & Prof. Code § 6155.**

3 11. Section 6155 provides that an entity may not operate as a lawyer referral service  
4 unless it is registered with the State Bar and is operated in conformity with minimum standards  
5 for a lawyer referral service established by the State Bar. (Section 6155, subd. (a)(1)). The  
6 Statute specifically provides that the State Bar “shall formulate and enforce rules and regulations  
7 for carrying out this section ...,” which includes requiring a lawyer referral service to “register  
8 with the state Bar and obtain from the State bar a certificate of compliance with the minimum  
9 standards for lawyer referral services.” (Cal. Bus. & Prof. Code § 6155, subd. (f)(2).)

10 12. In order to operate, a lawyer referral services must first submit an application for a  
11 certificate of compliance; and, it is only issued by the State Bar if the record demonstrates that  
12 the applicant meets all of the State Bar’s requirements. A lawyer referral service is deemed  
13 registered with the State Bar when it has been certified.

14 13. The Rules of the State Bar provide that certification is mandatory for a lawyer referral  
15 service. “An individual or organization that refers prospective clients to attorneys must comply  
16 with minimum standards and be certified by the State Bar of California as a lawyer referral  
17 service ...” (Rules of the State Bar, Title 3, Div. 5, Art. I, Rule 3.800 *et seq.*). LegalMatch is  
18 therefore required to obtain certification from the State Bar that it complies with the minimum  
19 standards to operate as a lawyer referral service.

20 **LegalMatch Operates an Online Lawyer Referral Business.**

21 14. LegalMatch operates an online service that connects individuals seeking legal  
22 assistance to lawyers who purchase a subscription from LegalMatch. According to the  
23 LegalMatch website, [www.legalmatch.com](http://www.legalmatch.com), in 1999, the Online Legal Matching (OLM) concept  
24 was developed by LegalMatch founding lawyers “with a goal to provide a Web-based exchange  
25 to help individuals and small businesses make educated decisions when choosing a lawyer.”  
26 LegalMatch.com went live in 2000.

27 15. LegalMatch claims that it is the industry leader in attorney/client matching services  
28 and is “the best way to find the right lawyer.” Its website notes that as of 2014, three million

1 cases had been posted to LegalMatch and the website hit 25 million-page views.  
2 (<https://www.legalmatch.com/attorneys/companyinfo.html>.) Presently, the home page notes that  
3 LegalMatch has increased its business to four million total posted cases.  
4 (<https://www.legalmatch.com/>).

5 16. In *Jackson v. LegalMatch.com* (2019) 42 Cal.App.5th 760, 764, review denied (Mar.  
6 11, 2020)) (“*Jackson*”), the California Court of Appeal determined that LegalMatch engages in  
7 referral activity for purposes of California Business & Professions Code section 6155 which  
8 regulates lawyer referral services.

9 17. The *Jackson* court looked to language included on the LegalMatch website to  
10 determine that, as a matter of law, LegalMatch operates as an attorney referral service. “Indeed,  
11 LegalMatch states that it “connect[s] people in immediate need of legal services with the right  
12 attorneys,” and admits that consumers’ inquiries are “automatically sent” to subscribing  
13 attorneys. (*Jackson, supra*, 42 Cal.App.5th at 778).

14 **LegalMatch Has Not Received Certification from the State Bar to Operate a Lawyer**  
15 **Referral Service.**

16 18. LegalMatch has not been certified by the State Bar to operate a lawyer referral  
17 service.

18 19. On March 20, 2020, shortly after the *Jackson* decision was issued, the State Bar wrote  
19 to LegalMatch to demand that LegalMatch “immediately cease operations until such time as it is  
20 duly certified as a lawyer referral service under section 6155 and State Bar Rules.” (See attached  
21 as Exhibit A the State Bar’s March 20, 2020 letter to LegalMatch).

22 20. LegalMatch has failed to respond to the State Bar’s March 20, 2020 directive that it  
23 cease and desist all operations until it is duly certified as a lawyer referral service.

24 **LegalMatch Continues To Operate Without State Bar Certification.**

25 21. Upon information and belief, LegalMatch remains in operation despite its lack of  
26 certification. LegalMatch’s website, [www.legalmatch.com](http://www.legalmatch.com), indicates that LegalMatch is  
27 operating as a lawyer referral service despite its lack of certification. The website currently  
28 contains statements that are very similar to the phrases on which the *Jackson* court relied in

1 holding that LegalMatch engages in referral activity within the meaning of Section 6155 of the  
2 Business and Professions Code.

3 22. For example, LegalMatch describes its business as a “legal service” that “matches  
4 you with highly rated, licensed lawyers near you—for free.” LegalMatch’s website currently  
5 states:

6 “When you need to find a lawyer, our no-cost system provides you with  
7 access to pre-screened lawyers through a quick and painless process.  
8 Immediately after you present your case, email notifications are sent to  
9 lawyers that match the geographic location and legal practice area you  
10 specify. Within 24 hours, your case is reviewed, evaluated, and when a  
11 lawyer is interested in taking your case, you’ll receive a full attorney  
12 profile and their background information.”

13 “Within a few hours after you submit your case, you may receive  
14 responses from local attorneys by phone or email.”

15 (www.legalmatch.com/ - last accessed April 27, 2020. See attached as Exhibit B screen shots  
16 from the LegalMatch website.)

17 23. LegalMatch also maintains LinkedIn and Facebook pages with information about its  
18 service and on which it solicits attorneys to become panel members. (See Exhibits C and D  
19 screen shots from Facebook and LinkedIn.)

20 24. There are no disclaimers on the LegalMatch website, Facebook or LinkedIn, stating  
21 that LegalMatch is not certified to operate in California as a lawyer referral service, or that it  
22 cannot make referrals or legally operate until it is duly certified. Thus, lawyers who accept  
23 referrals LegalMatch do so unlawfully. Members of the public who use LegalMatch to retain an  
24 attorney do so without the client protections provided by the State Bar’s certification standards  
25 described above.

26 25. LegalMatch’s continued operations violate Bus. & Prof. Code section 6155, and the  
27 State Bar should be granted an order enjoining such violation.

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1 **FIRST CAUSE OF ACTION**

2 **Violation of Business & Professions Code § 6155**

3 **(Against Defendant LegalMatch)**

4 26. Plaintiff realleges and incorporates by reference the allegations set forth in each  
5 preceding paragraph of this complaint.

6 27. Business and Professions Code section 6155 governs the regulation of lawyer referral  
7 services by ensuring that they comply with certain minimum standards formulated and enforced  
8 by the State Bar. Section 6155, subd. (a)(1) provides in relevant part:

9 a. An individual, partnership, corporation, association, or any other entity  
10 **shall not operate** for the direct or indirect purpose, in whole or in part, of  
11 referring potential clients to attorneys, and no attorney shall accept a  
12 referral of such potential clients, unless all of the following requirements  
13 are met:

14 (1) The service is registered with the State Bar of California and  
15 (a) on July 1, 1988 is operated in conformity with minimum  
16 standards for a lawyer referral service established by the State Bar  
17 ... (emphasis added.)

18 28. Business and Professions Code section 6155, subd. (f) provides in relevant part:

19 (f) With the approval of the Supreme Court, the State Bar shall formulate and  
20 enforce rules and regulations for carrying out this section, including rules and  
21 regulations that do the following:

22 (1) Establish minimum standards for lawyer referral services. The minimum  
23 standards shall include provisions ensuring that panel membership shall be  
24 open to all attorneys practicing in the geographical area served who are  
25 qualified by virtue of suitable experience, and limiting attorney registration  
26 and membership fees to reasonable sums that do not discourage widespread  
27 attorney membership.

28 (2) Require that an entity seeking to qualify as a lawyer referral service register  
with the State Bar and obtain from the State Bar a certificate of compliance  
with minimum standards for lawyer referral services.

(3) Require that the certificate may be obtained, maintained, suspended, or  
revoked pursuant to procedures set forth in the rules and regulations. ...

29 As alleged above, LegalMatch operates an online lawyer referral service for the  
30 direct purpose of referring potential clients to attorneys in California who subscribe to

1 LegalMatch's services. LegalMatch thus operates a lawyer referral service within the meaning  
2 of Section 6155. LegalMatch is not registered as a lawyer referral service with the State Bar in  
3 violation of Bus. & Prof. Code § 6155, subd. (a)(1).

4 30. The State Bar has demanded that LegalMatch refrain from operating as an unlicensed  
5 lawyer referral service to no avail. On information and belief, LegalMatch continues to operate  
6 as an uncertified and unregistered lawyer referral service in violation of Bus. & Prof. Code §  
7 6155.

8 31. Continuing commission by Defendant of the acts alleged above will irreparably harm  
9 the citizens of the State of California, for which harm they have no plain, speedy, or adequate  
10 remedy at law.

11 Wherefore, Plaintiff prays for judgment against Defendant, as set forth hereafter.

12 **PRAYER FOR RELIEF**

13 **WHEREFORE**, Plaintiff prays for the Court to enter judgment and for relief as follows:

- 14 1. That the Court issue an order pursuant to Bus. & Prof. Code § 6155, subd. (e)  
15 preliminarily and permanently enjoining LegalMatch from engaging in the unlawful operation of  
16 an uncertified lawyer referral service in violation of Bus. & Prof. Code § 6155.
- 17 2. For an order awarding the State Bar civil penalties against LegalMatch as provided  
18 for in Bus. & Prof. Code § 6156, subd. (a), in an amount as specified in the statute.
- 19 3. For an order awarding the State Bar its reasonable expenses as provided for in Bus. &  
20 Prof. Code § 6156, subd. (b), in an amount to be awarded at trial.
- 21 4. For such other and further relief as the Court deems just and proper.

22 Dated: May 4, 2020

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