

## **CONDEMNATION**

Includes all matters related to the taking of or damage to real property by any entity with the power of eminent domain, including inverse condemnation.

**EXPERIENCE REQUIREMENTS:** As documented below, within the past five years, the applicant must have competently performed to completion substantially all legal work, including the preparation or supervising of the preparation of all legal documents, in not less than three condemnation cases (for either condemnee or condemnor) in which a complaint was filed, and in each of which the applicant used the services of a professional real property valuation appraisal expert (other than an owner and other than a person primarily occupied as a broker or salesperson). These cases must have involved the issues described in paragraph one below, and must have

In addition, either (1) at least one of the identified matters must have been tried to judgment, or (2) the applicant must provide evidence that, within the past five years, he or she has attended a formal legal education program, either as a student or a practicing attorney, that, in the discretion of the LRIS Committee, demonstrates a sufficient level of litigation AND condemnation training. Such programs generally must have included at least 30 hours of training in all areas of trial practice. Approved litigation training programs include the San Diego Inn of Court, but another program may be accepted if the applicant provides evidence that it is of similar depth and scope. Such evidence should include, if available, a substantive description of the program published by the program provider.

### **1. Condemnation Issues**

In the past five years, I have represented persons involved in three of the following issues:

- Possibility of changing governmental restrictions on use (such as via zoning, use permit, or variance);
- Possibilities of changes in availability of amenities (such as water, sewer, road access);
- Immediate possession;
- Public necessity and least private injury;
- Division of compensation as between lessor and lessee;
- Case involving real property improved with commercial, office, or industrial building;
- Inverse condemnation;
- Claim of compensation for business goodwill;
- Contesting the right to take;
- Claim of compensation for fixtures and equipment;
- Valuation of easement;
- Severance Damages;
- Special Benefits.

**2. Cases**

Those cases include:

	<u>Title of Case</u>	<u>Court</u>	<u>Case #</u>	<u>Date Filed</u>	<u>Resolution</u>
(1)					
(2)					
(3)					

**3. Training (if none of the above cases was tried to judgment)**

<u>Title of Program</u>	<u>Dates Attended</u>	<u>Hours of Training</u>	<u>Subjects Covered</u>
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**EDUCATION REQUIREMENTS:** In addition to the requirements above, an applicant practicing law for less than three years must certify that he or she has completed not less than four hours of State Bar approved MCLE credits in the subject area of the panel for each year of practice. An applicant practicing law for three or more years must certify that he or she has completed not less than six hours of State Bar approved MCLE credits in the subject area of the panel during the three years preceding the application.

**RECOMMENDATIONS:** The applicant must provide two LRIS “Recommendation of Professional Qualification” forms from licensed lawyers who practice in the same area for which the applicant is applying, or from state or federal judges sitting in California, attesting to the applicant’s qualifications in the area for which he or she is applying. (If the recommender is a practicing lawyer, he or she should be licensed in California unless the practice area involves federal law only.) These form letters must specifically reflect the authors’ knowledge of the applicant’s qualifications and include the authors’ opportunity to observe the applicant’s qualifications in the area for which he or she is applying. If these form letters are from lawyers, those lawyers may not be affiliated with the applicant’s firm, and the applicant may not have any economic interest with them.

***I hereby certify under penalty of perjury that I have met the above criteria and requirements, and that I am competent to handle referral matters in the panel subject area described above.***

Attorney's Name: \_\_\_\_\_

Attorney's Signature: \_\_\_\_\_ Date: \_\_\_\_\_