

## National College for DUI Defense, Inc.

445 S. Decatur Street  
Montgomery, Alabama 36104  
Telephone: (334) 264-1950  
Fax: (334) 264-1920  
[www.ncdd.com](http://www.ncdd.com)  
email: [rhea@ncdd.com](mailto:rhea@ncdd.com)

### Policy and Procedures Agreement Regarding References

Name of Applicant: \_\_\_\_\_  
(PRINT OR TYPE NAME)

1. The National College for DUI Defense, Inc. (NCDD) standards require that all applicants for certification provide satisfactory references.
  - a) Certification requires receipt of at least six references satisfactory to the NCDD: a minimum of three from attorneys with whom or against whom the applicant has tried, or who have observed the applicant try, a DUI matter within the past three years; and, a minimum of three from judges before whom the applicant has tried, or who have observed the applicant try, a DUI matter within the past three years.
  - b) All reference statements will be reviewed by the NCDD to assess whether the applicant possesses an enhanced level of skill, knowledge pertaining to the science and law involved in DUI Defense, experience in trial advocacy within the area of practice, and whether applicant has demonstrated integrity and dedication to the best interests of his or her clients.

### Procedure for Obtaining References

1. The applicant for certification will provide the NCDD with no fewer than eight and no more than twelve names and addresses of attorneys and judges the applicant wishes to use as references. The list of names must include a minimum of four judges and a minimum of four attorneys.
2. Applicants are cautioned to use care when providing references, as there will not be an opportunity to submit more than twelve names for reference, unless, at its sole option, the NCDD should request additional references. Persons providing references for certification must have seen the applicant litigate issues in the DUI Defense practice area within the past three years.
3. Communication will occur strictly between the NCDD and each person given as a reference. The applicant will neither deliver the blank form to a reference, nor return a completed form to the NCDD. Although applicants should advise designated references of their wish to use them, under no circumstances will an applicant contact a reference concerning the status or content of a statement of reference thereafter.
4. The NCDD will send a form and a postage-paid envelope to persons designated by the applicant as references. If a reply is not forthcoming, the NCDD will send the form one additional time to any designated reference person who has not responded. If two requests to a reference have gone unanswered, the reference will no longer be considered, and the lack of a response from that reference person will be noted in the applicant's file.

5. Once the statements of reference have been received by the NCDD, or persons listed as references have been contacted twice with no response, the following procedures apply:
  - a) If all the references are satisfactory, the applicant's file will be credited, and the reference requirement will have been met.
  - b) If the required number of references is not received within a reasonable time, the application will be denied. In lieu of automatic denial, the NCDD, in its sole discretion, reserves the right to request that the applicant supply additional references, or on its own initiative the NCDD may seek additional references.
  - c) If any reference statements appear to be unsatisfactory (including uncompleted forms returned to the NCDD), the file will be referred to the Chairman of the Certification Committee of the Board of Regents, or his or her designee, for review and a ruling.
6. No member of the NCDD, its staff, Board of Regents, or anyone else associated with the application process may discuss references with applicants. This requirement includes, but is not limited to, discussion regarding the following:
  - a) the number of references contained in the file (unless the NCDD exercises its sole discretion to request that the applicant provide additional references);
  - b) the content of the references provided; and,
  - c) which persons may or may not have responded with reference materials.
7. The NCDD will contact an applicant who has provided incorrect contact information for a reference, and the applicant will be asked to correct the contact information.
8. An application may be denied at any point for failing to satisfactorily meet these, or any other of the NCDD's written standards or requirements.
9. Applicants for certification who have questions about these policies and procedures are strongly urged to call the NCDD Executive Director, or the Chairman of the Certification Committee, prior to submitting the list of references.

### **Certification of Applicant**

I hereby certify by my signature below that I have carefully reviewed the policies and procedures contained in the above document, entitled National College for DUI Defense Policy and Procedures Regarding References. I further certify that I understand the policies and procedures of the NCDD regarding the use of references in the application process for board certification, and I voluntarily agree to be bound by such policies and procedures in my application process.

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Signature of Applicant

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Date of Signature