

Petition Number: \_\_\_\_\_

## Attorney/Client Fee Arbitration

In Proceedings Before the Legal Fee Arbitration Committee of the \_\_\_\_\_ District Bar Association.

### **Petition for Arbitration of a Fee Dispute**

**The Client is:**

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*Telephone Number* *Email Address*

who requests arbitration of the fee dispute set forth in this application.

**The Attorney is:**

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*Telephone Number* *Email Address*

## General Information

1. Please be sure to include with this petition any information that you believe is relevant and which you believe will help the arbitrators decide the matter. For example, you should include copies of any written fee agreements, correspondence between the parties, and copies of bills.
2. You must agree that you have made a good faith attempt to resolve this fee dispute before filing this petition.
3. You agree that you have not begun a legal action on this matter nor has any court come to a final decision on this matter.
4. You are urged to carefully read the procedures of the Legal Fee Arbitration Committee which are included.
5. You will be notified of the date and time of the arbitration hearing, if one is scheduled, either by telephone or mail. If contact is made by telephone, a letter confirming the time and date of the hearing and the arbitrators named to hear the matter will be mailed to you.
6. You have the right to be represented, at your own expense, by an attorney at each stage of the arbitration proceedings.

7. If you are to be represented by an attorney during the arbitration hearing, please indicate:

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Firm*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City* *State* *Zip*

\_\_\_\_\_  
*Telephone*

8. You agree to be legally bound by the award of arbitrators and the procedures of the Legal Fee Arbitration Committee and acknowledge that this agreement constitutes a valid and enforceable contract to arbitrate this dispute. A court of competent jurisdiction has the power to enter a judgment on this award.

9. The total amount of the legal fee charged was \$ \_\_\_\_\_ of which \$ \_\_\_\_\_ has been paid.

10. Was there any discussion about the fee between you and the attorney? If so, please summarize below; if additional space is needed, attach an additional statement. (Attach any letters and copies of bills that explain the discussions.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. Was there a written agreement concerning the fee?  Yes  No

If yes, attach a copy.

Was the client to be charged:

By the hour?  Yes  No

If yes, how much? \_\_\_\_\_ per hour

A flat fee?  Yes  No

If yes, how much? \_\_\_\_\_

A contingent fee?  Yes  No

If yes, what percent? \_\_\_\_\_ %

In some other manner, please explain: \_\_\_\_\_

\_\_\_\_\_

12. What specific legal services were to be rendered by the attorney for the stated fee?  
(If additional space is needed please attach a separate sheet.)

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13. How many hours do you estimate were spent on this case by the attorney?

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14. What fee do you think is fair and why?

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15. What specific legal services were to be rendered by the attorney for the stated fee?  
(If additional space is needed please attach a separate sheet.)

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I certify that the above is true and I agree to be bound by the decision of the Legal Fee Arbitration Panel.

\_\_\_\_\_  
Signature of Client

\_\_\_\_\_  
Date

Please return to:

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# Attorney-Client Arbitration Procedures

1. A Legal Fee Arbitration Committee shall be established by each of the District Bar Associations. The Committee shall consist of attorneys and twice the number of non-attorneys appointed jointly by the president of the district bar and chief judge of the judicial district involved.
2. Every petition considered by the Legal Fee Arbitration Committee shall be filed in writing on a form ("Petition") provided.
3. The client disputing the fee ("petitioner") shall fully identify himself or herself and the attorney with whom he or she has a dispute, and shall agree to be bound by the decision of the Legal Fee Arbitration Panel ("panel").
4. The petitioner shall certify that he or she has made a good faith effort to resolve the dispute with the attorney involved before filing the petition, and that the dispute is not the present subject of a legal action.
5. After the petition is filed with the chairperson of the Legal Fee Arbitration Committee, the chairperson shall make a determination as to whether or not an ethical consideration is stated in the petition. If an ethical consideration is stated, the petition shall be arbitrated as provided and, in addition, the petition shall be referred to the Lawyers Professional Responsibility Board.
6. The petition shall be referred for hearing to a panel consisting of two non-attorneys and one attorney appointed from members of the Legal Fee Arbitration Committee by the chairperson. The attorney member of the panel shall be the chairperson of the panel.
7. A copy of the petition shall be forwarded to the attorney petitioned against for his or her reply and agreement to be bound by the decision of the panel.
8. If the attorney does not agree to be bound by the decision of the panel or defaults in the proceedings, the panel shall hear the petition and make its determination, and will support its determination in any subsequent proceeding, whether administrative or legal.
9. If both parties indicate that they do not request a hearing, the panel may dispense with the hearing and decide the matter on written submissions. In such case the panel shall give the parties suitable time to present their cases in writing, and to respond to the assertions of the other. If the panel, after reviewing the written submissions, concludes that a hearing is necessary, it shall call one; otherwise it shall decide on such submissions.
10. The proceedings of the panel shall be confidential.
11. The panel shall make its determination in writing and file it with the chairperson of the committee, who shall notify both the petitioner and the attorney of the panel's decision by registered mail. The decision of the panel may be made public.