

CLIENT'S REQUEST FOR ARBITRATION OF A FEE DISPUTE

Mail this form and filing fee to:

Beverly Hills Bar Association
Mandatory Fee Arbitration Program
300 South Beverly Drive, Suite 201
Beverly Hills, CA 90212-4805
310-601-2442

Please print or type:

1. a. Client:

b. Name of Individual Attorney

Name

Box or Street Address

City State Zip Code

Area Code Daytime Telephone

Name

Box or Street Address

City State Zip Code

Area Code Daytime Telephone

c. Person Who Paid Attorney's Fees: (if different from [a] above)

Name

Box or Street Address

City State Zip Code

Area Code Daytime Telephone

2. If you are, or will be, represented by an attorney in the arbitration, provide the name, address and telephone number:

Name

Box or Street Address

City State Zip Code

Area Code Daytime Telephone

3. a. When did you hire or first talk with the attorney?

Month/Day/Year

b. When did the attorney stop representing you?

Month/Day/Year

4. What type of case was the attorney handling for you? (divorce, criminal, etc.)

5. Do you have a written fee agreement? (If yes, ATTACH A COPY.)

Yes ___ No ___

6. a. Did the attorney give you a written notice of your right to arbitration? (Attach)

Yes ___ No ___

b. If yes, what date did you receive the written notice?

Month/Day/Year

7. a. Has the attorney filed a lawsuit against you to collect the fees or costs? (If Yes, ATTACH A COPY OF THE COMPLAINT.)

Yes ___ No ___

b. If you have been sued, have you answered the suit? (ATTACH ANSWER.)

Yes ___ No ___

8. Have you filed a lawsuit against the attorney (ATTACH COMPLAINT)

Yes ___ No ___

9. Were the fees ordered by the court or set by law? (If yes, explain on separate sheet and ATTACH COURT ORDER.)

Yes ___ No ___

10. Unless **both you and the attorney agree** to **BINDING ARBITRATION**, this arbitration is non-binding. This means that if you or the attorney are not happy with the award, either of you has the right to ask for a new trial in *civil court* within 30 days from the date the award is mailed to you. If neither of you ask for a new trial in 30 days, the award **automatically becomes final and binding**.

If you and the attorney **BOTH agree in writing** to make the arbitration **BINDING**, a new trial **may not** be requested and the award will **immediately** become final and binding on both of you. Do you agree to binding arbitration? **Yes** **No**

11. Amount you already paid the attorney \$ _____

12. Additional amount, if any, the attorney says you still owe \$ _____

13. Add lines 11 and 12 \$ _____

14. Total amount you think the attorney should be paid \$ _____

15. Subtract line 14 from line 13. **This is the disputed amount.** \$ _____

16. **Filing Fee:** The filing fee **must be paid** at the **time of filing** this request and is **based** on the **total amount in dispute**.

If the amount in dispute is less than \$10,000, **you pay \$50 + 5% of that amount** \$ _____

If the amount in dispute is more than \$10,000, **you pay \$50 + 7% of that amount** \$ _____

The **minimum** filing fee is \$50 and the **maximum** fee is \$5,000.

17. **Please attach a written explanation of why you think the attorney's fee is too high.**

18. VOLUNTARY MEDIATION

Are you interested in submitting your dispute to fee **mediation**? If you both agree, the filing fee also entitles you to up to four hours of mediation time. If the matter *does not resolve* through mediation, it will then *proceed to arbitration*. Please refer to the Mediation Rules of Procedure.

I WOULD like to Mediate this dispute **I DO NOT want to Mediate this dispute**

19. If the amount in dispute is \$10,000 or less, it is heard by one (1) arbitrator. If the amount is over \$10,000, it is heard by three (3) arbitrators. If both you and the attorney agree, you can have the dispute heard by one (1) arbitrator even if the dispute is for more than \$10,000.

My dispute is for \$10,000 or less

My dispute is for more than \$10,000 and I **agree** to one arbitrator

My dispute is for more than \$10,000 and I **do not agree** to one arbitrator

20. If the attorney represented you in a civil matter you are entitled to choose an arbitrator who practices civil law; if your attorney represented you in a criminal matter you are entitled to choose an arbitrator who practices criminal law. Please check one.

I do not have a preference

I want an arbitrator who practices civil law

I want an arbitrator who practices criminal law

I declare under penalty of perjury under the laws of the State of California that my statements on this request and any attachments are true and correct.

Date

Petitioner's Signature

Date

Signature (if more than one person is requesting arbitration)

To confirm that you have read and understand the Refund Policy (#19.3 of the BHBA Rules of Procedure), please sign and date:

Signature

Date

BHBA Use Only:

Filing Fee Received _____
Date Amount Check No. Paid by