



**CLIENT-ATTORNEY FEE
DISPUTE RESOLUTION
(MANDATORY FEE
ARBITRATION)**

8928 Volunteer Lane, Ste. 250, Sacramento, CA 95826
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Tel (916) 604-9726
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Request for Arbitration of a Fee Dispute

SCBA client-attorney fee dispute resolution matters are governed by the [SCBA Mandatory Fee Arbitration Rules of Procedure](#). Please read the rules carefully. If you have questions, contact the SCBA Mandatory Fee Arbitration Program.

Return this form and exhibits with the filing fee to the following address. You may return the form and exhibits by US mail, fax, or email.

Sacramento County Bar Association Mandatory Fee Arbitration Program
8928 Volunteer Lane, Suite 250
Sacramento, CA 95826
Fax (916) 564-3787
fearb@sacbar.org

<p>1(a) CLIENT</p> <p>Name</p> <p>_____</p> <p>Address:</p> <p>_____</p> <p>City, State, Zip Code</p> <p>_____</p> <p>Telephone Number:</p> <p>_____</p> <p>Email Address:</p> <p>_____</p>	<p>1(b) ATTORNEY (with whom there is a fee dispute)</p> <p>Name</p> <p>_____</p> <p>Address:</p> <p>_____</p> <p>City, State, Zip Code</p> <p>_____</p> <p>Telephone Number:</p> <p>_____</p> <p>Email Address:</p> <p>_____</p>
<p>1(c). PERSON (IF ANY) OTHER THAN THE CLIENT WHO HAS AGREED TO BE RESPONSIBLE FOR PAYMENT OF ATTORNEY'S FEES:</p> <p>Name</p> <p>_____</p> <p>Address:</p> <p>_____</p> <p>City, State, Zip Code</p> <p>_____</p> <p>Telephone Number:</p> <p>_____</p> <p>Email Address:</p> <p>_____</p>	

2. Will the client be represented by an attorney in the arbitration? If so, provide the name, address, telephone number, and email address of the attorney.

Name _____
Address: _____
City, State, Zip Code _____
Telephone Number: _____
Email Address: _____

3 (a). When did the client first hire the attorney? _____
Mont Day Year

(b). When did the attorney stop representing the client or provide a final bill (whichever is later)? _____
Mont Day Year

What type of case was the attorney handling for the client? (e.g., divorce, criminal, etc.)

4. (a). Is there a written fee agreement? (If yes, **attach a copy**.) _____ Yes _____ No

(b). Is there a written agreement, other than the written fee agreement, that fee disputes will be submitted to a Mandatory Fee Arbitration Program? If yes, **attach a copy**.)
_____ Yes _____ No

5. (a). Did the attorney give the client or person responsible for payment of the fees a written notice of their right to mandatory fee arbitration? (If yes, **attach a copy of the notice**.) _____ Yes _____ No

(b). If yes, when was the written notice received? _____
Month Day Year

7. (a). Has a lawsuit been filed to collect the fees or costs? (If yes, **attach a copy of the complaint**.) _____ Yes _____ No

(b). If a lawsuit has been filed, has the lawsuit been answered? (If yes, **attach a copy of the answer**.)
_____ Yes _____ No

8. Were the attorney's fees ordered by the court or set by law? (If yes, **explain on a separate sheet**.)
_____ Yes _____ No

AMOUNT IN DISPUTE

- 9. Amount the client already paid the attorney \$ _____
- 10. Additional amount, if any, the attorney says is still owed \$ _____
- 11. Add lines 9 and 10 \$ _____
- 12. Total amount the client or person responsible for fees says the attorney should be paid \$ _____
- 13. Subtract line 12 from line 11. **This is the disputed amount.** \$ _____

FILING FEE

- 14. Filing Fee Schedule: The minimum amount that can be disputed is \$1,000. **THE FILING FEE IS DUE AT THE TIME OF FILING YOUR CLAIM.** All filing fees are non-refundable unless otherwise noted in the [SCBA Mandatory Fee Arbitration Rules of Procedure](#).

The filing fees schedule is based on the amount in dispute with a minimum of \$100 and a maximum of \$7,500, as follows:

- If the amount in dispute is less than \$5,000, the fee is \$100 plus 5% of the disputed amount
- If the amount in dispute is \$5,000 or more and less than \$10,000, the fee is \$100 plus 6% of the disputed amount
- If the amount in dispute is \$10,000 or more, the fee is \$100 plus 7%, with a maximum filing fee of \$7,500.

- 15. My filing fee comes to \$ _____ and is enclosed.
 - Please include my filing fee as part of the award: ___Yes ___No
 - (Filing fee must still be paid but will be refunded by the other party if you are successful)

Make your check or money order payable to the Sacramento County Bar Association or fill out and submit the Filing Fee Credit Card Charge Form. Do not send cash.

16. Provide a summary description of the fee dispute. Attach additional sheets if necessary.

17. If the fee dispute is for \$25,000 or less, it is heard by one (1) arbitrator. If it is for more than \$25,000, it is heard by three arbitrators. If all parties agree, you can have the dispute heard by one arbitrator even if the dispute is for more than \$25,000. Select only one.

- The dispute is for \$25,000 or less, or
- The dispute is for more than \$25,000 and you agree to one arbitrator, or
- The dispute is for more than \$25,000 and you request three arbitrators

18. Unless both parties agree in writing to BINDING ARBITRATION after the fee dispute arises, this arbitration is NONBINDING. Nonbinding arbitration means that if either party is unhappy with the award, either party has the right to ask for a trial in a civil court. Requesting a trial after arbitration will require filing documents with the appropriate court within 30 days from the date the award is mailed, even if damages are not sought from the other party. Unless a party requests a trial after arbitration within 30 days, the award *automatically* becomes *final and binding*.

If both parties 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 parties with limited rights to challenge the award in civil court.

Do you agree to BINDING arbitration? Yes No

19. If you are the client and 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 indicate your choice below.

- I do not have a preference
- I want an attorney who practices civil law as an arbitrator.
- I want an attorney who practices criminal law as an arbitrator.

The SCBA is trying to improve the economy, convenience, and efficiency of the Mandatory Fee Arbitration program by using electronic service and distribution of documents wherever possible, as authorized by recent amendments to the [SCBA Mandatory Fee Arbitration Rules of Procedure](#) (41.7 and 41.8).

_____ I consent to electronic service and distribution of documents at the email address
I provided in #1 above, or at the following email address.

_____ I do not consent to electronic service and distribution of documents

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 to the best of my knowledge.

Client's Signature

Date

Client's Printed Name

Second Signature (if more than one person is requesting arbitration)

Date

Second Signatory's Printed Name