



MONTEREY COUNTY BAR ASSOCIATION & LAWYER REFERRAL SERVICE
P.O. Box 1371, SALINAS, CA 93902
TEL. (831) 663-6955 FAX. (831) 663-6955

CLIENT'S REQUEST TO ARBITRATE A FEE DISPUTE

TO BEGIN ARBITRATION YOU MUST:

1. Fill out this form and mail it to:

Monterey County Bar Association
P.O. Box 1371
Salinas, CA 93901

2. Send a copy of this form to the attorney by first class mail or arrange to have a process server deliver it to the attorney.
3. Attach a check or money order made out to the "Monterey County Bar Association" in the amount of:

\$ 100 for disputes up to \$ 7,499.
\$ 250 for disputes up to \$ 14,999.
\$ 500 for disputes up to \$ 24,999 or
\$ 1,000 for disputes of \$25,000 or more.

For each dispute, the Program shall assign an attorney arbitrator from the program's roster of fee arbitrators. A three-person panel of arbitrators, one of which shall be a lay person, will be appointed only in cases in which the amount in controversy equals or exceeds \$25,000. If the amount in dispute is \$25,000 or more, the parties may agree, in writing, to have the matter heard by a single attorney arbitrator.

1. Client's name: _____

Address: _____

Street

city

zip

Phone: _____

2. Attorney's Name: _____

Address: _____

Street

city

zip

Phone: _____

3. When were the services performed? _____

4. What type of case is involved in the dispute? _____

5. Do you have a written fee agreement? (If so, please attach)

Yes ___ No ___

6. Has the attorney filed a suit to collect the fee against you?

Yes ___ No ___

If so, have you filed an answer to the suit?

Yes ___ No ___

7. Have you filed a civil lawsuit against your attorney?

Yes ___ No ___

8. How much is the attorney claiming you owe? \$ _____

9. How much do you think the fee should be? \$ _____

10. Subtract line 9 from line 8 and enter the difference. \$ _____

11. Please give a brief description of the fee dispute (use additional sheets if necessary).

12. Number of arbitrators:

If the amount in controversy is for \$49,999 or less, the dispute is heard by one (1) arbitrator. If the amount in controversy equals or is in excess of \$50,000, it shall be arbitrated by a single arbitrator, unless either party demands arbitration by a three-person panel, one of which will be a lay person. In such cases, the fee for arbitration will be 5% of the amount in dispute or \$3,500, whichever is greater.

The amount of my dispute is over \$50,000. I request a three-person panel. _____

13. I will be represented by counsel at the arbitration. _____

Arbitration attorney's name: _____

Address: _____ Tel. # _____

14. Effect of arbitration:

Advisory Arbitration, according to Article 13 of the Business and Professions Code, means that if either you or the attorney are not satisfied with the arbitrator(s) award, you may ask the court for a hearing within 30 days of the date that the arbitrator(s) recommended settlement is mailed to you. If a request for a hearing is not made within 30 days of the decision, the award automatically becomes binding.

You and the attorney may agree to make the arbitration **BINDING**, which means that once the arbitrator(s) makes an award, no appeal or further proceeding will be needed or possible.

15. Choice (check one)

I want Advisory Arbitration_____.

I want Binding Arbitration_____.

