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**TO:** Client Petitioner  
**FROM:** The Fee Arbitration Committee  
**RE:** Fee Arbitration With An Attorney

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It is our understanding that you genuinely dispute fees that you have paid to or are being charged by an attorney for the performance of legal services. Before completing the enclosed forms, please thoroughly read this memo which explains each step of the fee arbitration process.

**INSTRUCTIONS ON FILING A FEE ARBITRATION PETITION:**

1. Before a petition may be filed, you (the petitioner) must make a good faith effort to resolve the fee dispute with the attorney. If your attempt to resolve the dispute is unsuccessful, follow these instructions to file your petition.
2. Complete and execute the attached petition and consent forms. All parties who are responsible for payment of the legal fees should agree to be bound by the arbitration decision and should sign the petition and consent forms.
3. Attach to the petition and consent forms additional sheets of paper which include a typed or printed statement including the following: 1) a description of your efforts to resolve this dispute with the attorney, 2) your understanding of your fee agreement, and 3) a **detailed** account of your dispute.
4. Attach copies of the following: 1) your fee contract, 2) any bills or accountings that you have received regarding the fees you are disputing, 3) receipts or other proof of payments already made to the attorney, and 4) any other documents which you believe support your position. Please note that any materials you wish to submit to an arbitration panel as evidence to support your position must be submitted with your petition packet.
5. After you complete your petition packet comprised of the above-referenced materials, send the original packet to the following address:

Akron Bar Association  
57 S. Broadway  
Akron, OH 44308

**IMPORTANT INFORMATION:**

Fee Arbitration is not mandatory except in the case of referrals through the Akron Bar Association Lawyer Referral Service. If the attorney or petitioner chooses not to participate in **binding** arbitration, we cannot proceed with a hearing.

If you wish to file **both** a grievance and a fee arbitration petition, you must file the grievance **first**. Upon its final disposition, you can file the fee arbitration petition if your fee dispute remains unresolved. If you currently have a grievance pending, you must wait until its final disposition to file a fee arbitration petition.

If the fee dispute is the subject of current litigation (or a court decision has already been made), the Fee Arbitration Committee will not have jurisdiction to review the matter.

If a hearing is scheduled, the petitioner **must** be present for the hearing or the matter will be dismissed with prejudice. Some exceptions will be made such as the petitioner is incarcerated and has a representative present on their behalf. In addition, continuances of scheduled hearings will not be made except in exceptional circumstances.

Negotiated settlements and compromises between the parties are encouraged, and the parties may agree to settle the dispute at any time prior to the conclusion of the arbitration hearing.

All fee arbitrations and hearings are governed by the Rules Governing the Fee Arbitration Committee of the Akron Bar Association.

**08/08**



**FEE ARBITRATION COMMITTEE PETITION**

**In re:**

\_\_\_\_\_  
Petitioner's Name **vs.** \_\_\_\_\_  
Attorney's Name

\_\_\_\_\_  
Address \_\_\_\_\_  
Address

\_\_\_\_\_  
Home Telephone \_\_\_\_\_  
Business Telephone

\_\_\_\_\_  
Work Telephone \_\_\_\_\_  
Fax Number

In consideration of my agreement to be bound by the decision of a panel of the Fee Arbitration Committee of the Akron Bar Association, the following fee petition relating to the above named attorney is submitted:

The amount I have paid my attorney is: \$ \_\_\_\_\_

The amount I am being charged or was charged by my attorney is/was: \$ \_\_\_\_\_

The amount I am disputing is: \$ \_\_\_\_\_

Has a lawsuit been filed in a court of law regarding the fees you are disputing? \_\_\_\_\_

If so, please state case number and court: \_\_\_\_\_

Did you sign a fee contract with this attorney? \_\_\_\_\_. (If so, please attach a copy.)

What was your understanding of the terms of the fee agreement? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By executing and filing this petition, I am certifying that 1) I have made a good faith effort to resolve the dispute with the attorney and such effort has failed; 2) this dispute is not the present subject of a lawsuit; and 3) the information submitted herein is truthful and accurate to the best of my knowledge.

I agree to be present at the time scheduled for a hearing on this matter. I understand that if I am not present for the hearing, the matter will be dismissed with prejudice.

I understand that by executing and filing this petition, I am agreeing to participate in binding arbitration in this matter in lieu of a legal proceeding in court.

\_\_\_\_\_  
Date Signature of Petitioner



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**CONSENT TO ARBITRATION**

The undersigned hereby consents to submit for arbitration by the Akron Bar Association, pursuant to the Rules Governing the Fee Arbitration Committee of the Akron Bar Association, a dispute relating to attorney's fees for legal services alleged to have been rendered, which dispute is the subject of a complaint before said committee. They further agree to appear before said committee if a hearing is scheduled and to give testimony and present evidence and material relevant to said dispute. The undersigned agree to be bound by the rules and regulations of said committee and to comply therewith, and they further expressly agree to be bound by and to comply with the arbitration order and award made by said committee pursuant to the submission of said dispute. They further agree that the order and award of said committee shall have the legal effect of an account stated between them.

This consent may be executed by all parties, or each may execute a separate consent, and upon receipt of said committee of such separate consents, it shall be considered the same as though all parties had signed the same consent.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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