



## MEMORANDUM

**TO:** Client Petitioner

**FROM:** The Legal Fee Dispute Resolution Committee

**RE:** Your Fee Dispute With an Attorney

---

---

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 and the attached Committee bylaws which explain each step of the fee dispute process.

### INSTRUCTIONS ON FILING A FEE DISPUTE PETITION

1. Before a petition may be filed, you (the client) 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 along with **five copies** to the following address:

Legal Fee Dispute Resolution Committee  
Cleveland Bar Association  
1301 E. Ninth Street, Second Level  
Cleveland, OH 44114-1253

### OTHER INFORMATION

If you wish to file **both** a grievance and a fee dispute petition, you must file the grievance **first**. Upon its final disposition, you can file the fee dispute 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 dispute petition.

This program is open only to current disputes. It is not intended to try to handle ancient matters, the subjects of lengthy disputes.

If the fee dispute is the subject of current litigation (or a court decision has already been made), the Legal Fee Dispute Resolution 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. In addition, continuances of scheduled hearings will not be made except in exceptional circumstances.

After a hearing, if a Panel's written determination is that a party is to pay money, that payment is to be made directly to the party to whom it is owed within thirty days of receipt of the Panel's written determination. The parties may privately agree on a payment schedule.

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.

S:\user\LEGAL\FEEDISP\TEMPLATES\L\FDR.MEMO.wpd



LAWYER-CLIENT FEE DISPUTE RESOLUTION COMMITTEE

PETITION

**In re:**

\_\_\_\_\_  
Petitioner's Name  
\_\_\_\_\_

vs.

\_\_\_\_\_  
Attorney's Name  
\_\_\_\_\_

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

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

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

\_\_\_\_\_  
Work Telephone  
\_\_\_\_\_

\_\_\_\_\_  
Work Telephone  
\_\_\_\_\_

\_\_\_\_\_  
Fax  
\_\_\_\_\_

In Consideration of my agreement to be bound by the decision of a panel of the Lawyer-Client Fee Dispute Resolution Committee of the Cleveland Metropolitan 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 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



### **PETITIONER CONSENT TO ARBITRATION**

The undersigned hereby consent to submit for arbitration by the Cleveland Metropolitan Bar Association, pursuant to the rules and regulations of the Lawyer- Client Fee Dispute Resolution Committee, a dispute between them 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 relevant and material 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\_\_\_\_\_.

\_\_\_\_\_  
Petitioner