



TO: Client Petitioner
FROM: The Lawyer-Client Fee Dispute Resolution Committee
RE: Your Fee Dispute With Your Attorney

The Lawyer-Client Fee Dispute Resolution Committee is available to clients who have disputes over the fees paid to or charged by lawyers who reside in or have offices in Cuyahoga County, Ohio. Before a fee dispute petition may be filed, you must make a good faith effort to resolve the fee dispute with the lawyer. If your attempt to resolve the dispute is unsuccessful, please read the attached bylaws carefully and follow these instructions for filing a petition.

INSTRUCTIONS FOR FILING A FEE DISPUTE PETITION

1. Complete and execute the attached petition and consent forms. All parties who are responsible for payment of the legal fees must agree to be bound by the arbitration decision and must sign the petition and consent forms.
2. Attach to the petition a typed or printed statement including the following: (1) a description of your efforts to resolve the dispute with the lawyer; (2) your understanding of the fee agreement; and (3) a **detailed** account of your dispute.
3. Attach copies of the following: (1) your fee agreement; (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 lawyer; and (4) any other documents that you believe support your position. Any materials you wish to submit to an arbitration panel as evidence should be submitted with your petition packet.
4. After you complete your entire petition packet, send an original packet along with **five copies** to the following address:

Lawyer-Client Fee Dispute Resolution Committee
Cleveland Metropolitan Bar Association
1375 E. Ninth Street, Floor 2
Cleveland, OH 44114-1785

OTHER INFORMATION

If you wish to file a grievance and a fee dispute petition, you must file the grievance first. After you receive notice of the final disposition of the grievance, you may file a fee dispute petition if your fee dispute remains unresolved. If you have already filed a grievance you should wait until you receive notice of the final disposition of the grievance before filing a fee dispute petition.

This program is open only to current disputes. Fee dispute petitions that are filed more than two years after the attorney-client relationship has ended will generally not be heard.

If the fee dispute is the subject of current litigation (or a court has entered an order concerning the legal fees), the Lawyer-Client Fee Dispute Resolution Committee will not have jurisdiction to arbitrate the matter.

If an arbitration hearing is scheduled, the petitioner must be present for the hearing or the matter will be dismissed with prejudice. We are unable to accommodate individuals who are currently incarcerated. In addition, continuances will not be permitted except in exceptional circumstances with the approval of the panel chairperson.

After a hearing, if a panel determines that a party is to pay money, payment is to be made directly to the party to whom it is owed within thirty (30) days of receipt of the Panel's written decision. 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 their dispute at any time prior to the conclusion of the arbitration hearing.



LAWYER-CLIENT FEE DISPUTE RESOLUTION COMMITTEE

PETITION

In re:

_____	vs.	_____
Petitioner's Name		Attorney's Name
_____		_____
Address		Address
_____		_____
_____		_____
Daytime Phone		Daytime Phone
_____		_____
Mobile Phone		Fax
_____		_____
Email		Email

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 include the case number and court: _____

Did you sign a fee agreement with your attorney? (If so, please attach a copy.)

****Please attach a detailed explanation of your dispute to this petition form.****

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 subject of a pending 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 Petitioner hereby consents to submit for arbitration by the Lawyer-Client Fee Dispute Committee of the Cleveland Metropolitan Bar Association, pursuant to the By-Laws for the Committee, a dispute relating to attorney's fees for legal services which is the subject of a complaint before the Committee. Petitioner agrees to appear before a panel of the Committee if an arbitration hearing is scheduled and to give testimony and present evidence relevant to the dispute. Petitioner further agrees to be bound by the By-Laws of the Committee and to comply therewith, and further expressly agrees to be bound by and to comply with the written decision of the panel following the arbitration hearing. Petitioner further agrees that the decision of the panel shall have the legal effect of an account stated. This means that the decision can be admitted in a court of law as a final determination of binding arbitration as to the amount owed by one party to the other in accord with O.R.C. 2711.

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

Signed this _____ day of _____, 20____.

Petitioner

Co-Petitioner (if applicable)