

# Request for Arbitration of a Fee Dispute

Long Beach fee arbitration matters are governed by the State Bar rules of procedure for fee arbitrations. The Long Beach Bar rules respecting fee arbitrations, together with other arbitration forms may be downloaded from the Arbitration Committee section of the Long Beach Bar website at <http://www.longbeachbar.org/committees.html>. You should read the rules carefully and if you still have questions, contact this office for additional information.

**Mail this form with the filing fee and copies required to:**

Long Beach Bar Association  
Mandatory Fee Arbitration Program  
3515 Linden Avenue  
Long Beach CA 90807  
Telephone (562) 988-6444

Please print or type.

1. (a) **CLIENT**

(b) **NAME OF ATTORNEY** (with whom there is a fee dispute)

_____ Name	_____ Name
_____ Box or street address	_____ Name of Firm, if any
_____ City State Zip Code ( )	_____ Box or street address
_____ Area Code Telephone Number	_____ City State Zip Code ( )

(c) **PERSON WHO PAID ATTORNEY'S FEES:**  
(If different from (a) above)

\_\_\_\_\_  
Area Code Telephone Number

\_\_\_\_\_  
Name

\_\_\_\_\_  
Box or street address

\_\_\_\_\_  
City State Zip Code  
( )

\_\_\_\_\_  
Area Code Telephone Number

2. If you are, or will be, represented by an attorney in the arbitration, provide the name, address and telephone number:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address State Zip Code  
( )

\_\_\_\_\_  
Area Code Telephone Number

3. Check all of the following that apply:

- a) the legal services were performed in Long Beach ( )
- b) the attorney (or one of the attorneys) has an office in Long Beach ( )
- c) the dispute arises from a case which was filed in Long Beach ( )
- d) the attorney (or attorneys) are members of the Long Beach Bar Association (if known) ( )

4. What type of case is involved in the dispute (bankruptcy, criminal, family law, probate, other \_\_\_\_\_)?

5. Do you have a written fee agreement? (If yes, ATTACH A COPY)
6. (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?  Yes  No  
 (If yes, **attach a copy of the notice.**)
- (b) If yes, when was the written notice received? \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_
7. (a) Has a lawsuit been filed to collect the fees or costs?  Yes  No  
 (If yes, **attach a copy of the complaint.**)
- (b) If a lawsuit has been filed, has the lawsuit been answered?  Yes  No  
 (If yes, **attach a copy of the answer.**)
8. Were the attorney's fees ordered by the court or set by law?  Yes  No  
 (If yes, explain on a separate sheet.)
9. Amount 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. \$ \_\_\_\_\_
14. Subtract line 12 from line 11. **This is the disputed amount.** \$ \_\_\_\_\_
15. Filing Fees:
- \$50 plus 4 % of the amount in dispute for disputes up to \$ 9,999
  - \$50 plus 5 % of the amount in dispute for disputes up to \$19,999
  - \$50 plus 6 % of the amount in dispute for disputes of \$20,000 or more
  - The maximum fee shall not be more than \$5,000

\* Determine your filing fee based on above and enclose your check or money order payable to the Long Beach Bar Association. Filing fee amount enclosed: \$ \_\_\_\_\_

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

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17. If the fee dispute is for \$14,999 or less, it is heard by one (1) arbitrator. If it is for more than \$14,999, it is heard by three (3) arbitrators. If all parties agree, you can have the dispute heard by one (1) arbitrator even if the dispute is for more than \$14,999. Select one only.

**If you request an arbitration hearing with one arbitrator submit the original Request plus 3 copies.**

**If you request an arbitration hearing with three arbitrators, submit the original Request plus 4 copies.**

The dispute is for \$14,999 or less, or

The dispute is for more than \$14,999 and you agree to one arbitrator, or

The dispute is for more than \$14,999 and you request three arbitrators.

18. Unless both parties agree in writing to BINDING ARBITRATION after the fee dispute arises, this arbitration is NON-BINDING. Non-binding 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 BINDING arbitration, 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.

**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.**

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Sign here

Signature of \_\_\_\_\_  
(print your name)

Date \_\_\_\_/\_\_\_\_/\_\_\_\_  
Month Day Year

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Sign here (if more than one person is requesting arbitration)

Signature of \_\_\_\_\_  
(print your name)

Date \_\_\_\_/\_\_\_\_/\_\_\_\_  
Month Day Year