

4. What type of case was the attorney handling for the client (divorce, criminal, etc.)? _____

5. When did the attorney stop representing the client or provide a final bill (whichever is later)?

_____/_____/_____
Month Day Year

6. (a) Is there a written fee agreement? (If yes, attach a copy.) Yes No

(b) Is there a written agreement that fee disputes will be submitted to a Mandatory Fee Arbitration Program? (If other than the written fee agreement, attach a copy.) Yes No

7. (a) Did the attorney give the client or person responsible for payment of the fees the form: Notice of Client's Right to Arbitration? (If yes, attach a copy of the notice.) Yes No

(b) If yes, when was the written notice received?

_____/_____/_____
Month Day Year

8. (a) Has a lawsuit been filed to collect the fees or costs? (If yes, attach a copy of the complaint.) Yes No

(b) If a lawsuit has been filed, has the lawsuit been answered? (If yes, attach a copy of the answer.) Yes No

9. Were the attorney's fees ordered by the court or set by law? (If yes, explain on a separate sheet.) Yes No

10. Amount the client already paid the attorney \$ _____

11. Additional amount, if any, the attorney says is still owed \$ _____

12. Add lines 10 and 11 \$ _____

13. Total amount the client or person responsible for fees says the attorney should be paid \$ _____

14. Subtract line 13 from line 12. **This is the disputed amount.** \$ _____

15. Filing Fees:

- \$50 plus 4% for amounts in dispute up to \$10,000
- \$50 plus 5% for amounts in dispute up to \$20,000
- \$50 plus 6% for amounts in dispute of 20,001 or more

The maximum fee shall not be more than \$5,000

In the event of a refund, the \$50 paid before the percentage is calculated is not refundable

Determine your filing fee based upon the above and provide payment via check or money order to the **Long Beach Bar Association**. The filing fee enclosed is: \$ _____

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

17. If the fee dispute is for \$15,000 or less, it is heard by one (1) arbitrator. If it is for more than \$15,000, it is heard by three (3) arbitrators. If all parties agree in writing, you can have the dispute heard by one (1) arbitrator even if the dispute is for more than \$15,000. **If you request an arbitration hearing with one arbitrator please submit the original Request plus two copies, if three arbitrators, submit the original Request plus four copies.**

- The dispute is for more than \$15,000 and you agree to one arbitrator

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 make the arbitration BINDING, 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.

Sign here: _____

Signature of _____ Date ____/____/____
(print your name) Month Day Year

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

Signature of _____ Date ____/____/____
(print your name) Month Day Year

Inclusion Checklist

- Completed Request for Arbitration (this form) signed and dated**
- Payment (check or money order) for filing fee (see item 15)**
- Written fee agreement (if there is one, see 6a)
- Written agreement concerning arbitration (if not included in fee agreement, see 6b)
- Notice of Clients' Right to Arbitration Form (if received, see 7a)
- Copy of Complaint (If a lawsuit has been filed, see 8a)
- Copy of Answer to Lawsuit (If filed, see 8b)
- Additional description of dispute (if needed, see 16)
- Supporting Materials (if desired)

If the arbitration is with one arbitrator, (\$15,000 or less) submit the original Request and 2 copies of all documents above.

If the arbitration is with three arbitrators, (\$15,001 or more) submit the original Request and 4 copies of all documents above.