



AKRON BAR ASSOCIATION FEE ARBITRATION PETITION

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. PLEASE NOTE: The client(s) must agree to Fee Arbitration and sign the consent form even if he/she did not pay the legal fees charged in the case.
3. Include a typed or printed statement which includes: 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 information to the following address:

Akron Bar Association Fee Arbitration Committee
57 S. Broadway St., 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 may 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, it will proceed in the absence of any party or representative, who, after due notice, fails either to appear or to obtain a continuance. A decision shall be made on the basis of the petition, response, testimony of the party in attendance and other materials presented.

All fee arbitrations and hearings are governed by the Fee Arbitration Committee By-Laws of the Akron Bar Association which are available at www.akronbar.org.

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**AKRON BAR ASSOCIATION
FEE ARBITRATION PETITION: STATEMENT OF FACTS
Please return to: 57 S. Broadway Street – Akron, OH 44308**

Your Name: _____

Address: _____
Street address city state zip

Contact Phone No. _____

Name & Address of the attorney you have a dispute with: _____

Does this attorney represent you? YES NO

If no, name of the person represented _____ Your relationship: _____

***NOTE: THE CLIENT MUST CONSENT TO FEE ARBITRATION IF ATTORNEY FEES
HAVE BEEN PAID BY ANOTHER PARTY.***

Date the attorney was hired: _____

Has the attorney withdrawn or been dismissed? YES NO

Did you pay the attorney a fee/retainer? YES NO If yes, how much? _____

Did you sign a written fee agreement/contract? YES NO *If yes, please attach a photocopy*

Were you referred to this attorney by the Lawyer Referral Service of the Akron Bar Association?
YES NO

For what legal matter did you consult the attorney? _____

Is your legal matter currently pending in a court of law? YES NO

If yes, what court? _____ County _____

Case Number: _____

Has the attorney sued you in a court of law for collection of fees? YES NO

If yes, what court? _____ County _____

Case Number: _____

The amount I have paid the attorney is: \$ _____

The amount I am being charged or was charged by the attorney is/was: \$ _____

The amount I am disputing is: \$ _____

Explain your understanding of your fee agreement, a detailed account of your dispute, and your efforts to resolve this dispute with the attorney:

(use extra sheets of paper if necessary)

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 understand that if a hearing is scheduled, it will proceed in the absence of any party or representative, who, after due notice, fails either to appear or to obtain a continuance. A decision shall be made on the basis of the petition, response, testimony of the party in attendance and other materials presented.

I further 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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CLIENT/PETITIONER CONSENT TO ARBITRATION

Pursuant to the Rules Governing the Fee Arbitration Committee of the Akron Bar Association, I/we _____ hereby consent to submit for arbitration by 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 petition before said committee. I/We 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. I/We agree to be bound by the rules and regulations of said Committee and to comply therewith, and 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. I/We 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.

Date

Signature of Petitioner

Date

Signature of Client (If different than Petitioner)

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