

NOTICE OF STAY OF PROCEEDINGS

Instructions

If an attorney has filed a lawsuit to collect fees from a client, the client has only 30 days from notice of the lawsuit to request arbitration and “stay” the lawsuit (If you miss that deadline, you waive your right to arbitration.) After you have filed your arbitration application and required materials with the San Diego County Bar Association Fee Arbitration Program, you will be able to stay the lawsuit by completing a “Notice of Stay of Proceedings” to notify and prove to the court that an arbitration case has been initiated. Contact the court for the proper form. Note: When you complete the form, reference the court case number included in the notice of the lawsuit.

YOU MUST FIRST FILE YOUR APPLICATION FOR ARBITRATION WITH THE SAN DIEGO COUNTY BAR ASSOCIATION BEFORE YOU CAN REQUEST A STAY OF PROCEEDINGS

After you have filed the request for arbitration:

- Notify the San Diego County Bar Association Fee Arbitration Coordinator that you will need to file a Notice of Stay of Proceedings with the Court.
- The Coordinator will provide you with proof of filing to attach to the “Notice of Stay of Proceedings”
- Submit "Notice of Stay of Proceedings" with the proof of arbitration filing and ask the clerk to stamp it and ask or make a copy for your records.
- Mail a court-stamped copy of the "Notice of Stay of Proceedings" to the San Diego County Bar Association – Fee Arbitration Committee, 401 W. A. Street, Suite 1100, San Diego, CA 92101.
- **It is your responsibility to serve the respondent (attorney who filed the original lawsuit) with a copy of the stay. Ask the Court for details on the forms you need to serve and proper ways to serve.**