



Lawyer-Client Fee Dispute Resolution Program
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CBA LAWYER-CLIENT FEE DISPUTE RESOLUTION PROGRAM **FREQUENTLY ASKED QUESTIONS**

1. What does participation in the program cost?

Nothing. The program is free and sponsored by the CBA as a public service for members and the community. If a party requests external services not provided by the program, such as an interpreter or translator, there may be a cost for those services.

2. Do I have to notify my attorney or my client that I am filing a Petition for Resolution of Legal Fee Dispute?

No. You should make a good faith effort, in writing, to resolve the dispute with the other side before filing the petition. You do not have to tell the other side you are filing a petition; the program will send the other party a copy of the petition.

3. Can I file both a Petition for Resolution of Legal Fee Dispute and a grievance complaint about the same attorney?

Yes. Typically, the petition and grievance complaint may proceed at the same time. The grievance committee will determine whether the attorney should be disciplined. The fee dispute program may determine whether any party must pay or refund fees for legal services.

4. Should I pay my attorney, or refund to my client, the legal fees before filing a petition?

It's your call. The decision as to whether or not to pay or refund the legal fees prior to the fee dispute hearing is up to each individual.

5. Can the program force the other side to participate?

Usually, no. The program is generally voluntary; typically, the program can only proceed if both parties are willing to use the program. In some cases, a party may be required to arbitrate if there is a written agreement to arbitrate or a court order or grievance committee order requiring participation.

6. Can I hire an attorney to represent me in the arbitration or mediation?

Yes, you can be represented by an attorney at your own expense. However, the program is designed so that parties can represent themselves and do not need to have a lawyer.

7. Is there someone at the CBA that can advise me on what I should do?

The program administrators may assist you in locating appropriate forms or program reference materials. The program staff and volunteers cannot provide legal advice.