

Portage County Lawyer-Client Fee Dispute Resolution Committee

To the Petitioner:

By filing this form with the Portage County Lawyer-Client Fee Dispute Resolution Committee, the Committee understands 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 this form, please thoroughly read these Instructions that explain each step of the fee-dispute-resolution process.

Instruction on Filing a Fee Dispute Petition:

(1) Before a petition may be filed, you (petitioner/client) 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. All parties who are responsible for payment of the legal fees must agree to be bound by the mediation resolution or if no resolution is reached, the arbitration decision, and should sign the petition and consent.

(3) Include a typed or printed statement that includes (a) a description of your efforts to resolve this dispute with the attorney; (b) your understanding of your fee agreement; and (c) a detailed account of your dispute.

(4) Attach copies of the following (a) your fee agreement, if any; (b) any bills or accountings that you have received regarding the fees you are disputing; (c) receipts or other proof of payments already made to the attorney; and (d) any other documents that you believe support your position.

(5) After you complete this petition comprised of the above-referenced materials, send the information to the following address:

Portage County Fee Dispute, c/o Portage County Bar Association,
241 South Chestnut Street, Floor 1, Ravenna, Ohio 44266-0128

Important Information:

This fee-dispute-resolution-process, that is, the mediation or arbitration, is not mandatory. If the attorney or the petitioner chooses not to participate in the process, the Committee cannot proceed. Further, if the fee dispute is the subject of current litigation (or a court decision has already been made), the Committee will not have jurisdiction and cannot proceed.

The Process:

After a petition is filed, the Committee will assign an attorney familiar with the type of case in which the fee dispute arose who try to mediate a resolution of the dispute between the petitioner/client and the attorney. If successful, the parties will sign a binding resolution that will outline the steps to be taken to resolve the fee dispute.

If a mediated resolution cannot be reached, then the parties will proceed to **binding arbitration** before a three-judge panel of Committee members. The panel will set the matter for a hearing and inform the parties of the rules and standards to be observed at the hearing. If an arbitration 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 binding decision shall be made on the basis of the petition, response, testimony of the party in attendance and other materials presented.

Your Name: _____

