

INITIATING FEE ARBITRATION

The Oregon State Bar's Fee Arbitration Program is a voluntary program for resolving disputes over fees between an Oregon attorney and a client or between attorneys who are members of the Oregon State Bar. Enclosed are the following: Fee Arbitration Rules, Fee Arbitration Information, Petition for Arbitration, Agreement to Arbitrate, and a list of arbitration panelists.

If both parties agree in writing to submit the dispute to arbitration, the Oregon State Bar will appoint an arbitrator or arbitration panel to hold a hearing, consider the facts, and make a ruling. General Counsel's Office may decline matter where there is less than \$250 in dispute.

You should make certain that arbitration is the method you want to use to resolve the dispute before you sign the enclosed Petition and Agreement to Arbitrate. Once both parties have signed the Agreement, you may be required to arbitrate this dispute unless the other party agrees that the matter should not be heard. **Arbitration awards are final binding on both parties**, subject to the remedies available in ORS 36.615, 36.705 and 36.710. An order confirming the award and a judgment thereon may be entered by any court having jurisdiction, pursuant to ORS 36.615, 36.700 and 36.715.

Please read the enclosed rules of the Fee Arbitration Program carefully. If you wish to submit this matter to arbitration, complete the enclosed Petition and Agreement and return them to the Oregon State Bar. You must also submit your challenges to the panel members at the time you return the Petition and Agreement. If you challenge any panel members for cause, you must include a statement of your reasons. Do not send your supporting documentation at this time. Anything that accompanies your Petition and Agreement to Arbitrate will be sent to the Respondent.

When we receive your Petition and Agreement, we will ask the Respondent whether he or she is willing to arbitrate. If the Respondent signs the agreement, you will be asked to pay a filing fee prior to the assignment of the arbitrators. The filing fee is \$50 for claims of less than \$7,500 and \$75 for claims of \$7,500 or more. The filing fee is not refundable. **DO NOT** send the filing fee until you are requested to do so.

If you have a disability for which you need accommodation in the fee arbitration process, or if you need to receive the printed materials in a different format, please contact Cassandra Stich at ext. 334.

Thank you for inquiring about the Oregon State Bar's Fee Arbitration Program. We hope we can assist you in resolving your fee dispute.

Please return completed Petition and Agreement to:

Oregon State Bar
Arbitration of Fee Disputes
16037 SW Upper Boones Ferry Rd
PO Box 231935 Tigard, OR 97281-1935

ARBITRATION OF FEE DISPUTES

 Petitioner (Please Print Clearly)

Petition for Arbitration of Fee Dispute

vs.

Case No.: _____
 [For bar use only]

 Respondent (Please Print Clearly)

To the Oregon State Bar:

Petitioner's Name:	Phone:
	E-Mail:
Street Address:	
City/State/Zip:	
I am the Petitioner named above and I hereby petition to arbitrate the fee dispute between myself and the Respondent named below.	
Respondent's Name:	Phone:
Street Address:	
City/State/Zip:	
The amount in dispute is \$	<input type="checkbox"/> <i>Check this box if the Respondent is an attorney referred to you by the OSB Lawyer Referral Service.</i> <input type="checkbox"/> <i>Check this box if the Respondent is an attorney referred to you by the Modest Means Program</i>
Please explain the nature of the dispute (use additional pages if necessary but do not write on the back of this form)	
_____ _____ _____ _____ _____	
Petitioner's Signature	Date

ARBITRATION OF FEE DISPUTES

 Petitioner (Please Print Clearly)

vs.

 Respondent (Please Print Clearly)

Agreement to Arbitrate

Case No. _____
 [For bar use only]

Petitioner and Respondent hereby agree to submit their fee dispute to the Arbitrator(s) appointed by the Oregon State Bar, in accordance with its prescribed rules. Each party acknowledges receipt of a copy of the Rules of the Oregon State Bar on Arbitration of Fee Disputes.

The arbitration award shall be binding upon the parties, subject to the remedies available under ORS 36.705 and 36.710. The parties acknowledge that this arbitration shall not be governed by or subject to ORS 36.600 to 36.740 except as expressly provided in the Fee Arbitration rules and the parties hereby waive those requirements to the extent permitted by ORS 36.615.

Each party further agrees to pay promptly any amount determined by the arbitration to be due from that party. The award may be confirmed by the court and a judgment entered thereon pursuant to ORS 36.700.

If either party to this agreement is a corporation, partnership, association or other entity, the person signing on behalf of that party warrants that he or she is duly authorized to enter into this agreement on behalf of the party. This agreement shall not be binding until signed by or on behalf of both parties.

 Petitioner's Signature

 Date

 Respondent's Signature

 Date