

PETITION FOR RESOLUTION OF DISPUTED FEE

**TO: THE ATTORNEY CLIENT ASSISTANCE PROGRAM
THE NORTH CAROLINA STATE BAR
PO BOX 25908
RALEIGH, NC 27611
TELEPHONE: (919) 828-4620
FAX: (919) 828-3796**

OFFICE USE ONLY
FILE NUMBER
DISTRICT:

I, the undersigned, hereby request resolution of my fee dispute with the lawyer named below. I understand that the lawyer may reveal confidential lawyer/client information to the extent necessary to respond to this petition.

Dr. Mr. Mrs. Ms. _____
Name of Petitioner (Please circle correct TITLE)

Name of Lawyer

Address

Address

City, State, and Zip

City, State, and Zip

_____ _____
Home Phone Work Phone

Phone

Cell phone E-Mail Address

Please check the box where you can best be reached during the day.

Signature of Petitioner

Date

1. Has the lawyer filed a court action to collect the fee, or have you filed a court action for a refund:
YES NO
2. I hired the lawyer to handle the following kind of legal matter (e.g., domestic matter, criminal representation, will, real estate, civil litigation, etc.). _____

3. Was there a written fee agreement? YES NO If yes, please include a copy.
4. When did you hire the lawyer? _____
How long did the lawyer represent you? _____

PLEASE COMPLETE SECOND PAGE

5. You must have made a reasonable attempt to resolve your fee dispute before filing.
6. How much were you billed for legal fees? _____
How much did you pay the lawyer in legal fees? _____
How much of the fee are you disputing? _____

If you have invoices or other documents that would be helpful to the State Bar, please include them.

7. This program does not have the authority to waive disputed legal fees.
8. You may not file a grievance against your lawyer while a fee dispute is pending.
9. **Describe briefly what the lawyer was supposed to do for you, your fee arrangement with the lawyer, and the portion of the fee you dispute and why.**

*NOTE: Please attach a copy of any documentation in your possession that supports your position in this dispute. We do not need a copy of your entire file. Your petition will not be processed unless you have fully completed this form.

Luella C. Crane
Director
DRC Certified Superior Court Mediator
lcrane@ncbar.gov

Thank you for your interest in the North Carolina State Bar's Fee Dispute Resolution Program. Please understand that this program only reviews fee disputes and takes no position on any other issues that may exist between lawyers and clients. Enclosed please find the petition for resolution of disputed fee, which should be used by anyone who has a fee dispute with a lawyer and wants the dispute reviewed by the State Bar. A brochure is also included with the form. Please read all of the enclosed before completing the fee dispute petition.

The Fee Dispute Resolution Program deals only with issues involving the legal services that were provided and the fees charged for those services. The authority this program has is somewhat limited in nature. The rules that the program operates by do not give us the authority to forgive legal fees that may be owed a law firm or to require the payment of refunds. Further, we do not have authority over legal fees that have been awarded by the court or an administrative agency. Our position is one of a facilitator in that we try to assist the parties to resolve a fee dispute to the satisfaction of the parties involved. In most cases, the facilitation process will be conducted over the telephone. This process will vary in areas that have local fee dispute committees whereby an in person mediation may be held.

Not all fee disputes justify an attempt at facilitation. If the legal fees appear to have been earned and do not appear to be clearly excessive for the legal services provided, the matter will be referred to the appointed designee of the State Bar Council for review and possible dismissal. In cases where the legal fees appear to be excessive for the legal services provided or if the fees appear to have been earned but are not paid, an attempt at resolution will be made.