

Memorandum From
Allan J. Mayer

Phone 1805 544 7081
Fax 1805 544 1944

Public Comment

Fee arbitration

Four amendments to the State Bar's rules of procedure for fee arbitrations would (1) increase the upper cap on filing fees to \$5,000; (2) increase the dollar threshold for arbitration by a three-member panel to \$15,000; (3) modify some required award language; and (4) add language to prohibit disclosure by the program to non-parties absent a court order.

Proposed amendments to the enforcement of award rules would clarify procedures governing the bar's authority to enforce unpaid arbitration awards requiring a refund by the attorney of attorney's fees/costs.

SOURCE: Board Committee on Regulation, Admissions & Discipline
DEADLINE: April 7
CONTACT: Jill Sperber, 180 Howard St., San Francisco, CA 94105; 415/538-2023; 415/538-2335 (fax); jill.sperber@calbar.ca.gov

To Jill SPERBER Esq.

Re # (4) ① What is the meaning of "program"

② assuming the client has to pay nothing?

Can this client report these facts attorney to the Bar, Better Business Bureau local chamber of commerce or write a letter to the editor?

③ What if during the arbitration proceeding (hearing or otherwise)

evidence of a crime (Federal or State) is presented? Can either of the parties, their helpers representatives (including lawyers) or the arbitrator report such evidence to the proper officials? The reporting of this evidence or threat is not for the purpose of getting a better result, but after the arbitration is over or perhaps after the matter is entirely resolved.

Federal judges, after civil action are completed, often report violation of the internal revenue code. What are the Bd Committee Recommendations?