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June 21, 2010

To: Jill Sperber, State Bar of California

From: Connie Moore Dunning

RE: Attorney/Client Fee Dispute Program proposed Rule revisions

For approval, below are the changes we have made to our Rules:

**7. APPOINTMENT OF ARBITRATOR(S)**

**A. Selection of Arbitrator(s)**

The Arbitrator(s) shall be selected from a list maintained by the Committee. Arbitrators shall be selected based upon relevant factors including availability, experience, complexity of the case, and any Client request on the Request Form for an Arbitrator who practices civil or criminal law.

**B. Number of Arbitrators**

**1. Amount in Dispute is less than ~~\$10,000~~ \$25,000**

In all cases in which the amount in controversy is less than ~~\$10,000~~ \$25,000, one (1) Arbitrator shall be assigned to hear the case. The Sole Arbitrator shall be an Attorney.

~~**2. Binding Arbitration**~~

**2. Amount in Dispute is \$25,000 or more**

In all cases in which the amount in controversy is ~~\$10,000-\$25,000~~ or more, ~~and the Client has agreed to Binding Arbitration~~ a Panel of three (3) Arbitrators shall be appointed to hear the case, one of which is not an Attorney. Notwithstanding the amount in controversy, the parties may agree to have the matter heard by one (1) Arbitrator and that Arbitrator shall be an Attorney.

~~**3. Non-Binding Arbitration**~~

~~In cases in which the amount in controversy is less than \$20,000 and the Client has not agreed to Binding Arbitration, one (1) Arbitrator will hear the case. That Arbitrator shall be an Attorney. In cases in which the amount in controversy is \$20,000 or more, a Panel of three (3) Arbitrators shall be appointed to hear the case, one of which is not an Attorney. Notwithstanding the amount in controversy, the parties may agree to have the matter heard by one (1) Attorney Arbitrator.~~

Attachment A

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