

**Summary of 2010 Year-end Accomplishments of the  
Committee on Mandatory Fee Arbitration  
Submitted by Doug Hull, Director  
State Bar Office of Mandatory Fee Arbitration  
Tel: 415-538-2015  
[doug.hull@calbar.ca.gov](mailto:doug.hull@calbar.ca.gov)**

This report covers the accomplishments of the State Bar's Committee on Mandatory Fee Arbitration (MFA) for Year 2010. The following summary also tracks the action areas and related tasks set forth in the MFA Committee's 2010 Work Plan.

**SUMMARY OF KEY ACCOMPLISHMENTS**

Year-end highlights for 2010 include:

- Amended the Notice of Your Rights after Arbitration form approved by the Board of Governors. This statutorily required form explains the parties' post-fee arbitration rights and responsibilities. The amendment clarified the parties' right to apply to the arbitrator to correct or amend an award.
- Revised the State Bar Model Rules of Procedure For Fee Arbitrations. These rules, developed by the State Bar's Committee on Mandatory Fee Arbitration help local bars develop local rules in conformity with the State Bar's Minimum Standards and Guidelines.
- Facilitated approval of six new or revised local bar rules of procedure, bringing most of California's 42 MFA local bar programs into compliance with the Model Rules of Procedure for Fee Arbitrations.
- Revised the State Bar Guidelines and Minimum Standards for the Operation of Mandatory Fee Arbitration Programs to provide for automatic post-award interest and prohibit local programs from requiring parties to agree to binding arbitration in those matters where a 3-member panel is assigned.
- Revised the State Bar's Sample Fee Agreement to clarify the optional arbitration clauses consistent with recent developments in case law.
- Revised the Rules of Procedure for Fee Arbitrations and the Enforcement of Awards by the State Bar of California to comply with the State Bar's Model Rules.
- Presented 3 fee arbitrator training programs for local bar associations, providing free MCLE credit for attorney attendees.
- Presented two MCLE Programs for the 2010 State Bar Annual Meeting to assist members with approaches to attorney's fee dispute and case law development.

- Published a new arbitration advisory for fee arbitrators regarding arbitration of loan modification fee disputes. Also published two new program advisories for local bar program administrators on handling arbitration matters with incarcerated clients and handling arbitrations where a participant has filed bankruptcy.