



The State Bar of California

Notice of Your Rights After Fee Mediation

(Revised October 8, 2026)

You have entered into a binding agreement to settle a fee dispute through mediation.

The Fee Mediation Settlement Agreement (“Mediation Settlement Agreement”) that you signed is now a contract that includes the terms and conditions that all parties agreed to. This notice serves to advise you of your post-mediation rights concerning enforcement.

ENFORCEMENT OF THE SETTLEMENT AGREEMENT BY THE STATE BAR

If the attorney does not comply with a Mediation Settlement Agreement that requires the attorney to refund money to the client, the State Bar’s Mandatory Fee Arbitration Program will assist with enforcement of the Mediation Settlement Agreement at the client’s request. To obtain the State Bar’s assistance, the client is required to obtain and complete the State Bar’s [Client’s Request for Enforcement form](#). The client has **four years** from the date the Mediation Settlement Agreement was signed to request such assistance. Before submitting a Request for Enforcement to the State Bar, a client must make a reasonable effort to obtain payment, including, at a minimum, a written request to the attorney for payment. The State Bar may require proof of such an effort before accepting the Request for Enforcement.

Should the attorney fail to comply or propose a payment plan that is acceptable to the client or the State Bar, establish that they are unable to pay the amount due under the Mediation Settlement Agreement, or establish a lack of personal responsibility for payment, the State Bar may enforce the Mediation Settlement Agreement by assessing administrative penalties against the attorney, and if necessary, filing a motion in State Bar Court requesting the attorney be placed on involuntary inactive status. An attorney on inactive status is not entitled to practice law until they pay the amount due under the Mediation Settlement Agreement.

ENFORCEMENT OF THE MEDIATION SETTLEMENT AGREEMENT BY COURT JUDGMENT

If the terms of the Mediation Settlement Agreement are not satisfied, and no lawsuit was pending when the Mediation Settlement Agreement was signed by the parties, either party may request the appropriate court to enter judgment based on the Mediation Settlement Agreement. This is accomplished by first filing an action in the civil court with proper jurisdiction. Any action to enforce a written settlement agreement must be filed with the court **within four years** from the date of breach of the agreement.

If a lawsuit was pending when the Mediation Settlement Agreement was signed by the parties, depending upon the terms of the agreement, either party may request the court to enter

judgment. If satisfying the terms of the agreement will require time, the parties may want to consider asking the court to retain jurisdiction until full compliance with the agreement is made. (See Code Civ. Proc., § 664.6.)

You may need to seek legal advice to discuss the remedies available to you. If you need assistance finding an attorney, you may visit www.calbar.ca.gov for a list of certified lawyer referral services in your area.

Visit the State Bar's website at www.calbar.ca.gov for a copy of the Rules of the State Bar or a Client's Request for Enforcement form, or contact the following office:

State Bar of California
Mandatory Fee Arbitration Program
180 Howard Street
San Francisco, CA 94105-1639
415-538-2020
feearb@calbar.ca.gov