

Fee Dispute Committee Basic Rules and Guidelines

C/O Lackawanna Bar Association
233 Penn Avenue
Scranton, Pennsylvania 18503

- The Fee Dispute Committee is responsible for listening to and advising on, an amount of money paid to an attorney that the client feels is excessive for the service(s) rendered by the attorney.
- The Lackawanna Bar Association's Fee Dispute Committee consists of rotating members of the association. The committee will strictly act as an advisory board regarding fees paid to an attorney by their client. An advisory board can only offer a recommendation about the Fee Dispute, but *cannot* enforce the recommendation. To summarize, if the committee finds in favor of the client the committee cannot force the attorney to compensate the client in any way. Please note that the matter and/or the attorney must be based in Lackawanna County in order for the Lackawanna Bar Association Fee Dispute Committee to review.
- All Fee Dispute correspondences will be handled by mail. Documentation going to and from the Fee Dispute Committee, the attorney and the client must be in writing.
- You, the client, will be asked to submit all supporting documentation in writing prior to your scheduled hearing. Once submitted, you will be notified about the next steps of your Fee Dispute by mail. You should be prepared to present all supporting elements about your dispute to the Fee Dispute Committee, in person. It must be the actual client represented by the attorney that appears before the Fee Dispute Committee. No other representative speaking for the actual client will be heard.
- You will be notified of your hearing date as soon as possible; however, please allow up to **90 days** for your hearing to be scheduled.
- As all documentation is required in writing, phone calls are not permitted. The Fee Dispute Committee members are not located at the Lackawanna Bar Association's headquarters. Once you receive your *Fee Dispute Acknowledgement Letter*, please do not call the Lackawanna Bar Association with any inquiry. The staff available at the Lackawanna Bar Association cannot verbally comment on any matters regarding your Fee Dispute for reasons of confidentiality. In addition, the staff is not permitted to provide Fee Dispute Committee members addresses or telephone numbers.
- If your Fee Dispute hearing changes, you will be notified in writing.
- PLEASE NOTE: The Fee Dispute Committee is not a disciplinary board.

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(Please type or print)

Date: _____

A. COMPLAINANT:

Name: Mr./Mrs. Miss/Ms.

(First) (MI) (Last)

Address: _____
(Street)

(City) (State) (Zip Code)

Telephone #: Home – () _____; **Other:** - () _____

B. ATTORNEY COMPLAINED OF:

Name:

(First) (MI) (Last)

Office Address: _____
(Street) (City) (State) (Zip Code)

Telephone: Office – () _____

C. PRIOR COMPLAINTS CONCERNING THIS MATTER OR ATTORNEY:

Have you previously filed a complaint concerning this matter or attorney with the Lackawanna Bar Association or its Fee Dispute Committee, the Disciplinary Board of the Supreme Court of Pennsylvania, any District Justice, Court, or any other agency or office?

___ Yes; ___ No.

If “Yes,” please identify the agency and specify the date and nature of your complaint and the action taken by the agency:

D. INSTRUCTIONS:

A written and signed statement of the facts must be filed before your complaint can be considered. Use the reverse side of this form, under “STATEMENT OF COMPLAINT” to

fully and completely set forth all of the facts and circumstances of your complaint. PLEASE BE SPECIFIC, referring to the relevant dates and circumstances of the fee arrangements, amounts and dates of payments paid to the attorney, services to be performed, the names and addresses of other individuals involved in the legal matter, and EXACTLY HOW YOU CONSIDER THE FEE CHARGED TO BE EXCESSIVE OR UNMERITED, etc.

PLEASE ATTACH COPIES OF ALL CORRESPONDENCE AND OR DOCUMENTS RELATING TO YOUR CASE (Do not send originals). If you have not attached any documentation, please explain why:

E. CONFIDENTIALITY:

You are advised that Rule 402 of the Pennsylvania Rules of Disciplinary Enforcement requires that all investigations and proceedings before the Disciplinary Board be conducted in a strictly confidential manner. Therefore, you are requested not to breach the confidentiality of our consideration of your complaint by disclosing your involvement with the Fee Dispute Committee or the Disciplinary Board to other persons.

F. INTERVIEWS:

Once the Fee Dispute Committee determines that your complaint is to be considered a fee dispute, your complaint will be referred back to us and scheduled for a hearing. Your presence may be required at this hearing and you will be contacted by phone or letter to make arrangements for you attendance at this meeting.

(Date)

(Your Signature)