

The Fee Arbitration Program is a service of the State Bar of Wisconsin, the mandatory association for Wisconsin lawyers, which provides educational services and support, as well as programs to provide legal services to the public.



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Madison, WI 53707-7158

**Contact the
Fee Arbitration Administrator**

By phone:

(800) 444-9404, ext. 6185 or
(608) 250-6185

By email:

kwenzel@wisbar.org

For more information, visit us online:
www.wisbar.org/committees/rfd



In a fee dispute?

**Fee arbitration provides fast,
inexpensive settlements
of fee disputes between
lawyers and clients.**





In a dispute over fees? We can help.

As a client, you may feel helpless when a dispute or disagreement over legal fees occurs.

As an attorney, you may feel the only choice seems to be going to court.

You have another option — the Fee Arbitration Program.

- Arbitration is confidential, so both parties preserve their privacy
- You don't have to go to court — saving time, money, and undue publicity
- You pay as little as \$25 for a hearing

What is fee arbitration?

Fee arbitration is a private hearing between a lawyer and their client before a one- to three-member panel of arbitrators in an informal setting.

Trained volunteer arbitrators (lawyer and non-lawyer members of the public) hear the arguments on both sides before making a decision. You may choose to be represented by a lawyer for the hearing, though it is not required, and you would be responsible for their legal fee.

The decision made by the arbitrators is final and binding, subject only to the appeal rights under Chapter 788, Wisconsin Statutes.

How do I start the arbitration process?

Get an application by calling the Fee Arbitration Administrator at (800) 444-9404 ext. 6185 or (608) 250-6185, visiting www.wisbar.org/committees/rfd, or writing to:

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Only one of the parties needs to complete an application form. However, both parties must agree to fee arbitration for a hearing to be held.

How much will it cost?

The fee assigned to each party is as follows:

Disputed fees equal to or less than \$3,000	\$25
Disputed fees greater than \$3,000, but less than \$20,000	\$50
Disputed fees greater than \$20,000	\$100

This fee does not cover expenses incurred in the arbitration process, costs for collection actions, other litigation, or appeals after an arbitration decision.

How long does the process take?

Once the application is received the entire process takes three to six months. Within three weeks of the hearing, a decision stating what fee is fair and reasonable will be mailed to both parties. Payment or a refund must be made within 30 days from the date of the mailing.

Are there any exceptions to what can be arbitrated?

In general, all fee disputes between clients and their lawyers may be arbitrated. But, there are a few exceptions:

- The lawyer was not licensed to practice law in Wisconsin
- The case involved services performed outside of Wisconsin
- There was no lawyer/client relationship
- The fees were set by law or statute
- The full amount of the fee, or all terms of which, were fixed or approved by order of a court, such as guardian ad litem fees
- The applicant's claim does appear to have merit (e.g. legal action on the fee has been started, the lawyer had not been hired, or the matter is not a dispute over legal fees for services provided)

Your application will not be accepted if your case falls into one or more of the exceptions. While this means that no arbitration hearing will be held, it does not affect litigation or any other solution that you may wish to consider in place of arbitration.

How can I get more information?

Call the Fee Arbitration Administrator at the State Bar of Wisconsin at (800) 444-9404 ext. 6185 or (608) 250-6185, or visit www.wisbar.org/committees/rfd.