

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT:	
PETITION TO <input type="checkbox"/> CONFIRM <input type="checkbox"/> CORRECT <input type="checkbox"/> VACATE ATTORNEY-CLIENT FEE ARBITRATION AWARD	
Jurisdiction (<i>check all that apply</i>): <input type="checkbox"/> Action is a limited civil case (does not exceed \$35,000) Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000 <input type="checkbox"/> Action is an unlimited civil case (exceeds \$35,000)	
CASE NUMBER:	
NOTICE: Please read Alternative Dispute Resolution form ADR-105, <i>Information Regarding Rights After Attorney-Client Fee Arbitration</i>, promptly and before completing this form. There are short deadlines for requesting court relief after an attorney-client fee arbitration award. Do not use this form to reject a nonbinding attorney-client fee arbitration award and request a trial; use form ADR-104 instead.	

1. **Petitioner and respondent.** Petitioner (*name each*):

alleges and requests relief against respondent (*name each*):

2. **Attorney-client fee dispute arbitration.** This petition is being filed after an attorney-client fee arbitration conducted under Business and Professions Code sections 6200–6206. Petitioner was

- a. the attorney involved in the fee dispute.
- b. the client involved in the fee dispute.

3. **Pending or new action.**

- a. A court case is already pending, and this is a petition filed in that action. (*If so, proceed to item 4.*)
- b. This petition commences a new action. (*If so, complete items 3b(1) through 3b(4).*)

- (1) **Petitioner's capacity.** Each petitioner named in item 1 is an individual,
 - except petitioner (*state name and complete one or more of the following*):
 - (a) is a corporation qualified to do business in California.
 - (b) is an unincorporated entity (*specify*):
 - (c) is a representative (*specify*):
 - (d) is (*specify other capacity*):

- (2) **Respondent's capacity.** Each respondent named in item 1 is an individual,
 - except respondent (*state name and complete one or more of the following*):
 - (a) is a business organization, form unknown.
 - (b) is a corporation.
 - (c) is an unincorporated entity (*specify*):
 - (d) is a representative (*specify*):
 - (e) is (*specify other capacity*):

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

3. b. (3) **Amount or property in dispute.** This petition involves a dispute over *(check and complete all that apply)*:
- (a) the following amount of money *(specify amount)* \$
 - (b) property *(if the dispute involves property, complete both of the following)*
 - (i) consisting of *(identify property in dispute)*:
 - (ii) having a value of *(specify value of property in dispute)*: \$
- (4) **Venue.** This court is the proper court because *(complete (a) or (b))*:
- (a) this is the court in the county in which the arbitration was held.
 - (b) the arbitration was not held exclusively in any county of California, **and**
 - (i) this is the court in the county where the agreement was made.
 - (ii) this is the court in the county where the agreement is to be performed.
 - (iii) the agreement does not specify a county where it is to be performed and was not made in any county in California, and the following party resides or has a place of business in this county *(name of party)*:
 - (iv) the agreement does not specify a county where it is to be performed and was not made in any county in California, and no party to this action resides or has a place of business in California.
4. **Arbitrator.** The following person was duly selected or appointed as arbitrator *(name of each arbitrator)*:
5. **Arbitration hearing.** The arbitration hearing was conducted as follows *(complete both of the following)*:
- a. **Date** *(each date of arbitration)*:
 - b. **Location** *(city and state where arbitration was conducted)*:
6. **Arbitration award.**
- a. **Date of award.** The arbitration award was made on *(date)*:
 - b. **Terms of award.** The arbitration award *(complete one or more of the following)*
 - (1) requires the attorney the client to pay the other party this amount: \$
 - (2) requires neither the attorney nor the client to pay the other anything.
 - (3) provides *(specify other terms or check item 6(c) and attach a copy of the award)*:
 - c. **Attachment of Award.** A copy of the award is submitted as Attachment 6(c).
7. **Notice of award.** The notice of the arbitration award indicates that it was mailed to petitioner on *(date)*:
8. **Binding award.** The arbitration award is binding because *(check all that apply)*
- (a) after the fee dispute arose, the parties agreed in writing that the arbitration award would be binding.
 - (b) more than 30 days have passed since notice of the award was mailed, and no party has filed a rejection of the award and request for trial.
9. **Willful nonappearance.** Thirty days have not passed since notice of the award was mailed; however, respondent willfully failed to appear at the arbitration hearing. The award does does not refer to respondent's nonappearance.
10. **Petitioner requests that the court** *(check all that apply)*:
- a. **confirm the award and enter judgment according to it.**
 - b. **correct the award and enter judgment according to the corrected award, as follows:**
 - (1) The award should be corrected because *(check all that apply)*:
 - (a) the amount of the award was not calculated correctly, or a person, thing, or property was not described correctly.
 - (b) the arbitrator exceeded his or her authority.
 - (c) the award is imperfect as a matter of form.

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

10. b. (2) The facts supporting the grounds for correcting the award alleged in item 10b(1) are as follows (if additional space is required, check here and submit facts on an attachment labeled 10b(2)):

(3) The award should be corrected as follows (if additional space is required, check here and describe requested correction on an attachment labeled 10b(3)):

c. **Vacate (cancel) the award.**

(1) The award should be vacated because (check all that apply)

- (a) the award was obtained by corruption, fraud, or other unfair means.
- (b) an arbitrator was corrupt.
- (c) the misconduct of a neutral arbitrator substantially prejudiced petitioner's rights.
- (d) the arbitrator exceeded his or her authority, and the award cannot be fairly corrected.
- (e) the arbitrator unfairly refused to postpone the hearing or to hear evidence useful to settle the dispute.
- (f) an arbitrator failed to disclose within the time for disclosure a ground for disqualification of which the arbitrator was then aware.
- (g) an arbitrator should have disqualified himself or herself after petitioner made a demand to do so.

(2) The facts supporting the grounds for vacating the award alleged in item 10c(1) are as follows (if additional space is required, check here and submit facts on an attachment labeled 10c(2)):

(3) Petitioner does does not request a new arbitration hearing.

d. **Award petitioner interest** from (date):

- (1) at the statutory rate.
- (2) at the rate of _____ % per year.

e. **Award petitioner costs of suit**

- (1) in the amount of: \$
- (2) according to proof.

f. **Award petitioner attorney fees incurred in this action** (attorney fees incurred in preparation for or in the course of the fee arbitration proceeding are not recoverable)

- (1) in the amount of: \$
- (2) according to proof.

g. **Award petitioner the following other relief** (describe relief requested; if additional space is required, check here and describe relief on an attachment labeled 10g):

11. **Pages and attachments.** Number of pages attached: _____

Date: _____

 (TYPE OR PRINT NAME)

▶

 (SIGNATURE OF PETITIONER OR ATTORNEY)

