

\_\_\_\_\_  
 \_\_\_\_\_  
 PETITIONER(S)

-vs-

\_\_\_\_\_  
 \_\_\_\_\_  
 RESPONDENT(S)

**ARBITRATION AGREEMENT**

**No.** \_\_\_\_\_

- 1) Petitioner(s) affirm(s) that they have previously attempted to settle this dispute with the other party through a meeting, telephone call or written communication and that notwithstanding those efforts, the assistance of arbitrators is requested to resolve this dispute.
- 2) Each party affirms that they have received and read the State Bar of Montana's "Rules on Arbitration of Fee Disputes" and agrees to abide by those rules.
- 3) The parties agree that this dispute is not subject to a valid arbitration agreement under applicable state or federal law.
- 4) The parties agree that this dispute is not the subject of litigation filed prior to receipt of the Petition by the State Bar of Montana.
- 5) In addition to paragraphs 1 through 4 above, the parties further agree: (*choose and sign **ONE** of the following options*)

**OPTION A:** To participate in "binding" arbitration and to immediately be bound by the decision of the arbitrators. (*If both parties sign under Option A, the arbitrators' decision is final and cannot be reversed unless there is a showing of fraud or conflict of interest under the Uniform Arbitration Act.*)

Petitioner(s)	Date	Respondent(s)	Date
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**OPTION B:** To participate in "non-binding" arbitration, with the arbitrators' decision to become binding thirty (30) days after the date of the decision, unless Petitioner or Respondent files a lawsuit in the appropriate a court of law, within 30 days of the date of the arbitrators' decision, to settle this dispute. (*If either party chooses Option B, there is a 30-day grace period from the date the decision is mailed to the parties, allowing either party to file a lawsuit if they disagree with the arbitrators' decision.*)

Petitioner(s)	Date	Respondent(s)	Date
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**OPTION C (for Respondent only)**

I elect not to participate in the arbitration and understand that, depending upon my status as either attorney or client, Rules 5.5 and 5.6, respectively, will thereafter govern.

Respondent(s)	Date
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\_\_\_\_\_

\_\_\_\_\_  
**PETITIONER(S)**

**vs.**

**PETITION FOR ARBITRATION  
OF FEE DISPUTE**

**No.**\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
**RESPONDENT(S)**

**TO: THE STATE BAR OF MONTANA:**

**PETITIONER(S)** address and phone number:

\_\_\_\_\_  
(Street or P.O. Box)

\_\_\_\_\_  
(City, State and Zip)

\_\_\_\_\_  
(Daytime Phone No.)

E-Mail Address:\_\_\_\_\_

**RESPONDENT(S)** address and phone number:

\_\_\_\_\_  
(Street or P.O. Box)

\_\_\_\_\_  
(City, State and Zip)

\_\_\_\_\_  
(Daytime Phone No.)

E-Mail Address:\_\_\_\_\_

Petitioner(s) hereby request(s) arbitration of the fee dispute between myself/ourselves and the above-named Respondent(s).

The amount of the fee and/or costs in dispute is: \$\_\_\_\_\_.

I/we certify the fee is not the subject of pending litigation and is not a fee which a court or administrative agency, i.e. Workers' Compensation Court or Social Security Disability matter, has statutory authority to determine. I/we understand this is not the forum for claims of professional or ethical misconduct or malpractice and that those issues are reviewed by the Office of Disciplinary Counsel (406)841-2980, or by a court of law. I/we further understand that by filing this Petition, I/we may not withdraw from this process once the opposing party has signed the Arbitration Agreement, unless the opposing party agrees to the withdrawal. I/we also understand that even if non-binding arbitration is selected, the award entered at the conclusion of the process may become binding under certain provisions of these rules.

A brief statement of the facts giving rise to the dispute is as follows: (Attach separate sheet if necessary)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DATED THIS** \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Co-Petitioner (If applicable)