



## SUPREME COURT OF GEORGIA

Atlanta January 5, 2005

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

It is ordered that certain provisions of Part VI of the Rules of the State Bar of Georgia regarding the arbitration of fee disputes be amended to read as follows:

### **Preamble**

[second paragraph]

A unique feature of this program provides that where the petitioner is a client whose claim after investigation appears to warrant a hearing, and the respondent lawyer refuses to be bound by any resulting award, the matter will not be dismissed, but an ex parte arbitration hearing may be held. If the outcome of this hearing is in the client's favor, the State Bar will provide a lawyer at no cost, other than actual litigation expenses, to the client to represent the client in subsequent litigation to adjust the fee in accordance with the arbitration award.

### **Rule 6-102. Membership.**

The Committee shall consist of six lawyer members and three public members who are not lawyers. The six lawyer members shall be appointed by the President of the State Bar, and the three public members shall be appointed by the Supreme Court of Georgia.

### **Rule 6-201. Jurisdiction.**

The Committee may accept jurisdiction over a fee dispute only if all of the following requirements are satisfied:

.....

(d) The disputed fee:

- 1) exceeds (\$750) seven hundred and fifty dollars.
- (2) is not one the amount of which is governed by statute or other law, nor one the full amount or all terms of which have already been fixed or approved by order of a court.

.....

(g) The fee dispute is not the subject of litigation in court at the time the Petition for arbitration is filed.

**Rule 6-601. Special Case Procedure.**

.....

(b) The arbitrator panel shall be selected by the Committee or its staff, and

(1) in cases involving amounts in dispute over \$2,500 shall consist of two (2) attorneys who have practiced law actively for at least five (5) years and one (1) non-lawyer public member.

(2) in cases involving amounts in dispute of \$2,500 or less, the arbitration panel may consist of one arbitrator who shall be a lawyer who has practiced law actively for at least five (5) years.

**SUPREME COURT OF THE STATE OF GEORGIA**

Clerk's Office, Atlanta

I hereby certify that the above is a true extract from  
the minutes of the Supreme Court of Georgia  
Witness my signature and the seal of said court hereto  
affixed the day and year last above written.

, Clerk