



Attorney/Client Arbitration Board

Annual Report | Fiscal Year 2023 - 2024

The Attorney/Client Arbitration Board of the District of Columbia Bar (ACAB) has conducted an arbitration program since 1982 for the adjudication of fee disputes between members of the District of Columbia Bar and their clients.

The dispute must: (1) be between a lawyer and a client, (2) be limited to the fees paid, charged or claimed for legal services; (3) involve a lawyer subject to the disciplinary jurisdiction of the District of Columbia Court of Appeals when the legal services were provided; (4) arise in the District of Columbia, and (5) be filed with the ACAB within the three-year statute of limitations.



Fee arbitration became mandatory on January 1, 1995, with the adoption of Rule XIII of the Rules Governing the Bar ("Rule XIII"). Subject to the jurisdictional requirements of Rule XIII, arbitration of disputes over legal fees and disbursements is mandatory for members of the Bar if requested by a client. The ACAB will enforce an attorney/client agreement to arbitrate a fee dispute if the pre-dispute agreement (1) is valid and enforceable, (2) is signed by all parties to the dispute, and (3) encompasses fee disputes in the scope of the disputes to be arbitrated. Further, the client must have been adequately informed of the scope and effect of a mandatory arbitration provision, consistent with D.C. Bar Legal Ethics Committee Opinion 376. In this instance, the ACAB can compel a client to arbitrate a fee dispute filed by a lawyer. A non-binding voluntary mediation option for parties to a fee dispute was added in 1999.

The ACAB has a governing committee of seven members of the District of Columbia Bar and four public members. Each member is elected by the Board of Governors to serve a three-year term. No member may serve more than two consecutive terms. Charles A. McCullough, II, an attorney member, served as chair during Fiscal Year (FY) 2023-24. Sonia Shukla, a public member, served as vice-chair.

The ACAB Fee Arbitration Service has 73 volunteers who serve as arbitrators – 52 lawyers and 21 public members. Eleven of the arbitrators – eight lawyers and three public members – also serve as volunteer mediators. Applicants are screened by Bar staff and members of the ACAB Committee. The ACAB reviews applications and appoints and trains its arbitrators and mediators. Arbitrators serve for three-year terms, after which they must request reappointment and their credentials are again reviewed by the ACAB.

The arbitration process may be initiated by either a client or an attorney. An information packet that explains the arbitration process and required forms are available on the Bar's website. The initiating party submits a petition to arbitrate, which includes the parties' names, a brief description of the claim and the relief requested, and a signed agreement to arbitrate. The petition is reviewed by the Associate Director for jurisdiction and completeness before being docketed.

The FY 2023-24 ACAB Committee

- **Chair:** Charles A. McCullough, II (Lawyer member)
- **Vice-Chair:** Sonia Shukla (Public member)
- **Lawyer Members:** Ariel Glasner, Maryam Hatcher, Karla Letsche, Carl Turpin, Patricia Vermillion, Sarah Williams
- **Public Members:** Ann Morris, Tina Patterson, DeAndra Roaché

FY 2023-24 AT-A-GLANCE

51 Cases Opened

- 16 (31%) initiated by an attorney
- 35 (69%) initiated by a client

30 Arbitration Awards Issued

- 14 (47%) in favor of attorney
- 16 (53%) in favor of client

9 counterclaims filed

30 cases assigned to arbitrators

1 mediation session held

47 Cases Concluded

- 30 Arbitration Awards
- 5 Settled
- 10 Closed
- 1 Consent Decision
- 1 Mediated

Amount of relief sought in 51 cases filed

- 20 (39%) Equal to or less than \$10,000
- 18 (35%) Between \$10,001 and \$49,999
- 7 (14%) between \$50,000 and \$149,999
- 3 (6%) \$150,000 to \$999,999
- 3 (6%) Equal to or greater than \$1,000,000

▶ KEY ACCOMPLISHMENTS ◀

- Conducted 25 fully remote, three hybrid, and two in-person arbitration hearings.
- Held a fully remote arbitrator workshop for all volunteer arbitrators with 34 participating (47% of the arbitrators).
- Completed the reappointment of volunteer arbitrators, which resulted in the reappointment of 73 volunteers.
- Amended the criteria required to remain in active/good standing as a volunteer arbitrator.

Five-Year Trends for Cases Filed, Awards Issued and Cases Concluded

FY 2023-24

Cases Filed: 51
Awards Issued: 30
Cases Concluded: 47

FY 2022-23

Cases Filed: 34
Awards Issued: 20
Cases Concluded: 43

FY 2021-22

Cases Filed: 28
Awards Issued: 22
Cases Concluded: 34

FY 2020-21

Cases Filed: 38
Awards Issued: 15
Cases Concluded: 31

FY 2019-20

Cases Filed: 45
Awards Issued: 21
Cases Concluded: 35

Cases Filed, Awards Issued & Cases Concluded

