

27 NCAC 01D .0702 JURISDICTION

(a) The committee has jurisdiction over a disagreement arising out of a client-lawyer relationship concerning the fees and expenses charged or incurred for legal services provided by a lawyer licensed to practice law in North Carolina.

(b) The committee does not have jurisdiction over the following:

- (1) a dispute concerning fees or expenses established by a court, federal or state administrative agency, federal or state official, or private arbitrator or arbitrator panel;
- (2) a dispute over fees or expenses that are or were the subject of litigation or arbitration unless
 - (i) a court, arbitrator, or arbitration panel directs the matter to the State Bar for resolution,
 - (ii) both parties to the dispute agree to dismiss the litigation or arbitration without prejudice and pursue resolution through the State Bar's Fee Dispute Resolution program; or
 - (iii) litigation was commenced pursuant to 27 N.C. Admin. Code 1D §.0707(a);
- (3) a dispute between a lawyer and a service provider, such as a court reporter or an expert witness;
- (4) a dispute over fees or expenses that are the subject of a pending Client Security Fund claim, or a Client Security Fund claim that has been fully paid.
- (5) a dispute between a lawyer and a person or entity with whom the lawyer had no client-lawyer relationship; and
- (6) a dispute concerning a fee charged for services provided by the lawyer that do not constitute the practice of law.

(c) The committee will encourage settlement of fee disputes falling within its jurisdiction.

*History Note: Authority G.S. 84-23;
Readopted Eff. December 8, 1994;
Amendments Approved by the Supreme Court: May 4, 2000; March 11, 2010; August 23, 2012;
September 25, 2019.*