

Law Society
of British Columbia

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Law Society Fee Mediation Program

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www.lawsociety.bc.ca

Other options

Alternatives to mediation include:

- Fee review: Clients and lawyers can have a lawyer’s bill reviewed by a BC Supreme Court Registrar. There are time limits for applying for a formal fee review, whether the fee is based on an hourly rate or on contingency. You should contact the court to confirm if you are in time. Note: time limits for reviews apply even if you try mediation.

For more information on fee reviews, visit the BC Supreme Court’s website at www.courts.gov.bc.ca/supreme_court (go to About the Supreme Court > Registrar’s Office > Legal Profession Act Review).

- Court action: Clients and lawyers have the right to sue over fee disagreements in either the BC Provincial Court (Small Claims) or the BC Supreme Court.

The key differences between the Law Society program and the BC Supreme Court Registrar process are:

Law Society Fee Mediation Program	BC Supreme Court Registrar
Free	\$80 fee paid by the applicant and potential costs (awarded against the losing party)
For fee disputes of \$1,000 to \$35,000	No limit to the dollar value of the dispute
Available in person or by telephone	Must attend in person
Private	Public
Informal	A court process with testimony and a decision after the hearing
Time is capped at three hours	May be lengthy, no set limit on hearing time
Requires consent of both parties	Does not require consent of both parties
Able to be processed and completed relatively quickly	Formal process may be lengthy
May result in binding settlement agreement	Decision is a court judgment which is more easily enforced

■ How to apply for fee mediation

1. A client or lawyer can begin the process by completing the Application for Fee Mediation (available on the Law Society's website at www.lawsociety.bc.ca — go to [Complaints, Lawyer Discipline and Public Hearings > Complaints > Complaints about Lawyers' Fees](#)).
2. Send the application to the Law Society to the attention of the intake officer.
3. The Law Society will contact the other party to determine whether there is a mutual interest in using the Fee Mediation Program.
4. If agreed, the Law Society will appoint a mediator from our list of qualified and experienced mediators. Mediators are independent of the Law Society.
5. The mediator will contact the client and lawyer and arrange a mediation session. The form of the mediation — in person or by telephone — is up to the participants. The fee mediation is limited to three hours.

The mediator manages the process to help the client and lawyer resolve their disagreement.

The mediation is done on a "without prejudice" basis. This means that anyone who agrees to participate in the Fee Mediation Program admits nothing more than a willingness to participate and any negotiations during the process cannot be used in any subsequent court proceedings.

■ More information

For more information on lawyers' fees, visit [Working with Lawyers > Lawyers' Fees](#) on the Law Society's website at www.lawsociety.bc.ca.

The Law Society of British Columbia regulates the more than 11,000 practising lawyers in the province, setting and enforcing standards of professional conduct that ensure the public is well served by a competent, honourable legal profession.

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■ The Fee Mediation Program

The Law Society Fee Mediation Program is a free, informal service to help lawyers and clients resolve fee disputes quickly without having to go to court. The program is offered as part of the Law Society's commitment to protect the public and provides clients and law firms with a solution for resolving client concerns.

- The program is entirely voluntary and both the client and lawyer must agree to participate — either party can withdraw from the mediation at any time.
- A private mediator is provided for free.
- Mediation can occur in person or at a distance.
- Clients do not need a lawyer to represent them.
- The amount in dispute must be between \$1,000 and \$35,000.
- To qualify, there must be no previous determination on the fees through any other process.