

# Mediating Attorney Fee Disputes

## Telephone Seminar, September 12, 2017, Noon-1:30 p.m.

**Speaker: Byron P. Gallagher, Jr.**

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Attorney fee disputes can be challenging for mediators. When the value of an attorney's services is questioned, things tend to get contentious. Often the mediation involves parties disputing the amount of a fee after a fee shifting statute or court rule is in effect. Other times the mediation is between an attorney and former client. On occasion, a judge may have sanctioned a party or attorney, reserving the amount for a future hearing if the parties cannot reach an agreement.

These disputes are difficult to resolve because of perceptions, personalities, pride, and sometimes downright bad behavior by one or more participants. To be effective, the mediator must have a basic understanding of attorney fees, fee agreements and related legal and equitable issues. The mediator must be able to marshal this understanding to identify the issues, build trust, build consensus where possible, and help develop workable solutions toward an agreement.

In this teleseminar, you will learn:

- How the nature of the dispute impacts the mediation
  - The impact of claims of malpractice, ethical violations, and fraud on negotiations
  - How to deal with attorney-client privilege claims and waivers
  - Authority to settle affected by these variables
  - Factors which parties need to address in fee disputes
  - When attorney fees may be recovered by law or court rule and prevailing standards
  - Common objections mediators are likely to encounter
  - Answers to your questions about dealing with these disputes
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### About our Speaker

Byron P. ("Pat") Gallagher, Jr. is a graduate of the Washington University School of Law and has practiced law in Michigan since 1989. Pat frequently serves as a mediator of attorney fee, business, real estate, and probate disputes. He is an approved facilitative mediator for the United States District Court Western District of Michigan. Pat also serves as an expert witness and consultant on attorney fee, receiver fee, estate and legal malpractice disputes. His office is in East Lansing.

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### Cost

REGISTRATION DEADLINE: Sept. 8, 2017

- ☐ ADR Section Members .....\$10
- ☐ Law Students .....\$10  
Law students must include their law school e-mail address.
- ☐ Sitting Judges .....FREE  
Judges must register by mail to receive this dicounted rate.
- ☐ All Other Registrants .....\$40

### Additional Information

- Information on how to access the dial-in instructions will be provided on your seminar confirmation.
- Registrants will be able to access electronic materials in the event library two days before the seminar.

### Questions

For additional information regarding the seminar contact Robert Wright at (616) 682-7000 or bob@thepeacetalks.com.

### Register One of Two Ways

**Online:** visit <http://e.michbar.org> to register

**Mail** your check and completed registration form to:

State Bar of Michigan  
Attn: Seminar Registration  
306 Townsend Street  
Lansing, MI 48933

P #: \_\_\_\_\_

Name: \_\_\_\_\_

Your Firm: \_\_\_\_\_

Your Law School (if student): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: ( \_\_\_\_\_ ) \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Law students must include their law school e-mail address.

Enclosed is check # \_\_\_\_\_ for \$ \_\_\_\_\_

Please make check payable to: STATE BAR OF MICHIGAN To pay with credit/debit card visit <http://e.michbar.org>

**Cancellation Policy:** Registration and Payment must be received at the SBM on or before 3PM on September 8, 2017. The registration fee for this event is forfeited if attendance is canceled. As a courtesy to the planners, written notice of your intent not to participate is appreciated. That notice can be made by e-mail (tbellinger@michbar.org), fax (517-372-5921 ATTN: Tina Bellinger), or by U.S. mail (306 Townsend St., Lansing, MI 48933 ATTN: Tina Bellinger.)