

Beth Din of America

Rates and Billing Policies

The Beth Din of America aims to make our billing process straightforward and transparent. Below is an overview of how fees are structured for hearings, mediation, and related work.

1. Hearing Fees

- **Three-Dayan Panel (typically cases involving \$20,000 or more):** \$500 per hour per side (\$1,000 per hour total) for scheduled hearing time.
- **Single-Dayan Cases (typically cases involving less than \$20,000):** \$250 per hour per side (\$500 per hour total).
- **Mediation:** \$250 per hour per side (\$500 per hour total).
- **Cancellations:** If a hearing or mediation is cancelled less than 24 hours in advance, the cancelling party may be charged for one hour of scheduled time (\$1,000 for three dayanim, \$500 for a single dayan).
- **Late arrivals:** If a party arrives more than 15 minutes late, that party will be charged its one-half share of the hearing fee for the time lost, and the timely party will not be charged for that time. Where lateness is repeated or extends for a substantial period, the Beth Din may, in its discretion, charge the late-arriving party for the other party's one-half share as well.
- **Breaks:** For sessions that last several hours, the Beth Din also bills for reasonable breaks, Mincha, etc.

2. Pre-Hearing and Post-Hearing Work

In addition to hearing time, the Beth Din charges for work outside the hearing room. This includes:

- **Pre-hearing work:** conferences, procedural rulings, and review of submissions.
- **Post-hearing work:** deliberations, reviewing the record, and preparing the *psak* (decision).

This work is typically covered by a lump sum retainer. See section 3 below for more detail on how this work is paid for.

3. Retainers for Pre-Hearing and Post-Hearing Work

When parties prepay for hearing time, the Beth Din also collects a retainer to cover anticipated pre-hearing and post-hearing work. The amount is based on the number of hearing hours, which generally reflects the complexity and volume of the case.¹

- If a case spans many sessions and we determine we've already collected enough to cover post-hearing work, we will stop collecting additional retainers for later hearings.
- If a case concludes (by settlement or otherwise) before a full *psak* is written, any unused portion of the retainer will be refunded.
- If a fully reasoned *psak* is issued, the retainer is applied to the time spent reviewing evidence, deliberating, and preparing the decision. Since the retainer reflects an estimate of the work involved rather than a strict hour-by-hour calculation, we generally do not refund retainer funds once substantial time has been invested in writing the decision.
- For unusually document-heavy or complex cases, the Beth Din may request an additional retainer if it becomes clear that significantly more time will be needed than initially estimated.

4. Post-Award Modification Requests

For requests to modify an award under Section 31 of the Rules and Procedures:

- Each requesting party is charged a fee equal to 10% of the hearing fees paid in the case, with a minimum of \$250 and a maximum of \$1,000.
- For especially large or complex submissions, additional review time may be billed at \$250 per *dayan* hour per side (\$500 per hour total).

¹ The Beth Din calculates retainers for pre- and post-hearing work using the same hourly rates that apply if work is billed by time rather than by retainer, generally \$250 per hour per side (\$500 per hour total), or \$165 per *dayan* hour per side (\$330 per hour total) when a three-*dayan* panel hears the case. As a rule of thumb, we estimate that for every hour of hearing time, the Beth Din will typically spend about two hours of single-*dayan* time (or its equivalent) on related work, including reviewing submissions, conducting pre-hearing conferences, deliberating, and drafting the *psak* (decision).

For example, if a case is scheduled for a six hour hearing before three *dayanim*, we estimate the equivalent of 12 hours of single-*dayan* work. At the discounted three-*dayan* rate of \$165 per *dayan* hour per side, this translates to: 12 hours × \$165 = \$1,980 per side (or \$3,960 total) as the retainer for anticipated pre- and post-hearing work.

These same rates are also used when only a portion of the retainer is kept (because little work was done and the case settled or ended early); additional amounts are billed for unusually complex or document-heavy cases; and pre-hearing or post-hearing work is billed directly by time rather than through a retainer.