

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-Day^{an} Panel (typically cases involving \$20,000 or more):** \$500 per hour per side (\$1,000 per hour total) for scheduled hearing time.
- **Single-Day^{an} 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:** A cancellation or postponement fee of \$250 (for a single-day^{an} panel or mediation) or \$500 (for a three-day^{an} panel) applies as follows: if one party unilaterally cancels or requests a postponement fewer than five business days before a scheduled hearing, that party must pay the cancellation fee before the hearing may be rescheduled. If both parties jointly request a cancellation or postponement in writing, each party must pay half the applicable fee (\$125 for a single-day^{an} panel or mediation, or \$250 for a three-day^{an} panel) before the hearing may be rescheduled.
- **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 bills pre- and post-hearing work at \$250 per hour per side (\$500 total). This work may include reviewing submissions, conducting pre-hearing conferences, deliberating, drafting the *psak* (decision), and related case administration.

To simplify administration and avoid piecemeal billing, the Beth Din ordinarily requires an advance retainer for anticipated pre- and post-hearing work. This retainer is typically set at 66% of the hearing-time retainer.

Example: If a case is scheduled for a three-hour hearing, the hearing-time retainer would be \$1,500 per side. In such a case, the Beth Din would typically require an additional \$990 per side retainer for anticipated pre- and post-hearing work.

In standard matters, the Beth Din generally seeks to keep total billing for such work within the retainer amount. However, additional amounts may be billed in unusually complex, document-heavy, or time-intensive matters. If substantially less work is required, unused portions may be refunded.