

ATTORNEYS FEES

Generally, I charge an hourly rate billed against a pre-deposited retainer. The total cost of the case depends on the parties and the issues. The more the parties fight, the more a case will ultimately cost. In order to get a ballpark fee quote, you will need to have an initial meeting with me so that I can get an idea of the facts and issues in your case. As with all litigation, outcomes are uncertain and the work to reach the outcome is unpredictable. Any initial quote is merely an estimate. I assure you that this firm attempts to hold down client costs, while working diligently to resolve the client's issues and keep them informed of the status of their case.

The *retainer fee* that is an estimate given at the beginning of a case. It is **not** a flat fee and the hourly rates still apply. Remember, to properly prepare a case for trial, we often must turn down other cases or put other client's on hold. In addition, the issues involved in the case will determine the amount of funds needed to properly represent a client in court.

Our firm does charge an *initial consultation fee*. The rate is usually at a lower hourly rate than normally charged. This allows for the client and attorney to get to know each other and the case without a lot invested in the case. Each case is as unique as you are. You are purchasing a service rather than a product.

My *hourly fee* is competitive with the local standard. It should be understood from the beginning that you will pay as outlined in your contract. *If your case is important to you, then you should make sure your lawyer is paid.* Your case should be a priority to you and we expect you to take it seriously. If you are not paying attention to paying your bill, that is a signal to the lawyer that you do not take this matter seriously. Any outstanding fees or expenses are due upon your receipt of that bill. Please note that your failure to pay the fees and expenses as outlined in the contract you signed with our firm, will result in the attorney withdrawing from your case and ceasing representation of you. You would not continue to work if you did not get your paycheck and you should not expect me to either.

I make every attempt to keep your fees as low as possible. Even so, the *actions of your spouse*, or your spouse's attorney often require action on our part and we must charge you for that. There are no flat fees and although I may give you an estimate, it is just that, an estimate. All work by either me or my staff is charged for, including time spent on the phone.

I will ask for your *spouse or ex-spouse to pay your attorneys fees* in most cases, but experience has taught us that the likelihood of collecting fees from your spouse or ex-spouse is not particularly good. Therefore, you will be responsible for the fees which are incurred by this office on your behalf. If payment is received from your spouse or ex-spouse, then it will be applied to your outstanding balance, if any and the difference will be refunded to you.

HOW CLIENTS CAN HELP KEEP THEIR ATTORNEYS FEES AS LOW AS POSSIBLE:

Everyone understands that duplication of effort increases costs. We have found that speaking to relatives, etc. of our clients often causes a duplication of effort. Frequently, the information given to the other person will lose something in the translation to the client. The client then becomes

confused and either mistakes are made or we have to re-explain the information to the client. Of course, this causes misuse of time and energy for which the client is billed. Therefore we are only obligated to consult with the client regardless of who guarantees the payment of fees or bills.

If there are more contested issues, the cost will likewise increase. For example, if temporary relief is needed (for temporary spousal support or temporary child support, e.g.), the costs increase because the attorneys must spend time preparing for, and attending, court to attempt to get that relief from the court. Likewise, if the parties property is complicated to divide, such as a business, retirement, or real estate, or if the parties argue over the characterization of property (community or separate), research time, preparation time, and court time increases, as do legal fees.

Anger and revenge can cause your case to become expensive. Perspective and objectivity can promote a speedy, courteous and swift resolution of your case, thereby reducing the cost of the overall proceeding. I often hear the phrase, "it's a matter of principle, I won't compromise on this."

We have seen cases where an equitable resolution could have been reached but one or both parties refused to compromise on one single item. Because of this "matter of principle" the parties can spend more in attorneys fees than the one item in which they refuse to compromise is worth.

It may be your desire to punish your spouse by making the case as difficult and lengthy as possible. This turns out, in most instances, to be a "no-win" situation. If both parties maintain a realistic concept of what is reasonable and equitable as well as what is actually in the best interest of the child, less money and emotional energy will be spent. Only the attorneys are rewarded monetarily in a lengthy and bitter divorce or post-divorce action.

Denise and I work as a team, each of us doing those tasks which we can do most efficiently. The legal assistants are billed out at a lower rate than the attorney; therefore, the legal assistants handle much of the time consuming tasks involved in gathering information and day-to-day contact with the client. You will be dealing with both me and Denise, together and individually, throughout the relationship.

I know attorney fees are expensive, and in a family law case, it is usually an additional expense at the worst financial time of your life. Even so, the cost of maintaining a law office is significant. We must maintain computers, employees, phone lines, supplies, copiers, fax machines, and other tools of the trade at all times in order to properly represent you. If you do not pay your fees, we cannot adequately maintain the law office, and therefore cannot give you the service you deserve.

All fees due must be paid prior to finalizing your case whether that means proving up an agreed divorce or proceeding to final trial. Since legal services are just that services, many people have trouble understanding this position. However, it is not unlike your telephone service or electric service. If you fail to pay the money owed, your telephone service or electric service will be stopped. Those companies will not continue to provide their services for free and will not provide further services until the amount due is paid in full.