



DID YOU KNOW?

August 2017

Lawyer's Fees

If you have hired or want to hire a lawyer, you need to ask about legal fees and expenses. There is a difference between fees and expenses. The fee that you pay a lawyer is the money you pay for the lawyer's time. Expenses or disbursements are the various costs involved in your case. These are filing costs, photocopying, courier charges etc.

There are three common ways that lawyers charge their services. Keep in mind that there are no fixed rates for fees for lawyers. Lawyers set their own rates.

1. Fixed fee: A lawyer will charge you a fixed fee for your case, no matter how long the case takes. For example, lawyers charge a fixed fee for the purchase of a house.
2. Hourly rate: The lawyer will charge you per hour for the time spent on your case. This includes the time the lawyer spends talking to you on the phone and emailing you or others on your behalf. The more experienced the lawyer is, the higher the lawyer will charge.
3. Contingency fee: the lawyer acts for you in return for a percentage of the money you win in a lawsuit. If you get no money from your case, then your lawyer gets no fees. In most of these cases, however, you must pay all disbursements/expenses such as medical reports, court filing fees, and other expenses, regardless of the result of your case. Contingency fee agreements are common in personal injury claims and should be in writing.

The questions you need to ask regarding legal fees are:

1. Do you have a written retainer letter or agreement?
 - A retainer is a sum of money you pay to your lawyer as a deposit for the services the lawyer will do for you and the expenses that the lawyer will incur on your case. Make sure you get a written agreement specifying the fee arrangement and the work involved. This is the best way of making sure you and your lawyer are clear on the cost involved.
2. Do you charge by the hour, by the case, or on a contingency basis?
3. Is free or reduced-cost legal help available?
4. Will any junior lawyers, paralegals, or legal assistants be working on my case? Do you charge extra for their time?
5. What kind of disbursements will there be?
6. When will you bill me?

Costs

Costs is an award, made by the court, to compensate one party, usually the successful party, for expenses paid during the trial. Please be aware that costs may be awarded against you, especially if the case is unsuccessful. Costs can be a substantial amount.

For more information, you can contact the **Law Society of BC** at:

604-669-2533 or 1-800-903-5300

www.lawsociety.bc.ca

Also see NSCR's Did You Know Fact Sheet:

Disputing Lawyer's Fees

This fact sheet contains legal information, not advice and is accurate as of the above date. For legal advice, please contact a lawyer.