

ESSENTIAL THINGS TO KNOW ABOUT BILLING, RETAINERS AND FEES

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Introduction

▶ Practice of law

▶ Business or profession?



REGULATIONS

- ▶ Rules of the Law Society of Saskatchewan
 - ▶ Relevant provisions:
 - ▶ 1901 - Definitions
 - ▶ 1903 - Prohibited Agreement
 - ▶ 1904 - fees payable pursuant to contingent fee Agreement; and
 - ▶ 1905 - Retainer Agreements

REGULATIONS

- ▶ Code of Professional Conduct - the Law Society of Saskatchewan
- ▶ Relevant provisions:
 - ▶ 3.6 Fees and Disbursements
 - ▶ 3.6-1 Reasonable Fees and Disbursements

REGULATIONS

- ▶ 3.6-2 Contingent Fees and Contingent Fee Arrangements
- ▶ 3.6-3 Statement of Account
- ▶ 3.6-4 Joint retainer
- ▶ 3.6-5 - 3.6-7 Division of fees and referral fees

REGULATIONS

- ▶ 3.6-8 Exception for Multi-disciplinary Practices and interjurisdictional law firms
- ▶ 3.6-9 - 3.6-11 Payment and appropriation of funds
- ▶ 3.6-12 Prepaid legal services plan

RETAINERS

- ▶ Retainer Agreement
- ▶ Definition - Rule 1901



RETAINERS

- ▶ Every retainer agreement that a member enters into with a client shall be in writing... Rule 1905
- ▶ Content of Retainer Agreement Rule 1905 (2) (a)(b)

RETAINERS

▶ Retainers Deposit



Contingent Fee Agreement

- ▶ Definition - Rule 1901
- ▶ Contents of Contingent Fee Agreements - Rule 1902

Billing



FEES

- ▶ Joint Retainer
 - ▶ Rule - 3.6.4
- ▶ Division of Fees and Referral Fees -
 - ▶ Rule - matter may be divided between lawyer3.6-5
 - ▶ Rule - 3.6-6
 - ▶ Rule - 3.6-7

Fees

- ▶ Exception for Multi-discipline Practices and Interjurisdictional Law Firms
 - ▶ 3.6-8 Rule 3.6-7 does not apply to:

Fees

- ▶ Payment and Appropriation of Funds
 - ▶ Rule - 3.6-9
 - ▶ Rule - 3.6-10
 - ▶ Rule - 3.6-11

Fees

- ▶ Prepaid Legal Services Plan
 - ▶ Rule - 3.6-12

Conclusion

- ▶ Monitor - billing
- ▶ Follow-up
- ▶ Be intentional



QUESTIONS

THANK YOU